

### ***3a Implementation of Amendment (III/1)***

#### ***All Regions/Countries, Parties of the Basel Convention***

##### ***UN Region: Africa***

###### **Botswana**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Botswana.

The Amendment has not been officially ratified but the provisions are in practice and have been implemented in Botswana's National Legislation. The official process to ratify the decision is on-going and nearing finalization.

###### **Cameroon**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Cameroon.

The import and/or transit of all types of wastes are Banned by Law. N° 96/12 of 5th August 1996 relating to Environmental Management and Loi N° 89/027 du 29 décembre 1989 portant sur les déchets toxiques et dangereux.

###### **Djibouti**

2003 Djibouti is in a preparatory process of implementing the amendment to the Basel Convention (Decision III/1).

L'amendement de la décision III/1 de la COP-3 Genève, 1995 de la Convention de Bâle relatif à l'interdiction de toutes les exportations de déchets dangereux qui sont destinés à l'exportation n'a pas été ratifié par notre pays.

###### **Egypt**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Egypt.

###### **Ethiopia**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Ethiopia.

Ethiopia has ratified the amendment but a national law to implement it has not yet been put in place.

###### **Gambia**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Gambia.

Ratified by the Gambia National Assembly in April 1999. Instrument of Ratification was deposited in July 2000.

###### **Madagascar**

2003 Madagascar is in a preparatory process of implementing the amendment to the Basel Convention (Decision III/1).

### **Mauritius**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Mauritius.

### **Morocco**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Morocco.

Le Maroc a ratifié l'Amendement à la Convention et a intégré ses dispositions dans Le projet de loi sur la gestion des déchets et leur élimination.

### **Mozambique**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Mozambique.

### **Niger**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Niger.

### **Seychelles**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Seychelles.

### **South Africa**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in South Africa.

Although South Africa has not ratified the Ban Amendment, it does not accept any wastes from Annex VII countries except those wastes that are listed under List B of Annex IX (for example metal bearing wastes) for Annex IV B purposes. South Africa also allows transit of wastes from Annex VII countries.

### **Tanzania (United Republic of)**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Tanzania (United Republic of).

Tanzania has ratified the amendment to the Basel Convention (Decision III/1) 26 August 2002.

### **Tunisia**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Tunisia.

Tunisia has ratified by law n°78 of 1999, on 2 August 1999, the Amendment to the Basel Convention (Decision III/1).

### **Uganda**

2003 Uganda is in a preparatory process of implementing the amendment to the Basel Convention (Decision III/1).

## **Zambia**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Zambia.

The Environmental Protection and Pollution Control Act (EPPCA) No. 12 of 1990, amended 1999 prohibits the import of any type of hazardous waste.

## ***UN Region: Asia and Pacific***

### **Azerbaijan**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Azerbaijan.

### **Bahrain**

2003 Bahrain is in a preparatory process of implementing the amendment to the Basel Convention (Decision III/1).

### **Bangladesh**

2003 Bangladesh is in a preparatory process of implementing the amendment to the Basel Convention (Decision III/1).

### **Brunei Darussalam**

2003 Brunei Darussalam is in a preparatory process of implementing the amendment to the Basel Convention (Decision III/1).

The Amendment to the Basel Convention (Decision III/I) will be implemented in the Draft Environmental Order of Negara Brunei Darussalam.

### **Cambodia**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Cambodia.

The amendment has not officially been ratified yet but the provisions of the amendment have been in practice and have been implemented in the national legislation.

### **China**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in China. The amendment has been approved by the 9th standing committee, the National Congress of the People's Republic of China on October 31, 1999.

### **Cyprus**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Cyprus.

A Law ratifying the amendment of the Basel Convention has been passed on 14.4.2000 (No. 12(III)/2000).

### **Indonesia**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Indonesia.

However, the import of used lead acid batteries was allowed up to September 2002.

### **Japan**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Japan.

### **Kyrgyzstan**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Kyrgyzstan.

### **Lebanon**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Lebanon.

Under the National Ministerial Decision 71/1 (19/05/1997) which regulates the transboundary movements of Hazardous Wastes and Other Wastes to Lebanon.

### **Malaysia**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Malaysia.

### **Maldives**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Maldives.

However, the Environment Protection and Preservation Act (4/93) prohibits the disposal of hazardous waste within the territory of the Maldives.

### **Pakistan**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Pakistan.

### **Philippines**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Philippines.

The amendment has not been ratified by the Philippine Senate since it has economic impacts to local industry depending on using secondary material classified as hazardous waste under the Convention.

### **Qatar**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Qatar.

### **Republic of Korea**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Republic of Korea.

Korean government amended (2001.7) Article 18-2 (export banned countries) of the Enforcement Decree of the Act on the Control of Transboundary Movement of

Hazardous Wastes and Their Disposal and therefore provided the legal basis for implementing the Ban amendment. However, this article takes “when Annex VII of the Basel Convention comes into effect” as the beginning of the enforcement period.

### **Singapore**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Singapore.

### **Sri Lanka**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Sri Lanka.

Sri Lanka ratified the amendment to the Basel Convention (Decision III/1). A Cabinet decision was obtained to prohibit import of Annex VIII List A hazardous waste from all countries (not restricting to Annex VII countries); and to keep the list B as the controlled list, to take decisions on case by case basis. Regulations are being prepared.

### **Thailand**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Thailand.

### **Viet Nam**

2003 Viet Nam is in a preparatory process of implementing the amendment to the Basel Convention (Decision III/1).

Vietnam has not formally ratified the Amendment to the Basel Convention (Decision III/1) but the Law of Environment Protection of Vietnam in fact prohibits any importation or exportation of hazardous wastes regardless of their sources or destination.

### **Yemen**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Yemen.

إرسال نسخة من القرار باللغة العربية للمصادقة عليه يرجى (Decision III/1)

### ***UN Region: Western Europe and Others***

#### **Andorra**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Andorra.

#### **Australia**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Australia.

#### **Belgium**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Belgium.

The Amendment was implemented by the Council Regulation Nr. 120/97 on the 20th January 1997.

## **Canada**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Canada.

Although Canada has not ratified the Basel Ban (Decision III/I), our domestic legislation implements the terms of the prohibition through the EIHWR (all exports to countries having prohibited the imports of a hazardous waste and officially notified Canada, are prohibited, be it for recycling or disposal). Exports to non-parties are not permitted unless subject to an Article 11 agreement (for example, Canada U.S.A.-Agreement; OECD Council Decisions).

## **Finland**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Finland.

The Decision has been in force since 1 October 1995.

## **France**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in France.

It has been implemented through the EC regulation 259/93. France ratified it on November 18th 2003.

## **Germany**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Germany.

The export prohibition has been implemented through Art. 16 EC Waste Movement Regulation. Germany has ratified Decision III/1 in 2002.

## **Greece**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Greece.

## **Iceland**

2003 Iceland is in a preparatory process of implementing the amendment to the Basel Convention (Decision III/1).

## **Israel**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Israel.

The decision was not ratified but is being implemented in practice.

## **Italy**

2003 Italy is in a preparatory process of implementing the amendment to the Basel Convention (Decision III/1).

## **Luxembourg**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Luxembourg.

Implementation of the Basel Convention by law of 9.12.1993. Implementation of the amendments by law of 29.06.1997.

## **Monaco**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Monaco.

In practice the BAN is in force for waste exported out from Monaco. Monaco and France have a Custom Union Agreement and Monaco is legally considered as a part of the custom territory of the UE. All the French and UE regulations apply to the transboundary movements of goods of Monaco, and through force of circumstances, to waste. The UE policy has already implemented the BAN, and Monaco consequently.

## **Netherlands**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Netherlands.

By amendment of the European Shipment Regulation, the export ban is implemented in all EU-countries.

## **New Zealand**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in New Zealand.

## **Norway**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Norway.

## **Spain**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Spain.

The amendment to the Basel Convention (Decision III/1) has been implemented in Spain through the Act of Approval of 07.08.97. Its actual implementation had already started on 27.01.97 through Council regulation (EEC) No. 120/97 (which was amended by Council regulation (EEC) No. 259/93), in pursuance of decisions II/2 and III/1 of the Basel Convention.

## **Sweden**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Sweden.

## **Turkey**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Turkey.

Turkey supports and implements the amendment to the Basel Convention (Decision III/1). Turkey ratified the Amendment to Basel Convention. And it was published in the official paper of 28 July 2003- No 25182.

### **United Kingdom of Great Britain and Northern Ireland**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in United Kingdom of Great Britain and Northern Ireland.

Council Regulation (EC) No. 120/97 amending Council Regulation (EEC) No. 259/93 on the supervision and control of shipments of waste within, into and out of the European Community ("the WSR") implements the amendment to the Basel Convention (Decision III/1) in the European Community.

### ***UN Region: Central and Eastern Europe***

#### **Albania**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Albania.

#### **Armenia**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Armenia.

#### **Belarus**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Belarus.

#### **Bosnia & Herzegovina**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Bosnia & Herzegovina.

#### **Bulgaria**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Bulgaria.

Bulgaria has ratified the "Ban amendment" by law (published in State Gazette No. 113/28.12.1999).

#### **Croatia**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Croatia.

In practice the amendment to the Basel Convention (decision III/I) has been implemented by order of Article 38/2 of the Law on waste, Official Gazette, No. 34/95 where by it is prohibited to import hazardous wastes.



### **Czech Republic**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Czech Republic.

### **Estonia**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Estonia.

### **Georgia**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Georgia.

### **Hungary**

2003 Hungary is in a preparatory process of implementing the amendment to the Basel Convention (Decision III/1).

### **Latvia**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Latvia.

### **Lithuania**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Lithuania.

All necessary documentation is being prepared for the ratification of Decision III/1. Low No. IX-1739 Amendment to the Basel Convention on the Control of Transboundary Movements of Hazardous Waste and their Disposal (Decision III/1 of the Parties) adopted on 18 September 2003.

### **Poland**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Poland.

Poland ratified the amendment.

The Act of 5 July 2002 on Ratification of Amendment to Basel Convention about control of transboundary movement and disposal of hazardous waste (O.J. No 135, Item 1142) came into force in September 2002. The acceptance was deposited with the Depository on 29 January 2003.

### **Serbia and Montenegro**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Serbia and Montenegro.

Serbia and Montenegro has ratified the amendment to the Basel Convention (Decision III/1) as integral part of the Basel Convention (ratification instruments 22.11.2002).

### **Slovakia**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Slovakia.

The amendment to the Basel Convention (Decision III/1) has been implemented in Slovak Republic.

### **Slovenia**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Slovenia.

The ban has been implemented through Art. 16 of European Council Regulation 259/93/EEC. Slovenia ratified Decision III/1 in 2004.

### **Ukraine**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Ukraine.

## ***UN Region: Latin America and the Caribbean***

### **Argentina**

2003 Argentina is in a preparatory process of implementing the amendment to the Basel Convention (Decision III/1).

### **Barbados**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Barbados.

### **Bolivia**

2003 Bolivia is in a preparatory process of implementing the amendment to the Basel Convention (Decision III/1).

### **Brazil**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Brazil. The amendment to the Basel Convention (Decision III/1) has been implemented domestically, but it has not been ratified.

### **Chile**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Chile.

### **Colombia**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Colombia.

### **Costa Rica**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Costa Rica.

All amendments have been considered as part of the Basel Convention. Congress approval is not required.

## **Cuba**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Cuba.

## **Dominica**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Dominica.

## **Ecuador**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Ecuador.

The Art. 90 of Constitution of the Ecuador Republic bans the import of hazardous wastes.

## **Honduras**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Honduras.

The amendment (III/1) of the Basel Convention hasn't been ratified in Honduras, but the competent authority of the Basel Convention in Honduras applies the decision.

## **Mexico**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Mexico.

Transboundary movements of hazardous wastes have not been carried out to Annex VII's countries of the Basel Convention, even though a legal restriction does not exist on the matter in Mexico (Mexico has not ratified the amendment).

## **Panama**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Panama.

## **Paraguay**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Paraguay.

## **Peru**

2003 The amendment to the Basel Convention (Decision III/1) has not been implemented in Peru.

## **Trinidad and Tobago**

2003 The amendment to the Basel Convention (Decision III/1) has been implemented in Trinidad and Tobago.

### ***3b Restrictions on Exports for IV A***

#### *All Regions/Countries, Parties of the Basel Convention*

#### ***UN Region: Africa***

##### **Botswana**

**2003** Botswana has no restrictions on the export of hazardous wastes and other wastes for final disposal.

##### **Cameroon**

**2003** Cameroon has no restrictions on the export of hazardous wastes and other wastes for final disposal.

##### **Djibouti**

**2003** Djibouti is in a preparatory process to restrict the export of hazardous wastes and other wastes for final disposal.

##### **Egypt**

**2003** Egypt restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Export of hazardous waste from Egypt to any country for final disposal is not forbidden but regulated in accordance to the Basel Convention provisions.

**Countries** Export only to countries have the technical capacity for environmental sound disposal of hazardous wastes, and under the provisions of Basel Convention.

##### **Ethiopia**

**2003** Ethiopia restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Relevant legislation: Environmental Pollution Control Proclamation, Proclamation No. 300/2002;  
Entry into force: 3 December 2002.

**Countries** Since the aforementioned proclamation is a domestic legislation, its scope of application is limited to Ethiopia. And it applies on subjects within the territorial jurisdiction of the country.

The type of waste covered is "hazardous waste" which is defined by the proclamation as -any unwanted material that is believed to be deleterious to human safety or health or the environment.

**Remarks** Moreover, as a Party to the Convention, Ethiopia is bound by the relevant provisions of the Convention restricting the export of hazardous wastes and other wastes for final disposal.

##### **Gambia**

**2003** Gambia is in a preparatory process to restrict the export of hazardous wastes and other wastes for final disposal.

##### **Legislation**

The Draft Waste Act is yet to be adopted.

**Remarks** Bearing in mind that the Gambia does not have the facilities to treat or dispose off hazardous wastes, the decision regarding the export of hazardous wastes is not to ban, but to avoid to the extent possible. The Draft Waste Act contains provisions for this.

##### **Madagascar**

**2003** Madagascar is in a preparatory process to restrict the export of hazardous wastes and other wastes for final disposal.

## **Mauritius**

**2003** Mauritius restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The Environment Protection (Standards for Hazardous Wastes) Regulations 2001, which came into force on 1 April 2002.

**Remarks** No person shall export hazardous waste without the approval in writing of the enforcing agency, which according to the Environment Protection Act 2002 is the Ministry responsible for the subject of Local Government.

## **Morocco**

**2003** Morocco restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** La convention de Bâle a été ratifiée par le Maroc en 1995 est publiée dans le Bulletin Officiel. A cet effet, elle considérée comme une législation nationale. Toute exportation de déchets est contrôlée en respectant le système de contrôle visé par la convention de Bâle (notification, contrat, consentement de l'Etat d'importation). Legislation concerning the transboundary movement of hazardous wastes and other wastes for final disposal is being adopted.

**Countries** The export of dangerous wastes and other wastes for final destruction is prohibited to States that have banned the import of those wastes, to States that have not banned their import without their specific written agreement, and to States that are not Parties to the Basel Convention.  
Et les Etats qui ne disposent pas de capacités ou d'installations d'élimination des déchets.

**Remarks** The export of hazardous wastes and other wastes to countries which do not ban the import, and that have given specific written approval, is not banned but submitted to authorization by the Governmental Authority for the Environment. The authorization is granted in accordance with the Basel Convention requirements. However, the Draft Law on Waste Management and its Disposal stipulates that the export of hazardous wastes is banned to countries that ban import and to countries that do not ban it in the absence of specific written agreement.

## **Mozambique**

**2003** Mozambique has no restrictions on the export of hazardous wastes and other wastes for final disposal.

## **Niger**

**2003** Niger has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Legislation** The constitution of 9 August 1999 of Niger does not consider the export of hazardous wastes (Article 27).

**Remarks** Transit, import, storage, placement and release of hazardous wastes in Niger are prohibited by the Constitution (Article 27, para. 4).

## **Seychelles**

**2003** Seychelles has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Remarks** Seychelles does not restrict the outward movement of waste to specialised (D and R facilities) disposal facilities, provided that the movement of waste is done with the proper formalities and also with the prior consent of the receiving country.

## **South Africa**

**2003** South Africa has no restrictions on the export of hazardous wastes and other wastes for final disposal.

## **Tanzania (United Republic of)**

**2003** Tanzania (United Republic of) has no restrictions on the export of hazardous wastes and other wastes for final disposal.

## **Tunisia**

**2003** Tunisia restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** By law n°96-41 on wastes and the control of their management and disposal (entered into force on the 10 June 1996), the export of hazardous wastes, as defined by national legislation, for final disposal and for recovery, to any State that prohibits the import of such wastes, is banned. Also is banned the export of hazardous wastes, for final disposal and for recovery, to any State that does not prohibit the import of such wastes in the case of the absence of its specific written consent.

The authorization of export is not attributed unless the following conditions are met:

Due account is taken of international rules and standards in the field of packaging, labelling and transport;

The presentation of a written contract between the exporter and the disposer/person in charge of the recovery;

The presentation of an insurance contract presenting sufficient financial guarantees; and

The presentation of the movement document signed by the person who takes charge of the transboundary movement of the wastes in question.

**Countries** All countries are covered by this restriction.

## **Uganda**

**2003** Uganda restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The National Environment Act Cap. 153; and the National Environment (Waste Management) Regulations 1999.

**Countries** This restriction is global and covers all wastes.

**Remarks** No Export of Hazardous Waste is allowed except for destruction purposes in accordance with the Basel Convention and in accordance with the National Environment (Waste Management) Regulations 1999.

## **Zambia**

**2003** Zambia restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The Environmental Protection and Pollution Control Act, 1990, amended in 1999; The Hazardous Waste Management Regulations, Statutory Instrument No. 125 of 2001.

**Countries** The restriction covers those countries which have not consented to receive the waste and those that are not under Annex VII, unless a bilateral agreement exists.

## **UN Region: Asia and Pacific**

### **Azerbaijan**

**2003** Azerbaijan restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The export of non-ferrous and black metals was temporarily stopped by president's decree as from 17.04.2001.

**Countries** Non-ferrous and black metals.

### **Bahrain**

**2003** Bahrain is in a preparatory process to restrict the export of hazardous wastes and other wastes for final disposal.

## **Bangladesh**

**2003** Bangladesh has no restrictions on the export of hazardous wastes and other wastes for final disposal.

## **Brunei Darussalam**

**2003** Brunei Darussalam is in a preparatory process to restrict the export of hazardous wastes and other wastes for final disposal.

**Remarks** This subject matter will be covered in the Draft Environmental Order of Negara Brunei Darussalam.

## **Cambodia**

**2003** Cambodia has no restrictions on the export of hazardous wastes and other wastes for final disposal.

## **China**

**2003** China restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** China

The relevant legislation complies with the Basel Convention.

**Remarks** China

The export is allowed when there are no disposal/ recovery facilities in China capable of disposing the waste in an environmental sound manner. The export of hazardous waste for disposal/recovery for which there are no proper facilities in China must comply with the requirements of the Basel Convention. The transboundary movement can only take place upon prior written notification from the competent authorities of the states of export, import and transit, and upon consent from these authorities. Furthermore, each shipment of hazardous waste should be accompanied by a movement document from the point at which the movement begins to the point of disposal.

Hong Kong Special Administrative Region, China

In addition to the Basel Convention requirements, the export of any waste for a purpose other than re-use, recovery, reprocessing or recycling (e.g. for final disposal including landfilling and incineration) of the waste is subject to control by the same procedure as that of the control of export of hazardous waste.

## **Cyprus**

**2003** Cyprus restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Law on the Management of Solid and Hazardous Waste (December 12, 2002). A Law ratifying the amendment of the Basel Convention has been passed on 14.4.2000 (No. 12(III)/2000).

**Remarks** E.U legislation has been adopted concerning the export of hazardous wastes and other wastes for final disposal.

## **Indonesia**

**2003** Indonesia restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** To supervise hazardous waste exports, the Indonesian Government has issued policies as it is written in Article 53 PP 18 Jo. PP 85/1995 and the Basel Convention, which states that waste exports are allowed as long as the shipment of wastes receives a written permission from the competent authority of the destination country and BAPEDAL (competent authority).

Other legislations are:

Minister of Industry and Trade, Letter of Decree No. 228/MPP/KP/07/1997 on Export Regulations;

Minister of Industry and Trade, Letter of Decree No. 259/KMK.01/1997 on

Export Custom Procedures;

Law of the Republic of Indonesia (UU.RI.) No. 23/1997 on Environmental Management (Article 43 and 49);

Law of the Republic of Indonesia No. 10/1995 on Custom Regulation ;and

Government Regulation of the Republic of Indonesia (PP) No. 18/1999 Jo. PP 85/1999 on Hazardous Waste Management (article 64).

**Countries** All countries/regions.

### **Japan**

**2003** Japan restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The Waste Management Law was (originally enacted in 1970) was amended and put into force to regulated import and export of waste in 1993. The Basel Law was entered into force in 1993.

**Countries** All countries and regions.

**Remarks** Basel Law: Ministry of the Environment (MOE) shall examine whether sufficient measures will be taken for preventing environmental pollution, and thereafter notify the Ministry of Economy, Trade and Industry (METI) of the result of its examination. METI is not able to issue export permission without the notification by MOE certifying that necessary measures will be taken for preventing environmental pollution.

Waste Management Law: Export of wastes for final disposal (Annex IV A) is prohibited.

### **Kyrgyzstan**

**2003** Kyrgyzstan restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Regulation on State Control of Transboundary Movements of Hazardous and Other Wastes (as of 6 April 1999).

**Countries** The restriction covers States-Parties to the Basel Convention. Export of the following types of wastes (Annex I to the Convention) Y1-Y8, Y10-Y15, Y17, Y18, Y20-Y31, Y33-Y36, Y39, Y43-Y45 is under state control.

**Remarks** Export operations are licensed by the competent authority.

### **Lebanon**

**2003** Lebanon has no restrictions on the export of hazardous wastes and other wastes for final disposal.

### **Malaysia**

**2003** Malaysia restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The Environmental Quality Act, 1 August 1996 Section 34B; and the Customs (Prohibition of Export) Order 1993 Amendment 1998.

**Countries** All countries.

**Remarks** Export of hazardous wastes for final disposal is not allowed if the hazardous wastes could be treated at local facilities.

### **Maldives**

**2003** Maldives has no restrictions on the export of hazardous wastes and other wastes for final disposal.

### **Pakistan**

**2003** Pakistan restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Pakistan Environmental Protection Act - 1997

**Countries** All countries.



**Remarks** According to Section 14 (Handling of Hazardous Substances) of Pakistan Environmental Protection Act – 1997 “subject to the provisions of this Act, no person shall generate, collect, consign, transport, treat, dispose of, store, handle or import any hazardous substance except; (a) under a license issued by the Federal Agency and in such manner as may be prescribed; or (b) in accordance with the provisions of any other law for the time being in force, or of any international treaty, convention, protocol, code, standard, agreement or other instrument to which Pakistan is a Party”.

### **Philippines**

**2003** Philippines restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Republic Act 6969 - 1992. (Department Administrative Order No. 29 - the implementing rules and regulations of RA6969)

**Countries** All countries/regions and all wastes.

### **Qatar**

**2003** Qatar restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The Environment Protection Law No.30 of 2002, The Rules on the Transboundary Movement of Hazardous Wastes, 1997, published by the State of Qatar and the relevant protocol under the Kuwait Convention, 1978.

**Countries** The restriction covers state of Qatar and the signatories of the protocol of the Kuwait Convention and Basel Convention Parties.

**Remarks** Export of hazardous waste and other wastes will be permitted only if the necessary facilities and technical capacity are not available in Qatar to ensure the disposal of the wastes in question in an environmentally sound manner.

### **Republic of Korea**

**2003** Republic of Korea restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The "Act on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal," which entered into force in May 1994.

**Countries** It is prohibited to export hazardous wastes and other wastes to any country other than those countries party to the Basel convention and those countries with bilateral, multilateral or regional agreements.

**Remarks** According to Articles 6, 10 and 16 of this Act, the export, import and transit of hazardous wastes is strictly prohibited unless prior written approval is obtained from a competent authority. Also, the Ministry of Environment(MOE) has the authority to limit or ban the export and import of specific wastes which may be of significant impact on human health or the environment if and when considered necessary. In principle, the export of hazardous wastes for final disposal is prohibited. However, exceptions can be made in the case where Korea does not possess adequate facilities and/or technologies to properly dispose of the given hazardous waste for which importing countries have the capacity to dispose of in the environmentally sound manner.

### **Singapore**

**2003** Singapore restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The Hazardous Waste (Control of Export, Import or Transit) Act (HWA) which entered into force in May 1998.

**Countries** All.

**Remarks** The exporter needs to obtain a Basel export permit from Pollution Control Department prior to the export.

## **Sri Lanka**

**2003** Sri Lanka has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Remarks** However, export of hazardous waste will be carried out under the provisions provided under the Basel Convention.

## **Thailand**

**2003** Thailand restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The production, import, export and possession of the hazardous substances as well as hazardous wastes within the Kingdom of Thailand shall be followed the procedure under the Ministerial Regulations B.E.2537 (1994) issued under the Hazardous Substance Act B.E.2535 (1992) which has entered into force since 1994.

**Countries** The restriction covers all countries. However, Thailand might export wastes listed in the Basel Convention for which there are no appropriate disposal facilities under the restricted control.

## **Viet Nam**

**2003** Viet Nam restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The Law on Environment Protection, which entered into force on 10 January 1994, which is being revised.

**Countries** The restriction covers all countries and all wastes under the definition.

**Remarks** The prohibition of the exportation of wastes may be subject to change or revision in future.

## **Yemen**

**2003** Yemen restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** لص النهائي (لا يوجد قيود على التصدير للنفايات قيود على تصدير النفايات للتخ (أيما كانت طريقة التعامل معها سواء كانت للتخلص النهائي أو الاسترداد

## **UN Region: Western Europe and Others**

### **Andorra**

**2003** Andorra has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Remarks** There is no legislation restricting the export of hazardous wastes and other wastes for final disposal, although the provisions of the Basel Convention are effective, and therefore Andorra is bound by the principles defined in the treaty. Moreover, once adopted, the future law on wastes will incorporate the philosophy and standards of the Convention. It means that the export of hazardous wastes and other wastes will only be conducted whenever Andorra has not the capacity to dispose them in an ecologically sound way.

### **Australia**

**2003** Australia restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Section 17 of the Hazardous Waste (Regulation of Exports and Imports) Act 1989. Section 18A also provides that the Minister must not grant a Basel export permit if the applicant proposes that the hazardous waste will be disposed of by a method that is within the scope of Section A of Annex IV to the Basel Convention, unless the Minister is satisfied that there are exceptional circumstances. In deciding whether there are exceptional circumstances the Minister must have regard to the following:

whether there will be significant risk of injury or damage to human beings or the environment if the permit is not granted;

whether the waste is needed for research into improving the management of

hazardous waste; and  
whether the waste is needed for testing for the purposes  
of improving the management of hazardous waste.

