

# Reduction of Unintentionally Produced Persistent Organic Pollutants (UPOPs) emissions by improving waste management practices at landfills

*Basel Convention Administrative Asepcts*

GEF Project ID: 5558 – Component 2 - Development and Implementation of a Sustainable Management Mechanism for POPs in the Caribbean

4 March 2020



# Basel Convention

## Administrative aspects

# Presentation Outline

What is Basel Convention?

Illegal traffic

Shipment and control  
procedure

# Basel Convention

**Objective** – to protect human health and the environment by:

- ✓ Minimizing generation of hazardous wastes
- ✓ Treating and disposing of hazardous wastes and other wastes as close as possible to their source of generation in an environmentally sound manner
- ✓ Reducing trans-boundary movements of hazardous wastes and other wastes to a minimum consistent with their **environmentally sound management and controlling such movements**

# Basel Convention

## Corner stones of the Transboundary Movement (TBM) control procedure

1. **Conditions on TBM**
2. **Prior informed consent procedure**
3. **Environmentally sound management**
4. **Illegal traffic**

# Basel Convention

## General rights and obligations of Parties relevant to the control of TBM

(Article 4 of the Convention)

- ❖ Obligation to take appropriate legal, administrative and other measures to implement and enforce the requirements of the Convention, including measures to prevent and punish conduct in contravention to the Convention

## **Restriction on exports to a non-party country**

**A Party shall not permit hazardous wastes or other wastes to be exported to a non-Party or to be imported from a non-Party (*Article 4 para 5*)**

# Basel Convention

- Right of Parties to restrict/prohibit the import of hazardous or other wastes for disposal
  - Obligation to inform other Parties of their decision to restrict/prohibit import of hazardous or other wastes
  - Obligation by other Parties to respect such restrictions/prohibitions
  - List of the restrictions/prohibitions imposed under national law in individual Parties:  
<http://www.basel.int/Countries/ImportExportRestrictions/tabid/1481/Default.aspx>
- Right of Parties to restrict/prohibit the export of hazardous or other wastes for disposal

# What is **'illegal traffic'**?

Article 9, paragraph 1:

Transboundary movement of hazardous wastes or other wastes:

- a) **Without notification**
- b) **Without consent**
- c) **With consent obtained through falsification, misrepresentation or fraud**
- d) **That does not conform with documents**
- e) **Results in deliberate disposal ('dumping')**



# Illegal traffic

What happens when a transboundary movement is deemed **'illegal traffic'**?

If it is the result of exporter's or generator's conduct:

- **Waste to be taken back by the exporter or generator;**  
or if impracticable,
- Otherwise disposed of in accordance with the Convention

within 30 days from the time the State of export has been informed about the illegal traffic, or such other period of time as States concerned may agree

