

BC-13/21: Synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes

The Conference of the Parties,

Noting the priority areas for action recognized in decision SC-8/18 on effectiveness evaluation as they relate to strengthening legislation and regulations for the implementation and enforcement of the Stockholm Convention on Persistent Organic Pollutants,

Mindful of decision BC-13/10 on national legislation, notifications, enforcement of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal and efforts to combat illegal traffic under the Convention,

1. *Welcomes* the analysis of possible synergies in preventing and combating illegal traffic and trade in hazardous chemicals and wastes, building on lessons learned under the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal;¹

2. *Emphasizes* the importance of the effective implementation of the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade, in particular Articles 11 and 12, for preventing and combating illegal trade in hazardous chemicals;

3. *Underlines* the importance of adequate legal and institutional frameworks at the national level in preventing and combating illegal traffic and trade in hazardous chemicals and wastes under the Basel Convention, the Rotterdam Convention and the Stockholm Convention;

4. *Emphasizes* the need to ensure complementarity and consistency and to avoid duplication of the work on illegal traffic and trade under the conventions with similar work by the United Nations Environment Programme and other relevant organizations;

5. *Urges* Parties to strengthen action under the conventions, including cooperation with other Parties, to combat illegal traffic and trade in hazardous chemicals and wastes;

6. *Emphasizes* the importance of the information provided by Parties to the Secretariat under each convention on the measures that they have adopted in order to implement the convention and requests the Secretariat to make the information relevant to illegal traffic and trade, if not identified as confidential by Parties involved, available on the website of the convention, without duplicating related requests under the other conventions;

7. *Encourages* Parties to two or more of the Basel, Rotterdam and Stockholm conventions:

(a) To establish, where they do not yet exist, coordinating mechanisms at the national level with a view to facilitating the exchange of information among relevant authorities responsible for the implementation and enforcement of the provisions of the conventions aimed at controlling the export and import of the chemicals and wastes covered under the conventions, other relevant institutions and the private sector;

(b) To review, through those coordinating mechanisms, the lessons learned under each convention that could benefit the implementation and enforcement of the others and, as appropriate, to adjust their legal and institutional frameworks accordingly;

8. *Invites* Parties to share with other Parties, through the Secretariat, while avoiding duplication:

(a) Their experiences pursuant to paragraph 7 above;

(b) Information on cases of illegal trade in hazardous chemicals and wastes;

¹ UNEP/CHW.13/INF/49-UNEP/FAO/RC/COP.8/INF/34-UNEP/POPS/COP.8/INF/51.

9. *Invites* the member organizations of the Inter-Organization Programme for the Sound Management of Chemicals, the Basel Convention and Stockholm Convention regional centres, the International Criminal Police Organization, the World Customs Organization, the secretariat of the Montreal Protocol on Substances that Deplete the Ozone Layer and relevant global and regional enforcement networks to provide the Conference of the Parties, through the Secretariat, with information on their activities aimed at preventing and combating illegal traffic and trade in hazardous chemicals and wastes as well as lessons learned from those activities for consideration by the Conference of the Parties at its next meeting;

10. *Requests* the Secretariat:

(a) To seek, subject to the availability of resources, comments from Parties and others on further areas, including areas common to two or three of the conventions, in which legal clarity could be improved as a means of preventing and combating illegal traffic and trade in hazardous chemicals and wastes and, based on those comments, to prepare a report, including recommendations, for consideration by the Conference of the Parties at its next meeting;

(b) To support Parties, upon request and within available resources, on matters pertaining to the implementation and enforcement of the provisions of the Basel, Rotterdam and Stockholm conventions aimed at controlling the export and import of chemicals and wastes covered under the three conventions, including on the development and updating of national legislation or other measures;

(c) To develop examples of the integration of the provisions of the Basel, Rotterdam and Stockholm conventions into national legal frameworks and to organize training activities, subject to the availability of resources and in collaboration with partners, to assist Parties, particularly developing-country Parties and Parties with economies in transition, in the development of national legislation and other measures to implement and enforce the provisions of the conventions aimed at controlling the export and import of chemicals and wastes covered under the conventions;

(d) To report on the implementation of the present decision to the Conference of the Parties at its next meeting.