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**Question 3a. Amendment to Basel Convention (Decision III/1)****2006. Africa. (Parties which did not report are not listed).**

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**Algeria:** Implemented

In accordance with Law no 01-19 of 12/12/2001 related to the management, control and disposal of wastes, the import of hazardous special wastes is forbidden. The export of hazardous wastes is prohibited to countries which has forbidden the import of hazardous wastes.

**Botswana:** Not implemented**Cameroon:** Implemented

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.

**Gambia:** Implemented

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

**Ghana:** Not implemented**Lesotho:** Not implemented**Madagascar:** In preparation**Mali:** Not implemented**Morocco:** Implemented

Le Maroc a ratifié l'Amendement à la Convention et a intégré ses dispositions dans la loi 28-00 sur la gestion des déchets et leur élimination.

**Mozambique:** Implemented**Nigeria:** In preparation

A memo for the implementation of the amendment to the Basel Convention (Decision III/I) is being considered by the Federal Executive Council. Nigeria has ratified the amendment to the Basel Convention on the Trans-boundary Movement of Hazardous Wastes.

**Seychelles:** In preparation

Seychelles is in preparation for ratification of Decision III/1 of the Basel Convention by the end of 2005. The documents have been circulated to all responsible local agencies for their comments and a draft will be submitted for approval to cabinet. Seychelles has no objection to the decision and is not at the moment receiving any waste in any form for disposal or recovery.

**South Africa:** Not implemented

South Africa has not ratified Decision III/I of the convention. And the provisions have not been implemented in the country. South Africa accepts this waste for disposal from SADC countries where they are able to motivate that they do not have adequate facilities in their countries.

**Tunisia:** Implemented

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

**Zambia:** Implemented

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

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**Question 3a. Amendment to Basel Convention (Decision III/1)**

**2006. Asia and Pacific. (Parties which did not report are not listed).**

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**Bahrain:** Implemented

**Brunei Darussalam:** In preparation

The Amendment to the Basel Convention (Decision III/1) will be implemented in the Draft Environmental Order of Negara Brunei Darussalam.

**Cambodia:** Implemented

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:** Implemented

The amendment has been approved by the 12th Meeting of the Standing Committee of the Ninth National People's Congress on October 31, 1999.

**Cyprus:** Implemented

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

**Indonesia:** Implemented

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

**Iran (Islamic Republic of):** Implemented

**Japan:** Not implemented

**Kazakhstan:** Not implemented

On given adjustment is forbidden any export intended for removing dangerous wastes from state, transferred in application Convince in the other country.

**Kiribati:** In preparation

May not be applicable to Kiribati as there is no hazardous waste disposal facilities available in the country, nor is Kiribati a member of country as listed in Annex VII.

**Malaysia:** Implemented

**Pakistan:** Not implemented

**Republic of Korea:** Not implemented

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:** Not implemented

**Sri Lanka:** Implemented

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.

**Viet Nam:** In preparation

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 of hazardous wastes regardless of their sources or destinations.

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**Question 3a. Amendment to Basel Convention (Decision III/1)**

**2006. Central and Eastern Europe. (Parties which did not report are not listed).**

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**Armenia:** Not implemented

**Belarus:** Not implemented

**Bosnia & Herzegovina:** Not implemented

**Croatia:** Implemented

In practice the amendment to the Basel Convention (decision III/1) has been implemented by order of Article 38/2 of the Law on waste, Official Gazette, No. 151/03 where by it is prohibited to import hazardous wastes.

**Czech Republic:** Implemented

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 (applicable until 11 July 2007). Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 July 2006 on shipments of waste (applicable from 12 July 2007).

**Estonia:** Implemented

**Georgia:** Not implemented

**Hungary:** Implemented

**Latvia:** Implemented

**Poland:** Implemented

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 Depositary on 29 January 2003.

**Republic of Moldova:** In preparation

**Romania:** Implemented

Romania ratified the Amendment and the Annexes VIII and IX of the Basel Convention through the Law 265/2002.

**Slovakia:** Implemented

**Slovenia:** Implemented

The ban has been implemented through Art. 34 and 36 of Regulation (EC) 1013/2006.. Slovenia ratified Decision III/1 in 2004.