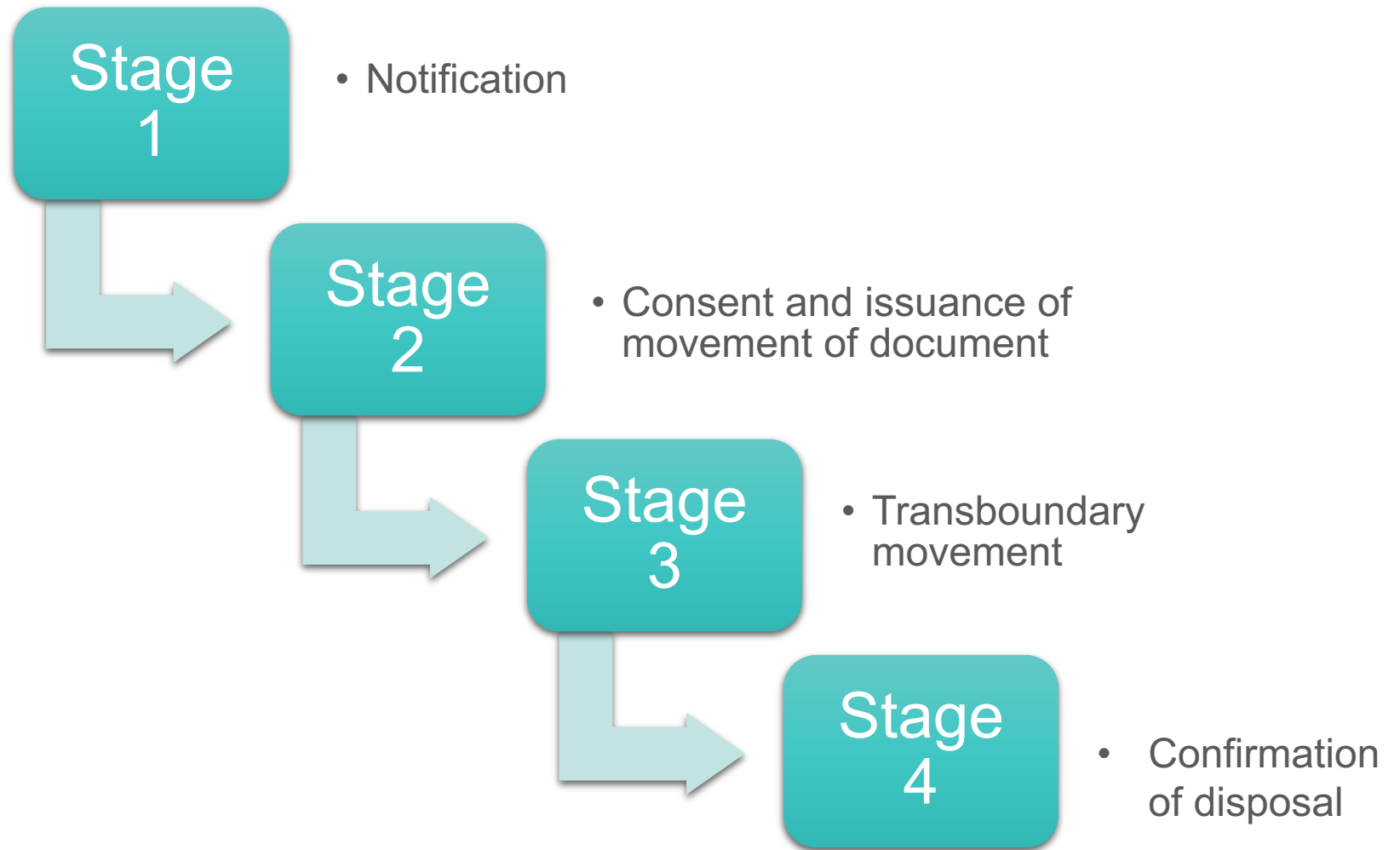
# Illegal traffic

Parties consider that illegal traffic in hazardous wastes is **criminal**

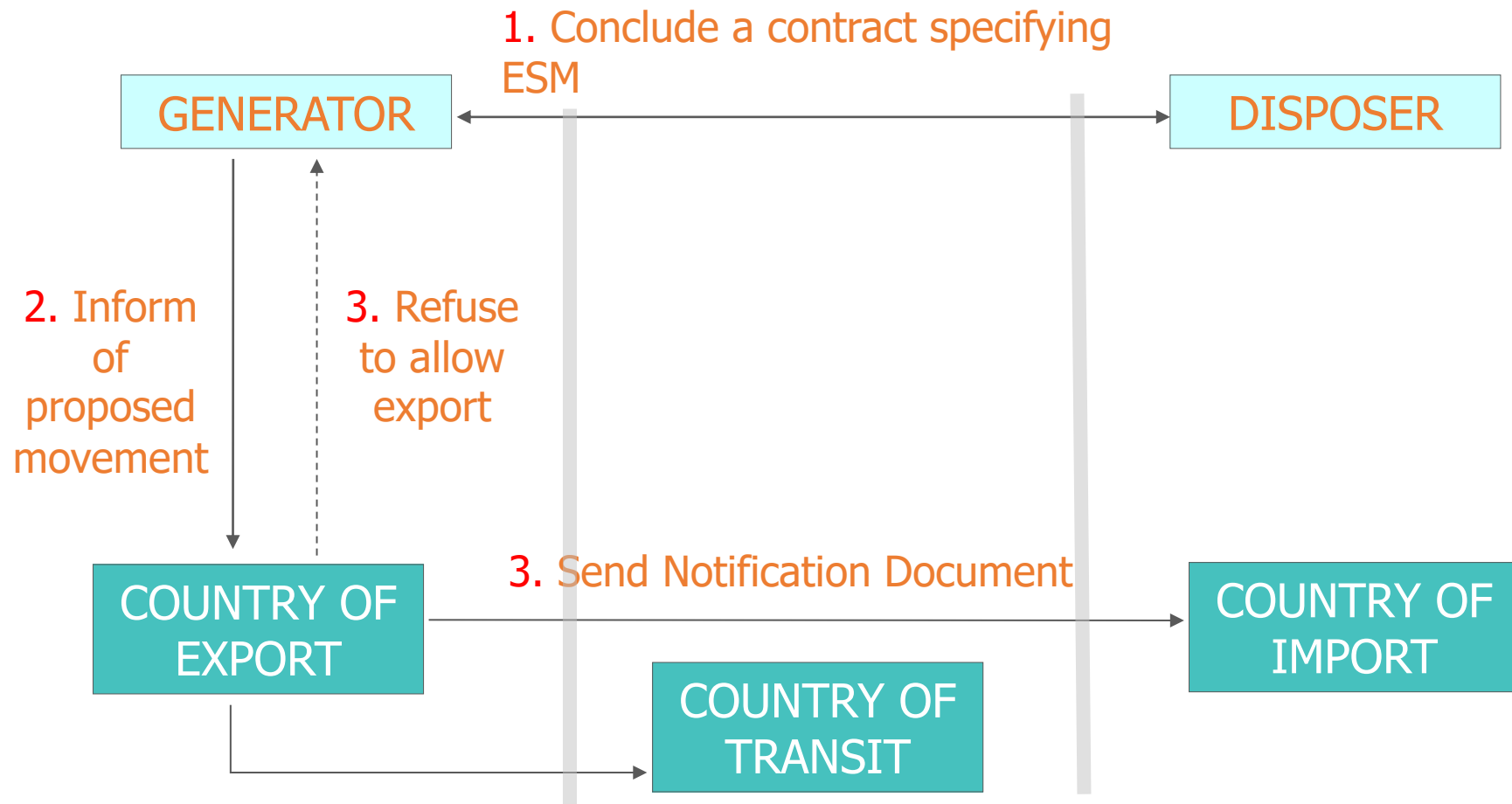
- Under Article 9, paragraph 5, each Party is required to introduce appropriate national legislation to prevent and punish illegal traffic

