

VIII/25: Protocol on liability and compensation

The Conference of the Parties

1. *Calls upon* all Parties and organizations that are in a position to do so to make financial or in-kind contributions for the organization of workshops for addressing various aspects of and obstacles to the process of ratification of or accession to the Basel Convention Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and their Disposal and the wider dissemination of the instruction manual on the implementation of the Protocol;¹

2. *Requests* the Secretariat to continue its work on organizing workshops to address aspects of and obstacles to the process of ratification of or accession to the Protocol should funding be forthcoming;

3. *Requests* the Secretariat to publish the instruction manual on implementation of the Protocol in the six official United Nations languages and to disseminate it widely, subject to the availability of funds;

4. *Further requests* the Secretariat to update the instruction manual on a regular basis by the addition, as annexes to the instruction manual, of copies of domestic law and case studies relating to the implementation of the Protocol submitted by Parties;

5. *Invites* Parties and others to submit comments to the Secretariat, by 31 March 2007, on specific concerns and considerations relating to the definition of States of transit in annex A of the Protocol, the difficulties in proving illegal traffic for the purposes of the Protocol and the adequacy of the financial limits laid down in annex B of the Protocol;

6. *Requests* the Secretariat, based on consultations with relevant institutions, to elaborate further on three of the options that may be available with respect to the requirement of insurance, bonds or other financial guarantees as presented in its note,² ensuring that at least one option explored provides guidance on steps that could be taken at the national level, that another explores steps that could be taken at the international level and that a third explores steps that could be taken at the regional level, and to report to the Open-ended Working Group on its findings;

7. *Also requests* the Secretariat, subject to receipt of voluntary contributions for the purpose, to arrange a meeting to facilitate consultations on mechanisms to meet the requirement of insurance, bonds or other financial guarantees, to be attended by 12 representatives from industry and relevant international or regional organizations and two representatives from each United Nations regional group, with a view to considering the feasibility of such mechanisms to meet the requirements of article 14 of the Protocol

8. *Further requests* the Secretariat to report to the Conference of the Parties at its ninth meeting on the outcome of the consultations referred to in paragraph 7 of the present decision;

9. *Calls upon* States to provide voluntary funding for the organization of the consultations referred to in paragraph 7 above;

10. *Calls upon* Parties to continue to consult at the national and regional levels with a view to determining suitable mechanisms for providing insurance, bonds or other financial guarantees, with particular reference to the differing needs of different regions and industries.

¹ UNEP/CHW/OEWG/4/8*.

² UNEP/CHW/OEWG/5/2/Add.7.