

Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal

Main provisions

- Global agreement on hazardous wastes and other wastes
- Entered into force in 1992, 187 Parties now
- Aims to protect human health and the environment against the adverse effects of hazardous wastes and other wastes



- Minimization of the generation of hazardous wastes and other wastes
- Obligations to ensure the environmentally sound management (ESM) of hazardous and other wastes globally
- Limit transboundary movements (TBM) of hazardous wastes
 - Control system for transboundary movements of hazardous wastes based on the concept of Prior Informed Consent (PIC procedure)

Concerned with hazardous wastes and other wastes:

- Wastes (Art.2): substances or objects which are disposed of; intended to be disposed of; are required to be disposed of
- Hazardous wastes (Art.1): those listed in Annex I of the Convention (e.g. waste streams: waste oils/water, substances containing PCB or wastes constituents: cadmium, mercury, lead, asbestos...) AND have “Annex III” characteristics (e.g. explosive, corrosive, toxic, etc.)
- Other wastes (Art.1): those listed in Annex II – i.e. household waste and residues from their incineration

Excluding:

- Radioactive wastes (subject to other international control systems) (Article 1.3)
- Wastes which derive from the normal operations of a ship, the discharge of which is covered by another international instrument (Article 1.4)



No export to a Party:

- That has prohibited the import of hazardous and other wastes;
- When the exporting Party has reason to believe that the wastes will not be managed in an ESM;
- When the importing Party has not given its consent.

No TBM allowed with non-Parties (unless art 11 agreement)

Where trade is permissible:

- The Prior Informed Consent (PIC) procedure should be applied



May 2019 : BC-14/12: Amendments to Annexes II, VIII and IX to the Basel Convention

Enters into force in January 2021

Only batches of particular sorts of plastics that are sorted, clean, and uncontaminated and effectively destined for recycling can be freely traded globally

All other types of plastic waste will require the importing country's prior informed consent before it can be exported

Basel Convention and Liberia

How we got here

- How Liberia's difficulties in reporting engaged the institutions of the Basel Convention
- How the institutions of the Basel Convention responded
- The plans in place to address those issues



The Committee's procedures can be triggered by specific submissions - from a Party or the Secretariat - concerning compliance-

- *"Submission by the Secretariat to the Committee concerning possible difficulties faced by this Party to comply with its reporting obligation under article 13 paragraph 3 of the Convention"*
- Liberia had never submitted a national report

Committee Decision 8/6: Liberia

(a) Concludes that Liberia is facing difficulties in complying with its reporting obligations under article 13 paragraph 3 of the Convention, and expresses its concern about this situation;

Committee decides to elaborate, together with Liberia and the Secretariat, **a voluntary compliance action plan**

In a later decision (CC-12/7) the Committee

- Approves the action plan
- Recommends funding for it.



Action plan as set out in findings covers three areas

- **Area of intervention 1: Legal, institutional and policy frameworks**
- **Area of intervention 2: Development of a national inventory of hazardous wastes and other wastes**
- **Area of intervention 3: Awareness-raising, training and information exchange**

The governing body of the Convention meeting every couple of years -

- adopts policies, strategies and measures
- makes amendments
- adopts programme of work
- creates subsidiary bodies

COP creates the **Implementation and Compliance Committee (ICC)** in 2002 by a decision (Decision VI/12).



Objectives of ICC -

- **assist** Parties to comply with their obligations under the Convention
- **facilitate, promote, monitor** and aim to secure implementation and compliance

N.B. **not a court**, and does not make findings of guilt or fault, but helps to bring about compliance



In order to implement plan, an Agreement between Liberia and Secretariat of Basel Convention

Provides for hiring of consultants

Two work streams

- assessment of Liberia's legal and institutional frameworks (me!)
- development of a sustainable inventory for the purpose of national reporting (Kees)

- Inception meeting
- **Awareness-raising and training workshop**
- Evaluation meeting to refine the methodology for the inventory, and endorse the final draft legal and institutional mechanisms/ measures



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- Work required on inventory and legal and institutional framework
- Resources available for this work
- We are part way through a process to
 - prepare a national inventory on hazardous and other wastes in Liberia;
 - draft legal and institutional mechanisms/measures to implement the Basel Convention and ensure the sustainability of Liberia's compliance with its national reporting obligations

For further information

Visit the Basel Convention Website:

www.basel.int