



# **MEMORANDUM OF UNDERSTANDING**

between

**THE SECRETARIAT OF THE CONVENTION FOR THE  
PROTECTION AND DEVELOPMENT OF THE MARINE  
ENVIRONMENT OF THE WIDER CARIBBEAN REGION**

**UNEP - Caribbean Environment Programme, Regional Co-ordinating Unit,  
14 - 20 Port Royal Street, Kingston, Jamaica**

**(hereinafter referred to as 'CAR/RCU')**

and

**THE SECRETARIAT OF THE BASEL CONVENTION**

**International Environment House, 13 - 15 Chemin des Anemones  
CH - 1219 Chatelaine, Geneva, Switzerland**

**(hereinafter referred to as 'SBC')**

## **PREAMBLE**

*Whereas* the United Nations Environment Programme (UNEP) has a global mandate to provide leadership and encourage partnerships in caring for the environment by inspiring, informing and enabling nations and people to improve their quality of life without compromising that of future generations, to its Member States as well as other States;

*Whereas* the Cartagena Convention for the Protection and Development of the Marine Environment of the Wider Caribbean Region, 1983 ('the Cartagena Convention') and its various Protocols, in particular the Protocol concerning Co-operation in Combating Oil Spills in the Wider Caribbean Region, 1983, and the Protocol concerning Pollution from Land-Based Sources and Activities, 1999 ('the Land Based Sources Protocol'), aim to protect the marine environment of the Wider Caribbean region for the benefit and enjoyment of present and future generations;

*Whereas* the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, 1989, ('the Basel Convention') and its Protocol on Liability and Compensation, 1999, aim to protect, by strict control, human health and the environment against the adverse effects which may result from the generation, management and transboundary movements of hazardous wastes and other wastes;

*Whereas* CAR/RCU develops plans, programmes and measures including the coordination of projects and the provision of information, advice, training and guidance to the Parties to the Cartagena Convention regarding the protection and development of the coastal and marine environment in the Wider Caribbean Region;

*Whereas* the Secretariat of the Basel Convention is entrusted under the Basel Convention with the task of ensuring the necessary coordination with relevant international bodies, in particular to enter into such administrative and contractual arrangements as may be required, as well as to coordinate projects and provide information, advice, training and guidance to the Parties to the Basel Convention, directly or through the Basel Convention Regional Centres ('BCRCs');

*Whereas*, in accordance with Article 14 of the Basel Convention, Basel Convention Regional Centres for Training and Technology Transfer for the Latin American and Caribbean Region have been, or are in the process of being, established, in: Argentina to serve South American countries; El Salvador to serve Central American countries and Mexico; Trinidad and Tobago to serve the Caribbean countries; and Uruguay as a coordinating centre for the whole region.

*And whereas* the above mentioned BCRCs are mandated to assist Parties to the Basel Convention in implementing the Convention and the Strategic Plan adopted, and from time to time revised, by the Conference of the Parties to the Basel Convention, and to develop regional and national plans, programmes and measures including the coordination of projects and the provision of information, advice, training and guidance to the Parties to the Basel Convention;

*Now, therefore*, CAR/RCU and SBC (also referred to as 'the Parties') have agreed as follows:

### **Article I. AIMS**

1. Under the present Memorandum, CAR/RCU and SBC agree to identify modalities for improving cooperation and coordination of activities in respect of matters of common interest.
2. The Parties also agree that they will act in close cooperation with each other and will consult each other in regard to matters of common interest whenever this may be appropriate in the light of their respective mandates.

## **Article II. INSTITUTIONAL ARRANGEMENTS**

CAR/RCU and SBC agree:

1. To facilitate the participation of CAR/RCU, as appropriate, in the meetings of the Basel Convention, including relevant meetings of the BCRCs in the Wider Caribbean region;
2. To facilitate the participation of SBC and of the BCRCs, as appropriate, in the intergovernmental meetings on the Action Plan for the Caribbean Environment Programme as well as the meetings of the Parties to the Cartagena Convention and the various Protocols thereto, in particular the Land Based Sources Protocol;
3. To establish the appropriate channels of communication to facilitate cooperation between CAR/RCU and SBC with a view to implement the activities as laid out in Article III of the present Memorandum of Understanding.