The Minister also has discretion to decide not to grant a permit under the Act if there is reason to believe that the hazardous waste could be disposed of safely, efficiently and in an environmentally sound manner at a facility in Australia.

Entry into force: 12 December 1996.

**Countries** The restriction covers all countries and regions and all hazardous wastes.

**Belgium**

**2003**

Belgium restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation**

Belgium fulfils the Provision of the Council Regulation (EEC) 259/93 (09.02.1993): Council Regulation (EEC) No. 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community. The export of hazardous waste and other waste for final disposal to non-EU and EFTA countries is prohibited.

**Canada**

**2003**

Canada restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation**

In Canada, the following legislation applies to restrictions on the export of hazardous wastes and other wastes for final disposal: ·

Canadian Environmental Protection Act, 1999 (CEPA 1999) which came into force March 31, 2000, superseding the Canadian Environment Protection Act, 1988 (CEPA); ·

Export and Import of Hazardous Waste Regulations, 1992 (EIHWR), entered into force: November 26, 1992; and ·

PCB Waste Export Regulations, 1996 (PCBWER), came into force on February 4, 1997.

**Countries**

This restriction covers exports to countries prohibiting imports; and exports to non-parties unless subject to an Article 11 agreement (for example, Canada - USA Agreement; OECD Council Decisions). In addition, Canada permits the export of Canadian PCB wastes only to the United States and only for the purpose of destruction.

**Remarks**

Although Canada has not ratified the Basel Ban (Decision III/I), our domestic legislation implements the terms of the prohibition through the EIHWR (all exports to countries having prohibited the imports of a hazardous waste and officially notified Canada, are prohibited, be it for recycling or disposal). Exports to non-parties are not permitted unless subject to an Article 11 agreement (for example, Canada - USA Agreement; OECD Council Decisions).

The EIHWR Part II has the following restriction:·

exports of hazardous wastes to

countries that prohibits the imports or are not party to the Basel Convention or not covered under an Article 11 agreement with Canada are prohibited.

There are also a number of conditions such as: ·

in the case of exports, require mandatory prior notification of, and consent from (i.e. prior informed consent), the importing country;

implement a tracking system to ensure that, after shipping, hazardous wastes actually arrive at intended and authorized facilities; and are treated, disposed of or recycled as per the advance notice; ·

require every exporter and carrier to obtain insurance to cover environmental

damage should an accident occur during the transboundary movement of hazardous wastes; ·

requirements for shipments which cannot be completed as planned on the notice, to prevent them from becoming "orphans"; ·

simplified procedures for the transboundary movement of hazardous wastes destined for recovery/recycling facilities within the OECD area, based on OECD decisions; and ·

the exporting country must permit re-entry of any hazardous waste that may be returned by the importing country.

## **Finland**

**2003** Finland restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Council Regulation (EEC) on the supervision and control of shipments of waste within, into and out of the European Community (259/93). The regulation came into force in Finland on 1 January 1995.

**Countries** According to the Council Regulation (EEC) 259/93, all exports of waste for final disposal outside the European Community are prohibited except to those EFTA countries that are also parties to the Basel Convention. The export ban for final disposal covers both hazardous and non-hazardous wastes.

## **France**

**2003** France has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Remarks** France allows the export of hazardous wastes and other wastes for final disposal to some countries only (EU and EFTA), in accordance with EU Regulation 259/93.

## **Germany**

**2003** Germany restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** In Germany the provisions of the EC Waste Movement Regulation apply, especially referring to Art. 16 and 18. Entry into force: May 1994.

**Countries** The export of waste for final disposal into non-EU/non-EFTA countries is prohibited.

## **Remarks**

## **Greece**

**2003** Greece restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Regulation EEC 259/93.

**Remarks** Export only after the consensus of the importing country's authorities.

## **Iceland**

**2003** Iceland restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The Regulation (EEC) 259/93 on the supervision and control of shipments of waste within, into and out of the EC (and EEA), has been in force since its implementation by regulation No. 377/1994.

**Countries** All exports of waste for disposal are prohibited except to EFTA countries and Member States of the European Community (Regulation no. 377/1994, cf. Article 14 in Regulation 259/93/EEC).

## **Israel**

**2003** Israel restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Israel prohibits the export of hazardous and other wastes for final disposal according to the Hazardous Substances Regulations (Import and Export of Hazardous Substances Waste), 1994. Exception may be made under strict conditions for certain waste streams that are exported for incineration on land (D10) to facilities where energy recovery is carried out.

**Countries** The restriction on the export of hazardous wastes for final disposal applies to all countries. When exception is made (as described above), waste is exported only to EC or OECD countries that are parties to the convention.

### **Italy**

**2003** Italy restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Council Regulation (EEC) No. 259/93.

**Countries** All exports of waste for disposal are banned outside the EFTA countries.

### **Luxembourg**

**2003** Luxembourg restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** A special authorization is required by the modified Waste Management law of 17th June 1994 for export of waste to non-EC countries; and prohibition of export of waste to non-OECD countries through waste carrier authorization delivered according to the Waste Management Law.

### **Monaco**

**2003** Monaco has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Remarks** Due to Custom Agreement with France, transboundary movements of wastes and their final disposal and recovery are controlled by French and European Union policies.

### **Netherlands**

**2003** Netherlands restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The Council Regulation (EEC) No 259/93; entry into force May 6th 1994; In May 2003 the Multi Year Plan on hazardous waste and the Ten Year Program on waste (non-hazardous including household waste) are replaced by a new plan, the Waste policy plan 2002-2012. This plan indicates the restrictions for all types of waste.

**Countries** All countries/regions and all waste.

**Remarks** In general, the Netherlands objects to the export of all kinds of waste for final disposal.

### **New Zealand**

**2003** New Zealand restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Customs Export Prohibition Order 2002 (replacing the 1994, 1996 and 1999 Orders).

**Countries** As per Basel Convention/OECD requirements.

### **Norway**

**2003** Norway restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The Norwegian regulation of 30 December 1994 on transboundary movement of waste, implementing EU Regulation no. 259/93, was amended 1 April 2003. The amendments include country lists taken from the two EU Regulations 1420/1999 and 1547/1999.

**Countries** Non-OECD countries.

### **Spain**

**2003** Spain restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The Article 14 of Council Regulation (EEC) No. 259/93 (entered into force on 09.02.93) which bans all export of wastes intended for final disposal, except for wastes destined to EFTA countries that are also Parties to the Basel Convention.

- Countries** The restriction applies to all countries, except Member States of the European Union, Norway, Switzerland, Iceland and Liechtenstein; and to all wastes.
- Remarks** Article 14 also lays down restrictions, in certain circumstances, on the export of wastes to EFTA countries which are Parties to the Basel Convention.

#### **Sweden**

**2003** Sweden restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The EU Regulation 259/93 on the supervision and control of shipments of waste within, into and out of the European Community. This Regulation entered into force 1 February 1993.

**Countries** Exports of waste for disposal is prohibited except those to EFTA countries which are also parties to the Basel Convention.

#### **Turkey**

**2003** Turkey restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Turkey restricts the export of hazardous wastes and other wastes for final disposal in accordance with the amendment to the Basel Convention (Decision III/1).

#### **United Kingdom of Great Britain and Northern Ireland**

**2003** United Kingdom of Great Britain and Northern Ireland restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Article 14 of the WSR prohibits the export of wastes for disposal, except to other EU and EFTA countries. However, the UK prohibits the export of all wastes for disposal (as set out in the UK Management Plan for Exports and Imports of Waste, which came into effect in June 1996).

#### **UN Region: Central and Eastern Europe**

##### **Albania**

**2003** Albania restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Regulation No 4 date 15/10/2003 “Procedures for approving of Permit for Export of waste and Permit for Transboundary Movements of waste”.  
No laws or decisions for hazardous waste yet.

**Countries** The restriction covers all countries.

##### **Armenia**

**2003** Armenia restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** “The order of adjustment of hazardous wastes and other wastes import, export and transit over the territory of the Republic of Armenia” approved by the Governmental Decision No 97 on 08.12.1995, regulates all the issues, concerning transboundary movement of hazardous wastes and other wastes, and their disposal. The above-mentioned Governmental Decision states following: · obligatory prior notification is required for import and/or export of hazardous and other wastes to the Republic of Armenia and transboundary movement thereof through the territory of the Republic of Armenia, that is implemented on permission of the Ministry of Nature Protection. The import, export of non-hazardous wastes and transboundary movement thereof through the territory of the Republic of Armenia is implemented on general basis without the prior notification. “List of regulated and non-regulated wastes, their hazardous properties, documents on declaration, notification and disposal actions” agreed with Ministry of Economy and Finance, Custom State Committee and approved by decree of Ministry of Nature Protection on December 1999. This document was prepared according to “The order of adjustment of hazardous wastes and other wastes import, export and transit over the territory of the Republic of Armenia” adopted by the Governmental Decision No 97 on 08.12.1995, which regulates all the issues, concerning transboundary

movement of hazardous wastes and other wastes, and the disposal thereof. Governmental Decision of the Republic of Armenia “On approval of the “Republic of Armenia List of hazardous wastes” (No.874-A dated May 20, 2004). Governmental Decision of the Republic of Armenia “On applying changes to the Decision of the Republic of Armenia No.97 of December 8, 1995 and on approval of the Republic of Armenia “List of prohibited hazardous wastes” (No.1093-N dated July 8, 2004).

**Countries** The above-mentioned prohibition/restrictions are applied for the Republic of Armenia.  
**Remarks** Export of hazardous is implemented if country has no technical capacity, facility or appropriate sites for such wastes disposal in environmentally sound way and it should be provided with the permission granted from the state competent authority.

## **Belarus**

**2003** Belarus restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Waste Law (adopted 25.11.1993, amended 26.10.2000), stipulates that “Transboundary Movement of waste from the Republic of Belarus is executed only on the basis of a preliminary obtained permit for transboundary movement of waste from the Republic of Belarus issued by the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus under conditions that a competent authority of country of import has issued its permit for their import with the purpose of their use or disposal provided that there is a contract that stipulates environmentally safe usage or disposal of waste”.

**Countries** All countries

## **Bosnia & Herzegovina**

**2003** Bosnia & Herzegovina has no restrictions on the export of hazardous wastes and other wastes for final disposal.

## **Bulgaria**

**2003** Bulgaria restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** - Waste Management Act (Promulgated, State Gazette No. 86/30.09.2003 and  
- Council of Ministers Decree No 166 on the adoption of a Regulation for the cases that require a permit for import, export and transit transportation of waste, and on the conditions and procedures for permit issuance, dated 4 August 2000 (repealing Regulation No 5 of 8 October 1998, on the permits for import, export and transit transportation of waste).

**Countries** This restriction covers wastes from Annex I to the Convention (according to Art. 1 (1) a.); and Amber and Red List Wastes (Annex III and IV) to the Regulation 259/93/EEC.

**Remarks** Bulgaria remarks that a waste export permit shall be issued in observation of the following conditions:  
- a written consent by the competent authorities of the State of import, including:  
a) a declaration that the wastes to be forwarded are needed for processing or recycling or other activities related to wastes;  
b) a confirmation of the existence of a written contract between the applicant or a person on whose behalf the applicant arranges the transboundary movement of the waste, and the person who will dispose the waste in the State of import;  
- a written confirmation from the competent authorities of the States of transit, consenting to the movement through the territories thereof.

## **Croatia**

**2003**

Croatia restricts the export of hazardous wastes and other wastes for final disposal.

### **Legislation**

Croatia restricts the export of hazardous wastes and other wastes for final disposal and for recovery by the orders of Articles 42., 43., 44. of the Law on waste, Official Gazette, No. 34/95 as follows:

Article 42: The export of waste that can be treated in the territory of the importing country in an environmentally sound manner is permitted.

### Article 43

1. The export of waste shall be permitted under the following condition:

- the approval of the importing country has been issued;
- the exporter's declaration of waste specifying the type, quantity, composition and origin of waste, and reasons for export has been obtained;
- a contract has been signed between the waste exporter and the waste importer, the transit countries have consented to the movement of waste to the final destination, or a transit country has not responded in writing within 60 days upon the receipt of notification of the intended transboundary movement of waste; and
- the data containing the waste identification number, the mode of transportation, place of waste entry in case of the waste import, waste arrival time at the frontier crossing have been stated.

2. An adequate insurance policy or a bank guarantee to the amount covering the treatment costs of hazardous waste in an environmentally sound manner should be provided for export of hazardous waste under the conditions referred to in the paragraph 1 of this Article.

### Article 44:

1. The Ministry of Environmental Protection and Physical Planning hereof makes a waste export decision under the Article 43; and
2. No appeal shall be permitted against the decision referred to in the paragraph 1 of this Article, but an administrative lawsuit can be instituted.

**Countries** All countries/regions.

## **Czech Republic**

**2003**

Czech Republic restricts the export of hazardous wastes and other wastes for final disposal.

### **Legislation**

Council Regulation (EEC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community, as amended.

### **Countries**

All exports of wastes (both hazardous and non-hazardous) for final disposal are prohibited except those to EU Member countries and EFTA Countries, which are also Parties to the Basel Convention.

## **Estonia**

**2003**

Estonia has no restrictions on the export of hazardous wastes and other wastes for final disposal.

## **Georgia**

**2003**

Georgia has no restrictions on the export of hazardous wastes and other wastes for final disposal.

## **Hungary**

**2003**

Hungary has no restrictions on the export of hazardous wastes and other wastes for final disposal.



**Remarks** The National Inspectorate for Environment and Water (Hungary), as competent authority of the state of export, is ready to issue the consent of Hungary concerning the export of waste in question, in case of receiving the permits of the competent authorities of the transit and import countries.

The permit from National Inspectorate for Environment and Water (Kff) is necessary for the exportation of hazardous waste from the territory of the country. The permit application shall be submitted by the owner of the hazardous waste.

**Latvia**

**2003** Latvia has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Lithuania**

**2003** Lithuania restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Rules on Waste Import into the Republic of Lithuania, Export from the Republic of Lithuania and Transit through the Republic of Lithuania (Minister's Ordinance No. 526 of 25 October, 2001, amended by Minister's Ordinance No. 42 of 31 January, 2002; Minister's Ordinance No. 22 of 16 January, 2003; Minister's Ordinance No. 249 of 20 May, 2003).

**Remarks** All exports of non-hazardous and hazardous waste for disposal (operations D1-D15) into the Republic of Lithuania must be notified and are only possible if the notifier has received the written consent of the Ministry of Environment of the Republic of Lithuania, as well as consents of other competent authorities concerned.

**Poland**

**2003** Poland restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The Act on Waste of 27 April 2001, Art. 66 1 . (came into force in October 2001)

**Countries** All countries.

**Remarks** Export of hazardous waste can take place with authorization from the Chief Inspector for Environmental Protection provided that the requirements set out in Article 66 par. 2 are satisfied. The same provisions shall apply respectively to shipments of hazardous waste through the territory of the State of Poland.

Non-hazardous waste exports do not require authorization from the Chief Inspector for Environmental Protection with the exception of waste stipulated in the ordinance of Minister of Environment of 6 February 2002.

The Minister responsible for the Environment laid down the ordinance on the obligation to obtain a written permit for export of non-hazardous waste to certain countries (O.J. of 6 February 2002, No 15, Item 147) (came into force in March 2002).

The Minister responsible for the Environment laid down the ordinance on the formats of the decision registry issued in relation to transboundary movement (O. J. of 6 February 2002, No 15, Item 148) (came into force in March 2002).

The format of documents to be used in relation to transboundary movement of waste were laid down by Minister responsible for Environment in 2002 (O. J. of 5 March 2002, No 56, Item 511) (came into force in May 2002).

## **Serbia and Montenegro**

**2003** Serbia and Montenegro restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The restriction is in accordance with the provisions of the Basel Convention and its Ban amendment.

## **Slovakia**

**2003** Slovakia restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** The following shall be forbidden:

Export of wastes destined for final disposal except for export to states that are members of the Organisation for Economic Cooperation and Development and also are parties to the Basel Convention, (Notification of the Ministry of Foreign Affairs of the Slovak Republic No. 60/1995 Coll. of Laws on the Accession of the Slovak Republic to the Basel Convention on Control of Traffic of Hazardous Wastes across State Borders and Their Disposal.

Notification of the Ministry of Foreign Affairs of the Slovak Republic No. 132/2000 Coll. of Laws on the Adoption of Modifications Contained in Annex I and the Adoption of Two New Annexes VIII and IX of the Basel Convention on Control of Traffic of Hazardous Wastes across State Borders and Their Disposal), unless an international agreement, by which the Slovak Republic is bound, stipulates otherwise. This exception shall not apply where a waste disposal installation is located in the Slovak Republic with a sufficient capacity and with a comparable level of technology (Act No. 223/2001 Coll. of Laws § 23, paragraph 4, letter b). For the purpose of exports under paragraph 4 letter c), hazardous wastes shall be considered waste

- a) Listed in Annex VIII to the Basel Convention
- b) Designated hazardous in the Waste Catalogue
- c) Included in the Amber List of Wastes, with their code indications starting with the letter A, or included in the Red List of Wastes
- d) Listed in Annex IX to the Basel Convention and containing substances listed in Annex I to the Basel Convention within a scope causing the occurrence of dangerous properties listed in Annex III to the Basel Convention.

Objections to the waste export destined for final disposal listed on Amber/Red List may be raised where:

- a) an export of waste is not compliant with the generally binding regulations for environmental protection, public order, public safety or the human health protection
- b) an applicant for a transboundary waste shipment or the waste consignee effected illegal transboundary waste shipments in the past (§ 38)
- c) a waste consignment is contradictory to the obligations resulting from international agreements by which the Slovak Republic is bound
- d) an export of waste is not compliant with the objectives of the Waste Management Programme of the Slovak Republic
- e) a principle of self-sufficiency may be applied on the national level
- f) a waste disposal installation must dispose of waste originating in a closer territory and the competent authority of destination has informed about its preference to dispose of that waste.

**Remarks** Annex IV A of the Basel Convention is equal to Annex III of the national Act No. 223/2001.

**Slovenia**

**2003** Slovenia restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** European Council Regulation 259/93/EEC, especially art. 14 and 18. Entry into force : May 1994.

**Countries** Prohibition of exports of wastes destined for operations set out in Annex IVA of Basel Convention (D-codes) into non-EU/non-EFTA countries.

**Ukraine**

**2003** Ukraine has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Remarks** Export of hazardous wastes is carried out in accordance with the Basel Convention provisions.

**UN Region: Latin America and the Caribbean****Argentina**

**2003** Argentina has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Barbados**

**2003** Barbados has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Bolivia**

**2003** Bolivia restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Convenio de Basilea.

EL Convenio de Basilea fue adoptado por Bolivia en fecha 22 de Marzo de 1989. Bolivia ratifica su participación en el Convenio de Basilea el 15 de Noviembre de 1996.

**Countries** Todos los países que limitan con Bolivia también deben cumplir las restricciones sobre la exportación hacia nuestro país de desechos peligrosos, estos países son: Argentina, Brasil, Chile, Paraguay y Perú.

**Brazil**

**2003** Brazil has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Chile**

**2003** Chile has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Colombia**

**2003** Colombia has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Remarks** No other rules than those adopted by Basel Convention.

**Costa Rica**

**2003** Costa Rica has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Cuba**

**2003** Cuba has no restrictions on the export of hazardous wastes and other wastes for final disposal.

**Dominica**

**2003** Dominica restricts the export of hazardous wastes and other wastes for final disposal.

**Legislation** Solid Waste Management Act, 2002.  
Marine Pollution Act 2002

<b>Remarks</b>	Permit must be obtained in writing from Marine Administrator who in consultation with the Chief Environmental Health Officer refuse permission or issue permit for the transboundary movement of waste.
<b>Ecuador</b> 2003	Ecuador has no restrictions on the export of hazardous wastes and other wastes for final disposal.
<b>Honduras</b> 2003	Honduras has no restrictions on the export of hazardous wastes and other wastes for final disposal.
<b>Mexico</b> 2003 <b>Legislation</b>	<p>Mexico restricts the export of hazardous wastes and other wastes for final disposal.</p> <p>The General Law of the Ecological Equilibrium and Environmental Protection (LGEEPA), (entered into force in 1988) in Article 153 fraction V establishes: "the granting of authorizations for exporting materials or hazardous wastes will be subject to the existence of an express consent of the receiving country".</p> <p>Regulation of the LGEEPA on matter of hazardous wastes in its articles 53 indicates that: "authorization for exporting hazardous wastes will not be granted whose only objective is their final disposition abroad, if express consent is not conceded by the receiving state..."</p>
<b>Countries</b>	All countries.
<b>Panama</b> 2003 <b>Legislation</b>	<p>Panama restricts the export of hazardous wastes and other wastes for final disposal.</p> <p>Luego de la Ratificación del Convenio de Basilea por medio de la Ley 21 de 6 de diciembre de 1990, quedó establecido que toda exportación de Desechos Peligrosos requiere de la autorización del Ministerio de Salud para así cumplir con los requisitos establecidos en el Convenio y su enmienda.</p>
<b>Countries</b>	La ley 13 de 21 de abril de 1995, ratifica el acuerdo regional Centroamericano sobre Movimiento Transfronterizo de Desechos Peligrosos, con el fin de prohibir la importación de desechos peligrosos hacia Centroamérica desde Países que no sean parte de este acuerdo.
<b>Paraguay</b> 2003	Paraguay has no restrictions on the export of hazardous wastes and other wastes for final disposal.
<b>Peru</b> 2003 <b>Remarks</b>	<p>Peru has no restrictions on the export of hazardous wastes and other wastes for final disposal.</p> <p>The exporter must ask the DIGESA of Ministry's Health to apply procedure No. 91 on Notifying the importing Country for the export of hazardous wastes with certain requirements specific to this procedure having to be complied with under the Single Text of Administrative Procedures in the Health Sector (Regulation promulgated by means of Supreme Decree No. 001-2002-SA).</p>
<b>Trinidad and Tobago</b> 2003 <b>Remarks</b>	<p>Trinidad and Tobago has no restrictions on the export of hazardous wastes and other wastes for final disposal.</p> <p>There are no legal restrictions on the exportation of hazardous waste.</p>

### *3c Restrictions on Exports for IV B*

#### *All Regions/Countries, Parties of the Basel Convention*

#### *UN Region: Africa*

##### **Botswana**

**2003** Botswana has no restrictions on the export of hazardous wastes and other wastes for recovery.

##### **Cameroon**

**2003** Cameroon has no restrictions on the export of hazardous wastes and other wastes for recovery.

##### **Djibouti**

**2003** Djibouti is in a preparatory process to restrict the export of hazardous wastes and other wastes for recovery.

##### **Egypt**

**2003** Egypt restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Export of hazardous waste from Egypt to any country for recovery is not forbidden but regulated in accordance to the Basel Convention provisions.

**Countries** Export only to countries have the technical capacity for environmental sound recovery of hazardous wastes, and under the provisions of Basel Convention.

##### **Ethiopia**

**2003** Ethiopia has no restrictions on the export of hazardous wastes and other wastes for recovery.

##### **Gambia**

**2003** Gambia is in a preparatory process to restrict the export of hazardous wastes and other wastes for recovery.

**Legislation** The Draft Waste Act is yet to be adopted.

**Remarks** Bearing in mind that the Gambia does not have the facilities to treat or dispose off hazardous wastes, the decision regarding the export of hazardous wastes is not to ban, but to avoid to the extent possible. The Draft Waste Act contains provisions for this.

##### **Madagascar**

**2003** Madagascar has no restrictions on the export of hazardous wastes and other wastes for recovery.

##### **Mauritius**

**2003** Mauritius restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** The Environment Protection (Standards for Hazardous Wastes) Regulations 2001, which came into force on 1 April 2002.

**Remarks** No person shall export hazardous waste without the approval in writing of the enforcing agency, which according to the Environment Protection Act 2002 is the Ministry responsible for the subject of Local Government.

##### **Morocco**

**2003** Morocco restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** La convention de Bâle a été ratifiée par le Maroc en 1995 est publiée dans le Bulletin Officiel. A cet effet, elle considérée comme une législation nationale. Toute exportation de déchets est contrôlée en respectant le système de contrôle visé par la convention de Bâle (notification, contrat, consentement de l'Etat d'importation).  
Legislation concerning the transboundary movement of hazardous wastes and

other wastes for recovery is being adopted.

**Countries** The export of dangerous wastes and other wastes for reclamation is prohibited to States that have banned the import of those wastes, to States that have not banned their import without their specific written agreement, and to States that are not Parties to the Basel Convention.

**Remarks** The authorization of the country of import is required.

### **Mozambique**

**2003** Mozambique has no restrictions on the export of hazardous wastes and other wastes for recovery.

### **Niger**

**2003** Niger has no restrictions on the export of hazardous wastes and other wastes for recovery.

### **Seychelles**

**2003** There is no information concerning restrictions on the import of hazardous wastes and other wastes for final disposal provided for Seychelles.

**Remarks** Seychelles does not restrict the outward movement of waste to specialised (D and R facilities) disposal facilities, provided that the movement of waste is done with the proper formalities and also with the prior consent of the receiving country.

### **South Africa**

**2003** South Africa has no restrictions on the export of hazardous wastes and other wastes for recovery.

### **Tanzania (United Republic of)**

**2003** Tanzania (United Republic of) has no restrictions on the export of hazardous wastes and other wastes for recovery.

### **Tunisia**

**2003** Tunisia restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** By law n°96-41 on wastes and the control of their management and disposal (entered into force on the 10 June 1996), the export of hazardous wastes, as defined by national legislation, for final disposal and for recovery, to any State that prohibits the import of such wastes, is banned. Also is banned the export of hazardous wastes, for final disposal and for recovery, to any State that does not prohibit the import of such wastes in the case of the absence of its specific written consent.

The authorization of export is not attributed unless the following conditions are met:

Due account is taken of international rules and standards in the field of packaging, labelling and transport;

The presentation of a written contract between the exporter and the disposer/person in charge of the recovery;

The presentation of an insurance contract presenting sufficient financial guarantees; and

The presentation of the movement document signed by the person who takes charge of the transboundary movement of the wastes in question.

**Countries** All countries are covered by this restriction.

### **Uganda**

**2003** Uganda restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** The National Environment Act Cap. 153; and the National Environment (Waste Management) Regulations 1999.

**Countries** This restriction is global and covers all wastes.  
**Remarks** No Export of Hazardous Waste is allowed except for destruction purposes in accordance with the Basel Convention and in accordance with the National Environment (Waste Management) Regulations 1999.

### **Zambia**

**2003** Zambia restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** The Environmental Protection and Pollution Control Act, 1990, amended in 1999; The Hazardous Waste Management Regulations, Statutory Instrument No. 125 of 2001.

**Countries** The restriction covers those countries which have not consented to receive the waste and those that are not under Annex VII, unless a bilateral agreement exists.

**Remarks** Export will be subject to consent received from receiving country and if receiving country has necessary facilities and capacity to handle hazardous waste.

### **UN Region: Asia and Pacific**

#### **Azerbaijan**

**2003** Azerbaijan is in a preparatory process to restrict the export of hazardous wastes and other wastes for recovery.