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**Question 3a. Amendment to Basel Convention (Decision III/1)**

**2006. Latin America and The Caribbean. (Parties which did not report are not listed).**

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**Barbados:** Not implemented

**Belize:** In preparation

**Brazil:** Implemented

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

**Chile:** Not implemented

**Colombia:** Not implemented

**Costa Rica:** Implemented

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

**Cuba:** Not implemented

**Dominican Republic:** Not implemented

**El Salvador:** Implemented

Article 59 of the Environment Act prohibits the introduction of hazardous wastes into the national territory, as well as their transit, release or storage.

**Guyana:** Not implemented

**Honduras:** Implemented

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.

**Jamaica:** Implemented

Under the Natural Resources (Hazardous Waste)(Control of Transboundary Movement), importation of hazardous wastes is prohibited.

**Mexico:** Implemented

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

**Paraguay:** Not implemented

**Trinidad and Tobago:** Implemented

**Venezuela:** Not implemented

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**Question 3a. Amendment to Basel Convention (Decision III/1)**

**2006. Western Europe and Others. (Parties which did not report are not listed).**

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**Andorra:** Implemented

**Australia:** Not implemented

**Austria:** Implemented

The ban is implemented via EU-Legislation (Shipment Regulation 1013/2006/EC (OJ L 190/1 12.07. 2006). Austria ratified the two amendments to the Basel Convention (III/1 and IV/9) in 1999 (Fed. Law Gaz.III 2000/6). The amendments became effective October 26th 1999.

**Belgium:** Implemented

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

**Canada:** Not implemented

Although Canada has not ratified the Basel Ban (Decision III/I), Canada defines a hazardous waste or a hazardous recyclable material to include "waste" that is prohibited by a country for import and is considered hazardous under their domestic legislation in accordance with the Basel Convention. Exports to non-parties are not permitted unless subject to an Article 11 agreement (for example, the Canada U.S.A.-Agreement on the Transboundary Movement of Hazardous Waste of 1986, amended in 1992 to incorporate "other wastes" (hereafter refer to in this document as the Canada - USA Agreement); and the OECD Council Decision C(2001)107/FINAL))

**Denmark:** Implemented

**Finland:** Implemented

The Decision has been in force since 1 October 1995.

**Germany:** Implemented

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

**Greece:** Implemented

As part of the Council Regulation EEC 259/93, as amended and implemented.

**Ireland:** Implemented

Ireland has yet to formally ratify the Amendment to the Basel Convention (Decision III/1). However, as a member of the European Community (EC) Ireland is bound by Article 16 of 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 by Council Regulation (EC) 120/97, which implements the ban. Council Regulation (EEC) No. 259/93 has been repealed with effect from 12 July 2007. The new EU regulation governing shipments of waste is Regulation (EC) No. 1013/2006.

**Italy:** In preparation

**Luxembourg:** Implemented

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

**Monaco:** Implemented

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 EU. All the French and EU regulations apply to the transboundary movements of goods of Monaco, and through force of circumstances, to waste. The EU policy has already implemented the Ban, and Monaco consequently.

**Netherlands:** Implemented

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

**New Zealand:** Not implemented

**Norway:** Implemented

**Sweden:** Implemented

**Turkey:** Implemented

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:** Implemented

The updated WSR (1013/2006) implements the amendment to the Basel Convention (Decision III/1) in the European Community.

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**Question 3b. Export restrictions for final disposal**

**2006. Africa. (Parties which did not report are not listed).**

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**Algeria:** Restrictions exist

**Legislation:** Law no 01-19 of 12/12/2001 related to the management, control and disposal of wastes, the import of hazardous special wastes is forbidden. The export of hazardous wastes is prohibited to a country which has forbidden the import of hazardous wastes. The operations mentioned with the present article are subject to the preliminary authorization of the minister in charge of the environment, this authorization is allotted if the following conditions are met: - presentation of contract written between the exporting economic operator and the processing center - presentation of a contract of insurances presenting all financial guaranties necessary - presentation of a document of signed movement confirming the preliminary assent of the proper authority of the country of importation - the transit license is matched opposition to restore its own situation on the containers to the entry of the own territory

**Remarks** The export of hazardous wastes is prohibited to countries which has forbidden the import of hazardous wastes.