## **Article III. MAIN AREAS OF COLLABORATION**

1. The Parties identify the following as matters of common interest in respect of which cooperation may be enhanced:
  - a) Preparation and implementation of the Basel Convention Strategic Plan, as revised from time to time by the Conference of the Parties, and the Action Plan for the Caribbean Environment Programme in the context of implementation of the Cartagena Convention and its Protocols with particular focus on training, capacity building, project coordination and implementation;
  - b) Promotion of the concept of integrated management of hazardous wastes and other wastes.
2. In promoting the collaboration described in the paragraphs (a) and (b) above, CAR/RCU and SBC, in close cooperation with the BCRCs, and as appropriate, will undertake the activities set forth in the annex hereto.

## **Article IV. BASEL CONVENTION REGIONAL CENTRES IN THE GRULAC REGION**

Nothing in this Memorandum of Understanding precludes the conclusion of Memoranda of Understanding between CAR/RCU and individual BCRCs as and when appropriate. SBC shall be consulted prior to the conclusion of any such Memorandum of Understanding.

## **Article V. FINANCIAL ARRANGEMENTS**


Nothing in this Memorandum of Understanding shall give rise to a legal or financial obligation upon either Party. Where measures taken to implement this Memorandum of Understanding may give rise to any financial or legal obligations, the Parties shall in each case consult and agree in writing on the most equitable manner of meeting such obligations prior to such measures being undertaken.

## Article VI. ENTRY INTO FORCE, AMENDMENT AND TERMINATION

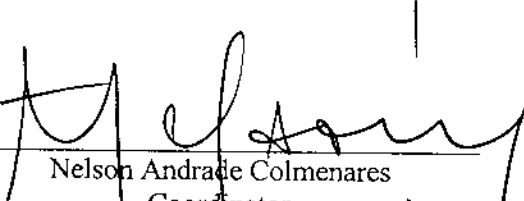
1. This Memorandum of Understanding shall enter into force upon signature by the two Parties and shall remain in force for a duration of three calendar years. Where signature takes place on two different dates, the present Memorandum of Understanding shall enter into force from the date of the second signature. In the absence of written notice by one Party to the other of non-renewal, the present Memorandum shall be automatically renewable for further three-year periods.
2. The provisions of the present Memorandum of Understanding may be amended by written agreement between the Parties. Any such amendment shall enter into force thirty days from the date of such written agreement or, where such agreement is made by exchange of letters, from the date of the later letter.
3. This Memorandum of Understanding may be terminated by either Party giving sixty days' written notice to the other Party thereof.

Done at Geneva, on July 2004, in two copies, each one being equally authentic.

For the Secretariat of the Basel Convention

  
\_\_\_\_\_  
Sachiko Kuwabara-Yamamoto  
Executive Secretary  
Date: 1 July 2004

For the Secretariat of the Cartagena Convention

  
\_\_\_\_\_  
Nelson Andrade Colmenares  
Coordinator  
Date: 1 July 2004

## Annex

- a) Exchange of data and information of mutual interest and relevance;
- b) Support, as appropriate, of the accession by countries in the region to the Basel Convention, its amendment and the Protocol on Liability and Compensation, as well as to the Cartagena Convention and its Protocols;
- c) Assistance in the development of national legislation and regulatory measures;
- d) Awareness raising activities;
- e) Harmonisation of reporting requirements and tools under the Basel Convention and the relevant Protocols of the Cartagena Convention, in particular the Land Based Sources Protocol;
- f) Development of joint inventories of hazardous wastes and other wastes;
- g) Development and implementation of joint strategies and programmes concerning land based sources of contamination and the environmentally sound management of hazardous wastes and other wastes, including transfer of technology, aiming, in order of priority, at:
  - i. pollutants as classified under Annex I to the Land Based Sources Protocol ;
  - ii. waste streams and constituents classified under Annex I and VIII to the Basel Convention, including used oils, lead acid batteries, organohalogen compounds, cyanides and fluorides, health care wastes, end of life equipments, mercury and asbestos containing wastes;
- h) Development of partnerships with industry, local authorities and municipalities, non-governmental organizations and other interested entities.