#### **Bahrain**

**2003** Bahrain is in a preparatory process to restrict the export of hazardous wastes and other wastes for recovery.

#### **Bangladesh**

**2003** Bangladesh has no restrictions on the export of hazardous wastes and other wastes for recovery.

#### **Brunei Darussalam**

**2003** Brunei Darussalam is in a preparatory process to restrict the export of hazardous wastes and other wastes for recovery.

**Remarks** This subject matter will be covered in the Draft Environmental Order of Negara Brunei Darussalam.

#### **Cambodia**

**2003** Cambodia has no restrictions on the export of hazardous wastes and other wastes for recovery.

#### **China**

**2003** China restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** China

The relevant legislation complies with the Basel Convention.

**Remarks** China

The export is allowed when there are no disposal/ recovery facilities in China capable of recovering the waste in an environmental sound manner. The export of hazardous waste for disposal/recovery for which there are no proper facilities in China must comply with the requirements of the Basel Convention. The transboundary movement can only take place upon prior written notification from the competent authorities of the states of export, import and transit, and upon consent from these authorities. Furthermore, each shipment of hazardous waste should be accompanied by a movement document from the point at which the movement begins to the point of recovery.

Hong Kong Special Administrative Region, China

In addition to the Basel Convention requirements, the export of any waste for a

purpose other than re-use, recovery, reprocessing or recycling (e.g. for final disposal including landfilling and incineration) of the waste is subject to control by the same procedure as that of the control of export of hazardous waste.

## **Cyprus**

**2003**

Cyprus restricts the export of hazardous wastes and other wastes for recovery.

### **Legislation**

Law on the Management of Solid and Hazardous Waste (December 12, 2002). A Law ratifying the amendment of the Basel Convention has been passed on 14.4.2000 (No. 12(III)/2000).

### **Remarks**

E.U legislation has been adopted concerning the export of hazardous wastes and other wastes for recovery.

## **Indonesia**

**2003**

Indonesia restricts the export of hazardous wastes and other wastes for recovery.

### **Legislation**

Article 53 in Government Regulation No 18/1999 Jo 85/1999 regarding Hazardous Waste Management states that exports are allowed as long as the shipment of wastes receive a written permission from the competent authority of the destination country and BAPEDAL is the competent authority of the Indonesian Government.

## **Japan**

**2003**

Japan restricts the export of hazardous wastes and other wastes for recovery.

### **Legislation**

The Waste Management Law, the Basel Law, and OECD Council Decision C(2001)107 (in the case of OECD member countries).

### **Countries**

All countries and regions.

### **Remarks**

Basel law: Ministry of the Environment (MOE) shall examine whether sufficient measures will be taken for preventing environmental pollution, and thereafter notify the Ministry of Economy, Trade and Industry (METI) of the result of its examination. METI is not able to issue export permission without the notification by MOE certifying that necessary measures will be taken for preventing environmental pollution.

Waste Management Law: Without the confirmation of the Minister of the Environment, any person cannot export wastes for recovery.

## **Kyrgyzstan**

**2003**

Kyrgyzstan restricts the export of hazardous wastes and other wastes for recovery.

### **Legislation**

Regulation on State Control of Transboundary Movements of Hazardous and Other Wastes (as of 6 April 1999).

### **Countries**

The restriction covers States-Parties to the Basel Convention. Export of the following types of wastes (Annex I to the Convention) Y1-Y8, Y10-Y15, Y17, Y18, Y20-Y31, Y33-Y36, Y39, Y43-Y45 is under state control.

### **Remarks**

Export operations are licensed by the competent authority.

## **Lebanon**

**2003**

Lebanon has no restrictions on the export of hazardous wastes and other wastes for recovery.

## **Malaysia**

**2003**

Malaysia restricts the export of hazardous wastes and other wastes for recovery.

### **Legislation**

The Environmental Quality Act, 1 August 1996 Section 34B; and the Customs (Prohibition of Export) Order 1993 Amendment 1998.

### **Countries**

All countries.



<b>Remarks</b>	Hazardous wastes to be exported and destined for recovery are subject to the export guidelines on minimum percentage for recoverables.
<b>Maldives</b>	
<b>2003</b>	Maldives has no restrictions on the export of hazardous wastes and other wastes for recovery.
<b>Pakistan</b>	
<b>2003</b>	Pakistan has no restrictions on the export of hazardous wastes and other wastes for recovery.
<b>Philippines</b>	
<b>2003</b>	Philippines restricts the export of hazardous wastes and other wastes for recovery.
<b>Legislation</b>	Republic Act 6969- DAO- 28 series of 1994 and 1997.
<b>Countries</b>	All countries/regions and/or wastes.
<b>Qatar</b>	
<b>2003</b>	Qatar restricts the export of hazardous wastes and other wastes for recovery.
<b>Legislation</b>	Law No. 30 of 2002.
<b>Countries</b>	The restriction covers state of Qatar and the signatories of the protocol of the Kuwait Convention and Basel convention Parties.
<b>Remarks</b>	However, the importing country must certify the availability of appropriate facilities for treatment and recovery.
<b>Republic of Korea</b>	
<b>2003</b>	Republic of Korea restricts the export of hazardous wastes and other wastes for recovery.
<b>Legislation</b>	The "Act on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal," which entered into force in May 1994.
<b>Countries</b>	It is prohibited to export hazardous wastes and other wastes to any country other than those countries party to the Basel convention and those countries with bilateral, multilateral or regional agreements.
<b>Remarks</b>	According to Articles 6, 10 and 16 of this Act, the export, import and transit of hazardous waste is strictly prohibited unless prior written approval is obtained from the competent authority. Also, the MOE has the authority to limit or ban the export and import of specific wastes which may be of significant impact on human health or the environment if and when considered necessary.
<b>Singapore</b>	
<b>2003</b>	Singapore restricts the export of hazardous wastes and other wastes for recovery.
<b>Legislation</b>	The Hazardous Waste (Control of Export, Import or Transit) Act (HWA) which entered into force in May 1998.
<b>Countries</b>	All.
<b>Remarks</b>	The exporter needs to obtain a Basel export permit from Pollution Control Department prior to the export.
<b>Sri Lanka</b>	
<b>2003</b>	Sri Lanka has no restrictions on the export of hazardous wastes and other wastes for recovery.
<b>Remarks</b>	However, export of hazardous waste will be carried out under the provisions provided under the Basel Convention.
<b>Thailand</b>	
<b>2003</b>	Thailand restricts the export of hazardous wastes and other wastes for recovery.
<b>Legislation</b>	The production, import, export and possession of the hazardous substances as well as hazardous wastes within the Kingdom of Thailand shall be followed the

procedure under the Ministerial Regulations B.E.2537 (1994) issued under the Hazardous Substance Act B.E.2535 (1992) which have entered into force since 1994.

**Countries** All countries and wastes listed in the Basel Convention.

**Viet Nam**

**2003** Viet Nam restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** The Law on Environment Protection, which entered into force on 10 January 1994.

**Countries** The restriction covers all countries and all wastes under the definition.

**Remarks** The prohibition of the exportation of wastes may be subject to change or revision in future.

**Yemen**

**2003** Yemen has no restrictions on the export of hazardous wastes and other wastes for recovery.

**UN Region: Western Europe and Others**

**Andorra**

**2003** Andorra has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Remarks** Given the size and the resources of the Principality of Andorra, the authorities will not be able to possess, according to reasonable criteria, the means to treat and recover all the hazardous wastes and other wastes the country generates. Therefore, and basing its exports on the principles of the Basel Convention (proximity, ecological sound management, reduction), Andorra will probably not restrict the export of wastes that it cannot treat or recover itself.

**Australia**

**2003** Australia restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Section 17 of the Hazardous Waste (Regulation of Exports and Imports) Act 1989. Entry into force: 12 December 1996.

**Countries** The restriction covers all countries and regions and all hazardous wastes.

**Belgium**

**2003** Belgium restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Belgium fulfils the Provision of the Council Regulation (EEC) 259/93 (09.02.1993): Council Regulation (EEC) No. 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community. With the amendment (Commission Decision 94/721/EC of 21 October 1994) all exports of hazardous and other waste for recovery listed in annex V are prohibited from EU-countries to non-OECD-countries.

**Canada**

**2003** Canada restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Although Canada has not ratified the Basel Ban (Decision III/I), our domestic legislation implements the terms of the prohibition through the EIHWR (all exports to countries having prohibited the imports of a hazardous waste and officially notified Canada, are prohibited, be it for recycling or disposal). Exports to non-parties are not permitted unless subject to an Article 11 agreement (for example, Canada-U.S.A. Agreement; OECD Council Decisions).

**Countries** As illustrated in 3(c)(i) above, exports to non-parties are not permitted unless subject to an Article 11 agreement.

**Remarks** 1.The EIHWR include restrictions on exports for recycling. Where Canada is not a country of transit, an exporter may export a hazardous waste only if:  
the export of that hazardous waste is not prohibited under the laws of Canada;

- at the time the notice is given, the country of import has not notified the Director that the importation of that hazardous waste into that country is prohibited;
- the country of import is a party to the Convention, the OECD Decision or the Canada-U.S.A. Agreement on the Transboundary Movement of Hazardous Waste (which came into effect on November 8, 1986); and
- the hazardous waste is not to be recycled south of 60° south latitude.

2. Although there are no restrictions there are a number of considerations such as: The Canada-U.S.A. Agreement which affirms the four basic principles that both countries recognize as necessary to control transboundary shipments of hazardous waste:

- each country must adequately manage waste within its own jurisdiction;
- the exporting country must give the importing country prior notice of the proposed shipment. The importing country then indicates whether it objects to the proposed shipment;
- the two countries must cooperate to ensure that transboundary shipments of hazardous waste are accompanied by proper manifests, in order to verify compliance with the Agreement and with domestic regulations; and
- conditions of the EIHWR must be met.

## **Finland**

**2003**

### **Legislation**

Finland restricts the export of hazardous wastes and other wastes for recovery. Council Regulation (EEC) on the supervision and control of shipments of waste within, into and out of the European Community No. 259/93, as amended by 120/97. It came into force in January 1997. Wastes covered by the export ban are listed in Annex V of the Council Regulation. Basel Annexes VIII and IX were included in Annex V from 10 November 1998 (Council Regulation 2408/98). Annex V has been last amended by Commission Regulation 2557/2001.

The export ban (with slight differences in scope) has been in force in Finland from 1 October 1995.

### **Countries**

The legislation prohibits all exports of waste listed in Annex V of the Council Regulation 259/93 from Finland for recovery to “non-OECD countries” (i.e. countries to which the OECD Council Decision C(92)39 does not apply). Annex V contains wastes listed in Annex VIII of the Basel Convention, wastes included in the OECD Amber and Red waste lists (excluding certain non-hazardous wastes) as well as wastes defined as hazardous in the European Community legislation.

### **Remarks**

## **France**

**2003**

### **Remarks**

France has no restrictions on the export of hazardous wastes and other wastes for recovery.

France has no restrictions on the export of hazardous wastes and other wastes for recovery other than the amendment to the Basel Convention (Decision III/1).

## **Germany**

**2003**

### **Legislation**

Germany restricts the export of hazardous wastes and other wastes for recovery. In Germany the provisions of the EC Waste Movement Regulation apply, especially referring to Art. 16 and 18. Entry into force: May 1994, amendment January 1998 (Implementation of III/1).

### **Countries**

The export of hazardous wastes for recovery listed in Annex V of the EC Waste Movement Regulation into all countries which do not apply OECD Council Decision C 92/39 is prohibited from January 1998.

## **Greece**

**2003** Greece restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Regulation EEC 259/93.

**Remarks** Export only after the consensus of the importing country's authorities.

## **Iceland**

**2003** Iceland restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** The Regulation (EEC) 259/93 on the supervision and control of shipments of waste within, into and out of the EC (and EEA), has been in force since its implementation by regulation No. 377/1994.

**Countries** Exports for recovery are prohibited except to countries to which the OECD decision applies, countries which are Parties to the Basel Convention and/or countries with which Iceland has concluded bilateral agreements (cf. Article 16 in Regulation (EEC) 259/93); and all exports of wastes to ACP States are prohibited. Hazardous wastes are only exported from Iceland to countries to which the OECD Decision applies.

## **Israel**

**2003** Israel restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Hazardous Substances Regulations (Export and Import Of Hazardous Waste), 1994.

These regulations call for a permit to export waste for recovery.

The permit may specify requirements and restrictions.

**Countries** Israel approves the export of hazardous wastes for recovery to EC or OECD countries that are parties to the convention.

## **Italy**

**2003** Italy restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Council Regulation (EC) No. 120/97.

**Countries** All the wastes that are listed in the EEC/259/93, Annex V, outside the OECD countries.

## **Luxembourg**

**2003** Luxembourg restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** A special authorization is required by the modified Waste Management law of 17th June 1994 for export of waste to non-EC countries; and prohibition of export of waste to non-OECD countries through waste carrier authorization delivered according to the Waste Management Law.

## **Monaco**

**2003** Monaco has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Remarks** Due to Custom Agreement with France, transboundary movements of wastes and their final disposal and recovery are controlled by French and European Union policies.

## **Netherlands**

**2003** Netherlands restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** The Council Regulation (EEC) No 259/93; entry into force May 6th 1994, as amended by Council Decision 97/640 of September 22nd 1997 (implementation of export ban).

**Countries** Wastes not covered by the Basel Convention.

## **New Zealand**

**2003** New Zealand restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Customs Export Prohibition Order 2002 (replacing the 1994, 1996 and 1999 orders).

**Countries** As per Basel Convention/OECD requirements.  
**Remarks** The Waigani Convention came into force on 21 October 2001 and New Zealand will then be prohibited from exporting hazardous wastes to Parties to the Waigani Convention.

#### **Norway**

**2003** Norway restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** The Norwegian regulation of 30 December 1994 on transboundary movement of waste, implementing EU Regulation no. 259/93, was amended 1 April 2003. The amendments include country lists taken from the two EU Regulations 1420/1999 and 1547/1999.

**Countries** EU and non-OECD countries.

#### **Spain**

**2003** Spain restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** The Article 16 of Council Regulation (EEC) No. 259/93, which prohibits all export of wastes which appear in annex V to the regulation, except for those destined to countries to which the OECD Decision applies.

**Countries** The restriction covers non OECD countries and wastes listed in Annex V to Regulation (EEC) No. 259/93.

**Remarks** Article 17 of the regulation stipulates that the movement of the wastes listed under annexes III and IV, intended for recovery, will be subject to control, which in certain circumstances could imply imposing restrictions on exports of these wastes.

#### **Sweden**

**2003** Sweden restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** The EU Regulation 259/93 on the supervision and control of shipments of waste within, into and out of the European Community. This Regulation entered into force 1 February 1993. The prohibition entered into force 1 January 1998.

**Countries** Exports of hazardous waste for recovery disposal is prohibited except those to EFTA countries which are also parties to the Basel Convention.

#### **Turkey**

**2003** Turkey restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Turkey restricts the export of hazardous wastes and other wastes for recovery in accordance with the amendment to the Basel Convention (Decision III/1).

#### **United Kingdom of Great Britain and Northern Ireland**

**2003** United Kingdom of Great Britain and Northern Ireland restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Council Regulation 120/97 prohibits the shipment of certain wastes for recovery from EU Member States to countries not covered by OECD Decision C(92)/39. Annex V of the WSR, which specifies the hazardous wastes subject to the prohibition, was amended by Commission Regulation (EC) No. 2557/2001.

#### **UN Region: Central and Eastern Europe**

##### **Albania**

**2003** Albania restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Regulation No 4 date 15/10/2003 “Procedures for approving of Permit for Export of waste and Permit for Transboundary Movements of waste”.  
No laws or decisions for hazardous waste yet.

**Countries** The restriction covers all countries.

## **Armenia**

**2003**

Armenia restricts the export of hazardous wastes and other wastes for recovery.

### **Legislation**

“The order of adjustment of hazardous wastes and other wastes import, export and transit over the territory of the Republic of Armenia” approved by the Government Decision No. 97 on 08.12.1995, which regulates all the issues, concerning transboundary movement of hazardous wastes and other wastes, and their disposal. The above-mentioned Governmental Decision states following:

- obligatory prior notification is required for import and/or export of hazardous and other wastes to the Republic of Armenia and transboundary movement thereof through the territory of the Republic of Armenia, that is implemented on permission of the Ministry of Nature Protection. The import, export of non-hazardous wastes and transboundary movement thereof through the territory of the Republic of Armenia is implemented on general basis without the prior notification.

“List of regulated and non-regulated wastes, their hazardous properties, documents on declaration, notification and disposal actions” agreed with Ministry of Economy and Finance, Custom State Committee and approved by decree of Ministry of Nature Protection on December 1999. This document was prepared according to “The order of adjustment of hazardous wastes and other wastes import, export and transit over the territory of the Republic of Armenia” adopted by the Government Decision No. 97 on 08.12.1995, which regulates all the issues, concerning transboundary movement of hazardous wastes and other wastes, and the disposal thereof. Governmental Decision of the Republic of Armenia “On approval of the “Republic of Armenia List of hazardous wastes” (No.874-A dated May 20, 2004). Governmental Decision of the Republic of Armenia “On applying changes to the Decision of the Republic of Armenia No.97 of December 8, 1995 and on approval of the Republic of Armenia “List of prohibited hazardous wastes” (No.1093-N dated July 8, 2004).

### **Countries**

The above-mentioned prohibition/restrictions are applied for the Republic of Armenia.

### **Remarks**

Export of hazardous waste is implemented if country has no technical capacity, facility or appropriate sites for such wastes disposal in environmentally sound way and it should be provided with the permission granted from the state competent authority.

## **Belarus**

**2003**

Belarus restricts the export of hazardous wastes and other wastes for recovery.

### **Legislation**

Waste Law (adopted 25.11.1993, amended 26.10.2000), stipulates that “Transboundary Movement of waste from the Republic of Belarus is executed only on the basis of a preliminary obtained permit for transboundary movement of waste from the Republic of Belarus issued by the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus under conditions that a competent authority of country of import has issued its permit for their import with the purpose of their use or disposal provided that there is a contract that stipulates environmentally safe usage or disposal of waste”.

### **Countries**

All countries.

## **Bosnia & Herzegovina**

**2003**

Bosnia & Herzegovina has no restrictions on the export of hazardous wastes and other wastes for recovery.

## **Bulgaria**

**2003**

Bulgaria restricts the export of hazardous wastes and other wastes for recovery.

### **Legislation**

- Waste Management Act (Promulgated, State Gazette No. 86/30.09.2003 and  
- Council of Ministers Decree No 166 on the adoption of a Regulation for the cases that require a permit for import, export and transit transportation of waste, and on the conditions and procedures for permit issuance, dated 4 August 2000 (repealing Regulation No 5 of 8 October 1998, on the permits for import, export

and transit transportation of waste).

**Countries** This restriction covers wastes from Annex I to the Convention (according to Art. 1 (1) a.); and Amber and Red List Wastes (Annex III and IV) to the Regulation 259/93/EEC.

**Remarks** Bulgaria remarks that a waste export permit shall be issued in observation of the following conditions:

- a written consent by the competent authorities of the State of import, including:
  - a) a declaration that the wastes to be forwarded are needed for processing or recycling or other activities related to wastes;
  - b) a confirmation of the existence of a written contract between the applicant or a person on whose behalf the applicant arranges the transboundary movement of the waste, and the person who will dispose the waste in the State of import;
- a written confirmation from the competent authorities of the States of transit, consenting to the movement through the territories thereof.

## **Croatia**

**2003** Croatia restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Croatia restricts the export of hazardous wastes and other wastes for final disposal and for recovery by the orders of Articles 42., 43., 44. of the Law on waste, Official Gazette, No. 34/95 as follows:

Article 42: The export of waste that can be treated in the territory of the importing country in an environmentally sound manner is permitted.

Article 43:

1. The export of waste shall be permitted under the following conditions:

- the approval of the importing country has been issued;
- the exporter's declaration of waste specifying the type, quantity, composition and origin of waste, and reasons for export has been obtained;
- a contract has been signed between the waste exporter and the waste importer, the transit countries have consented to the movement of waste to the final destination, or a transit country has not responded in writing within 60 days upon the receipt of notification of the intended transboundary movement of waste; and
- the data containing the waste identification number, the mode of transportation, place of waste entry in case of the waste import, waste arrival time at the frontier crossing have been stated.

2. An adequate insurance policy or a bank guarantee to the amount covering the treatment costs of hazardous waste in an environmentally sound manner should be provided for export of hazardous waste under the conditions referred to in the paragraph 1 of this Article.

Article 44:

1. The Ministry of Environmental Protection and Physical Planning hereof makes a waste export decision under the Article 43; and

2. No appeal shall be permitted against the decision referred to in the paragraph 1 of this Article, but an administrative lawsuit can be instituted.

**Countries** All countries/regions.

**Remarks** Due to New Acts on Waste (Official Gazette, No. 151/03 and 178/04) which have been put in force after 2003 export of non – hazardous waste is approved without any permit.

## **Czech Republic**

**2003** Czech Republic restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Council Regulation (EEC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community, as amended.

**Countries** All exports of hazardous wastes and other wastes for recovery are prohibited to countries to which the OECD Council Decision C(92)39/FINAL does not apply. The wastes in question are listed in Annex V to Council Regulation (EEC) No 259/93, as amended.

## **Estonia**

**2003** Estonia has no restrictions on the export of hazardous wastes and other wastes for recovery.

## **Georgia**

**2003** Georgia has no restrictions on the export of hazardous wastes and other wastes for recovery.

## **Hungary**

**2003** Hungary has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Remarks** The National Inspectorate for Environment and Water (Hungary), as competent authority of the state of export, is ready to issue the consent of Hungary concerning the export of waste in question, in case of receiving the permits of the competent authorities of the transit and import countries.

## **Latvia**

**2003** Latvia has no restrictions on the export of hazardous wastes and other wastes for recovery.

## **Lithuania**

**2003** Lithuania restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Rules on Waste Import into the Republic of Lithuania, Export from the Republic of Lithuania and Transit through the Republic of Lithuania (Minister's Ordinance No. 526 of 25 October, 2001, amended by Minister's Ordinance No. 42 of 31 January, 2002; Minister's Ordinance No. 22 of 16 January, 2003; Minister's Ordinance No. 249 of 20 May, 2003).

**Remarks** All exports of non-hazardous and hazardous wastes destined for recovery must be notified and export of such wastes are only possible with the consents of all competent authorities concerned.

## **Poland**

**2003** Poland restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** The Act on Waste of 27 April 2001, Art. 66 1. (came into force in October 2001)

**Countries** All countries.

**Remarks** Export of hazardous waste can take place with authorization from the Chief Inspector for Environmental Protection provided that the requirements set out in Article 66 par. 2 are satisfied. The same provisions shall apply respectively to shipments of hazardous waste through the territory of the State of Poland.

Non-hazardous waste exports do not require authorization from the Chief Inspector for Environmental Protection with the exception of waste stipulated in the ordinance of Minister of Environment of 6 February 2002.

The Minister responsible for the Environment laid down the ordinance on the obligation to obtain a written permit for export of non-hazardous waste to certain



countries (O.J. of 6 February 2002, No 15, Item 147) (came into force in March 2002).

The Minister responsible for the Environment laid down the ordinance on the formats of the decision registry issued in relation to transboundary movement (O. J. of 6 February 2002, No 15, Item 148) (came into force in March 2002).

The format of documents to be used in relation to transboundary movement of waste were laid down by Minister responsible for Environment in 2002 (O. J. of 5 March 2002, No 56, Item 511) (came into force in May 2002).

### **Serbia and Montenegro**

**2003** Serbia and Montenegro restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** The restriction is in accordance with the provisions of the Basel Convention and its Ban amendment.

### **Slovakia**

**2003** Slovakia restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** The following shall be forbidden:

Export of hazardous wastes destined for recovery except for export to member states of the Organisation for Economic Cooperation and Development (Act No. 223/2001 Coll. of Law § 23, paragraph 4, letter c) entered into force since 1 July, 2001).

The same objections may be raised in case of export destined for recovery (waste listed in Amber/Red List or wastes not included in any lists of wastes) as they are mentioned in case of import destined for recovery.

**Remarks** The main priority is - waste recovery on the territory of the Slovak Republic. In case of free treatment capacities permits of export are not issued.

The waste generated in Slovakia destined for recovery has to be preferentially recovered in Slovakia if any recovery facility exists and meets criteria of the best available technology (BAT) - the Act of MoE No. 529/2002 Coll. of Laws on packages, part II (3).

### **Slovenia**

**2003** Slovenia restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** European Council Regulation 259/93/EEC, especially art. 14 and 18. Entry into force : May 1994.

Regulation on transboundary movements of wastes (O.J. of RS No. 101/04) – national legislation. Entry into force: 18.9.2004

**Countries** Prohibition of export of wastes for recovery listed in Annex V of European Council Regulation 259/93/EEC into all countries which do not apply OECD Council Decision C92/39.

According to national legislation export out of EU is possible only across designated border crossings.

### **Ukraine**

**2003** Ukraine has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Remarks** Export of hazardous wastes is carried out in accordance with the Basel Convention provisions.

**UN Region: Latin America and the Caribbean**

**Argentina**

**2003** Argentina has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Barbados**

**2003** Barbados has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Bolivia**

**2003** Bolivia has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Brazil**

**2003** Brazil has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Chile**

**2003** Chile has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Colombia**

**2003** Colombia has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Remarks** No other rules than those adopted by Basel Convention.

**Costa Rica**

**2003** Costa Rica has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Cuba**

**2003** Cuba has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Dominica**

**2003** Dominica has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Ecuador**

**2003** Ecuador has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Honduras**

**2003** Honduras has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Mexico**

**2003** Mexico restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** The General law of the Ecological Equilibrium Protection (LGEEPA), (entered into force in 1988) in Article 153 fraction V, establishes that "the granting of authorizations for export of materials or hazardous wastes will be subject to that an express consent of the receiving country exists".

**Countries** All countries.

**Panama**

**2003** Panama has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Paraguay**

**2003** Paraguay has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Peru**

**2003** Peru has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Remarks** The restriction involves compliance with procedure No. 91 on Notifying the importing Country for the export of hazardous wastes with certain requirements specific to this procedure having to be complied with under the Single Text of Administrative Procedures in the Health Sector (Regulation promulgated by means of Supreme Decree No. 001-2002-SA).

**Trinidad and Tobago**

**2003** Trinidad and Tobago has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Remarks** There are no legal restrictions on the exportation of hazardous waste.

### ***3d Restrictions on Imports for IV A***

#### *All Regions/Countries, Parties of the Basel Convention*

#### ***UN Region: Africa***

##### **Botswana**

**2003** Botswana restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Botswana restricts the import of hazardous wastes and other wastes for final disposal by practicing the provisions of the Amendment to the Basel Convention (Decision III/1), although it has not been officially ratified.

##### **Cameroon**

**2003** Cameroon restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Law N° 96/12 of 5th August 1996 relating to Environmental management in Cameroon and Loi N° 89/027 du 29 décembre 1989 portant sur les déchets toxiques et dangereux.

