



BAMAOKO CONVENTION

Conference of the States Parties

First Session

Bamako, Mali

24-26 June 2013

DECISION 1/19 – Liabilities and compensation

The Conference:

Recalling Article 12 of the Bamako Convention on the Ban of the Import into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes within Africa¹;

Further recalling that Article 15, paragraph 2 of the Convention requires the Conference of the Parties to adopt rules of procedure for itself and for any subsidiary body it may establish²;

Hereby:

1. **Decides** to establish an Ad-Hoc Expert Group on Liabilities and Compensation (AHG-LC) 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 AHG-LC annexed hereto (Annex I);
3. **Requests** the Secretariat and the Parties to identify the necessary funds and to convene a Meeting of the AHG-LC in 2011;
4. **Instructs** the AHG-LC 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 **Article 12:** The Conference of Parties shall set up an ad hoc expert organ to prepare a draft protocol setting out appropriate rules and procedures in the field of liabilities and compensation for damage resulting from the transboundary movement of hazardous wastes.

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 Ad-Hoc Group on Liabilities and Compensation (AHG-LC)

1. Each Party shall designate *a suitable representative and alternate* to the Ad-Hoc Expert Group on Liabilities and Compensation (AHG-LC) who may be accompanied by other experts and advisers appointed by that Party.
2. The Ad-Hoc Expert Group on Liabilities and Compensation (AHG-LC) shall prepare a draft protocol setting out appropriate rules and procedures in the field of liabilities and compensation for damage resulting from the transboundary movement of hazardous wastes.
3. The Ad-Hoc Expert Group on Liabilities and Compensation (AHG-LC) 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 STAC, *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 Ad-Hoc Expert Group on Liabilities and Compensation (AHG-LC).