

Committee on Trade and Environment

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THE BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL

Communication from the Basel Convention Secretariat

This background paper is circulated to Members in preparation for the MEA Information Session on 24 October 2000.

I. PARTIES TO THE BASEL CONVENTION AND AMENDMENT

1. As of October 2000, there are 141 Parties to the Basel Convention:

• Africa	31
• Asian and the Pacific	33
• Western Europe and others	28
• Central and Eastern Europe	20
• Latin America and the Caribbean	28
• the European Community	

2. As of October 2000, 21 Parties have ratified, accepted or approved the ban amendment contained in Decision III/1 (Amendment to the Basel Convention) adopted by the third meeting of the Conference of the Parties (1995). In accordance with Article 17 of the Convention, the Amendment will enter into force upon ratification, acceptance or approval by three fourths of the Parties present at the time of the adoption of the Amendment (62 Parties).

II. TRADE MEASURES

3. The Basel Convention obligations concern the control of transboundary movements of hazardous wastes and other wastes and their environmentally sound management, including their disposal. Implementation of the provisions of the Convention may have direct or indirect effects on trade in hazardous waste materials.

III. CAPACITY BUILDING

4. There are three major results that could be expected from the technical assistance provided by or through the Secretariat:

- (a) Awareness regarding unsound practices and the need to shift to environmentally sound practices encompassing hazardous wastes minimization, management (including disposal) and pollution prevention;
- (b) identification of the required elements to prepare national management plans for the environmentally sound management of hazardous wastes, including legal,

administrative and institutional mechanisms to implement the Basel Convention, as well as relevant regional agreements concerning or related to hazardous wastes;

- (c) enhancement of cooperation at the national or regional level to control transboundary movements of hazardous wastes, to prevent and monitor illegal traffic in such wastes, to harmonize control procedures and classification of wastes, and, as necessary, to organize regional or sub-regional collection, storage and treatment facilities for hazardous wastes.

5. Three domains are most often addressed through technical assistance activities:

- Identification of priority and common issues in terms of implementation of the Basel Convention at the national or regional level and means required; and preparation of elements of hazardous wastes management plans, including methodologies for inventories and the prevention and control of illegal traffic;
- assessment of enforcement needs and priorities in relation to the implementation of the Basel Convention, including training of enforcement personnel; and
- establishment of regional centres for training and technology transfer and identification of solutions or ways forward at the regional level to advance with achieving environmentally sound management of hazardous wastes, encompassing access to information on cleaner production and hazardous wastes minimization.

6. A number of possibilities are being explored by the Secretariat with a view to finding new avenues for promoting environmentally sound technology transfer. Preliminary contacts have been established with the World Intellectual Property Organization (WIPO). Also, cooperation with the WTO could represent an important area of synergy in regard to the transfer of environmentally sound technologies. Opportunities for complementarities could be explored with the WTO in the field of intellectual property rights.

7. Financial support to technical assistance activities are of a voluntary nature. Direct contributions are made by Parties and Signatory to the Basel Convention Technical Cooperation Trust Fund or through bilateral assistance. The Basel Declaration on Environmentally Sound Management, adopted in December 1995, calls for finding new and innovative sources of funding for the implementation of the Basel Convention. In this context, the Secretariat has taken initiatives to explore potential sources of funding with development banks, the Global Environment Facility, and industry, in addition to the traditional support provided by Parties and Signatory to the Convention.

IV. DISPUTE SETTLEMENT

8. There has been no case of use of dispute settlement procedures in matters dealing with trade in the framework of the Basel Convention.