**Countries** All types of wastes from all regions of the world are covered by this restriction.

##### **Djibouti**

**2003** Djibouti restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Selon la Loi cadre sur l'environnement:

Article 45: Il est interdit d'importer des déchets dangereux sur le territoire national.

**Countries** Cette restriction s'applique à tous les pays.

##### **Egypt**

**2003** Egypt restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Importation of HW and other wastes for final disposal is prohibited in accordance to Egyptian Environmental Law No. 4/1994 and its Executive Regulations.

**Countries** All countries/regions and all types of hazardous wastes and other wastes.

##### **Ethiopia**

**2003** Ethiopia has no restrictions on the import of hazardous wastes and other wastes for final disposal.

**Remarks** The Environmental Policy of Ethiopia approved in 1996 strictly bans import into and transit through Ethiopia of hazardous wastes as defined in the Convention.

##### **Gambia**

**2003** Gambia restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The Environmental Protection, Prevention of Dumping Act (1988); Bamako Convention; Basel Ban Amendment; Draft Waste Act (to be adopted).

**Countries** The restriction covers all countries/regions and all wastes for the disposal purposes. But for recovery purposes, countries/regions and wastes to be covered by this restriction are yet to be determined. Consideration will include availability of adequate facilities for recycling and recovery of the Waste Stream under question; and the geographic location of the particular country.

##### **Madagascar**

**2003** Madagascar has no restrictions on the import of hazardous wastes and other wastes for final disposal.

##### **Mauritius**

**2003** Mauritius restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The Environment Protection (Standards for Hazardous Wastes) Regulations 2001, which came into force on 1 April 2002.

**Countries** All.

**Remarks** The import of hazardous wastes is prohibited.

### **Morocco**

**2003** Morocco restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The Draft Law on Waste Management and its Disposal bans the import of hazardous wastes and other wastes, list of which will be determined by regulation.

En tant que partie à la convention de Bâle et ayant ratifié son amendement, le Maroc interdit toute importation de déchets dangereux vu qu'il ne dispose pas d'installation de leur élimination.

**Remarks** Morocco does not have any facility to dispose of hazardous wastes and other wastes.

### **Mozambique**

**2003** Mozambique restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Under the Environmental Law of 1997, the importation of toxic residues or wastes is expressly prohibited for final disposal and recovery, except under the terms of that would be established under specific legislation. However, such legislation is not in existence yet.

### **Niger**

**2003** Niger restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The Constitution of 9 August 1999 and; Law No. 98-56 of 29 December 1998, which is a framework Law related to the environmental management.

**Remarks** Import of hazardous wastes is prohibited and considered as a crime against the nation (Art. 27, para. 4).

### **Seychelles**

**2003** Seychelles restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Environment Protection Act 1994 Section 12(7): No person shall import any hazardous waste into Seychelles.  
The EPA effectively bans the importation of hazardous waste into the country and prescribes set procedures for movement of wastes.

**Countries** All countries and regions.

**Remarks** The ban is complete and unconditional.

### **South Africa**

**2003** South Africa restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** There is no national legislation regarding this matter and the restriction is in accordance with the Basel Convention.

**Countries** As a developing country, South Africa cannot import hazardous waste from a developed country.

**Remarks** South Africa does accept waste for disposal from other African countries if the necessary facilities to dispose of it exist in the country.

### **Tanzania (United Republic of)**

**2003** Tanzania (United Republic of) restricts the import of hazardous wastes and other wastes for final disposal.

**Countries** Same as in Basel Convention; Radioactive waste.

**Tunisia**

**2003** Tunisia restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** By law n°96-41 on wastes and the control of their management and disposal (entered into force on the 10 June 1996), the import of hazardous wastes, as defined by national legislation (Tunisian list of hazardous waste available on request), for final disposal and for recovery, is strictly prohibited.

By law n°96-41, categories of waste, other than those defined as hazardous by national legislation, requiring specific control when imported, can be specified by decree.

**Countries** All countries are covered by this restriction.

**Uganda**

**2003** Uganda restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The National Environment Act Cap. 153; and the National Environment (Waste Management) Regulations 1999.

**Countries** This restriction is global and covers all wastes.

**Remarks** Regarding the transboundary movement of hazardous waste, the import is prohibited. However, persons desiring to import or export any wastes may apply for a license by completing a movement document, which conforms to the Basel Convention requirements. NEMA is required to notify other States through which the waste will transit in order to seek their informed consent.

In order to ensure tight control/monitoring of possible illegal hazardous waste imports into the country, only a few points have been designated as entry ports.

**Zambia**

**2003** Zambia restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The Environmental Protection and Pollution Control Act, 1990, amended in 1999; and Hazardous Waste Management Regulations, 2001.

**Countries** All countries and all wastes.

**UN Region:** *Asia and Pacific*

**Azerbaijan**

**2003** Azerbaijan restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** In accordance to the article 14 of the law about municipal and industrial wastes adopted by Azerbaijan Republic the import of wastes, which safe final disposal, recovery and transitaire impossible, is prohibited.

**Countries** All categories of wastes.

**Bahrain**

**2003** Bahrain is in a preparatory process to restrict import of hazardous wastes and other wastes for final disposal.

**Bangladesh**

**2003** Bangladesh restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Ban has been imposed on the import of all sorts of waste in the Import Policy Order 2003-2006.

**Countries** All countries.

## **Brunei Darussalam**

**2003** Brunei Darussalam is in a preparatory process to restrict import of hazardous wastes and other wastes for final disposal.

**Remarks** This subject matter will be covered in the Draft Environmental Order of Negara Brunei Darussalam.

## **Cambodia**

**2003** Cambodia restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The Article 21 of the Solid Waste Management Sub-Decree states that "the import of hazardous waste into the country is strictly prohibited".

## **China**

**2003** China restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** China  
The Law of Prevention and Control of Solid Waste Pollution to the Environment, effective on April 1st, 1996; the Interim Regulation on the Administration of Environmental Protection in the Import of Waste Materials, entry into force on April 1st, 1996; and the Environmental Protection Control Standards for Imported Waste Material, entry into force 1996.

Law of Prevention and Control of Solid Waste Pollution to the Environment

- Article 24: It is forbidden to dump, store or dispose of foreign solid wastes within the territory of China.

- Article 25: The State forbids the import of solid waste which are unusable as raw materials and restricts the import of solid wastes which could be used as raw materials.

China and Hong Kong Special Administrative Region, China

“Announcement 10, 2003 promulgated by Ministry of foreign trade and economic cooperation (MOFTEC), General Administration of Customs, General Administration of Quality Supervision, Inspection and Quarantine, State Environment Protection Administration on April 24, 2003, promulgated list of Wastes that can be used as raw materials and are restricted in importation (Second).

The list of Wastes that can be used as raw materials and are restricted in importation (Second) revised the List of Goods Prohibited to be Imported (fourth and fifth) on the following.

Sugar cane molasses H.S 1703.1000 and other molasses H.S1703.9000 were removed from List of Goods Prohibited to be Imported (Fourth). Sugar cane molasses H.S 1703.1000, other molasses H.S1703.9000, and vanadium dross in which the content of V<sub>2</sub>O<sub>5</sub> be more than 10% H.S 2620.9990.10 were included in list of Wastes that can be used as raw materials and are restricted in importation (Second)

List of Goods Prohibited to be Imported (Fourth and Fifth)

“Announcement 25, 2002, promulgated by Ministry of foreign trade and economic cooperation (MOFTEC), General Administration of Customs, State Environment Protection Administration on July 3, 2002.

In accordance with the Regulation on the Administration of Import and Export of Goods of the People’s Republic of China, the Law of Prevention and control of

Solid Waste Pollution to the Environment of the People's Republic of China, and the Circular on Import of the Seventh Category of Waste, the List of Goods Prohibited to be Imported (fourth and fifth) is hereby promulgated and shall become effective as of the August 15, 2002”.

List of Goods Prohibited to be Imported (Third)

“Announcement 36, 2001, promulgated by Ministry of foreign trade and economic cooperation (MOFTEC), General Administration of Customs, State Environment Protection Administration on December 23, 2001.

In accordance with the Regulation on the Administration of Import and Export of Goods of the People's Republic of China, the Basel Convention on the Control of Transboundary Movement of hazardous wastes and Their Disposal, the Law of Prevention and control of Solid Waste Pollution to the Environment of the People's Republic of China, and the decision of the State Council on several Issues concerning Environmental Protection, the List of Goods Prohibited to be Imported (Third) is hereby promulgated and shall become effective as of the January 1, 2002”.

Hong Kong Special Administrative Region, China

With effect from 28 December 1998, import of hazardous wastes from states which are OECD members, European Community (EC) and Liechtenstein into HKSAR or through HKSAR to other states has been prohibited.

**Remarks**

Hong Kong Special Administrative Region, China

In addition to the Basel Convention requirements, the import of any waste for a purpose other than re-use, recovery, reprocessing or recycling (e.g. for final disposal including landfilling and incineration) of the waste is also subject to control by the same procedure as that of the control of import of hazardous waste.

**Cyprus**

**2003**

Cyprus restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation**

Law on the Management of Solid and Hazardous Waste (December 12, 2002).  
A Law ratifying the amendment of the Basel Convention has been passed on 14.4.2000 (No. 12(III)/2000).

**Remarks**

Cyprus follows all the provisions of the Basel convention regarding the import of hazardous wastes and other wastes. Nevertheless, import of hazardous wastes for final disposal is not permitted, as there are no facilities for this purpose.

**Indonesia**

**2003**

Indonesia restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation**

Article 21, 43 and 49 of the Act No. 23/1997 regarding Environmental Management;  
Decree Letter of Minister of Industry and Trade No. 229/MPP/KP/07/1997 on Import Regulations;  
Decree Letter of Minister of Industry and Trade No. 230/MPP/KP/07/1997 on Regulated Import Goods;  
Decree Letter of Minister of Industry and Trade No. 231/MPP/KP/07/1997 on Waste Importing Procedures;  
Law of the Republic of Indonesia No. 10/1995 on Custom Regulation;and  
Article 64 and 53 in Government Regulation No. 18/1999 Jo. 85/1999 on Hazardous Waste Management.

**Countries**

All countries/regions.

Wastes that are prohibited to be imported according to existing regulations are:

Wastes listed in Appendix I PP85/1999 on Hazardous Waste Management;  
Hazardous Wastes with characteristics specified in Article 7 Sub Article 3 PP 85/1999 on Hazardous Wastes Management;



Wastes that have been discovered to have acute and chronic characteristics after toxicological test specified by Article Sub Article 4 PP 85/1999 on Hazardous Wastes Management;

Wastes listed in Annex I, II, and VIII and exhibiting characteristics listed in Annex III of the Basel Convention;

Wastes in the form of dust and mud/paste/sludge as it is written in Article 4 Minister of Industry and Trade Letter of Decree No. 231/MPP/KP/07/1997 on Waste Importing Procedures; and

Plastic Wastes as specified in the Appendix of Minister of Industry and Trade Letter of Decree No. 230/MPP/KP/07/1997 on Regulated Imported Goods.

**Remarks** The following are some waste import policies that the Indonesian Government has implemented:

Prohibition of all hazardous waste imports, except for used car-battery wastes, since September 2002;

Since September 1997, prohibition on issuing permits for any types of business or activities that uses hazardous wastes imports. Since January 1998, prohibition of hazardous wastes imports, including used car-batteries, from countries that are registered in the Basel Convention Annex VII (OECD, EC, Liechtenstein); and

Car-batteries imports are allowed only from developing countries that are members of the Basel Convention, and other developing countries through bilateral, multilateral and regional agreements.

## **Japan**

**2003**

Japan restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The Waste Management Law and Basel Law.

**Countries** All countries and regions.

**Remarks** Waste Management Law: Without the permission of the Minister of the Environment, any person cannot import wastes for final disposal.

Basel law: MOE shall examine whether sufficient measures will be taken for preventing environmental pollution, and thereafter notify the METI of the result of its examination. METI is not able to issue import permission without the notification by MOE certifying that necessary measures will be taken for preventing environmental pollution.

## **Kyrgyzstan**

**2003**

Kyrgyzstan restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Regulation on State Control of Transboundary Movements of Hazardous and Other Wastes (as of 6 April 1999).

**Countries** The restriction covers Parties to the Basel Convention and states participating in Customs Union (Russia, Belarus, Kazakhstan, Tajikistan).

**Remarks** The import of wastes for final disposal or incineration is restricted. The import takes place only if license is issued by Competent Authority.

## **Lebanon**

**2003**

Lebanon restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The Ministerial Decision 71/1 that entered into force in 19/05/1997 prohibits the import for final disposal of Hazardous Wastes and Other Wastes into Lebanon.

**Countries** The Decision covers all countries, there are no specifications.

**Remarks** The Ministerial Decision mentioned above prohibits all kinds of wastes for final disposal and/or incineration for calorific value.

## **Malaysia**

**2003** Malaysia restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The Environmental Quality Act, 1 August 1996 Section 34B; and the Customs (Prohibition of Export) Order 1993 Amendment 1998.

**Countries** All countries.

**Remarks** Import of hazardous wastes for final disposal from non OECD countries requires a special permission and total prohibition for hazardous wastes from OECD.

## **Maldives**

**2003** Maldives restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Environment Protection and Preservation Act of Maldives (Law 4/93).

**Countries** All countries and all hazardous wastes.

**Remarks** The Environment Protection and Preservation Act of the Republic of Maldives States that hazardous waste shall not be disposed within the country.

## **Pakistan**

**2003** Pakistan restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Pakistan Environmental Protection Act – 1997 import Trade and Procedure Order – 2000

**Countries** All countries.

**Remarks** According to section 13 of Pakistan Environmental Protection Act – 1997, “No person shall import hazardous waste into Pakistan and its territorial waters, Exclusive Economic Zone and historic water.” Import Trade and Procedure Order, 2000, inter-alia, also bans import of hazardous wastes as defined and classified in Basel Convention except where import is specifically authorized by the Federal Government. Pakistan has also prepared a national Profile on Chemical Management in Pakistan – 2000 to provide information on registered hazardous chemicals being imported or produced locally. In addition, the mechanism of Prior Informed Consent (PIC) is being strengthened to monitor inflow of hazardous substances into Pakistan in accordance with UNEP/London guidelines.

## **Philippines**

**2003** Philippines restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Republic Act 6969- DAO29: 1992.

**Countries** All countries/regions and all wastes

## **Qatar**

**2003** Qatar restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The Environment Protection Law No.30 of 2002 and The Rules on the Transboundary Movement of Hazardous Wastes, 1997 of the State of Qatar. The Kuwait Regional Convention for Cooperation on the Protection of the Marine Environment from Pollution, 1978.

**Countries** The restriction covers state of Qatar and the signatory states.

**Remarks** According to the article No. 24 of the law No.30 of 2002, and to section 3 of the Rules, the import of hazardous wastes and other wastes into the national territory is prohibited.

## **Republic of Korea**

**2003** Republic of Korea restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The "Act on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal," which entered into force in May 1994.

<b>Countries</b>	There is no restriction on the country or region of origin regarding the import of hazardous wastes, but the MOE has the authority to ban or limit the import of specific wastes if and when considered necessary.
<b>Remarks</b>	According to Articles 6, 10 and 16 of this Act, the export, import and transit of hazardous waste is strictly prohibited unless prior written approval is obtained from the competent authority. Also, the MOE has the authority to limit or ban the export and import of specific wastes which may be of significant impact on human health or the environment if and when considered necessary. In principle, the import of hazardous wastes for final disposal is prohibited. However, exceptions can be made in the case where the Korea possesses adequate facilities and/or technologies to properly dispose of the given hazardous waste for which the exporting country does not has the capacity to dispose of in the environmentally sound manner.
<b>Singapore</b>	
<b>2003</b>	Singapore restricts the import of hazardous wastes and other wastes for final disposal.
<b>Legislation</b>	The Hazardous Waste (Control of Export, Import or Transit) Act (HWA) which entered into force in May 1998.
<b>Countries</b>	All.
<b>Remarks</b>	Singapore does not allow the import of hazardous wastes for final disposal.
<b>Sri Lanka</b>	
<b>2003</b>	Sri Lanka is in a preparatory process to restrict import of hazardous wastes and other wastes for final disposal.
<b>Legislation</b>	Sri Lanka ratified the amendment to the Basel Convention (Decision III/I). Regulations are being formulated. The Department of Export and Import Control is in the process of drafting regulations under the directions of the National Coordinating Committee.
<b>Countries</b>	A Cabinet decision was obtained to prohibit import of hazardous waste from all countries (not restricting to annex VII countries).
<b>Thailand</b>	
<b>2003</b>	Thailand restricts the import of hazardous wastes and other wastes for final disposal.
<b>Legislation</b>	Generally, any productions, imports, exports and possessions of the hazardous substances and wastes within the Kingdom of Thailand shall follow the procedures under the Regulation of Ministry of Industry B.E.2537 (1994). In case of import of hazardous wastes and used electrical and electronic equipments, the importer/ consignee/factory shall follow procedures under the Notification of the Department of Industrial Works on the Criteria for the approval of the import of chemical wastes into the Kingdom of Thailand, issued on 14 May B.E. 2539 (1996) and the Notification of the Department of Industrial Works on the Criteria for the approval of the import of used electrical and electronic equipments into the Kingdom of Thailand, issued on 26 September B.E. 2546 (2003). Additionally, the Royal Thai Government has a national policy on total ban of the hazardous waste import for final disposal within the country, e.g. The National Environmental Broad had a decision on import ban of used lead acid batteries and plastic wastes for final disposal since 1993 and 1994, respectively.
	Under the notification of Ministry of Commerce on the import of used tyres into the Kingdom of Thailand B.E. 2546 (2003), issued on 23 May 2003, the imports of used tyres (under the harmonized code item 4012.11, 4012.12, 4012.192, 4012.199, 4012.202, and 4012.209) including their rubber scrap, pairings and waste (under the harmonized code item 4004.00) to Thailand have been prohibited. In case of the import for the purpose of research, model study or the vehicle

attachment and for racing or tourism is excluded from the control under this notification.

**Countries** The restriction covers all countries; wastes listed in the Basel Convention; used lead-acid batteries and plastic wastes; and wastes listed in the Notification of Ministry of Industry No. 2 B.E. 2546 (2003).

#### **Viet Nam**

**2003** Viet Nam restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The Law on Environment Protection, which entered into force on 10 January 1994.

**Countries** The restriction covers all countries and all wastes under the definition. However, the State allows importation of certain categories of scraps after being treated and cleaned outside the country for use as material for industrial production. The List of scraps to be imported is updated regularly.

#### **Yemen**

**2003** Yemen restricts the import of hazardous wastes and other wastes for final

**Legislation** كــــل المخلفات الخطرة الواردة في اللائحة التنفيذية للقانون رقم (26) لسنة 1995م. بشأن حماية البيئة، وأيضا ما ورد في الاتفاقية، ما لم يكون هناك جهات محلية قادرة على الاستفادة من المخلفات المستوردة.

### **UN Region: Western Europe and Others**

#### **Andorra**

**2003** Andorra is in a preparatory process to restrict import of hazardous wastes and other wastes for final disposal.

**Legislation** In the draft law, imports of hazardous waste for final disposal are prohibited, however, an exception may be accepted an urgent situation.

**Countries** The restriction covers all countries.

#### **Australia**

**2003** Australia restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Section 17 of the Hazardous Waste (Regulation of Exports and Imports) Act 1989. Entry into force: 12 December 1996.

**Countries** The restriction covers all countries and regions and all hazardous wastes.

#### **Belgium**

**2003** Belgium restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Belgium fulfils the Provisions of the Council Regulation (EEC) 259/93, specially referring to Art. 19§1 i.e. total ban for the import of hazardous wastes from non-Parties to the Basel Convention.

#### **Canada**

**2003** Canada restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Canadian Environmental Protection Act, 1999 (CEPA 1999) which came into force March 31, 2000, superseding the Canadian Environment Protection Act, 1988 (CEPA); · Export and Import of Hazardous Waste Regulations, 1992 (EIHW)(including import controls on PCB wastes), entered into force: November 26, 1992.

**Countries** This restriction covers imports from any country. It does not permit imports from non-parties, unless subject to an Article 11 agreement.

**Remarks** Canada meets its international obligations through the legislations listed in 3(d)(i) above.

Although there are no restrictions, the following conditions for imports apply:

- the importer is the disposer of the hazardous waste in Canada;
- the import of that hazardous waste is not prohibited under the laws of Canada;
- the country of export is a party to the Convention, the OECD Decision;
  - there is a signed, written contract or a series of such contracts between the importer and the person who exports the hazardous waste from the country of export or, where the importer and the person who exports the hazardous waste are the same legal entity doing business in both Canada and the country of export, there is a signed, written arrangement between representatives of the entity in both countries; and
  - the importer and carrier to obtain insurance to cover environmental damage should an accident occur during the transboundary movement of hazardous wastes.

The conditions of the Canada - USA Agreement also applies to imports for final disposal set out in question 3 c) of the questionnaire on "Transmission of Information" for the year 2003.

## **Finland**

**2003**  
**Legislation** Finland restricts the import of hazardous wastes and other wastes for final disposal. Government Decision on the Part of the National Waste Plan concerning Transfrontier Waste Movements (495/1998). It came into force on 1 August 1998.

**Countries** According to Section 6 of Government Decision 495/1998, imports of all wastes to disposal operations D2, D3, D4, D6, D7 and D11 are totally prohibited. Imports of all wastes to disposal operations D1, D5, D10, D8, D9 are prohibited with certain exceptions. These restrictions concern both hazardous and non-hazardous wastes.

## **France**

**2003** France has no restrictions on the import of hazardous wastes and other wastes for final disposal.

## **Germany**

**2003**  
**Legislation** Germany restricts the import of hazardous wastes and other wastes for final disposal. In Germany the provisions of the EC Waste Movement Regulation apply, especially referring to Art. 19. Entry into force: May 1994.

**Countries** The Import of wastes for final disposal from non-Parties of the Basel Convention, except from OECD-countries or countries with which bilateral agreements exist, is prohibited.

## **Greece**

**2003**  
**Legislation** Greece restricts the import of hazardous wastes and other wastes for final disposal. Regulation EEC 259/93.

**Remarks** No hazardous wastes are imported by Greece for final disposal purposes.

## **Iceland**

**2003**  
**Legislation** Iceland restricts the import of hazardous wastes and other wastes for final disposal. The Regulation (EEC) 259/93 on the supervision and control of shipments of waste within, into and out of the EC (and EEA), has been in force since its implementation by regulation No. 377/1994.

**Countries** Imports of wastes for disposal are prohibited except from EFTA countries and Member States of the European Community, countries which are Parties to the Basel Convention or countries which Iceland has concluded bilateral agreements (cf. Article 19 in Regulation (EEC) 259/93).

## **Israel**

**2003** Israel restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Hazardous Substances Regulations (Export and Import of Hazardous Waste), 1994.  
**Countries** The restriction on the import of hazardous waste for final disposal applies to all countries.

### **Italy**

**2003** Italy restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Council Regulation (EEC) 259/93.

**Countries** The restriction covers hazardous wastes as per Council Regulation (EEC) 259/93 from non-EFTA countries, from countries that did not ratify the Basel Convention or that do not have bilateral agreements with Italy or EU.

### **Luxembourg**

**2003** Luxembourg restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Import authorization is required by the modified Waste Management Law of 17th June 1994.

**Countries** The restriction is for all countries and all kinds of wastes.

### **Monaco**

**2003** Monaco restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Municipal Policy 91-14 related to municipal and similar wastes disposal.

**Remarks** Final disposal of wastes is theoretically impossible in Monaco.

### **Netherlands**

**2003** Netherlands restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The Council Regulation (EEC) No 259/93; entry into force May 6th 1994; In May 2003 the Multi Year Plan on hazardous waste and the Ten Year Program on waste (non-hazardous including household waste) are replaced by a new plan, the Waste policy plan 2002-2012. This plan indicates the restrictions for all types of waste.

**Countries** All countries/regions and all waste.

**Remarks** In general the Netherlands does not allow import of waste for final disposal.

### **New Zealand**

**2003** New Zealand restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Import Control (Wastes) Conditional Prohibition Order 1994.

**Countries** As per Basel Convention/OECD requirements.

**Remarks** The Waigani Convention came into force on 21 October 2001, which allows New Zealand to consent to imports of hazardous wastes from Parties to the Waigani Convention.

### **Norway**

**2003** Norway restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The Norwegian regulation of 30 December 1994 on transboundary movement of waste, implementing EU Regulation no. 259/93, was amended 1 April 2003. The amendments include country lists taken from the two EU Regulations 1420/1999 and 1547/1999.

**Countries** The restrictions apply to all states except members of OECD, EC and Liechtenstein, see annex VII of the Basel Convention.

**Remarks** Norway may give consents for import of waste for disposal, mainly landfilling, but normally only to waste originating from Nordic countries.

### **Spain**

**2003** Spain restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Article 17 of Act 10/98 on Wastes, which entered into force on 22.04.98, allows competent authorities in Spain to restrict the import of wastes for final disposal (Annex IV A).

**Countries** The restriction might be applying to all countries and all wastes.

#### **Sweden**

**2003** Sweden restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The Swedish Ordinance on Transboundary Movements of Waste (SFS 1995:701).

**Countries** Import of wastes is accepted only if the receiving plant has all relevant permits to treat the waste.

#### **Turkey**

**2003** Turkey restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The regulation on the Control of Hazardous Wastes, which came into force in 1995, No. 22387.

**Countries** According to the mentioned regulation, importation of hazardous wastes listed in the Annex to sites and free zones under the authority of Turkey is forbidden. However, those who have evidence that they have used the wastes of an economic value on sectoral basis for health research, fuel and similar purposes shall be granted a permission for import by the Ministry of Environment in accordance with the communiqué to be issued for such period and under such conditions as to be deemed fit until the publication of the Regulations.

According to the Legislation on Control of Hazardous Wastes that was enforced on 27 August 1995, ships containing asbestos and PCB are considered as dangerous wastes. For this reason, the ships which are sent to Turkey for dismantling have to comply with the prior notification and consent procedure of the Basel Convention.

#### **United Kingdom of Great Britain and Northern Ireland**

**2003** United Kingdom of Great Britain and Northern Ireland restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The UK Management Plan for Export and Imports for Waste (June 1996) sets out, among other things, the UK's policy on the import of waste for final disposal.

The general presumption is that wastes should not be imported for disposal in the UK and imports of all wastes for disposal are prohibited, except in limited circumstances.

Imports of waste for some disposal operations are banned without exception. These are: release into water bodies (oceans, sea beds, rivers etc); incineration at sea; permanent storage; and temporary storage.

For some other disposal operations (landfill, biological, chemical or physio-chemical treatment, and incineration) exceptions are allowed where: the exporting country does not have and cannot be expected to acquire suitable facilities, and where imports of wastes which cannot realistically be dealt with in an environmentally sound manner in, or in closer proximity to, the country of origin; imports for high temperature incineration, from Ireland and Portugal; and imports of hazardous wastes for high temperature incineration from any country, in cases of emergency.