**Botswana:** Restrictions do not exist

**Cameroon:** Restrictions do not exist

**Gambia:** Restrictions in preparation

**Legislation:** The Draft Waste Bill 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.

**Ghana:** Restrictions in preparation

**Lesotho:** Restrictions in preparation

**Legislation:** Hazardous and Non-Hazardous Waste Management Draft Bill and Regulations 2005.

**Madagascar:** Restrictions in preparation

**Mali:** Restrictions do not exist

**Morocco:** Restrictions exist

**Legislation:** La loi 28-00 sur la gestion et l'élimination de déchets, réglemente dans son chapitre VI les mouvements transfrontières des déchets ainsi toute exportation de déchet dangereux est subordonné selon l'article 44 à une autorisation délivrée par le pays intéressé et elle est prohibée pour les états qui interdisent l'importation de ces déchet. 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).

**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 law 28-00 on Waste Management and its Disposal entry into inforce, 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:** Restrictions do not exist

**Nigeria:** Restrictions exist

**Legislation:** Decree No. 42 of 1988 on Harmful Wastes currently restricts the export of hazardous wastes for final disposal in Nigeria.

**Countries:** The restrictions on the export of these hazardous wastes apply to all countries.

**Remarks:** Decree No. 42 of 1988 on harmful waste is being reviewed to harmonize it with the Basel Convention.

**Seychelles:** Restrictions do not exist

**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:** Restrictions do not exist

**Legislation:** Currently there is no national legislation. South Africa still employs the provisions of the Basel Convention to carry out that transaction.

**Countries:** The restriction covers countries not listed in Annex VII of the Convention.

**Remarks:** South Africa does not import hazardous waste to other developing countries and or countries with no adequate infrastructure to manage the waste in environmental sound manner.

**Tunisia:** Restrictions exist

**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. Pursuant to the decree n°94-1742 of August 29, 1994 regarding the list of products submitted to foreign trade procedures, authorization from the Minister in charge of Trade after consultation with other relevant Ministries, is required for the import and export of non hazardous waste.

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

**Zambia:** Restrictions exist

**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.



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**Question 3b. Export restrictions for final disposal**

**2006. Asia and Pacific. (Parties which did not report are not listed).**

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**Bahrain:** Restrictions in preparation

**Brunei Darussalam:** Restrictions in preparation

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

**Cambodia:** Restrictions do not exist

**China:** Restrictions exist

**Legislation:** China: The relevant legislation complies with the Basel Convention.

**Remarks** China The export for final disposal is allowed when there are no adequate disposal facilities in China capable of disposing the waste in an environmental sound manner. While we don't have such restrictions on the export for recovery. The export of hazardous waste for disposal for which there are no adequate disposal 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, to the competent authorities of the states of 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. Macao Special Administrative Region, China The export of waste for the purpose of final disposal will be subject to the controls according to the Basel Convention requirements.

**Cyprus:** Restrictions exist

**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:** Restrictions exist

**Legislation:** To supervise hazardous waste exports, Indonesian Government has issued policies as written in Article 53 GR18/1999 Jo. GR 85/1999 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 exporting country. KLH (Ministry of Environment) is Indonesian 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 (Articles 43 and 49); Law of the Republic of Indonesia No. 10/1995 on Custom Regulation and Governmental Regulation of the Republic of Indonesia (PP) No. 18/1999 Jo. PP 85/1999 on Hazardous Waste Management (article 64).

**Countries:** The restriction covers all countries/regions.

**Iran (Islamic Republic of):** Restrictions exist

**Legislation:** Under terms of Basel Convention ratified in Islamic Republic of Iran Parliament (Majlis), the export of hazardous wastes and other wastes for final disposal will take place if the state of import has the capability of final disposal of the hazardous wastes in an environmentally sound manner.

