



BAMA KO CONVENTION

Conference of the States Parties

First Session

Bamako, Mali

24-26 June 2013

DECISION 1/7 – Institutional arrangements for the implementation of Convention: Establishment of a subsidiary body

The Conference:

Recalling that Article 15, paragraph 4 of the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa states that the Conference of the Parties shall keep under continued review and evaluation the effective implementation of this Convention, and inter alia, shall establish such subsidiary bodies as are deemed necessary for the implementation of this Convention¹;

Further recalling Article 15, paragraph 2 of the convention that requires the Conference of the Parties to adopt rules of procedure for itself and for any subsidiary body it may establish, as well as financial rules²;

Bearing in mind the fact that rapid evolution in the scientific and technological knowledge on hazardous wastes as well as developments in the legal field on transboundary movement and disposal of wastes requires to have a body to provide expertise and guidance on these matters.

Hereby:

1. **Decides** to establish a Legal and Technical Working Group (LTWG) to meet as necessary in order to fulfill its tasks as mandated by the Conference of Parties subject to available resources;
2. **Adopts** the Terms of Reference (TOR) of the LTWG annexed hereto (Annex I);
3. **Requests** the Secretariat and the Parties to identify the necessary funds and to convene a Meeting of the LTWG in 2014;
4. **Instructs** the LTWG to fulfill the tasks placed on it by the decisions of this Conference and to present a report on its work to the Second Meeting of the Conference of Parties.

¹ **Art. 15.4 (e):** The Conference of the Parties shall keep under continued review and evaluation the effective implementation of this Convention, and in addition, shall... establish such subsidiary bodies as are deemed necessary for the implementation of this Convention.

² **Art. 15.2:** The Conference of the Parties to this Convention shall adopt rules of procedure for itself and for any subsidiary body it may establish, as well as financial rules...

ANNEX I: Terms of Reference of the Legal and Technical working group of the Bamako Convention

1. Each Party shall designate *a suitable representative and alternate* to the Legal and Technical Working Group (LTWG) who may be accompanied by other experts and advisers appointed by that Party.
2. The Conference of the Parties shall determine the matters to be considered by the LTWG which will fulfill such tasks and report to the next Conference of the Parties. This will include inter alia:
 - a) In collaboration with the Secretariat, the examination of information provided by Parties on measures taken to implement the Convention and the formulation of recommendations on the necessary actions to be undertaken for consideration by the Conference of the Parties.
 - b) The provision through the Secretariat of guidance on the development of plans programmes and measures related to the legal and technical aspects (awareness, training, legal and scientific) of the implementation of the Convention.
 - c) Development of model legislations to implement the Bamako Convention at the national level, which includes provisions to address illegal traffic.
 - d) The provision of expertise and guidance on the development/adaptation of guidelines and standards for the environmentally sound management of hazardous wastes.
 - e) The review of guidelines, standards and other relevant documents prior to adoption by the Conference of Parties.
 - f) The provision of expertise and guidance on priority measures and activities in the legal and technical fields for the implementation of the Convention.
 - g) The assistance with co-ordination of work at the global, regional and national levels including the necessary linkages with relevant global Conventions.
 - h) The provision of expertise and guidance to the Secretariat and the Parties on the technical and scientific needs of the Convention.
 - i) Assessment and prioritization of the work-programme and budget for the implementation of the Convention and submission to the Conference of Parties
3. The Committee will perform such other functions relating to the implementation of the Convention as may be instructed by the Conference of the Parties.
4. Notwithstanding paragraphs 2 and 3 of this TOR a Party may add any other specific issue in direct relation to the implementation of the Convention on the mandate of the LTWG *with the approval of all Parties*.
5. The Rules of Procedures of the Conference of the Parties apply *mutatis mutandis* to the meeting of the LTWG.