Additional prohibitions apply by virtue of Regulations made under UK health and

safety legislation: imports of amphibole asbestos into the UK are prohibited by regulation 3 of the Asbestos (Prohibitions) Regulations 1992; and Imports into the UK, other than from another Member State of the European Economic Area, of the following substances and articles are prohibited under regulation 4(2) of The Control of Substances Hazardous to Health Regulations 1994 namely:

2-naphthylamine, benzidine, 4-aminodiphenyl, 4-nitrophenyl their salts and any substance containing any of these compounds in a total concentration exceeding 0.1 percent by mass; and matches made with white phosphorus.

***UN Region: Central and Eastern Europe***

**Albania**

**2003** Albania restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The Environmental Protection Law No. 7664 1/21/1993, Article No. 5: "In the Republic of Albania the import of hazardous waste and substances for reservation, storage or disposal purposes is prohibited"; and The Council of Ministers, Decision No. 26 1/31/1994: "In the Republic of Albania the import of hazardous waste in gross or refined conditions, and the import of waste for disposal purpose are prohibited".

**Countries** The restriction covers all countries.

**Armenia**

**2003** Armenia restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** "The order of adjustment of hazardous wastes and other wastes import, export and transit over the territory of the Republic of Armenia" approved by the Government Decision No. 97 on 08.12.1995 states the following:  
import of all types of wastes for purpose of storage and disposal (burial) is banned to the Republic of Armenia, as well as import of wastes with hazardous properties is banned disregards to the goal of their application/use;

import of wastes and raw materials for the purpose of their application/use is allowed to the Republic of Armenia only in case of their direct use or after processing;

obligatory preliminary notification is required for import and/or export of hazardous and other wastes to the Republic of Armenia and transboundary movement thereof through the territory of the Republic of Armenia, that is implemented on permission of the Ministry of Nature Protection. The import, export of non-hazardous wastes and transboundary movement thereof through the territory of the Republic of Armenia is implemented on general basis without the prior notification.

In order to regulate the issues on hazardous wastes management and in accordance with the Basel Convention requirements the following documents were adopted:

The Governmental Decision of the Republic of Armenia No. 874-? "Approval of the List of Hazardous Wastes of the Republic of Armenia" (May 8, 2004).

The Governmental Decision No. 1093-N on "Amendment to the Governmental Decision of the Republic of Armenia No. 97 on December 8, 1995 and approval of the List of Banned Hazardous Wastes of the Republic of Armenia" (July 8, 2004).

The Governmental Decision No 902 adopted in 2000, by which import of all kinds of wastes without the special permission of Ministry of Nature Protection and Ministry of Industry and Trade is prohibited.

**Countries** The above-mentioned prohibition/restrictions are applied for the Republic of Armenia.

**Remarks** The import of hazardous wastes to the territory of the Republic of Armenia, irrespective of their disposal type, is prohibited.



## **Belarus**

**2003** Belarus restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Waste Law, in force from 1 January, 2001, which states that "Transboundary Movement of waste to the Republic of Belarus with the purpose of their storage and (or) neutralization (landfilling, burning etc.) is prohibited".

**Countries** All countries.

## **Bosnia & Herzegovina**

**2003** Bosnia & Herzegovina restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** 1. Law on waste management ("Official Gazette of Federation of Bosnia and Herzegovina", number: 33/03"), which entered into force on 19 July 2003.  
2. Law on waste management ("Official Gazette of Republic Srpska", No.53/02), entered into force on 2002.  
3. Law on waste management ("Official Gazette of District Brcko", No.25/04), entered into force on 2004.

**Countries** The restriction applies to all countries and all wastes.

**Remarks** The import of hazardous waste is prohibited. No capacity within the country for recovery or disposal of hazardous wastes.

## **Bulgaria**

**2003** Bulgaria restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** - Waste Management Act (Promulgated, State Gazette No. 86/30.09.2003 and  
- Council of Ministers Decree No 166 on the adoption of a Regulation for the cases that require a permit for import, export and transit transportation of waste, and on the conditions and procedures for permit issuance, dated 4 August 2000 (repealing Regulation No 5 of 8 October 1998, on the permits for import, export and transit transportation of waste).

**Countries** This restriction covers all wastes.

**Remarks** The import of waste into the state with the purpose of storage, landfill or disposal is prohibited.

## **Croatia**

**2003** Croatia restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Special conditions for the import of non hazardous waste are prescribed by the orders of Articles 38. and 39. of the Law on waste, Official Gazette, No. 34/95 as follows:

### Article 38

The import of waste for disposal is prohibited;

The import of hazardous waste is prohibited; and

The import of waste that can be treated in an environmentally sound manner, except the waste to be used for energy recovery, is permitted.

Article 39: The import of waste is permitted providing the following conditions are met:

a contract has been signed between the exporter and importer of waste;

a contract has been signed between the importer of waste and the waste treatment utility;

the exporter of waste has submitted a statement concerning the type, quantity, composition of waste, place of its origin, generation technology, and the reasons for its export;

the waste treatment utility can prove to dispose of the equipment for environmentally sound waste treatment;

a statement has been enclosed specifying the type of waste to be generated by treatment of imported waste, and the manner of its disposal;  
a statement has been enclosed confirming the imported waste shall not be used for energy recovery; and  
the data concerning the waste identification number, mode of transportation, place of waste entry in case of the waste import, waste arrival time at the frontier crossing have been stated.

**Countries** All countries/regions.

### **Czech Republic**

**2003** Czech Republic restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Act on Waste No. 185/2001 Coll., as last amended by Act No. 188/2004 Coll. (in force from 1 May 2004).

**Countries** All imports of waste (both hazardous and non-hazardous) for final disposal are prohibited.

### **Estonia**

**2003** Estonia has no restrictions on the import of hazardous wastes and other wastes for final disposal.

### **Georgia**

**2003** Georgia restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Law of Georgia on Transit and Import of Waste into and out of the Territory of Georgia (16th of October 1997).

**Countries** Law of Georgia on Transit and Import of Waste into and out of the Territory of Georgia (16th of October 1997).

Article 2.Type of Wastes, those transit and import is restricted.

Restriction applies to all countries.

1. It is restricted to transit and import any kind of waste all over the territory of Georgia including (its territorial waters, air space, continental shelves, and economically mostly important zones), if the present law does not contradict it.

2. All over the territory of Georgia including (its territorial waters, air space, continental shelves, and economically mostly important zones) is restricted:  
a) transit and import of dangerous waste (among them toxic) and radioactive residue of the production, household, and other types of waste their utilization, neutralization, treatment, landfilling or any other purposes are restricted (including established disposal operations of Annex IV of the Basel Convention); and  
b) import of non - dangerous (among them non toxic) and non - radioactive residue of the production, household, and other types of waste their utilization, neutralization, treatment, landfilling or any other purposes are restricted which is envisaged in Section A of Annex IV on (Waste Disposal Operations) of "Basel Convention".

**Remarks** Law of Georgia on Transit and Import of Waste into and out of the Territory of Georgia (16th of October 1997). The restrictions apply to all countries.

Article 3 Type of Wastes, those transit and Import is permitted

Import of non-hazardous, (among them non toxic) and non- radioactive waste all over the territory of Georgia (including its territorial waters, air space, continental shelves, and economically mostly important zones) is permitted only for the purposes of their further recovering , re-exporting or other kind of operations envisaged in "Section B" contained in Annex IV (Disposal operations) of Basel Convention. Those waste are: Scrub of ferrous and non-ferrous metals, all type of

paper waste, plastics (in case the availability of their recovery in Georgia), waste from textile, pulp processing (sawdust, shaving) and glass. These wastes according to defined waste categories of the “Green list of wastes” developed by the European council regulation # 259/93 of 1993, belong to:

- a) Category “GA” (Wastes in non-dispersible form, contained of metal and their alloys; wastes in the form of dust, powder or slag, also subjects containing hazardous wastes in liquid form does not belong to waste in non- dispersible form);
- b) Category “GH” (solid plastic wastes);
- c) Category “GI” (papers paperboard and paper product wastes);
- d) Category “GJ” (textile wastes);
- e) “GN010/ex 050200” of category “GN”
- f) Category “GL”(untreated cork and wood wastes); and
- h) Category “GE” (glass waste in non-dispersible form).

## **Hungary**

**2003**

Hungary restricts the import of hazardous wastes and other wastes for final disposal.

### **Legislation**

Import of the hazardous waste into Hungary for final disposal is banned.

- XLIII. Act of year 2000 on the Waste Management 17. § Put in force 01.01.2001;
- 102/1996 (VII.12.) Governmental Decree on the Hazardous Waste which was amended by the 98/2001 (VI.15.) for conditions of hazardous waste activities;
- Governmental Decree No. 101/1996 (VII.12.), entry into force: 1st September 1996; and
- 55/1987 (X.30.) Ministerial Council Decree.

### **Countries**

All countries.

## **Latvia**

**2003**

Latvia restricts the import of hazardous wastes and other wastes for final disposal.

### **Legislation**

Waste Management Law, 01.03.2001.

### **Countries**

Its prohibited to import into the territory of the Republic of Latvia any waste for disposal or long-term storage. Restriction applies to all countries.

## **Lithuania**

**2003**

Lithuania restricts the import of hazardous wastes and other wastes for final disposal.

### **Legislation**

All imports of non-hazardous and hazardous waste for disposal (operations D1-D15) into the Republic of Lithuania must be notified and are only possible if the notifier has received the written consent of the Ministry of Environment of the Republic of Lithuania, as well as consents of other competent authorities concerned.

Rules on Waste Import into the Republic of Lithuania, Export from the Republic of Lithuania and Transit through the Republic of Lithuania (Minister’s Ordinance No. 526 of 25 October, 2001, amended by Minister’s Ordinance No. 42 of 31 January, 2002; Minister’s Ordinance No. 22 of 16 January, 2003; Minister’s Ordinance No. 249 of 20 May, 2003).

## **Poland**

**2003**

Poland restricts the import of hazardous wastes and other wastes for final disposal.

### **Legislation**

The Act on Waste of 27 April 2001, Art. 65. (came into force in October 2001).

### **Countries**

All countries.

### **Remarks**

Import of hazardous waste and other waste for final disposal is totally prohibited.

## **Serbia and Montenegro**

**2003**

Serbia and Montenegro restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The Law on Transport of Dangerous Substances "Off.Gazette SFRY", No. 27/90 and 45/90);  
The Federal Law on Foreign Trade ("Off. Gazette FRY", No.46/92, 16/93 and 24/94);  
The Federal Customs Act ("Off. Gazette FRY", No.45/92);  
The Law on Environmental Protection of Republic of Serbia ("Off. Herald RS", No.66/91); and  
The Law on Environment of Republic of Montenegro "Off. Gazette RCG", No.12/96).

**Countries** All countries.

### **Slovakia**

**2003** Slovakia restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The following shall be forbidden: Import of wastes destined for final disposal, except for import of wastes generated in outward processing (§ 157 of the Act of the National Council of the Slovak Republic No. 180/1996 Coll. of Laws), the subject of processing being waste.

### **Slovenia**

**2003** Slovenia restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** European Council Regulation 259/93/EEC, especially art. 19. Entry into force : May 1994.

Regulation on transboundary movements of wastes (O.J. of RS No. 101/04) – national legislation. Entry into force: 18.9.2004.

**Countries** According to European Council Regulation 259/93/EEC import of hazardous wastes from non-Parties of Basel Convention, except from countries with which bilateral agreement exists, is prohibited.

According to national legislation import of wastes destined for D1 and D7 operations from Annex IV A of Basel Convention is prohibited. This prohibition is valid for import from all countries/regions and for all wastes.

Import possible only across designated border crossings.

### **Ukraine**

**2003** Ukraine restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** In accordance with the Law of Ukraine "On wastes" of 5 March 1998 No.187/98-BP (Article 36) the import of wastes in Ukraine with the aim of their storage or disposal is forbidden.

**Countries** All wastes.

**Remarks** According to Article 16 of Decision of the Cabinet of Ministers of Ukraine No. 1120 from July, 13, 2000 import of hazardous waste to Ukraine is forbidden for the purpose of their storage or burial. Hazardous waste can be imported only under conditions of presence of the written agreement of the Ministry of the environment protection of Ukraine. According to Article 20 of the same Decision of the Cabinet of Ministers of Ukraine, the Ministry of the Environment Protection of Ukraine can give the written agreement on import of hazardous waste in the case of certain conditions observance. One of such conditions are:

The state of export is a part of the Basel convention or with it the corresponding international agreement about transboundary movement of hazardous waste is made;

The state of export has no technical opportunities and necessary capacities for removal of such waste products by ecologically proved way or such waste are used as secondary raw material in Ukraine.

**UN Region:** *Latin America and the Caribbean*

**Argentina**

**2003** Argentina restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Argentina has an import ban for those wastes defined as hazardous according to the National Law of Hazardous Wastes (National Law 24051. Entry into force 1991). Decree of Import of Wastes 181 (Entry in force 1992). The entry of hazardous wastes and radioactive wastes into national territory is forbidden by National Constitution (Entry into force in 1994).

**Countries** This restriction covers all countries and wastes covered by National Legislation.

**Remarks** National territory encloses 12 miles of Argentine sea.

**Barbados**

**2003** Barbados has no restrictions on the import of hazardous wastes and other wastes for final disposal.

**Legislation** There is no significant legal authority to prevent the importation of hazardous waste. The Chief Parliamentary Council is in the process of preparing comprehensive environmental management legislation, which would incorporate Basel Convention issues. The restrictions are taken as those found in Article 4 (General Obligations) of the Basel Convention.

**Bolivia**

**2003** Bolivia restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Bolivia cuenta con la Ley 1333 del Medio Ambiente en la cual existen restricciones para la importación de desechos destinados a su eliminación final.

**Brazil**

**2003** Brazil restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** National Environmental Council (CONAMA) Resolution no. 008 (September 19, 1991), which prohibits the import of hazardous wastes to Brazil for final disposal or incineration.

**Countries** The import of any waste, whether dangerous or not, notwithstanding its origin or country of export, is forbidden if intended for final disposal in Brazil. Beside those hazardous wastes listed in Annexes I and II of the Convention, the Brazilian legislation defines as controlled wastes those listed in Annex 10 of CONAMA Resolution No.235/98. They are provided under 3e (II), as follows:

Hazardous wastes - Class I - Importation prohibited: Asbestos powder; Others (particularly: asbestos wastes); Galvanization matters containing mostly zinc; Ashes and wastes containing mostly lead; Ashes and wastes containing mostly copper; Ashes and wastes containing mostly vanadium; Other ashes and wastes containing mostly titanium; Others (ashes and wastes); Other wastes of petroleum oils of bituminous minerals; Others (particularly: wastes containing polychlorinated biphenyls - PCBs); Residual dye from the manufacture of cellulose paste to sulphite; Residual dye from the manufacture of cellulose paste to soda or sulphate; lignosulphonates; Wastes and residues from lead; Others (wastes and residues from cadmium); Others (wastes and residues from antimony); Beryllium (particularly: wastes, residues and dust); Others (wastes and residues from chrome); Wastes and residues from lead electric accumulators; Unserviceable electric accumulators; Wastes and residues from arsenic; wastes and residues from selenium; Wastes and residues from tellurium; Wastes and residues from thallium; Wastes and residues from mercury.

Non-inert Wastes - Class II - Controlled by IBAMA: Macadam from blast-furnace slag, from other slag or from similar industrial wastes; Granulated blast-furnace

slag (slag sand) from manufacture of iron and steel; Slag and other wastes from manufacture of iron and steel; Others (ashes and wastes containing mostly zinc); Others (other slag and ashes), Slag from dephosphorization; Other (particularly: dust from skins, treated or not with chrome); Wastes and residues from copper (particularly: exception of metallic copper scrap); Wastes and residues from nickel; Wastes and residues from zinc; Wastes and residues from tin; Wastes and residues from tungsten; Wastes and residues from molybdenum; Wastes and residues and dust from tantalum; Wastes residues from magnesium; Others (particularly: Wastes, residues and dust from cobalt); Others (particularly: wastes and residues from bismuth); Others (particularly: wastes, residues and dust from titanium); Particularly: wastes and residues from zirconium); Others (particularly: wastes, residues and dust from manganese); Others (particularly: wastes, residues and dust from germanium and vanadium; Others (particularly: wastes, residues and dust); Others (particularly: wastes and residues from cermets).

Inert Wastes - Class III - Brazil prohibits the importation of used tires in Annex 10-C (Inert Wastes - Class III - Importation Prohibited) of the CONAMA Resolution no 235.

Brazil also prohibits the importation of wastes for final disposal or incineration (CONAMA Resolution no 08 from September 19, 1991).

A notification of the list of non-inert wastes requiring the prior informed consent (PIC) procedure was transmitted by the Federative Republic of Brazil to the Secretariat on 7 March 2005. Annex 10-B of the National Environmental Council (CONAMA) Resolution Nr.235/98 lists these non-inert wastes. Council Acts of CONAMA Nr. 23/96 and Nr. 235/98 provide guidelines for the importation of wastes requiring PIC procedure. This information is contained in the notification by the Federative Republic of Brazil of its national definition of hazardous wastes under item 2 of the form and it is also posted on the Basel Convention's website ([www.basel.int](http://www.basel.int))

## **Chile**

**2003**

Chile is in a preparatory process to restrict import of hazardous wastes and other wastes for final disposal.

### **Remarks**

A Draft Law is being prepared by the National Congress, which, if approved, will prohibit the entry of hazardous wastes into Chile.

## **Colombia**

**2003**

Colombia restricts the import of hazardous wastes and other wastes for final disposal.

### **Legislation**

Article 81 of the Colombian Constitution (dated 1991), bans the import of toxic and nuclear wastes to the national territory.

The Law 430 of 1998 issued by the Congress of the Republic of Colombia, dictates prohibitive environmental rules related to hazardous wastes. As for the import of hazardous wastes, this Law establishes the following:

- The entry and illegal traffic of hazardous wastes from other countries that Colombia is not in capacity to manage in an environmentally sound manner and that represent exclusive and unacceptable risks is forbidden;
- No natural person or corporate body can introduce or import hazardous wastes without complying with the procedures established by the Basel Convention and its annexes for that purpose; and
- The person who pretends to introduce into national territory a load which the

presence of hazardous wastes is detected or the person who illegally introduces this load shall return it without delay and under his/her exclusive responsibility, without regard of the penal sanctions applicable.

## **Costa Rica**

**2003** Costa Rica restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The Environmental Organic Law No 7554, October 4, 1995, says: "It is prohibited to import any kind of waste with the purpose of storage, confine, and final disposal, as well as the transit of dangerous wastes through Costa Rican territory, except those wastes listed in the national regulation within the intention to be recycled or reuse "

Definitive, radioactive and toxic products is not permitted imports.

**Countries** All countries, regions.

## **Cuba**

**2003** Cuba restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Resolution 87/99 from Ministry of Science, Technology and Environment.

**Countries** All hazardous wastes and all countries.

**Remarks** In Cuba there is a ban on the import of hazardous wastes and other wastes for final disposal.

## **Dominica**

**2003** Dominica restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Solid Waste Management Act, 2002.  
Marine Pollution Management Act 2002

## **Ecuador**

**2003** Ecuador restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** The Executive Decree, Or. No. 970 of July 2, 1992; and Art. 90 of the Constitution of the Republic of Ecuador, 1998.

**Countries** These regulations cover all hazardous wastes.

## **Honduras**

**2003** Honduras restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Art.8 General Law on Environment  
Se prohíbe la introducción al país, de desechos tóxicos radiactivas, Basuras domiciliarias, cienos o lodos cloacales y otros. Así mismo se prohíbe utilizar el territorio nacional y las aguas nacionales como deposito de tales materiales.  
Art.9 del Reglamento General del Ambiente  
Los órganos competentes deberán elaborar y poner en vigencia las normas Técnicas que se deberán seguir en el proceso de descarga y emisión de contaminales. En todo caso, se aplicaran las normas internacionales contenidas en los tratados, convenios, acuerdos bilaterales o multilaterales suscritos por Honduras.  
Se prohíbe la introducción al país, de desechos tóxicos radiactivas, Basuras domiciliarias, cienos y lodos cloacales y otros. Así mismo se prohíbe utilizar el territorio nacional y las aguas nacionales como deposito de tales materiales.  
La autoridad que permita la introducción de estos materiales y el particular que los introduzca, será procesada por la comisión de un delito ambiental, sin perjuicio de la responsabilidad patrimonial por los daños ocasionados al ambiente y a los recursos naturales y la aplicación de las sanciones administrativas que procedan.

**Countries** All hazardous waste.

## **Mexico**

**2003**

Mexico restricts the import of hazardous wastes and other wastes for final disposal.

### **Legislation**

General law of the Ecological Equilibrium and Environmental Protection (LGEEPA), (entered into force in 1988) Article 153:

Fraction II- The import of materials or hazardous wastes will only be authorized for its treatment, recycling or reuse, when their employ is accordingly with the laws, regulations, Mexican official regulations and other effective dispositions.

Fraction III- No authorization will be given for importing materials or hazardous wastes whose only objective is their final disposition or simple deposit, storage or confinement in the national territory or the zones where the nation exerts its sovereignty and jurisdiction, or when its use or manufacture is not allowed in the country which they could have been manufactured.

LGEEPA regulations referring to hazardous wastes:

Article 52: "the authorization will be given for importing materials or hazardous wastes will only be given in case of treatment, recycling or re-use in the national territory, in terms with this regulation and the respective ecological technical regulations."

Article 53: "In the same manner, no authorization will be given for importing materials or hazardous wastes will not be given for importing materials or hazardous wastes whose only objective is their final disposal in the national

### **Countries**

All countries.

## **Panama**

**2003**

Panama restricts the import of hazardous wastes and other wastes for final disposal.

### **Legislation**

Act No. 8 of 7 June 1991, which prohibits the importation of toxic or pollutant wastes into the territory of the Republic of Panama; and the Act No. 13 of 21 April 1995, Regional Agreement on Transboundary Movements of Hazardous Wastes, which covers Costa Rica, El Salvador, Guatemala, Honduras, and Nicaragua.

## **Paraguay**

**2003**

Paraguay restricts the import of hazardous wastes and other wastes for final disposal.

### **Legislation**

Constitución Nacional 1992

Ley 42/90- Que prohíbe la importación , depósito utilización de productos calificados como residuos industriales peligrosos o basura tóxica y establece las penas correspondientes por su incumplimiento y su Decreto reglamentario N° 18.969/97.

Ley 567 que ratifica el Convenio de Basilea

Ley 1173/85 Código Aduanero Art relevantes 10,5051,74 Da tratamiento a las mercancías de tráfico prohibido sin especificaciones. Establece como 30 días el plazo para declarar el abandono y actuar como consecuencia al respecto de mercancías inflamables, explosivos o corrosivos.

Da tratamiento al almacenamiento vencido a los productos alterados o nocivos a la salud. Características y movilización de contenedores.

Decreto N° 17.723 Que aprueba el acuerdo que facilita el Transporte de mercancías Peligrosas del MERCOSUR (1997)Art. 6,7,8,9.

Decreto 11.502/91 Por la cual adoptan requisitos concernientes a los plaguicidas destinados al tratamiento de semillas de algodón.

Ley 2333/04 Ratifica el Convenio de Estocolmo.

### **Countries**

Residuos Industriales o basuras tóxicas.

Países del MERCOSUR

## **Peru**

**2003**

Peru restricts the import of hazardous wastes and other wastes for final disposal.

### **Legislation**

Basel Convention Legislative Resolution No. 26234 in force since 21 February 1994.



Furthermore, all countries that solicit transit of hazardous waste must inform by sending Notification, containing the following:

1. Contract between Exporter and Importer;
2. Bank guarantees;
3. List of forwarders;
4. Quantity of recycling material in relation waste(%);
5. Transit countries; and
6. Description of the process and recycling Plant (destination).

Act 27314 - General Solid Wastes Act, entered into force on 22 July 2000.

Article 17, Introduction of wastes - The import of solid wastes into the national territory is prohibited. Only exceptionally shall the import of solid wastes destined exclusively for recycling, reuse or recovery activities be permitted, subject to prior substantiated authorization issued in the form of a decision by the Ministry of Health's DIGESA. This authorization shall be granted for successive import operations in a specific period, once it has been shown that the same type of waste originating from the same source of supply is to be imported.

### **Trinidad and Tobago**

**2003** Trinidad and Tobago restricts the import of hazardous wastes and other wastes for final disposal.

**Legislation** Although there is no legal instrument restricting the importation of hazardous waste, the Government of the Republic of Trinidad and Tobago does not allow the importation of hazardous waste.

**Remarks** The legal framework is in preparation.

### ***3e Restrictions on Imports for IV B***

#### *All Regions/Countries, Parties of the Basel Convention*

#### ***UN Region: Africa***

##### **Botswana**

**2003** Botswana has no restrictions on the import of hazardous wastes and other wastes for recovery.

##### **Cameroon**

**2003** Cameroon restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Law N° 96/12 of 5th August 1996 relating to Environmental management in Cameroon and Loi N° 89/027 du 29 décembre 1989 portant sur les déchets toxiques et dangereux.

**Countries** All types of wastes from all regions of the world are covered by this restriction.

##### **Djibouti**

**2003** Djibouti restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Selon la Loi cadre sur l'environnement:

Article 45: Il est interdit d'importer des déchets dangereux sur le territoire national

**Countries** Cette restriction s'applique à tous les pays.

##### **Egypt**

**2003** Egypt restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Importation of HW and other wastes for recovery is prohibited in accordance to Egyptian Environmental Law No. 4/1994 and its Executive Regulations.

**Countries** All countries/regions and all types of hazardous wastes and other wastes.

##### **Ethiopia**

**2003** Ethiopia has no restrictions on the import of hazardous wastes and other wastes for recovery.

**Remarks** The Environmental Policy of Ethiopia approved in 1996 strictly bans import into and transit through Ethiopia of hazardous wastes as defined in the Bamako Convention.

##### **Gambia**

**2003** Gambia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The Environmental Protection, Prevention of Dumping Act (1988); Bamako Convention; Basel Ban Amendment; Draft Waste Act (to be adopted).

**Countries** The restriction covers all countries/regions and all wastes for the disposal purposes. But for recovery purposes, countries/regions and wastes to be covered by this restriction are yet to be determined. Consideration will include availability of adequate facilities for recycling and recovery of the Waste Stream under question; and the geographic location of the particular country.

##### **Madagascar**

**2003** Madagascar has no restrictions on the import of hazardous wastes and other wastes for recovery.

##### **Mauritius**

**2003** Mauritius restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The Environment Protection (Standards for Hazardous Wastes) Regulations 2001, which came into force on 1 April 2002.

**Countries** All.

**Remarks** The import of hazardous wastes is prohibited.

## **Morocco**

**2003** Morocco restricts the import of hazardous wastes and other wastes for recovery.

### **Legislation**

The Draft Law on Waste Management and its Disposal bans the import of hazardous wastes for recovery. The import of non-hazardous wastes according to the Draft Law is allowed if the wastes are managed in an environmentally sound manner.

