

## COMMUNICATION

### **CONSULTANCY ANNOUNCEMENT: REVIEW AND ASSESSMENT OF THE APPLICATION OF THE CONTROL SYSTEM FOR THE TRANSBOUNDARY MOVEMENT OF WASTES (NOTIFICATION DOCUMENT AND MOVEMENT DOCUMENT) AND THE DIFFICULTIES THAT PARTIES FACE IN IMPLEMENTING THE SYSTEM**

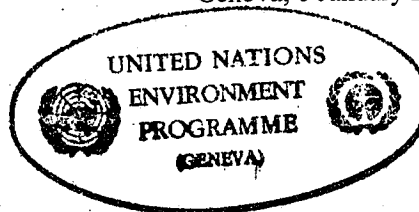
The Secretariat of the Basel Convention hereby draws the attention of Parties and Signatories to the Basel Convention as well as that of the Basel Convention Regional and Coordinating Centres to the following consultancy announcement.

The Implementation and Compliance Committee of the Basel Convention has initiated work on the review and assessment of the application of the control system for the transboundary movement of wastes (notification document and movement document) and the difficulties that Parties face in implementing the system, in accordance with activity (c) of table 1 of its 2009-2011 work programme (Annex 1 to Decision IX/2). The Committee is seeking applications for a 20-day consultancy position and the Secretariat invites interested candidates to consult the attached terms of reference and to submit their candidature by **29 January 2010** to [juliette.kohler@unep.org](mailto:juliette.kohler@unep.org), using the P11 form available on the website of the Convention (<http://www.basel.int/legalmatters/index.html>).

The Secretariat would welcome the assistance of Parties, Signatories as well as the Centres in making this information available to potential candidates.

Thank you in advance for your kind cooperation and assistance.

Secretariat of the Basel Convention  
Geneva, 6 January 2010



To: Focal Points and Competent Authorities of Parties and Signatories to the Basel Convention  
Basel Convention Regional and Coordinating Centres  
cc: Permanent Missions to the United Nations in Geneva

SECRETARIAT OF THE BASEL CONVENTION  
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## Terms of reference

### **Consultant to assist the Implementation and Compliance Committee in reviewing and assessing the application of the control system for the transboundary movement of wastes (notification document and movement document) and the difficulties that Parties face in implementing the system**

1. A consultant shall be retained to assist the Basel Convention Implementation and Compliance Committee (hereafter the Committee) in reviewing and assessing the application of the control system for the transboundary movement of wastes (notification document and movement document) and the difficulties that Parties face in implementing the system. This work is undertaken under the Committee's work programme 2009-2011 adopted by Decision IX/2 of the Conference of Parties, more specifically activity (f) of table II of section I of the annex to that decision that specifies that the Committee is to "review and assess the application of the control system for the transboundary movement of wastes (notification document and movement document) and the difficulties that Parties face in implementing the system" with a view to ensuring and improving implementation of, and compliance with, specified obligations under articles 3, 4, 5 and 6 of the Basel Convention<sup>1</sup>. During its seventh session, the Committee agreed that a consultant would need to be hired to assist the Committee undertake this activity<sup>2</sup>. In undertaking this activity, the consultant shall take into account and make reference to concurrent developments in the framework of the Basel Convention.

2. The consultant, who shall report to the Committee through the Secretariat of the Basel Convention, shall undertake the following tasks:

i. Preparatory work:

