



**Basel Convention on the Control of
Transboundary Movements of
Hazardous Wastes and their Disposal**

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**Rotterdam Convention on the Prior
Informed Consent Procedure for
Certain Hazardous Chemicals and
Pesticides in International Trade**



**Stockholm Convention on
Persistent Organic Pollutants**

**Ad hoc joint working group on enhancing cooperation and
coordination among the Basel, Rotterdam and Stockholm conventions**
Second meeting
Vienna, 10–13 December 2007
Item 3 of the provisional agenda*

**Consideration of the intersessional work undertaken by the
members of the ad hoc joint working group and by the
Secretariats of the Basel, Rotterdam and Stockholm Convention**

**Technical assistance legal services, including development of
legislation**

Note by the secretariats

1. The present note seeks to supplement information already presented to the Ad Hoc Joint Working Group on legal services and activities undertaken by the Secretariats, in particular respect of legal technical assistance activities and the development of legislation.
2. In addition to the general legal services and assistance provided by the legal offices of the Secretariat, work is also undertaken to provide specific technical assistance to assist Parties in implementing the Conventions. To this end, technical assistance activities on legal matters are undertaken upon request from Parties, and arise out of decisions of the Conference of the Parties and its subsidiary bodies.
3. The technical assistance activities on legal issues under the three conventions may be categorized as follows: (a) providing advice and guidance on the development and implementation of national legislation by Parties, and developing and executing projects to that end; (b) delivering seminars and workshops; and (c) the development of training manuals and guidance documents. Such activities require a specialist substantive knowledge of the relevant Convention. Table 1 below illustrates how these legal technical assistance activities are carried out by the Secretariats.

* UNEP/FAO/CHW/RC/POPS/JWG.2/1.

Provision of technical assistance on legal issues under the Basel, Rotterdam and Stockholm Conventions

Issue	Basel Convention	Rotterdam Convention	Stockholm Convention
National legislation	The Secretariat is about to commence implementing a project aimed at strengthening the legislative, regulatory and enforcement capacity of Small Island Developing States in the Caribbean, with a specific national element to be carried out in Trinidad and Tobago. The Secretariat's participation in this project was enabled on the basis of voluntary contributions received for this purpose	The Secretariats ¹ have a mandate to facilitate assistance to the Parties, particularly developing country Parties and Parties with economies in transition, on request, in the implementation of the Conventions.	
		The FAO Legal Office, especially through its legal technical cooperation programme, assists developing countries in enhancing pesticide legislation contributing to the implementation of the Rotterdam Convention.	COP 1 in its decisions SC-1/15 adopted guidance on technical assistance, that identifies, among others, the training for decision-makers, managers and personnel responsible for issues related to the Convention in legislation development and enforcement as a priority areas of technical assistance and technology transfer. This type of activity is also eligible for funding under the financial mechanism of the Convention.
Delivering seminars and workshops	The Secretariat of the Basel Convention has organized a series of workshops aimed at addressing any perceived obstacles to ratification and accession to the Basel Protocol on Liability and Compensation for Damage resulting from the Transboundary Movements of Hazardous Wastes. In addition, the Secretariat has also organized workshops aimed at training enforcement agents on the requirements of the Convention in respect of illegal traffic of hazardous wastes.	Regarding the Rotterdam and Stockholm Conventions, seminars and workshops on legal aspects of the Conventions are often organized by UNEP/DEL/C as part of legal capacity-building activities of UNEP, as part of systematic support to the Conventions. For example, in September 2007, it convened an African regional workshop on chemicals laws and conventions, in cooperation with the secretariats of the Basel, Rotterdam and Stockholm Conventions and SAICM, where legal aspects of the Conventions were addressed. Legal aspects of the Rotterdam and Stockholm Conventions were addressed also at global and regional training workshops on environmental law held in Nairobi and Bangkok in October/November 2007.	

¹ Rotterdam Convention, Article 19 paragraph 2(b), Stockholm Convention Article 20 paragraph 2(b).

Issue	Basel Convention	Rotterdam Convention	Stockholm Convention
Development of training manuals, guidance documents and other materials	<p>The Secretariat has developed:</p> <ul style="list-style-type: none"> • guidance documents on the control system of the Convention, on the implementation of the Basel Protocol on Liability and Compensation, • a manual on illegal traffic for specific use by enforcement authorities, <p>In addition the Secretariat has been tasked with developing a further manual on illegal traffic for the legal profession.</p>	<p>As many developing countries expressed their need to receive assistance for the development of national legislation and regulatory frameworks in the field of chemicals, legislative guidance material was prepared for the implementation of the Rotterdam Convention by its secretariat.</p> <p>The FAO Legal Office has been contributing to legal capacity-building in developing country Parties to the Convention, including through the preparation of updated legislative guidance materials on pesticides legislation.</p>	
		<p>UNEP/DELDC has been undertaking its work, under a GEF project, towards the development of legislative guidance document on chemicals legislation that will support efforts developing country Parties to the Stockholm Convention to enhance their legislation which would help them implement also the Rotterdam Convention.</p>	