En tant que partie à la convention de Bâle et ayant ratifié son amendement, le Maroc interdit toute importation de déchets dangereux vu qu'il ne dispose pas d'installation de leur élimination. Concernant les déchets non dangereux leur

**Remarks** The import of non-hazardous wastes is subject to authorisation from the Competent Authority.

## **Mozambique**

**2003** Mozambique restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Under the Environmental Law of 1997, the importation of toxic residues or wastes is expressly prohibited for final disposal and recovery, except under the terms of that would be established under specific legislation. However, such legislation is not in existence yet.

## **Niger**

**2003** Niger restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The Constitution of 9 August 1999 and; Law No. 98-56 of 29 December 1998, which is a framework Law related to the environmental management.

## **Seychelles**

**2003** Seychelles restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** EPA 1994 12(7). EPA effectively bans the importation of hazardous waste into the country and prescribes set procedures for movement of wastes.

**Countries** All countries and regions

**Remarks** The ban is complete and unconditional.

## **South Africa**

**2003** South Africa restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** There is no national legislation regarding this matter and the restriction is in accordance with the Basel Convention.

**Countries** As a developing country, South Africa cannot import hazardous waste from a developed country.

## **Tanzania (United Republic of)**

**2003** Tanzania (United Republic of) restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** A study on Options for an Institutional Framework for Environmental Management has been completed.

**Remarks** No import is allowed according to the Bamako Convention, to which Tanzania is a Party.

## **Tunisia**

**2003** Tunisia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** By law n°96-41 on wastes and the control of their management and disposal (entered into force on the 10 June 1996), the import of hazardous wastes, as defined by national legislation (Tunisian list of hazardous waste available on request), for final disposal and for recovery, is strictly prohibited.

By law n°96-41, categories of waste, other than those defined as hazardous by national legislation, requiring specific control when imported, can be specified by decree.

**Countries** All countries are covered by this restriction.

#### **Uganda**

**2003** Uganda restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The National Environment Act Cap. 153; and the National Environment (Waste Management) Regulations 1999.

**Countries** This restriction is global and covers all wastes.

**Remarks** Regarding the transboundary movement of hazardous waste, the import is prohibited. However, persons desiring to import or export any wastes may apply for a license by completing a movement document, which conforms to the Basel Convention requirements. NEMA is required to notify other States through which the waste will transit in order to seek their informed consent.

In order to ensure tight control/monitoring of possible illegal hazardous waste imports into the country, only a few points have been designated as entry ports.

#### **Zambia**

**2003** Zambia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The Environmental Protection and Pollution Control Act, 1990, amended in 1999; and Hazardous Waste Management Regulations, 2001.

**Countries** All countries and all wastes.

**UN Region:** *Asia and Pacific*

#### **Azerbaijan**

**2003** Azerbaijan restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** According to the Law on industrial and municipal wastes (30 June 1998) the wastes which are not subject to their recovery could not be imported.

#### **Bahrain**

**2003** Bahrain is in a preparatory process to restrict the import of hazardous wastes and other wastes for recovery.

#### **Bangladesh**

**2003** Bangladesh restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Ban has been imposed on the import of all sorts of waste in the Import Policy Order 2003-2006.

#### **Brunei Darussalam**

**2003** Brunei Darussalam is in a preparatory process to restrict the import of hazardous wastes and other wastes for recovery.

**Remarks** This subject matter will be covered in the Draft Environmental Order of Negara Brunei Darussalam.

#### **Cambodia**

**2003** Cambodia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The Article 21 of the Solid Waste Management Sub-Decree states that "the import of hazardous waste into the country is strictly prohibited".

## **China**

**2003**

China restricts the import of hazardous wastes and other wastes for recovery.

### **Legislation**

China

The Law of Prevention and Control of Solid Waste Pollution to the Environment, effective on April 1st, 1996; the Interim Regulation on the Administration of Environmental Protection in the Import of Waste Materials, entry into force on April 1st, 1996; and the Environmental Protection Control Standards for Imported Waste Material, entry into force 1996.

According to the “Interim Regulation on the Administration of Environmental Protection in the Import of Waste Materials” ten kinds of waste are allowed to be imported: waste of bones; smelt slag; wood and wood article wastes; waste and scrap of paper or paperboard; textile wastes; base metals and article of base metal waste; waste electrical motors; electrical scraps, waste wire and cables; vessels and other floating structure for breaking up; wastes that need to be imported specially; and wastes, parings and scraps of plastics. Except for these ten wastes, others are forbidden to be imported (including hazardous waste).

“Announcement 10, 2003, promulgated by Ministry of foreign trade and economic cooperation (MOFTEC), General Administration of Customs, General Administration of Quality Supervision, Inspection and Quarantine, State Environment Protection Administration on April 24, 2003, promulgated list of Wastes that can be used as raw materials and are restricted in importation (Second). In the list, sugar cane molasses H.S 1703.1000, other molasses H.S1703.9000 and vanadium dross in which the content of V<sub>2</sub>O<sub>5</sub> be more than 10% H.S 2620.9990.10 were included.

Hong Kong Special Administrative Region, China

With effect from 28 December 1998, import of hazardous wastes from states which are OECD members, European Community (EC) and Liechtenstein into HKSAR or through HKSAR to other states has been prohibited.

### **Remarks**

Hong Kong Special Administrative Region, China

In addition to the Basel Convention requirements, the import of any waste for a purpose other than re-use, recovery, reprocessing or recycling (e.g. for final disposal including landfilling and incineration) of the waste is subject to control by the same procedure on control of import of hazardous waste.

## **Cyprus**

**2003**

Cyprus restricts the import of hazardous wastes and other wastes for recovery.

### **Legislation**

Law on the Management of Solid and Hazardous Waste (December 12, 2002). A Law ratifying the amendment of the Basel Convention has been passed on 14.4.2000 (No. 12(III)/2000).

### **Remarks**

Cyprus follows all the provisions of the Basel convention regarding the import of hazardous wastes and other wastes. As far as the import of wastes for purposes other than disposal (e.g. recycling, recovery) is concerned, these are examined on a case- by- case basis. Permits are issued only for “green wastes”.

## **Indonesia**

**2003**

Indonesia restricts the import of hazardous wastes and other wastes for recovery.

### **Legislation**

Article 21 of the Act No. 23/1997 prohibits importing of toxic and hazardous waste;

Minister of Industry and Trade, Letter of Decree No. 229/MPP/KP/07/1997 on Import Regulations;

Minister of Industry and Trade, Letter of Decree No. 230/MPP/KP/07/1997 on Regulated Import Goods;

Minister of Industry and Trade, Letter of Decree No. 231/MPP/KP/07/1997 on Waste Importing Procedures;

Law of the Republic of Indonesia (UU.RI.) No. 23/1997 on Environmental Management (Article 43 and 49);

Law of the Republic of Indonesia No. 10/1995 on Custom Regulation ;and

Government Regulation of the Republic of Indonesia (PP) No. 18/1999 Jo. PP 85/1999 on Hazardous Waste Management (article 64).

**Countries** All countries/regions.

Wastes that are prohibited to be imported according to existing regulations are:

Wastes listed in Appendix I PP85/1999 on Hazardous Waste Management;

Hazardous Wastes with characteristics specified in Article 7 Sub Article 3 PP 85/1999 on Hazardous Wastes Management;

Wastes that have been discovered to have acute and chronic characteristics after toxicological test specified by Article Sub Article 4 PP 85/1999 on Hazardous Wastes Management;

Wastes listed in Annex I, II, and VIII and exhibiting characteristics listed in Annex III of the Basel Convention;

Wastes in the form of dust and mud/paste/sludge as it is written in Article 4 Minister of Industry and Trade Letter of Decree No. 231/MPP/KP/07/1997 on Waste Importing Procedures; and

Plastic Wastes as specified in the Appendix of Minister of Industry and Trade Letter of Decree No. 230/MPP/KP/07/1997 on Regulated Imported Goods.

**Remarks** The following are some waste import policies that the Indonesian Government has implemented:

Prohibition of all hazardous waste imports, except for used car-battery wastes, since September 2002;

Since September 1997, prohibition on issuing permits for any types of business or activities that uses hazardous wastes imports. Since January 1998, prohibition of hazardous wastes imports, including used car-batteries, from countries that are registered in the Basel Convention Annex VII (OECD, EC, Liechtenstein); and

Car-batteries imports are allowed only from developing countries that are members of the Basel Convention, and other developing countries through bilateral, multilateral and regional agreements.

## **Japan**

**2003**

Japan restricts the import of hazardous wastes and other wastes for recovery.

**Legislation**

The Waste Management Law, Basel Law, and OECD Council Decision C(2001)107 (in the case of transboundary movement with OECD member countries).

**Countries**

All countries and regions.

**Remarks**

Waste Management Law: Without the permission of the Minister of the Environment, any person cannot import wastes for recovery.

Basel law: MOE shall examine whether sufficient measures will be taken for preventing environmental pollution, and thereafter notify the METI of the result of its examination. METI is not able to issue import permission without the notification by MOE certifying that necessary measures will be taken for preventing environmental pollution.

## **Kyrgyzstan**

**2003**

Kyrgyzstan restricts the import of hazardous wastes and other wastes for recovery.

**Legislation**

Regulation on State Control of Transboundary Movements of Hazardous and Other Wastes (as of 6 April 1999).

**Countries** The restriction covers Parties to the Basel Convention and states participating in Customs Union (Russia, Belarus, Kazakhstan, Tajikistan).

**Remarks** Importation is licensed by Competent Authority.

#### **Lebanon**

**2003** Lebanon restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The Ministerial Decision 71/1 that entered into force in 19/05/1997 prohibits the import for final disposal of Hazardous Wastes and Other Wastes into Lebanon.

**Countries** The Decision covers all countries, there are no specifications.

**Remarks** The Ministerial Decision mentioned above prohibits all kinds of wastes for incineration for calorific value.

#### **Malaysia**

**2003** Malaysia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The Environmental Quality Act, 1 August 1996 Section 34B; and the Customs (Prohibition of Export) Order 1993 Amendment 1998.

**Countries** All countries.

**Remarks** Import of hazardous wastes for recovery requires written approval.

#### **Maldives**

**2003** Maldives restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Environment Protection and Preservation Act of Maldives (Law 4/93).

**Countries** All countries and all hazardous wastes.

**Remarks** The Environment Protection and Preservation Act of the Republic of Maldives States that hazardous waste shall not be disposed within the country.

#### **Pakistan**

**2003** Pakistan restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Pakistan Environmental Protection Act – 1997 and Import, Trade and Procedure Order – 2000.

**Countries** All countries.

**Remarks**

- 1)According to section 13 of Pakistan Environmental Protection Act – 1997, “No person shall import hazardous waste into Pakistan and its territorial waters, Exclusive Economic Zone and historic water.
- 2)Import, Trade and Procedure Order, 2000, inter-alia, also bans import of hazardous wastes as defined and classified in Basel Convention except where import is specifically authorized by the Federal Government.
- 3)Pakistan has also prepared a national Profile on Chemical Management in Pakistan – 2000 to provide information on registered hazardous chemicals being imported or produced locally.
- 4)In addition, the mechanism of Prior Informed Consent (PIC) is being strengthened to monitor inflow of hazardous substances into Pakistan in accordance with UNEP/London guidelines.

#### **Philippines**

**2003** Philippines restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Republic Act 6969 - DAO 28 series of 1994 and 1997.

**Countries** All countries/ regions and all wastes.

**Remarks** As a general policy and consistent with the provisions of the Basel Convention and the Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990 otherwise known as Republic Act 6969, no importation of hazardous wastes, as defined in Chapter VII, Sections 24 and 25 of DAO 29 (Implementing Rules and Regulations of RA 6969) shall be allowed by the country. However, importation of materials containing hazardous substances as defined under RA 6969, its

implementing rules and regulations and subsequent directives for the control of importation of wastes, for recovery, recycling and reprocessing, may be allowed only upon obtaining prior written approval from the Secretary of the Department of Environment and Natural Resources or his duly authorized representative.

## **Qatar**

**2003**

Qatar restricts the import of hazardous wastes and other wastes for recovery.

### **Legislation**

The Environment Protection Law No.30 of 2002 and The Rules on the Transboundary Movement of Hazardous Wastes, 1997 of the State of Qatar. The Kuwait Regional Convention for Cooperation on the Protection of the Marine Environment from Pollution, 1978.

### **Countries**

The restriction covers Qatar and the signatory states.

### **Remarks**

According to the article No. 24 of the law No.30 of 2002, and to section 3 of the Rules, the import of hazardous wastes and other wastes into the national territory is prohibited.

## **Republic of Korea**

**2003**

Republic of Korea restricts the import of hazardous wastes and other wastes for recovery.

### **Legislation**

The "Act on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal," which entered into force in May 1994.

### **Countries**

There is no restriction on the country or region of origin regarding the import of hazardous wastes, but the MOE has the authority to ban or limit the import of specific wastes if and when considered necessary.

### **Remarks**

According to Articles 6, 10 and 16 of this Act, the export, import and transit of hazardous waste is strictly prohibited unless prior written approval is obtained from the competent authority. Also, the MOE has the authority to limit or ban the export and import of specific wastes which may be of significant impact on human health or the environment if and when being considered to be necessary.

## **Singapore**

**2003**

Singapore restricts the import of hazardous wastes and other wastes for recovery.

### **Legislation**

The Hazardous Waste (Control of Export, Import or Transit) Act (HWA) which entered into force in May 1998.

### **Countries**

All.

### **Remarks**

The import of hazardous wastes for recovery is granted on a case-by-case basis. The importer needs to obtain a Basel import permit from Pollution Control Department prior to the import.

## **Sri Lanka**

**2003**

Sri Lanka restricts the import of hazardous wastes and other wastes for recovery.

### **Legislation**

Sri Lanka has taken a Cabinet decision to prohibit the import of hazardous wastes given in List A. Wastes given in List B will be considered on a case by case basis. Legislature is being prepared for this purpose.

### **Countries**

The Cabinet decision was to prohibit import of hazardous waste from all countries (not restricting to annex VII countries).

## **Thailand**

**2003**

Thailand restricts the import of hazardous wastes and other wastes for recovery.

### **Legislation**

Generally, any productions, imports, exports and possessions of the hazardous substances and wastes within the Kingdom of Thailand shall follow the procedures under the Regulation of Ministry of Industry B.E.2537 (1994). In case of import of hazardous wastes and used electrical and electronic equipments, the importer/ consignee/factory shall follow procedures under the Notification of the



Department of Industrial Works on the Criteria for the approval of the import of chemical wastes into the Kingdom of Thailand, issued on 14 May B.E. 2539 (1996) and the Notification of the Department of Industrial Works on the Criteria for the approval of the import of used electrical and electronic equipments into the Kingdom of Thailand, issued on 26 September B.E. 2546 (2003).

In addition, for the import of plastic wastes for recovery in the Kingdom, the importer/consignee/factory shall follow procedures under the Notification of Ministry of Commerce on the Import of Goods No.112 B.E.2539 (1996) and the Notification of Ministry of Industry on the criteria for the approval of the import of the scarp and used material which is made of used plastic and unused plastic B.E. 2539 (1996). For other hazardous wastes, since, Thailand has a specific law for the purpose of the control and hazardous waste management within the country, namely the Notification of Ministry of Industry No. 6 B.E. 2540 (1997). Therefore, if any wastes listed in the Notification have imported for recovery within the Kingdom, the importer/consignee/factory shall manage such wastes pursuant to the criteria of the Notification.

**Countries** The restriction covers all countries; wastes listed in the Basel Convention; plastic wastes; and wastes listed in the Notification of Ministry of Industry No. 6 B.E. 2540 (1997) and the Notification of Ministry of Industry No. 2 B.E. 2543 (2000).

#### **Viet Nam**

**2003** Viet Nam restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The Law on Environment Protection, which entered into force on 10 January 1994.

**Countries** The restriction covers all countries and all wastes under the definition. However, the State allows importation of certain categories of scraps after being treated and cleaned outside the country for use as material for industrial production. The List of scraps to be imported is updated regularly.

**Remarks** Ministry of Natural Resources and Environment has issued the Decision No. 03/2004/QD-BTNMT dated on April 2,2004 on promulgation of Environment Protection Regulation on the Import of Craps as Secondary Materials.

#### **Yemen**

**2003** Yemen restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** كــــل المخلفات الخطرة الواردة في اللائحة التنفيذية للقانون رقم (26) لسنة 1995م. بشأن ضــــما ما ورد في الاتفاقية، ما لم يكون هناك جهات محلية قادرة على الاستفاد من حماية البيئة، وأي المخلفات المستوردة.

#### **UN Region: Western Europe and Others**

##### **Andorra**

**2003** Andorra restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** If no changes are made in the draft law, the import of any kinds of waste for recovery will be prohibited in Andorra, however, an exception may be accepted an urgent situation.

**Countries** The restriction covers all countries.

##### **Australia**

**2003** Australia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Section 17 of the Hazardous Waste (Regulation of Exports and Imports) Act 1989. Entry into force: 12 December 1996.

**Countries** The restriction covers all countries and regions and all hazardous wastes.

## **Belgium**

**2003** Belgium restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Council Regulation (EEC) 259/93, Art. 21. The restriction covers non-OECD countries and non-Parties to the Basel Convention.

## **Canada**

**2003** Canada restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** · Canadian Environmental Protection Act, 1999 (CEPA 1999) which came into force March 31, 2000, superseding the Canadian Environment Protection Act, 1988 (CEPA); ·

Export and Import of Hazardous Waste Regulations, 1992 (EIHWR)(including import controls on PCB wastes), entered into force: November 26, 1992.

**Countries** This restriction covers imports from any country. It does not permit imports from non-parties, unless subject to an Article 11 agreement.

**Remarks** Canada meets its international obligations through the legislation listed in question 3(e)(i) of the questionnaire on “Transmission of information” for the year 2003. The conditions listed above for imports for final disposal apply, and in addition to that: the importer is the recycler of the hazardous waste in Canada.

The conditions of the Canada - USA Agreement also applies to imports for recovery set out in question 3 c) of the questionnaire on “Transmission of information” for the year 2003.

## **Finland**

**2003** Finland has no restrictions on the import of hazardous wastes and other wastes for recovery.

## **France**

**2003** France has no restrictions on the import of hazardous wastes and other wastes for recovery.

## **Germany**

**2003** Germany restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** In Germany the provisions of the EC Waste Movement Regulation apply, especially referring to Art. 21. Entry into force: May 1994.

**Countries** The import of hazardous wastes for recovery from non-Parties of the Basel Convention, except from OECD-countries or countries with which bilateral agreements exist, is prohibited.

## **Greece**

**2003** Greece restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Regulation EEC 259/93.

**Remarks** Limited amounts of used oil and dry lead (car) batteries are imported for recovery/recycling purposes.

## **Iceland**

**2003** Iceland restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The Regulation (EEC) 259/93 on the supervision and control of shipments of waste within, into and out of the EC (and EEA), has been in force since its implementation by regulation No. 377/1994.

**Countries** Imports of waste for recovery are prohibited except from countries to which the OECD decision applies, countries which are Parties to the Basel Convention and/or countries which Iceland has concluded bilateral agreements (cf. Article 21 in Regulation (EEC) 259/93).

## **Israel**

**2003** Israel restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Hazardous Substances Regulations (Export and Import of Hazardous Waste), 1994.

These regulations call for a permit to import waste for recovery.

**Countries** A permit could be issued for the import of wastes for recovery operations to any party to the convention.

**Remarks** The importer must receive a special permit certificate and the Ministry of the Environment ensures that the recovery is carried out in an environmentally sound manner.

## **Italy**

**2003** Italy restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Council Regulation (EEC) 259/93.

**Countries** The restriction covers hazardous wastes as per EEC/259/93 from non-OECD countries, from countries that did not ratify the Basel Convention or that do not have bilateral agreement with Italy or EU.

## **Luxembourg**

**2003** Luxembourg restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Import authorization is required by the modified Waste Management Law of 17th June 1994.

**Countries** The restriction is for all countries and all kinds of wastes.

## **Monaco**

**2003** Monaco restricts the import of hazardous wastes and other wastes for recovery.

**Remarks** However, household wastes import is authorized for energy recycling only.

## **Netherlands**

**2003** Netherlands restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Council Regulation (EEC) No 259/93; entry into force May 6th 1994.

**Countries** According to the European Shipment Regulation, article 7, section 4a, 5th indent, the Netherlands will object to an import of waste if the amount of waste recovered is relatively small in relation to the total amount.

## **New Zealand**

**2003** New Zealand restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Import Control (Wastes) Conditional Prohibition Order 1994.

**Countries** As per Basel Convention/OECD requirements.

**Remarks** The Waigani Convention came into force on 21 October 2001, which allows New Zealand to consent to imports of hazardous wastes from Parties to the Waigani Convention.

## **Norway**

**2003** Norway restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The Norwegian regulation of 30 December 1994 on transboundary movement of waste, implementing EU Regulation no. 259/93, was amended 1 April 2003. The amendments include country lists taken from the two EU Regulations 1420/1999 and 1547/1999.

**Countries** The restrictions apply to all states except members of OECD, EC and Liechtenstein, see annex VII of the Basel Convention.

## **Spain**

**2003** Spain restricts the import of hazardous wastes and other wastes for recovery.  
**Legislation** Article 17 of Act 10/98 on Wastes, which entered into force on 22.04.98., allows competent authorities in Spain to restrict the import of wastes for recovery (Annex IV B).

**Countries** The restriction might be applying to all countries and all wastes.

## **Sweden**

**2003** Sweden restricts the import of hazardous wastes and other wastes for recovery.  
**Legislation** The Swedish Ordinance on Transboundary Movements of Waste (SFS 1995:701).  
**Countries** Import of wastes is accepted only if the receiving plant has all relevant permits to treat the waste.

## **Turkey**

**2003** Turkey restricts the import of hazardous wastes and other wastes for recovery.  
**Countries** The restriction covers all countries, including free zones.  
**Remarks** Some metal scraps, some textile wastes and some other wastes listed in List B of the Basel Convention are imported for recovery by the approval of the Ministry of Environment according to communiqué which is to be revised every year under the sectoral needs.

## **United Kingdom of Great Britain and Northern Ireland**

**2003** United Kingdom of Great Britain and Northern Ireland has no restrictions on the import of hazardous wastes and other wastes for recovery.

### **UN Region: Central and Eastern Europe**

## **Albania**

**2003** Albania restricts the import of hazardous wastes and other wastes for recovery.  
**Legislation** 1. Actually the import of hazardous waste is prohibited for recovery also.  
2. Related to import of waste: Decision of Council of Ministers no. 806 date 4.12.2003 "Procedures for import of waste, which will use for reusing, recovery and recycling".

**Countries** The restriction covers all countries.

## **Armenia**

**2003** Armenia restricts the import of hazardous wastes and other wastes for recovery.  
**Legislation** "The order of adjustment of hazardous wastes and other wastes import, export and transit over the territory of the Republic of Armenia" approved by the Government Decision No. 97 on 08.12.1995. The above-mentioned Governmental Decision states following: · import of all types of wastes for purpose of storage and disposal (burial) is banned to the Republic of Armenia, as well as import of wastes with hazardous properties is banned disregards to the goal of their application/use; · import of wastes and raw materials for the purpose of their application/use is allowed to the Republic of Armenia only in case of their direct use or after processing; · obligatory prior notification is required for import and/or export of hazardous and other wastes to the Republic of Armenia and transboundary movement thereof through the territory of the Republic of Armenia, that is implemented on permission of the Ministry of Nature Protection. The import, export of non-hazardous wastes and transboundary movement thereof through the territory of the Republic of Armenia is implemented on general basis without the prior notification; The Governmental Decision No 902 adopted in 2000, by which import of all kinds of wastes without the special permission of Ministry of Nature

Protection and Ministry of Industry and Trade is prohibited. In order to regulate the issues on hazardous wastes management and in accordance with the Basel Convention requirements the following documents were adopted:·The Governmental Decision of the Republic of Armenia No. 874-A “Approval of the List of Hazardous Wastes of the Republic of Armenia” (May 8, 2004).·The Governmental Decision No. 1093-N on “Amendment to the Governmental Decision of the Republic of Armenia No. 97 on December 8, 1995 and approval of the List of Banned Hazardous Wastes of the Republic of Armenia” (July 8, 2004).

**Countries** The above-mentioned prohibition/restrictions are applied for the Republic of Armenia.  
**Remarks** The import of hazardous wastes to the territory of the Republic of Armenia, irrespective of their disposal type, is prohibited.

### **Belarus**

**2003** Belarus restricts the import of hazardous wastes and other wastes for recovery.  
**Legislation** Waste Law, in force from 1 January, 2001, which states that "Transboundary Movement of waste to the Republic of Belarus is allowed only with the purpose of their usage as raw materials or secondary materials and is executed only on the basis of a preliminary obtained permit for transboundary movement of waste to the Republic of Belarus issued by the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus under conditions that possibility of their environmentally justified usage is confirmed and competent authorities of country of waste origin have provided their concern in written form to take back waste in case of cancellation of the permit for transboundary movement of waste to the Republic of Belarus".

**Countries** All countries.

### **Bosnia & Herzegovina**

**2003** Bosnia & Herzegovina restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Law on waste management, which entered into force on 19 July 2003.

**Countries** The restriction applies to all countries and all wastes.

**Remarks** The import of hazardous waste is prohibited. No capacity within the country for recycling, recovery or reuse of hazardous waste.

### **Bulgaria**

**2003** Bulgaria restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** - Waste Management Act (Promulgated, State Gazette No. 86/30.09.2003 and  
- Council of Ministers Decree No 166 on the adoption of a Regulation for the cases that require a permit for import, export and transit transportation of waste, and on the conditions and procedures for permit issuance, dated 4 August 2000 (repealing Regulation No 5 of 8 October 1998, on the permits for import, export and transit transportation of waste).

**Countries** There are restrictions covering all wastes and restrictions for the import of wastes within the scope of the Basel Convention.

**Remarks** Bulgaria remarks that import of all wastes within the Republic of Bulgaria shall be allowed in exceptional cases and under observation of the following conditions:  
1. the waste is used solely for recovery and provided there is a written contract with a person operating the recovery facility, describing the technology and the resulting products;  
2. the competent Municipal Council has passed a resolution granting consent to the acceptance of the waste for recovery within the territory of the municipality where the facility referred to in Item 1 is located;  
3. the persons who or which shall recover the waste has a permit for the relevant

- operation and an environmental impact assessment decision in the cases where such a decision is required according to the Environmental Protection Act;
4. the waste has exactly identified physical and chemical characteristics and is accompanied by the relevant documents, including a specification, a certificate and an invoice;
  5. the use of the waste in the relevant production results in the generation of smaller amounts of waste than the use of conventional raw materials, or replaces valuable or rare natural resources; in the cases of pneumatic tyres, they should be pre-processed to a degree for use as fuel possessing better characteristics than the conventionally used fuel;
  6. the waste is stored and recovered within a period of time not exceeding six months as from the date of import thereof and in a manner presenting no risk to human health or to the environment;
  7. the import is consistent with the National Waste Management Programme and with the relevant Municipal Waste Management Programme.