- Be familiar with the background leading up to the elaboration of the harmonized forms for the notification and movement documents and the instructions on the use of these forms, adopted during the eight meeting of the Conference of the Parties.
- Analyze information collected in the context of current projects implemented through/with the Secretariat of the Basel Convention and that may provide additional guidance on the review and assessment of the application of the control system for the transboundary movement of wastes and the difficulties that Parties face in implementing the system (interview with Secretariat staff)
- Analyze information collected in the framework of the Country Led Initiative on Parties difficulties in implementing the control system (documentation available on the website of the Convention, possibility of interviewing Secretariat staff).
- Review and analyze the answers to question 4a of the "revised questionnaire on the transmission of information" (annual report) submitted by Parties for the years 2006 and 2007 (reports available on the website of the Convention) with a view to identifying which Parties have reported for these years, which of these Parties have provided an answer to that question, which of these Parties use the notification and movement forms, and what difficulties Parties are encountering in using these forms. The analysis should provide a geographical breakdown of responses according to the five UN regions.
- Identify which Parties have not fully reported on question 4a for 2006 and 2007 and prepare a questionnaire intended for these Parties. The questionnaire would aim at collecting information from these Parties on their use of the notification and movement documents and on the difficulties faced in implementing the control system for the transboundary movement of wastes. The questionnaire will take into account the difficulties identified by Parties in their responses to question 4a and will build on those difficulties already identified in the process leading up to the adoption of the harmonized forms for the notification and movement documents and the instructions on the use of these forms during COP-8. It will ask whether these difficulties are still being faced and will aim at identifying other types of difficulties faced by Parties. The

<sup>1</sup> See the report of the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal on its ninth meeting (UNEP/CHW.9.39).

<sup>2</sup> Paragraphs 20 and 45 of the report of the seventh session of the Basel Convention Implementation and Compliance Committee (25-26 June 2009), doc. UNEP/CHW/CC/7/10

questionnaire would follow the format of the questionnaire used by the Committee for the implementation of its 2005-2006 work programme, more specifically its mandate to identify and analyze the difficulties faced by Parties in reporting, designating focal points/competent authorities and developing national legislation. The questionnaire would be prepared in English and the Secretariat would assist in its translation into Spanish and French if necessary. The Secretariat would also assist in sending the questionnaire to the appropriate Parties as well as the fourteen Basel Convention Regional Centers and ensure that responses received are transmitted to the consultant.

- Review and analyze answers provided by Parties and the BCRCs to the questionnaire.

ii. Prepare a report in English of approximately 15 pages (excluding annexes) reviewing and assessing the application of the control system for the transboundary movements of wastes (notification and movement documents) and the difficulties that Parties face in implementing the system, based on a consolidated analysis of the conclusions drawn from the various components of the preparatory work detailed above.

The report will provide a regional breakdown of the implementation of the control system and of the difficulties faced by Parties. The goal of the report is to provide the Committee with an updated and comprehensive overview of how Parties are implementing treaty provisions as well as associated documents and instructions on the control system, and to provide the Committee with concrete recommendations on the steps it may consider taking and/or recommend for adoption by the Conference of the Parties.

The report will comprise a one page executive summary, a half a page introduction, 3 parts, and a half page conclusion. Annexes will be added, as appropriate.

- (a) The document will summarize the process leading to the adoption of the harmonized forms for the notification and movement documents and the instructions on the use of these forms, highlighting the type of difficulties these forms were expected to address (2 pages).
- (b) The document will review and assess the current application of the control system for the transboundary movement of wastes and the difficulties faced by Parties, indicating whether any change took place since COP-8 and for what reason (7 pages)
- (c) The document will include conclusions on the current application of the control system for the transboundary movement of wastes, how this application could be improved, as well as provide recommendations for the Committee/COP on how to address the difficulties faced by Parties (3 pages).

#### Qualifications and experience

The consultant must have at least 10 years' work experience in the field of MEAs, including 5 years working on the Basel Convention and/or MEA implementation and compliance mechanisms/procedures. The consultant must possess excellent English reading and writing skills. Knowledge of French and Spanish desirable.

#### Time frame

The contract will require 20 days of work, to be executed between the signature of the contract and 8 May 2010.

The consultant shall undertake the preparatory work and submit the draft questionnaire to the Secretariat by 26 February 2010. The final questionnaire must be submitted to the Secretariat by 5 March 2010, for onward transmittal to Parties and the BCRCs (response deadline: 19 March 2010). The consultant shall submit a draft report by 12 April 2010 and will finalize the document, taking into account the comments by the Committee and the Secretariat, by 8 May 2010.