**Countries:** The restriction covers the Islamic Republic of Iran.

**Japan:** Restrictions exist

**Legislation:** The Waste Management Law (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.

**Kazakhstan:** Restrictions in preparation

**Legislation:** In accordance with Statute 311. "Transboundary transportation wastes of Ecological Code, residing on stage of consideration in Parliament RK: "Is Forbidden export dangerous wastes in state-parties Basel convention and in developing countries, which within the framework of its legislation have forbidden whole import, or if there is basis to suppose that use these wastes will not be realized ecological motivated by image, as well as in regions further south than 60 degrees of the south width"

**Countries:** The restriction covers State-country Basel convention; The Developing countries; Regions further south than 60 degrees of the south width.

**Kiribati:** Restrictions in preparation

**Malaysia:** Restrictions exist

**Legislation:** The Environmental Quality Act 1974, (Amendment 1996) Section 34B; and the Customs (Prohibition of Export) Order 1998 Amendment 2006.

**Countries:** All countries.

**Remarks** Export of hazardous wastes for final disposal is not allowed.

**Pakistan:** Restrictions exist

**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."

**Republic of Korea:** Restrictions exist

**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:** Restrictions exist

**Legislation:** The Hazardous Waste (Control of Export, Import or Transit) Act (HWA) which entered into force on 16 Mar 1998.

**Countries:** All.

**Remarks** The exporter needs to obtain a Basel export permit from Pollution Control Department prior to the export. In general the export of waste for disposal is not allowed.

**Sri Lanka:** Restrictions do not exist

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

**Viet Nam:** Restrictions do not exist

**Legislation:** Law on Environment Protection in 1993 prohibited the export of waste for any purpose but the Law on Environmental Protection in 2005 has repealed this provision.

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**Question 3b. Export restrictions for final disposal**

**2006. Central and Eastern Europe. (Parties which did not report are not listed).**

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**Armenia:** Restrictions exist

**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 thereof. 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 wastes 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:** Restrictions in preparation

**Legislation:** The Waste Law, which entered into force from November, 25th, 2003 in edition of the Law of Republic of Belarus from 18.11.2004 ?338-3, which states that " Transboundary Movement of waste to the Republic of Belarus is carried out on the basis of the written permit which are given by the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus, under the condition of representation by competent governing bodies of that state where such waste are imported, the written permit to their import with the purpose of further use or neutralization in its territory with confirmation of the contract presence fact in which stipulate for ecologically proved use or ecologically safe neutralization of these waste.

**Bosnia & Herzegovina:** Restrictions do not exist

**Croatia:** Restrictions exist

**Legislation:** Regulation on supervision of transboundary movement of waste, which came into force on 1st September 2006, provides provisions on restrictions on transboundary movement of waste. Croatia restricts the export of hazardous wastes and other wastes for final disposal and for recovery by the orders of Articles 50., 51., 53. of the Waste Act, Official Gazette, No. 178/04 as follows: Article 50 (1) For the export of hazardous waste, the person doing the exporting must obtain the decision prescribed by this Act. (2) Export referred to in paragraph 1 of this Article shall be permitted to a person registered for carrying out one of the hazardous waste management activities (hereinafter referred to as: the exporter), at the person's request, if the following requirements are met: 1. authorisation for import is granted by the state importing the hazardous waste, 2. the exporter provides a written statement on the type, quantity, composition and origin of hazardous waste, as well as on the reasons for export, 3. a contract is concluded between the exporter and importer of hazardous waste 4. authorisation is issued by the states through which the hazardous waste will transit on its way to the final destination or no written declaration has been issued by the transit state within 60 days from the day of receiving the notification on the intended transboundary transport of hazardous waste, 5. data is provided on the tariff number, hazardous waste key number, the mode of transport, the border crossing for export, 6. a document notifying the intended transboundary transport of waste is enclosed- Document on movement in accordance with the Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, 7. the exporter has an appropriate insurance policy or bank guarantee for the amount necessary to cover the costs of the hazardous waste recovery and/or disposal without posing a risk to the environment, 8. the exporter has an appropriate insurance policy or bank guarantee for the amount necessary to cover the remediation costs in case of an accident. Article 51 (1) The Ministry shall decide on the request to export hazardous waste. The decision shall also determine the period for