Bulgaria remarks that import of wastes within the scope of the Basel convention and Amber and Red List Wastes (Annex III and IV) to the Regulation 259/93/EEC shall be allowed after issuance of permit for which the applicant should present the following documents:

1. a certificate of current status of the Commercial Register record on the applicant and, in the case of non-residents, a document certifying the legal status of the applicant, issued in accordance with the national legislation thereof;
2. the permit or registration document for waste-related operations held by the applicant: applicable to persons required to hold such a permit or document in accordance with Article 12 of the Waste Management Act;
3. a certificate of current status of the Commercial Register record on the applicant and, in the case of non-residents, a document certifying the legal status of the carrier, issued in accordance with the national legislation thereof, if the said carrier is a person other than the person referred to in Item 1, and a notarized copy of the permit or registration document if other than the permit or document referred to in Item 2;
4. documentary proof of fee paid;
5. a written contract with the person operating the planned recovery facility, completed in a standard form endorsed by the ordinance referred to in Article 72 (2) of the Waste Management Act;
6. a written confirmation from the mayor of the municipality with the territory whereof the planned recovery facility is located, stating:
  - (a) the name of the applicant, the type and amount of the waste, the period of import, the business name of the person operating the planned waste recovery facility;
  - (b) that the import of the waste conforms to the municipal waste management programme;
  - (c) that the waste imported will be accepted within the territory of the relevant municipality in accordance with the resolution referred to in Item 2 of Article 79 of the Waste Management Act;
7. notarized copies of certificates, specifications and other such certifying the physical and chemical characteristics of the waste, issued by an accredited laboratory;
8. a notarized copy of the permit under Article 37 of the Waste Management Act, applicable to the persons recovering the waste;
9. a notarized freely worded declaration drawn up by the person operating the planned waste recovery facility, certifying compliance with the conditions established by Item 6 of Article 79 of the Waste Management Act;
10. an environmental impact assessment decision on the waste recovery facility, in

the cases where such a decision is required according to the Environmental Protection Act;

11. an opinion of the Regional Inspectorate of Environment and Water covering the territory where the facility is located, regarding the capability of the relevant facility to recover the waste intended for import within the time limits under the application and without presenting a risk to human health and to the environment;

12. a written notification from the competent authority of the State of export, containing the declaration and information specified in Annex V A to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, and a confirmation that the said State does not have the technical capacity or the necessary facilities, capacity or suitable sites in order to recover the waste in question in an environmentally sound and efficient manner;

13. a notarized declaration by the person operating the planned recovery facility, to the effect that the conditions under Item 4 and/or Item 5 of Article 73 of the Waste Management Act have been fulfilled;

## **Croatia**

**2003**

### **Legislation**

Croatia restricts the import of hazardous wastes and other wastes for recovery. Special conditions for the import of non hazardous waste are prescribed by the orders of Articles 38. and 39. of the Law on waste, Official Gazette, No. 34/95 as follows:

#### Article 38

The import of waste for disposal is prohibited;

The import of hazardous waste is prohibited; and

The import of waste that can be treated in an environmentally sound manner, except the waste to be used for energy recovery, is permitted.

Article 39: The import of waste is permitted providing the following conditions are met:

a contract has been signed between the exporter and importer of waste

a contract has been signed between the importer of waste and the waste treatment utility

the exporter of waste has submitted a statement concerning the type, quantity, composition of waste, place of its origin, generation technology, and the reasons for its export;

the waste treatment utility can prove to dispose of the equipment for environmentally sound waste treatment;

a statement has been enclosed specifying the type of waste to be generated by treatment of imported waste, and the manner of its disposal;

a statement has been enclosed confirming the imported waste shall not be used for energy recovery; and

the data concerning the waste identification number, mode of transportation, place of waste entry in case of the waste import, waste arrival time at the frontier crossing have been stated.

**Countries** All countries/regions.

## **Czech Republic**

**2003**

### **Legislation**

Czech Republic restricts the import of hazardous wastes and other wastes for recovery.

Council Regulation (EEC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community, as amended.

### **Countries**

All imports of hazardous waste for recovery are prohibited except those from countries to which the OECD Council Decision C(92)39/FINAL applies and countries, which are Parties to the Basel Convention or with which the Czech

Republic has concluded agreements or arrangements in accordance with Article 11 of the Basel Convention.

**Estonia**

2003

Estonia has no restrictions on the import of hazardous wastes and other wastes for recovery.

**Georgia**

2003

Georgia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation**

Law of Georgia on Transit and Import of Waste into and out of the Territory of Georgia (16th of October 1997).

**Countries**

Law of Georgia on Transit and Import of Waste into and out of the Territory of Georgia (16th of October 1997).

Article 2.Type of Wastes, those transit and import is restricted.

Restriction applies to all countries.

1. It is restricted to transit and import any kind of waste all over the territory of Georgia including (its territorial waters, air space, continental shelves, and economically mostly important zones), if the present law does not contradict it; and

2. All over the territory of Georgia including (its territorial waters, air space, continental shelves, and economically mostly important zones) is restricted:  
a) transit and import of dangerous waste (among them toxic) and radioactive residue of the production, household, and other types of waste their utilization, neutralization, treatment, landfilling or any other purposes are restricted (including established disposal operations of Annex IV of the Basel Convention).

b) import of non – dangerous (among them non toxic) and non – radioactive residue of the production, household, and other types of waste their utilization, neutralization, treatment, landfilling or any other purposes are restricted which is envisaged in Section A of Annex IV on (Waste Disposal Operations) of "Basel Convention."

**Remarks**

Law of Georgia on Transit and Import of Waste into and out of the Territory of Georgia (16th of October 1997).

Article 3 Type of Wastes, those transit and import is permitted.

Import of non-hazardous, (among them non toxic) and non- radioactive waste all over the territory of Georgia (including its territorial waters, air space, continental shelves, and economically mostly important zones)is permitted only for the purposes of their further recovering , re-exporting or other kind of operations envisaged in "Section B" contained in Annex IV (Disposal operations) of Basel Convention. Those waste are:

Scrub of ferrous and non-ferrous metals, all type of paper waste, plastics (in case the availability of their recovery in Georgia), waste from textile, pulp processing (sawdust, shaving) and glass. These wastes according to defined waste categories of the "Green list of wastes" developed by the European counsel regulation # 259/93 of 1993, belong to:

a) Category "GA" (Wastes in non-dispersible form, contained of metal and their alloys; wastes in the form of dust, powder or slag, also subjects containing hazardous wastes in liquid form does not belong to waste in non- dispersible form);

b) Category "GH" (solid plastic wastes);

c) Category "GI" (papers paperboard and paper product wastes);

d) Category "GJ" (textile wastes);

e) "GN010/ex 050200" of category "GN";



f) Category "GL"(untreated cork and wood wastes); and

## **Hungary**

**2003**

Hungary restricts the import of hazardous wastes and other wastes for recovery.

### **Legislation**

Import of the hazardous waste into Hungary for final disposal is banned.

- XLIII. Act of year 2000 on the Waste Management 17. § Put in force 01.01.2001;
- 102/1996 (VII.12.) Governmental Decree on the Hazardous Waste which was amended by the 98/2001 (VI.15.) for conditions of hazardous waste activities;
- Governmental Decree No. 101/1996 (VII.12.), entry into force: 1st September 1996; and
- 55/1987 (X.30.) Ministerial Council Decree.

### **Countries**

The waste import is restricted if processing/recycling capacity is lacking.

### **Remarks**

The permit from National Inspectorate for Environment and Water (KFF) is necessary for the import. The permit application shall be submitted by the importer to KFF with notification form.

## **Latvia**

**2003**

Latvia restricts the import of hazardous wastes and other wastes for recovery.

### **Legislation**

Waste Management Law, 01.03.2001.

### **Countries**

It is permitted to import hazardous waste for recovery only if there are hazardous waste recovery facilities in operation in the territory of the Republic of Latvia, the owner of which has obtained a permit for the recovery of the relevant hazardous waste, and which have the necessary capacity.

## **Lithuania**

**2003**

Lithuania restricts the import of hazardous wastes and other wastes for recovery.

### **Legislation**

All Amber and Red-listed and some Green-listed (see 2d) wastes destined for recovery must be notified and imports of such wastes are only possible with the consents of all competent authorities concerned.

Rules on Waste Import into the Republic of Lithuania, Export from the Republic of Lithuania and Transit through the Republic of Lithuania.

## **Poland**

**2003**

Poland restricts the import of hazardous wastes and other wastes for recovery.

### **Legislation**

The Act on Waste of 27 April 2001, art. 65 2 (came into force in October 2001).

### **Countries**

All countries.

### **Remarks**

Hazardous waste imports can take place with authorization from the Chief Inspector for Environmental Protection, issued by way of a decision, provided that the requirements set out in Article 65 par. 8 are satisfied. Import of waste mixed with objects or substances which are not waste is prohibited. The ordinance of the Minister responsible for the Environment on types of hazardous waste authorised for import came into force in 2002 (O. J. of 6 February 2002, No 15, Item 146). According to par. 3 of these ordinance mentioned type of hazardous waste can be authorised for import until 31 December 2003. Import of non-hazardous waste shall be effected only upon authorisation by a decision of the Chief Inspector for Environmental Protection. Regulations concerning authorisation of non-hazardous waste imports shall apply respectively to authorisation of hazardous waste imports. The minister responsible for the environment laid down the ordinance on the list of wastes whose import do not require a permit of the Chief Inspector for Environmental Protection. A new extended list of non-hazardous wastes which import do not require a permit of the Chief Inspector for Environmental Protection was laid down by the Minister responsible for the Environment in 2002 (O. J. of 5 March 2002, No 56, Item 512) (came into force in May 2002).

## **Serbia and Montenegro**

**2003** Serbia and Montenegro restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The Rules on Import, Export and Transit of Wastes in the Federal Republic of Yugoslavia (“Off.Gazette FRY”, No.69/99) based on the Federal Law on the Basis of the Environmental Protection (“Off.Gazette FRY”, No. 24/98) regulates the transboundary movements of hazardous wastes and other wastes (import of non-hazardous wastes for recovery). Each case of import is subject to the approval and issuance of permits by the competent authority. Environmentally sound waste disposal is the condition required for issuance of the permit.

## **Slovakia**

**2003** Slovakia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The following shall be forbidden:

Import of wastes destined for incineration including their exploitation as a fuel or for energy recovery in a way different than under item R1 of Annex 2 of the Act No. 223/2001, except the import of waste, that is raising during a special treatment procedure, so the subject of processing being waste and except the import of waste destined for recovery from member countries; if the import is realized after 31 December, 2006 these exception will be applied only in cases if recovery runs in the authorized facility operating under a special regulation (§ 5 of the Act No. 245/2003 Coll of Laws on integrated prevention and control of pollution of the environment as changed and amended some acts).

Annex 2 – Methods of waste recovery

R1 Use principally as a fuel or other means to generate energy

R2 Solvent reclamation/regeneration

R3 Recycling/reclamation of organic substances which are not used as solvents (including composting and other biological transformation processes)

R4 Recycling/reclamation of metals and metal compounds

R5 Recycling/reclamation of other inorganic materials

R6 Regeneration of acids or bases

R7 Recovery of components used for pollution abatement

R8 Recovery of components from catalysts

R9 Oil re-refining or other re-uses of oil

R10 Spreading on land resulting in benefit to agriculture or ecological improvement

R11 Use of wastes obtained from any of the operations numbered R1 - R10

R12 Exchange of wastes for submission to any of the operations numbered R1 - R11

R13 Storage of materials intended for submission to any operations numbered R1 R12 (excluding temporary storage, pending collection, on the site where it is produced.)

Objections to the waste import destined for recovery listed on Amber List may be raised where:

a) import is not compliant with the objectives of the Waste Management Programme of the Slovak Republic;

b) import is not compliant with the generally binding regulations for environmental protection, public order, public safety or protection of human health;

c) a notifier or the waste consignee effected illegal transboundary waste shipments in the past (§ 38);

d) a waste consignment is contradictory to the obligations resulting from international agreements by which the Slovak Republic is bound; and

e) a ratio of the recoverable and irrecoverable waste parts, the estimated value of material to be finally recovered or a ratio of recovery costs to the costs of disposal

of the irrecoverable part is economically or from the perspective of the environmental protection not sound.

The procedure applicable to wastes included in the Amber List of Wastes shall apply to wastes appearing on the Red List of Wastes and to wastes not included in any list of wastes; a trans-boundary waste shipment may however commence only after the delivery of a written permit by the competent authorities concerned.

#### **Slovenia**

**2003** Slovenia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** European Council Regulation 259/93/EEC, especially art. 21. Entry into force : May 1994.

**Countries** According to European Council Regulation 259/93/EEC import of hazardous wastes from non-Parties of Basel Convention, except from OECD-countries or countries with which bilateral agreement exists, is prohibited.

#### **Ukraine**

**2003** Ukraine has no restrictions on the import of hazardous wastes and other wastes for recovery.

#### **UN Region: Latin America and the Caribbean**

##### **Argentina**

**2003** Argentina restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Argentina has an import ban for those wastes defined as hazardous according to the National Law of Hazardous Wastes (National Law 24051. Entry into force 1991). Decree of Import of Wastes 181 (Entry in force 1992). The entry of hazardous wastes and radioactive wastes into national territory is forbidden by National Constitution (Entry into force in 1994).

**Countries** This restriction covers all countries and wastes covered by National Legislation.

**Remarks** National territory encloses 12 miles of Argentine sea.

##### **Barbados**

**2003** Barbados has no restrictions on the import of hazardous wastes and other wastes for recovery.

**Legislation** There is no significant legal authority to prevent the importation of hazardous waste. The Chief Parliamentary Council is in the process of preparing comprehensive environmental management legislation, which would incorporate Basel Convention issues. The restrictions are taken as those found in Article 4 (General Obligations) of the Basel Convention.

##### **Brazil**

**2003** Brazil restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** National Environmental Council (CONAMA) Resolution no. 235 (January 7, 1998). The legislation defines which wastes are forbidden from being imported and which are just controlled by IBAMA.

**Countries** All countries are subject to the restrictions imposed by the Resolution no 235/98 that lists wastes which are forbidden from being imported or controlled by IBAMA. In the first case, the wastes cannot be imported irrespectively of the country of origin, in the second case, the controlled wastes can only be imported from the countries which are party to the Basel Convention.

##### **Chile**

**2003** Chile is in a preparatory process to restrict the import of hazardous wastes and other wastes for recovery.

**Remarks** A Draft Law is being prepared by the National Congress, which, if approved, will prohibit the entry of hazardous wastes into Chile.

## **Colombia**

**2003** Colombia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Article 81 of the Colombian Constitution (dated 1991), bans the import of toxic and nuclear wastes to the national territory.

The Law 430 of 1998 issued by the Congress of the Republic of Colombia, dictates prohibitive environmental rules related to hazardous wastes. As for the import of hazardous wastes, this Law establishes the following:

- The entry and illegal traffic of hazardous wastes from other countries that Colombia is not in capacity to manage in an environmentally sound manner and that represent exclusive and unacceptable risks is forbidden;
- No natural person or corporate body can introduce or import hazardous wastes without complying with the procedures established by the Basel Convention and its annexes for that purpose; and
- The person who pretends to introduce into national territory a load which the presence of hazardous wastes is detected or the person who illegally introduces this load shall return it without delay and under his/her exclusive responsibility, without regard of the penal sanctions applicable.

## **Costa Rica**

**2003** Costa Rica restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Environmental Organic (october 4, 1995) Law and General Health Law (november 24, 1973).

**Countries** The import is limited by regulated list (to be published).

**Remarks** The import for recycling is allowed.

## **Cuba**

**2003** Cuba has no restrictions on the import of hazardous wastes and other wastes for recovery.

## **Dominica**

**2003** Dominica restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Solid Waste Management Act, 2002.  
Marine Pollution Management Act 2002

## **Ecuador**

**2003** Ecuador restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The Executive Decree, Or. No. 970 of July 2, 1992; and Art. 90 of the Constitution of the Republic of Ecuador, 1998.

**Countries** These regulations cover all hazardous wastes.

## **Honduras**

**2003** Honduras restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** General Law on Environment- Ley General del Ambiente.

**Countries** All hazardous waste.

## **Mexico**

**2003** Mexico restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** General law of the Ecological Equilibrium and Environmental Protection (LGEEPA), entered into force in 1988, Article 153:

Fraction II- The import of materials or hazardous wastes will only be authorized for its treatment, recycling or reuse, when their employ is accordingly with the

laws, regulations, Mexican official regulations and other effective dispositions.  
"LGEEPA regulations referring of hazardous wastes:

Article 52:- "The authorization to import materials or hazardous wastes will only be given in case of treatment, recycling or re-use in the national territory, in terms with this regulation and the respective ecological technical regulations.

"General law of the Ecological Equilibrium and Environmental Protection (LGEEPA), Article 151 Bis, establishes that:

"Requires prior authorization of the Secretary of Environment and Natural Resources:

1. The services to third parties which objective is the operation of systems for the gathering, storage, transportation, reuse, processing, recycle, incineration and final disposal of hazardous wastes;
2. The installation and operation of systems for processing to final disposal of hazardous wastes, or for recycling when their objective is the recovery of energy, by means of their incineration and;
3. The installation and operation, by the generator of hazardous wastes, of systems for their reuse, recycle and final disposal, outside the installation where they were generated".

Because of this, the enterprises that import hazardous wastes have to be authorized by SEMARNAT for recycling of the same.

**Countries** All countries

**Panama**

**2003** Panama restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Act No. 8 of 7 June 1991, which prohibits the importation of toxic or pollutant wastes into the territory of the Republic of Panama.

**Paraguay**

**2003** Paraguay restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Constitución Nacional 1992 Art.8

**Countries** Basuras tóxicas

**Peru**

**2003** Peru restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Basel Convention Legislative Resolution No. 26234 in force since 21 February 1994.

Furthermore, all countries that solicit transit of hazardous waste must inform by sending Notification, containing the following:

1. Contract between Exporter and Importer;
2. Bank guarantees;
3. List of forwarders;
4. Quantity of recycling material in relation waste(%);
5. Transit countries; and
6. Description of the process and recycling Plant (destination).

Act 27314 - General Solid Wastes Act, entered into force on 22 July 2000.

Article 17, Introduction of wastes - The import of solid wastes into the national territory is prohibited.

Only exceptionally shall the import of solid wastes destined exclusively for recycling, reuse or recovery activities be permitted, subject to prior substantiated authorization issued in the form of a decision by the Ministry of Health's DIGESA.

This authorization shall be granted for successive import operations in a specific period, once it has been shown that the same type of waste originating from the

same source of supply is to be imported.

### **Trinidad and Tobago**

**2003** Trinidad and Tobago restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Although there is no legal instrument restricting the importation of hazardous waste, the Government of the Republic of Trinidad and Tobago regulates importation for recovery.

**Remarks** The legal framework is in preparation.

### *3f Restrictions on Transits*

#### *All Regions/Countries, Parties of the Basel Convention*

#### *UN Region: Africa*

##### **Botswana**

**2003** Botswana has no restrictions on the transit of hazardous wastes and other wastes.

**Remarks** Botswana requires to be informed of prior to any movement of waste into or transiting through its territorial boundaries.

##### **Cameroon**

**2003** Cameroon restricts the transit of hazardous wastes and other wastes.

**Legislation** Law N° 96/12 of 5th August 1996 relating to Environmental management in Cameroon and Loi N° 89/027 du 29 décembre 1989 portant sur les déchets toxiques et dangereux.

**Countries** All types of wastes from all regions of the world are covered by this restriction.

##### **Djibouti**

**2003** Djibouti is in a preparatory process to restrict the transit of hazardous wastes and other wastes.

**Remarks** Le Ministère de l'Environnement demande à tous les pays parties et autres, en attendant la mise en place d'une législation pertinente sur tous les déchets dangereux et autres déchets qui fait l'objet d'un mouvement transfrontières, de se conformer aux procédures et dispositions établies par la Convention de Bâle sur le contrôle des mouvements transfrontières des déchets dangereux et de leur élimination.

##### **Egypt**

**2003** Egypt restricts the transit of hazardous wastes and other wastes.

**Legislation** Prior permit from the competent authority and the Suez Canal authority should be required according to Egyptian environmental law No. 4/1994 and its Executive Regulations.

**Countries** All countries/regions and all types of hazardous wastes and other wastes.

**Remarks** In addition to the Basel convention provisions, it is prohibited, without a prior permit from the Maritime Transport Authority or the Suez Canal Authority, to allow the passage of ships carrying hazardous wastes, in the Territorial Sea or the Exclusive Economic Zone of the Arab Republic of Egypt, provided the National Focal Point is notified.

##### **Ethiopia**

**2003** Ethiopia restricts the transit of hazardous wastes and other wastes.

**Legislation** The Environmental Policy of Ethiopia approved in 1996 strictly bans import into and transit through Ethiopia of hazardous wastes as defined in the Bamako Convention (Ethiopia ratified the convention in 2002).

The Environmental Pollution Control Proclamation no.300/2002 that entered into force in December 3,2002 stipulates that anyone engaged in importation or transport of hazardous waste must first secure a permit from the Environmental Protection Authority or other competent agencies.

**Countries** The Bamako convention applies on all African countries that ratified it. The type of wastes covered are those mentioned under art.3,a,b,c&d of the convention.

Since Proclamation no.300/2002 is a domestic legislation, its scope of application is limited to Ethiopia. And it applies on subjects within the territorial jurisdiction of

the country. The type of waste covered is "hazardous waste "which is defined by the proclamation as -any unwanted material that is believed to be deleterious to human safety or health or the environment.

### **Gambia**

**2003** Gambia restricts the transit of hazardous wastes and other wastes.

**Legislation** The Bamako Convention and Draft Waste Act (to be adopted).

**Countries** To be determined.

### **Madagascar**

**2003** Madagascar has no restrictions on the transit of hazardous wastes and other wastes.

### **Mauritius**

**2003** Mauritius restricts the transit of hazardous wastes and other wastes.

**Legislation** None.

**Countries** All.

**Remarks** Transit may be allowed subject to prior notification.

### **Morocco**

**2003** Morocco restricts the transit of hazardous wastes and other wastes.

**Legislation** In accordance with the bill on the management and destruction of wastes, the transit of dangerous wastes and other wastes is prohibited.

**Remarks** The transit of hazardous wastes and other wastes in Morocco is in accordance with the Basel Convention requirements.

### **Mozambique**

**2003** Mozambique has no restrictions on the transit of hazardous wastes and other wastes.

### **Niger**

**2003** Niger restricts the transit of hazardous wastes and other wastes.

**Legislation** Transit is prohibited by Niger's Constitution (Article 27, para. 4).

**Remarks** Import of hazardous wastes is prohibited and considered as a crime against the nation (Art. 27, para. 4).

### **Seychelles**

**2003** Seychelles restricts the transit of hazardous wastes and other wastes.

**Legislation** EPA 1994 12(8)(a). No person shall transport hazardous waste within or through Seychelles without an authorization from the agency.

**Countries** All countries and regions

**Remarks** Authorization must be obtained from the Agency (Solid Waste and Cleaning Agency established under the Act) but presently the Competent Authority, the Ministry (Min of Env) itself is doing it.

### **South Africa**

**2003** South Africa restricts the transit of hazardous wastes and other wastes.

**Legislation** There is no national legislation regarding this matter and the restriction is in accordance with the Basel Convention.

**Remarks** South Africa allows transit of wastes from some OECD countries, but the said wastes are controlled in terms of article 6 of the Convention.

### **Tanzania (United Republic of)**

**2003** Tanzania (United Republic of) has no restrictions on the transit of hazardous wastes and other wastes.



## **Tunisia**

**2003** Tunisia restricts the transit of hazardous wastes and other wastes.

**Legislation** By law n°96-41 on wastes and the control of their management and disposal (entered into force on the 10th June 1996), the transit of hazardous wastes, as defined by national legislation, is not allowed until the reception by the exporter of the written authorization of the minister of the Environment and Land Use Planning.

The authorization of transit is not attributed unless the conditions that are mentioned under the above sub-heading "Restrictions on export for final disposal and recovery are met.

**Countries** All countries are covered by this restriction.

## **Uganda**

**2003** Uganda restricts the transit of hazardous wastes and other wastes.

**Legislation** The National Environment (Waste Management) Regulations 1999.

**Countries** This restriction is global and covers all wastes.

**Remarks** Transit must be in line with national regulations and Basel Convention framework.

## **Zambia**

**2003** Zambia restricts the transit of hazardous wastes and other wastes.

**Legislation** The Environmental Protection and Pollution Control Act, 1990, amended in 1999; and Hazardous Waste Management Regulations, 2001.

**Countries** All countries.

**Remarks** But permission for transit of hazardous waste should be obtained from the authorities and notification of both the country of export and import should be show received.

## **UN Region: Asia and Pacific**

### **Azerbaijan**

**2003** Azerbaijan restricts the transit of hazardous wastes and other wastes.

**Legislation** The restrictions are specified in Article 14 of the legislation of the Republic of Azerbaijan "About industrial and municipal wastes" saying that "transit transportation of wastes which are not subject to treatment is prohibited".

### **Bahrain**

**2003** Bahrain is in a preparatory process to restrict the transit of hazardous wastes and other wastes.

### **Bangladesh**

**2003** There is no information concerning restrictions on the transit of hazardous wastes and other wastes provided for Bangladesh.

**Remarks** No legal mechanism is in force for the transit of hazardous waste.

### **Brunei Darussalam**

**2003** Brunei Darussalam is in a preparatory process to restrict the transit of hazardous wastes and other wastes.

**Remarks** This subject matter will be covered in the Draft Environmental Order of Negara Brunei Darussalam.

### **Cambodia**

**2003** Cambodia has no restrictions on the transit of hazardous wastes and other wastes.

## **China**

**2003** China restricts the transit of hazardous wastes and other wastes.

### **Legislation** China

The Law of Prevention and Control of Solid Waste Pollution to the Environment, Article 58: All hazardous waste shall be prohibited from passing through the territory of China.

Hong Kong Special Administrative Region, China

With effect from 28 December 1998, import of hazardous wastes from states which are OECD members, European Community (EC) and Liechtenstein into Hong Kong or through Hong Kong to other states has been prohibited.

## **Cyprus**

**2003** Cyprus restricts the transit of hazardous wastes and other wastes.

**Legislation** Law on the Management of Solid and Hazardous Waste (December 12, 2002). A Law ratifying the amendment of the Basel Convention has been passed on 14.4.2000 (No. 12(III)/2000).

**Remarks** Cyprus follows the provisions of the Basel convention regarding transit issues. In order for a permit to be granted, a copy of the Notification Document appropriately stamped by the Competent Authority of the Import Country is required, as well as detailed information on the date of arrival and departure and the name of the ship.

## **Indonesia**

**2003** Indonesia has no restrictions on the transit of hazardous wastes and other wastes.

**Remarks** Though there are no restrictions on transit, Article 53 paragraph (2) and (3) on the transportation of toxic and hazardous waste through Indonesia's territory, states that the transit must have license from BAPEDAL.

## **Japan**

**2003** Japan has no restrictions on the transit of hazardous wastes and other wastes.

## **Kyrgyzstan**

**2003** Kyrgyzstan restricts the transit of hazardous wastes and other wastes.

**Legislation** Regulation on State Control of Transboundary Movements of Hazardous and Other Wastes (as of 6 April 1999).