# Control procedure

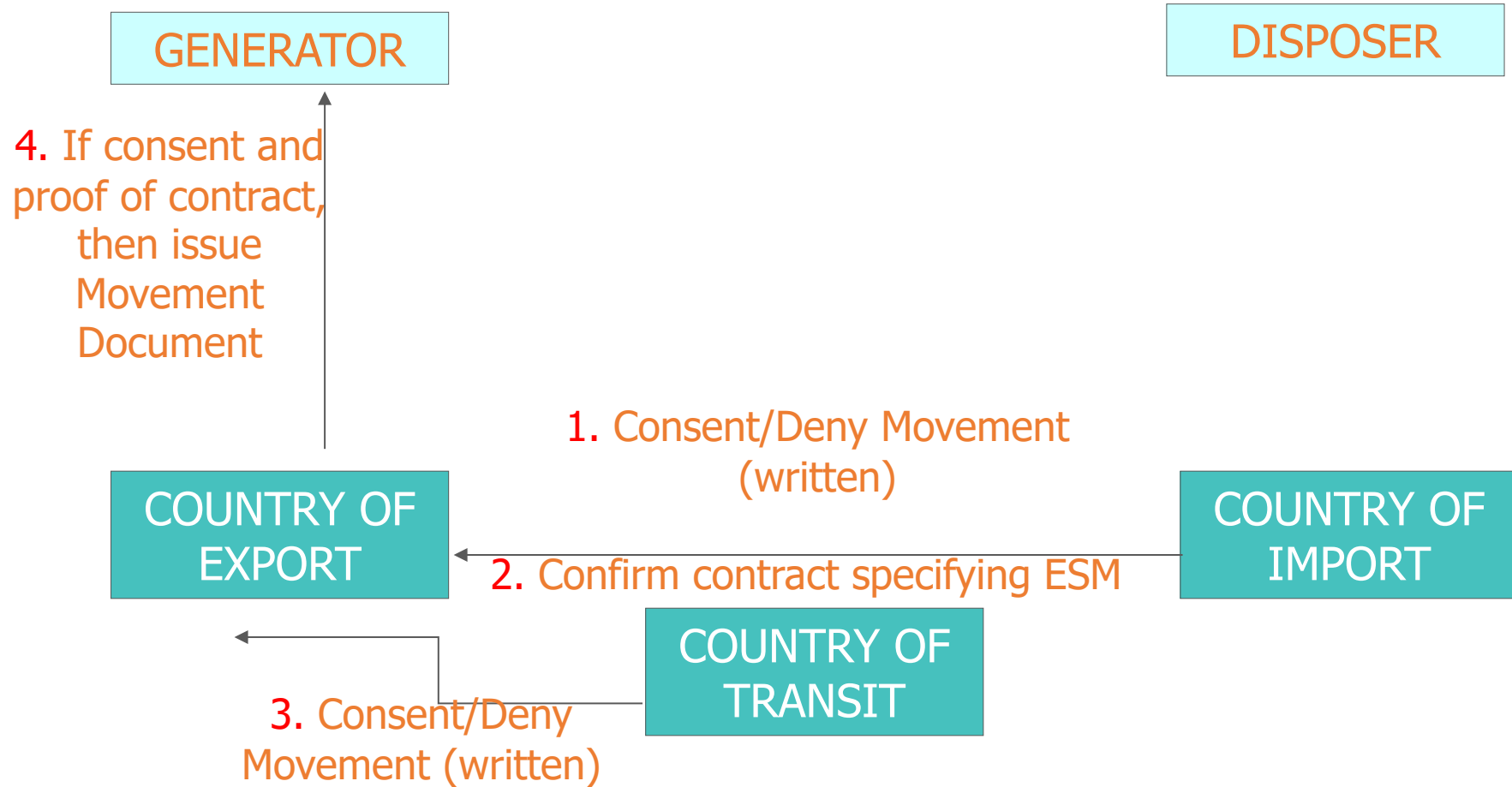
## Prior Informed Consent



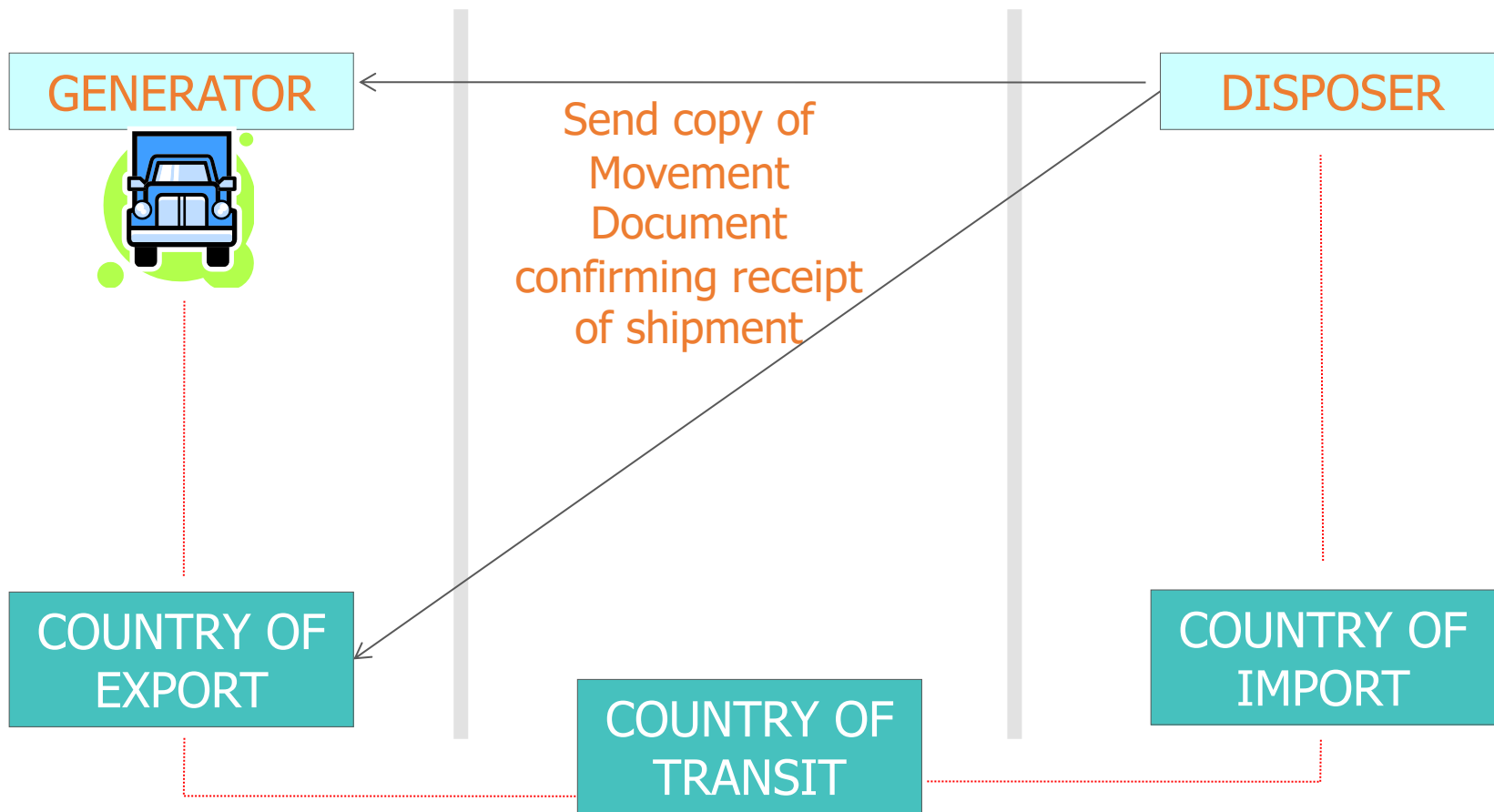
# Stage 1 Notification



## Stage 2 Consent and issuance of the Movement Document



# Stage 3 Transboundary movement



## Stage 4 Confirmation of disposal