**Countries** The restriction covers Parties to the Basel Convention and states participating in Customs Union (Russia, Belarus, Kazakhstan, Tajikistan).

**Remarks** The transit and import take place only if license is issued by Competent Authority.

## **Lebanon**

**2003** Lebanon has no restrictions on the transit of hazardous wastes and other wastes.

## **Malaysia**

**2003** Malaysia restricts the transit of hazardous wastes and other wastes.

**Legislation** Environmental Quality Act, 1 August 1996, Section 34B.

**Countries** All countries.

## **Maldives**

**2003** Maldives has no restrictions on the transit of hazardous wastes and other wastes.

**Remarks** Though the Act (Law 4/93) does not specifically address the issue of transit of hazardous waste, the Act (Law 4/93) can be used to control the transit of hazardous waste. The basis is that disposing of hazardous waste is prohibited within the country.

**Pakistan**

**2003** Pakistan has no restrictions on the transit of hazardous wastes and other wastes.

**Philippines**

**2003** Philippines restricts the transit of hazardous wastes and other wastes.

**Legislation** Department Administrative Order 29, series of 1992.

**Countries** All wastes.

**Qatar**

**2003** Qatar restricts the transit of hazardous wastes and other wastes.

**Legislation** According to the article No. 24 of the law No.30 of 2002, and to section 3 of the Rules, the import of hazardous wastes and other wastes into the national territory is prohibited.

**Remarks** The transit of hazardous wastes and other wastes through the national territory is prohibited except in such cases where a specific approval is obtained from the Supreme Council for Environment and Natural Reserves in the State of Qatar.

**Republic of Korea**

**2003** Republic of Korea restricts the transit of hazardous wastes and other wastes.

**Legislation** The "Act on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal," which entered into force in May 1994.

**Remarks** Prior consent is the only restriction on the transit of hazardous wastes.

**Singapore**

**2003** Singapore restricts the transit of hazardous wastes and other wastes.

**Legislation** The Hazardous Waste (Control of Export, Import or Transit) Act (HWA) entered into force in May 1998.

**Remarks** The Pollution Control Department requires the exporter to appoint a cargo/shipping agent in Singapore to obtain a Basel transit permit prior to the transit of hazardous wastes through Singapore.

**Sri Lanka**

**2003** Sri Lanka restricts the transit of hazardous wastes and other wastes.

**Legislation** The controlling procedures are in accordance with the provisions of the Basel Convention.

**Thailand**

**2003** Thailand restricts the transit of hazardous wastes and other wastes.

**Legislation** Generally, any productions, imports, exports and possessions of the hazardous substances and wastes within the Kingdom of Thailand shall be followed the procedures under the Regulation of Ministry of Industry B.E.2537 (1994). In addition, the importer/ consignee/factory shall follow the Regulation of Port Authority of Thailand concerning the export and import of dangerous goods.

**Countries** All countries and wastes listed in the Basel Convention.

**Viet Nam**

**2003** Viet Nam restricts the transit of hazardous wastes and other wastes.

**Legislation** The Law on Environment Protection, Art. 47 regulates: Organizations, individuals and owners of transportation means which, in transit through the Vietnamese territory, carry potential sources of environmental incidents or environmental pollution must apply for permission, declare and submit to the control and supervision by the State Management Agency for environmental protection of Vietnam. Any breach of Vietnamese environmental protection legislation shall, depending on the extent of the infringement, be dealt with according to Vietnamese law.

**Remarks** Decision No. 155/1999/QD-TTg dated July 16, 1999 of the Prime Minister on issuing the regulation on Hazardous Wastes Management, Art. 14 states that transporting hazardous wastes across borders must comply with the regulations of the Basel Convention, as follows:

- Hazardous waste transited through Vietnamese territory including internal waters and territorial waters must obtain written approval from the central agency in charge of State Management of Environment Protection, and to be controlled, supervised by the relevant offices in accordance with Vietnamese Law on Transit of Goods.

## **Yemen**

**2003** Yemen restricts the transit of hazardous wastes and other wastes.

**UN Region:** *Western Europe and Others*

## **Andorra**

**2003** Andorra restricts the transit of hazardous wastes and other wastes.

**Legislation** Given the geography and roads of Andorra, there is no transit of hazardous wastes. Nevertheless, there is no specific legislation.

## **Australia**

**2003** Australia restricts the transit of hazardous wastes and other wastes.

**Legislation** Section 17A of the Hazardous Waste (Regulation of Exports and Imports) Act 1989. Entry into force: 12 December 1996.

**Countries** The restriction covers all countries and regions and all hazardous wastes.

## **Belgium**

**2003** Belgium restricts the transit of hazardous wastes and other wastes.

**Legislation** Council Regulation (EEC) 259/93. The restriction covers non-OECD countries and non-Parties to the Basel Convention.

## **Canada**

**2003** Canada restricts the transit of hazardous wastes and other wastes.

**Legislation** · Canadian Environmental Protection Act, 1999 (CEPA 1999) which came into force March 31, 2000, superseding the Canadian Environment Protection Act, 1988 (CEPA);·

Export and Import of Hazardous Waste Regulations, 1992 (EIHWR), entered into force: November 26, 1992; and·

PCB Waste Export Regulations, 1996 (PCBWER), came into force on February 4, 1997.

**Countries** Transits through Canada are only permitted following notification and consent.

**Remarks** Canada meets its international obligations through the legislation listed in restrictions on import for final disposal. The following conditions for transits apply:·

For the purposes of Part 7, Division 8 of the CEPA 1999, where Canada is only a country of transit, subject to the EIHWR a person may import and subsequently export a hazardous waste only if the import or export of that hazardous waste is not prohibited under the laws of Canada.

Although there are no restrictions, the following conditions apply such as:·

the carrier of the hazardous waste, if other than Her Majesty in right of Canada or a province or Her agent, is insured in accordance with section 9 (Disposal) or 14 (Recycling);

· where the country of export and the country of import are not the same country, the competent authority in the country of export has provided to the Director,

written confirmation that the competent authority in the country of import, and in each country of transit through which the hazardous waste is destined to pass before entering the country of import, consents, in accordance with the laws of the country of that authority with respect to giving that consent, to the proposed import into and, where applicable, export from that country;

· where the country of export and the country of import are the same country, the carrier of the hazardous waste receives written confirmation from the Director that the authority, body or person specified on the List of Hazardous Waste Authorities in respect of Canada has received the notice in respect of the proposed import of the hazardous waste; and ·

The conditions of the Canada - USA Agreement also applies to transits.

#### **Finland**

**2003** Finland has no restrictions on the transit of hazardous wastes and other wastes.

#### **France**

**2003** France has no restrictions on the transit of hazardous wastes and other wastes.

#### **Germany**

**2003** Germany has no restrictions on the transit of hazardous wastes and other wastes.

#### **Greece**

**2003** Greece restricts the transit of hazardous wastes and other wastes.

**Legislation** Regulation EEC 259/93.

**Remarks** All transit movements must be covered by financial guarantee against third parties (covering accidents during transport through Greece).

#### **Iceland**

**2003** Iceland restricts the transit of hazardous wastes and other wastes.

**Legislation** The Regulation (EEC) 259/93 on the supervision and control of shipments of waste within, into and out of the EC (and EEA), has been in force since its implementation by regulation No. 377/1994.

**Remarks** Notification to competent authorities is required (cf. Articles 12, 23 and 24 in Regulation (EEC) 259/93).

#### **Israel**

**2003** Israel has no restrictions on the transit of hazardous wastes and other wastes.

#### **Italy**

**2003** Italy has no restrictions on the transit of hazardous wastes and other wastes.

#### **Luxembourg**

**2003** Luxembourg restricts the transit of hazardous wastes and other wastes.

**Legislation** Regulation of the Council No 259/93 (CEE).

**Countries** The restriction is for all countries and for all kinds of wastes which are subject to regulation 259/93 CEE.

#### **Monaco**

**2003** Monaco has no restrictions on the transit of hazardous wastes and other wastes.

**Remarks** Due to Custom Agreement with France, transboundary movements of wastes and their final disposal and recovery are controlled by French and European Union policies.

#### **Netherlands**

**2003** Netherlands restricts the transit of hazardous wastes and other wastes.

**Legislation** Council Regulation (EEC) No 259/93; entry into force May 6th 1994.

**Countries** According to the European Shipment Regulation Member States may object to transit movements which are not in line with European legislation (e.g. because of infringements of transport safety regulations, or because of transit from non-EU to non-EU countries).

#### **New Zealand**

**2003** New Zealand restricts the transit of hazardous wastes and other wastes.

**Legislation** As applied through relevant import and export regulations.

**Remarks** Transit consents required.

#### **Norway**

**2003** Norway restricts the transit of hazardous wastes and other wastes.

**Legislation** The Norwegian regulation of 30 December 1994 on transboundary movement of waste, implementing EU Regulation no. 259/93, was amended 1 April 2003. The amendments include country lists taken from the two EU Regulations 1420/1999 and 1547/1999.

**Countries** The restrictions apply to all states except members of OECD, EC and Liechtenstein, see annex VII of the Basel Convention.

**Remarks** Norway is not a natural transit country for the great part of the waste shipments.

#### **Spain**

**2003** Spain restricts the transit of hazardous wastes and other wastes.

**Legislation** Articles 3, 4, 6, 7, 23 and 24 of Council Regulation (EEC) No.259/93, which entered into force on 09.02.93.

**Countries** The restriction covers all countries and all wastes intended for final disposal and those listed under annexes III and IV of the regulation or those not yet included in annexes II, III and IV to the regulation, in the case of those destined to recovery.

#### **Sweden**

**2003** Sweden has no restrictions on the transit of hazardous wastes and other wastes.

#### **Turkey**

**2003** Turkey restricts the transit of hazardous wastes and other wastes.

**Legislation** The Regulation on the Control of Hazardous Waste which came into force in 1995, Communiqué which has been revised each year by Ministry of Environment.

**Countries** The restriction covers all countries, including free zones.

**Remarks** In the Communiqué, the importation of plastic wastes and waste tires to the Turkey is forbidden. For that reason, for transit of these wastes through Turkey is subject to the approval of the Ministry of Environment. In the case of transit movement, Ministry requires the written consent of the state of import before giving the transit permission.

#### **United Kingdom of Great Britain and Northern Ireland**

**2003** United Kingdom of Great Britain and Northern Ireland has no restrictions on the transit of hazardous wastes and other wastes.

#### **UN Region: Central and Eastern Europe**

##### **Albania**

**2003** Albania restricts the transit of hazardous wastes and other wastes.

**Legislation** 1. Environmental Protection Law No. 7664 1/21/1993, Article No. 5 defines: "The transit/transport of hazardous waste and substances through the territory and national waters of Republic of Albania is permitted only in case the import is foreseen in an international act in which the Republic of Albania contributes as Party. In this case, the transit/transport is done with permission of the Council of

Ministers".

2. The Regulation of Ministry of Environment no.4 date 15.10.2003 "Procedures for approving of Permit for Export of waste and Permit for Transboundary Movements of Waste", which defines the requirement and authority (MoE) that issue this permit.

**Countries** The restriction covers all countries.

### **Armenia**

**2003**

Armenia restricts the transit of hazardous wastes and other wastes.

#### **Legislation**

"The order of adjustment of hazardous wastes and other wastes import, export and transit over the territory of the Republic of Armenia" approved by the Government Decision No. 97 on 08.12.1995;" The above-mentioned Governmental Decision states following: "other wastes to the Republic of Armenia and transboundary movement thereof through the territory of the Republic of Armenia, that is implemented on permission of the Ministry of Nature Protection. The import, export of non-hazardous wastes and transboundary movement thereof through the territory of the Republic of Armenia is implemented on general basis without the prior notification. List of regulated and non-regulated wastes, their hazardous properties, documents on declaration, notification and disposal actions" prepared and agreed with Ministry of Economy and Finance, Custom State Committee, which was approved by decree of Ministry of Nature Protection on December 1999. This document was prepared according to "The order of adjustment of hazardous wastes and other wastes import, export and transit over the territory of the Republic of Armenia" adopted by the Government Decision No. 97 on 08.12.1995, which regulates all the issues, concerning transboundary movement of hazardous wastes and other wastes, and the disposal thereof. The Governmental Decision of the Republic of Armenia No. 874-A "Approval of the List of Hazardous Wastes of the Republic of Armenia" (May 8, 2004). The Governmental Decision No. 1093-N on "Amendment to the Governmental Decision of the Republic of Armenia No. 97 on December 8, 1995 and approval of the List of Banned Hazardous Wastes of the Republic of Armenia" (July 8, 2004).

#### **Countries**

The above-mentioned restriction is applied for the Republic of Armenia.

#### **Remarks**

Regarding to the hazardous wastes transit through the territory of the Republic of Armenia the appropriate permission of competent authority should be submitted.

### **Belarus**

**2003**

Belarus restricts the transit of hazardous wastes and other wastes.

#### **Legislation**

Waste Law, in force from 1 January, 2001, which states that "Transboundary Movement of waste through Republic of Belarus is executed only on the basis of a preliminary obtained permit for transboundary movement of waste through the Republic of Belarus issued by the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus under conditions that the states concerned have issued their permits for import (transit) of this waste and competent authority of the country of waste origin has provided its concern in written form to take back waste in case of cancellation of the permit for transboundary movement of waste through the Republic of Belarus".

**Countries** All countries

### **Bosnia & Herzegovina**

**2003**

Bosnia & Herzegovina has no restrictions on the transit of hazardous wastes and other wastes.

### **Bulgaria**

**2003**

Bulgaria restricts the transit of hazardous wastes and other wastes.

#### **Legislation**

- Waste Management Act (Promulgated, State Gazette No. 86/30.09.2003) and  
- Council of Ministers Decree No 166 on the adoption of a Regulation for the

cases that require a permit for import, export and transit transportation of waste, and on the conditions and procedures for permit issuance, dated 4 August 2000 (repealing Regulation No 5 of 8 October 1998, on the permits for import, export and transit transportation of waste).

**Countries** This restriction covers all waste that are within the scope of the Basel Convention and Amber and Red List Wastes (Annex III and IV) to the Regulation 259/93/EEC.

**Remarks** The permits for transit transportation of waste shall be issued in observation of the following conditions:

1. a written notification from the competent authorities of the State of export;
2. a written consent of the competent authorities of the States of transit wherethrough the waste will pass after passing through the territory of the Republic of Bulgaria, including the State of import;
3. a declaration by the competent authority of the State of transit of the waste along the route before the Bulgarian order, confirming the obligation to allow the reverse movement and to accept the shipment back in the event the waste is denied permission to enter the Republic of Bulgaria or any of the States along the route;
4. a bank guarantee or insurance covering any damage arising during transport, including the cases where the transboundary movement is deemed to be illegal traffic.

### **Croatia**

**2003** Croatia restricts the transit of hazardous wastes and other wastes.

**Legislation** Article 45 of the Law on waste, Official Gazette, No. 34/95 as follows:

The transit of waste across the territory of the Republic of Croatia is permitted; and

The transit of waste is approved by the Ministry of Environmental Protection and Physical Planning provided that the conditions for export of waste, save for the subparagraph 4, paragraph 1, Article 1 hereof, is fulfilled.

**Countries** All countries/regions.

**Remarks** Due to New Acts on Waste (Official Gazette, No. 151/03 and 178/04) which have been put in force after 2003 transit of non – hazardous waste is approved without any permit.

### **Czech Republic**

**2003** Czech Republic restricts the transit of hazardous wastes and other wastes.

**Legislation** Council Regulation (EEC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community, as amended.

### **Estonia**

**2003** Estonia has no restrictions on the transit of hazardous wastes and other wastes.

### **Georgia**

**2003** Georgia restricts the transit of hazardous wastes and other wastes.

**Legislation** Amendments and Supplements to the Law of Georgia on Transit and Import of Waste into and out of the Territory of Georgia (16th of October 1997).

**Countries** Law of Georgia on Transit and Import of Waste into and out of the Territory of Georgia (16th of October 1997).

Article 2. Type of Wastes, those transit and import is restricted.

Restriction applies to all countries.

1. It is restricted to transit and import any kind of waste all over the territory of Georgia including (its territorial waters, air space, continental shelves, and economically mostly important zones), if the present law does not contradict it.



2. All over the territory of Georgia including (its territorial waters, air space, continental shelves, and economically mostly important zones) is restricted:

a) transit and import of dangerous waste (among them toxic) and radioactive residue of the production, household, and other types of waste their utilization, neutralization, treatment, landfilling or any other purposes are restricted (including established disposal operations of Annex IV of the Basel Convention).

b) import of non – dangerous (among them non toxic) and non – radioactive residue of the production, household, and other types of waste their utilization, neutralization, treatment, landfilling or any other purposes are restricted which is envisaged in Section A of Annex IV on(Waste Disposal Operations) of "Basel Convention."

**Remarks** Law of Georgia on Transit and Import of Waste into and out of the Territory of Georgia (16th of October 1997).

Article 3 Type of Wastes, those transit and Import is permitted.

Import of non-hazardous, (among them non toxic) and non- radioactive waste all over the territory of Georgia (including its territorial waters, air space, continental shelves, and economically mostly important zones)is permitted only for the purposes of their further recovering , re-exporting or other kind of operations envisaged in “Section B” contained in Annex IV (Disposal operations) of Basel Convention. Those waste are:

Scrub of ferrous and non-ferrous metals, all type of paper waste, plastics (in case the availability of their recovery in Georgia), waste from textile, pulp processing (sawdust, shaving) and glass. These wastes according to defined waste categories of the “Green list of wastes” developed by the European counsel regulation # 259/93 of 1993, belong to:

- a) Category “GA” (Wastes in non-dispersible form, contained of metal and their alloys; wastes in the form of dust, powder or slag, also subjects containing hazardous wastes in liquid form does not belong to waste in non- dispersible form);
- b) Category “GHZ” (solid plastic wastes);
- c) Category "GI" (papers paperboard and paper product wastes);
- d) Category "GJ" (textile wastes);
- e) "GN010/ex 050200" of category "GN";
- f) Category "GL" (untreated cork and wood wastes); and

## **Hungary**

**2003**

**Legislation  
Countries**

Hungary restricts the transit of hazardous wastes and other wastes.

Governmental Decree No. 102/1996 (VII.12.), entry into force: 1st September 1996.

The consent of KFF is necessary for the transportation of hazardous waste across the country.

Transit consignments of hazardous waste may only be unloaded, reloaded or repackaged in the territory of the country, including customs free zones, with the special licences of KFF, for reasons of preventing accidents or pollution, or for reasons of changing means of transportation.

## **Latvia**

**2003**

Latvia has no restrictions on the transit of hazardous wastes and other wastes.

## **Lithuania**

**2003**

**Legislation**

Lithuania restricts the transit of hazardous wastes and other wastes.

Rules on Waste Import into the Republic of Lithuania, Export from the Republic of Lithuania and Transit through the Republic of Lithuania.

All wastes destined for disposal and Amber and Red - listed wastes destined for recovery or disposal must be notified and transit through the Republic of Lithuania is only possible with the consents of all competent authorities concerned.

## **Poland**

**2003** Poland restricts the transit of hazardous wastes and other wastes.

**Legislation** The Act on Waste of 27 April 2001, art. 66. (came into force in October 2001)

**Countries** All countries.

**Remarks** Hazardous waste transit can take place with authorization from the Chief Inspector for Environmental Protection provided that the requirements set out in Article 66 par.2 are satisfied. Non-hazardous waste transit does not require authorization from the Chief Inspector for Environmental Protection.

## **Serbia and Montenegro**

**2003** Serbia and Montenegro restricts the transit of hazardous wastes and other wastes.

**Legislation** The Rules on Import, Export and Transit of Wastes in the Federal Republic of Yugoslavia ("Off. Gazette FRY", No.69/99) based on the Federal Law on the Basis of the Environmental Protection ("Off. Gazette FRY", No. 24/98) regulates the conditions for transit of hazardous and other wastes. Each case of transit is subject to approval and issuance of permit by the Competent Authority.

## **Slovakia**

**2003** Slovakia restricts the transit of hazardous wastes and other wastes.

**Legislation** In transit of waste destined for recovery included in the Green List across the Slovak Republic to a non-member state of the Organisation for Economic Cooperation and Development or to a state in which that waste is not included in the Green List of Wastes, the procedure applicable to the transit of waste included in the Amber List of Wastes shall be applied. (Act No. 223/2001 Coll. of Law § 36, paragraph 6 entered into force since 1 July, 2001).

For the purpose of control, check and record of imports, exports and transit, the waste destined for recovery is included in the Green list, Amber list and Red list of wastes according to the national Decree No. 234/2001 Coll.of Laws.Following objections may be raised in case of transit of wastes destined for recovery in special case:

- a) a shipment of waste fails to comply with generally binding regulations for protection of the environment, public order, public safety or protection of human health;
- b) a notifier or the waste consignee has effected illegal trans-boundary waste shipments in the past (§ 38); and
- c) a waste consignment is contradictory to obligations resulting from international agreements by which the Slovak Republic is bound.

**Remarks** A transit of wastes through the Slovak Republic is allowed only with a permit of the relevant state authority of the Slovak Republic. There are applied the Green list, Amber list and Red list of wastes according to the national Decree No. 234/2001 Coll. of Laws.

## **Slovenia**

**2003** Slovenia has no restrictions on the transit of hazardous wastes and other wastes.

## **Ukraine**

**2003** Ukraine has no restrictions on the transit of hazardous wastes and other wastes.

**Remarks** No additional restrictions in comparison with the Basel Convention procedure.

**UN Region:** *Latin America and the Caribbean*

**Argentina**

**2003** Argentina restricts the transit of hazardous wastes and other wastes.

**Legislation** Argentina has an import ban for those wastes defined as hazardous according to the National Law of Hazardous Wastes (National Law 24051. Entry into force 1991). Decree of Import of Wastes 181 (Entry in force 1992). The entry of hazardous wastes and radioactive wastes into national territory is forbidden by National Constitution (Entry into force in 1994).

**Countries** This restriction covers all countries and wastes covered by National Legislation.

**Remarks** National territory encloses 12 miles of Argentine sea.

**Barbados**

**2003** Barbados has no restrictions on the transit of hazardous wastes and other wastes.

**Legislation** There is no significant legal authority to prevent the importation of hazardous waste. The Chief Parliamentary Council is in the process of preparing comprehensive environmental management legislation, which would incorporate Basel Convention issues. The restrictions are taken as those found in Article 4 (General Obligations) of the Basel Convention.

**Bolivia**

**2003** Bolivia restricts the transit of hazardous wastes and other wastes.

**Legislation** Bolivia cuenta con la Ley 1333 del Medio Ambiente en la cual existen restricciones para el Transito de desechos a través de nuestro territorio.

A través del Convenio de Basilea.

**Brazil**

**2003** Brazil has no restrictions on the transit of hazardous wastes and other wastes.

**Chile**

**2003** Chile is in a preparatory process to restrict the transit of hazardous wastes and other wastes.

**Colombia**

**2003** Colombia has no restrictions on the transit of hazardous wastes and other wastes.

**Remarks** The transit of hazardous wastes is not allowed if the wastes are unloaded in national territory even for a short period of time.

**Costa Rica**

**2003** Costa Rica restricts the transit of hazardous wastes and other wastes.

**Legislation** Environmental Organic Law other governmental regulations.

**Cuba**

**2003** Cuba restricts the transit of hazardous wastes and other wastes.

**Legislation** Resolution 87/99 from Ministry of Science, Technology and Environment.

**Countries** The restriction covers all hazardous wastes and all countries.

**Remarks** This restriction establishes the need for a license and financial guarantee to cover the movement.

**Dominica**

**2003** Dominica restricts the transit of hazardous wastes and other wastes.

**Legislation** Solid Waste Management Act, 2002.

**Ecuador**

**2003** Ecuador has no restrictions on the transit of hazardous wastes and other wastes.

## **Honduras**

**2003** Honduras restricts the transit of hazardous wastes and other wastes.

**Legislation** General Law on Environment- Ley General del Ambiente.

**Countries** All hazardous waste.

## **Mexico**

**2003** Mexico restricts the transit of hazardous wastes and other wastes.

**Legislation** General Law of the Ecological Equilibrium and Environmental protection (LGEEPA):

Article 153 fraction IV

"The traffic through national territory of hazardous material will not be authorized if they do not satisfy the specifications of use or consumption according to the ones that were elaborated, or whose manufacturing, use or consumption be found prohibited or restricted in the country to which they will be destined; neither the traffic of such materials or hazardous wastes will not be authorized, when they come a foreign country to be destined to a third country;

"LGEEPS regulations referring to hazardous wastes:

Article 151

"An authorization will not be granted, for the traffic of hazardous wastes through national territory, coming from outland and destined for a third country, If there is no express consent of the receiver state, what should be verified with the request for the respective traffic, and whenever reciprocity with the in question state exists".

**Countries** All countries

## **Panama**

**2003** Panama restricts the transit of hazardous wastes and other wastes.

**Legislation** La Ley 8 de 7 de junio de 1991, prohíbe la importación de Desechos Tóxicos o Contaminantes al territorio de la Republica de Panamá, en esta se establece además la prohibición del transito internacional de desechos peligrosos vía terrestre por el territorio nacional.

**Remarks** The overland transit of hazardous and other wastes is banned in Panama, and they are subject to registration and control in order to transit the Panama Canal.

## **Paraguay**

**2003** Paraguay restricts the transit of hazardous wastes and other wastes.

**Legislation** Constitución Nacional 1992

Ley 294/93 de Impacto Ambiental.

Resl: 750/02 del MSP y B.S. Normas técnicas que reglamenta el manejo de los desechos sólidos y hospitalarios.

Ley 2333/04 que Ratifica el Convenio de Estocolmo.

**Countries** Químicos Organoclorados.

Residuos sólidos de hogares y residuos de hospitales.

## **Peru**

**2003** Peru restricts the transit of hazardous wastes and other wastes.

**Legislation** Act 27314 - General Solid Wastes Act, entered into force on 22 July 2000.

Article 17.- Introduction of wastes

17.2 No authorization for import or transit through the national territory shall be granted for wastes which, by virtue of their radioactive nature or their handling requirements, are hazardous for human health and the environment. The Office of the Director-General for Captaincies and Coastguards of the Navy of the Ministry of Defense may prohibit entry to national waters and ports to vessels which are carrying wastes as transit cargo if they do not comply with the transport safety

norms and formalities for legal entry into the national territory for transit purposes laid down in international Agreements signed by Peru and other legal norms in force.

Basel Convention Legislative Resolution No. 26234 in force since 21 February 1994.

Furthermore, all countries that solicit transit of hazardous waste must inform by sending Notification, containing the following:

1. Contract between Exporter and Importer;
2. Bank guarantees;
3. List of forwarders;
4. Quantity of recycling material in relation waste (%);
5. Transit countries; and
6. Description of the process and recycling Plant (destination).

**Countries** The restrictions cover all countries at the international level and all types of waste.

**Trinidad and Tobago**

**2003** Trinidad and Tobago has no restrictions on the transit of hazardous wastes and other wastes.

**Remarks** Legislation in preparation.