which the decision is valid. (2) The exporter shall submit a report to the Ministry on the exported quantities and types of hazardous waste by 31 March of the current year, for the previous year. (3) An appeal shall not be permitted against the decision referred to in paragraph 1 of this Article, but an administrative dispute may be instituted. Article 53 (1) The person registered for export activity cannot begin to export hazardous waste before registering into the register and obtaining the certificate on registration in the Register of Non-Hazardous Waste Exporters. (2) The Ministry shall keep the register referred to in paragraph 1 of this Article. (3) The exporter of non-hazardous waste shall submit to the Ministry a report on the types and quantities of non-hazardous waste exported in the previous year by 1 February of the current year. (4) If the Ministry rejects the application for registering into the Register referred to in paragraph 1 of this Article, it shall do so by decision. (5) An appeal shall not be permitted against the decision referred to in paragraph 4 of this Article, but an administrative dispute may be instituted. (6) The Minister shall prescribe by a special regulation the content and method for keeping the Register referred to in paragraph 1 of this Article, content and method for applying for registration into the Register, as well as waste lists.

**Countries:** The restriction covers all countries.

**Czech Republic:** Restrictions exist

**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 (applicable until 11 July 2007). Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 July 2006 on shipments of waste (applicable from 12 July 2007).

**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 (CH, IS, LI, NO).

**Estonia:** Restrictions do not exist

**Georgia:** Restrictions do not exist

**Hungary:** Restrictions exist

**Legislation:** Regulation (EC) No 1013/2006 of the European Parliament and of the Council on Shipment of Waste. The regulation entered into force on 15.07.2006

**Countries:** Art. 34. All export of waste from the Community destined for disposal shall be prohibited.

**Remarks** The regulation shall apply from 12 July 2007.

**Latvia:** Restrictions exist

**Legislation:** Latvia accessed to European Union on 1st of May, 2004. Council Regulation No 259/93 of 1st February 1993 on the supervision and control of shipments of waste within, into and out of the European Community has been replaced by Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste is directly applicable in Latvia since July 13, 2006.

**Countries:** In accordance with provisions of Article 34 of Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste: 1. All exports of waste from the Community destined for disposal shall be prohibited. 2. The prohibition in paragraph 1 shall not apply to exports of waste destined for disposal in EFTA countries which are also Parties to the Basel Convention. 3. However, exports of waste for disposal to an EFTA country Party to the Basel Convention shall also be prohibited: (a) where the EFTA country prohibits imports of such waste; or (b) if the competent authority of dispatch has reason to believe that the waste will not be managed in an environmentally sound manner, as referred to in Article 49, in the country of destination concerned. 4. This provision shall be without prejudice to the take-back obligations as laid down in Articles 22 and 24.

**Poland:** Restrictions exist

**Legislation:** 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 (OJ L 30, 6.2.1993, p. 1) Regulation became directly applicable on Poland's accession to the EU (1 May 2004)

**Countries:** All countries except for EU and EFTA countries which are also Parties to Basel Convention.

**Remarks** - Shipments within the EU: Shipments of waste destined for disposal operations between Member States of the EU are subject to notification procedure stipulated in articles 3-5 of Council Regulation No 259/93. - Export outside the EU: In general all exports of waste for disposal are prohibited except for those to EFTA countries which are Party to Basel Convention. In case of export of waste for disposal to EFTA countries, notification procedure stipulated in art. 15 should be applied.

**Republic of Moldova:** Restrictions do not exist

**Romania: Restrictions exist**

**Legislation:** Emergency Governmental Ordinance 195/2005 on environmental protection, approved by Law 265/2006.

**Remarks** According to art. 32 point 4 of the Emergency Government Ordinance no. 195 / 2005 approved by Law no. 265/2006, the export and transit of hazardous wastes may take place in accordance with agreements to which Romania is a party. In case of export, the responsible operator must ensure that international obligations are observed and that the consent of the recipient country has been obtained.

**Slovakia: Restrictions exist**

**Legislation:** The following shall be forbidden: Export of wastes destined for final disposal except for export to states that are members of the European Free Trade Association (EFTA) 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. 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 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. Since 1st May 2004 the Council Regulation No 259/93/EC is applied to the transboundary movements of wastes. Based on this Regulation Slovakia restricts the export of hazardous and non-hazardous wastes for final disposal. According to the Article 14 of the Council Regulation No 259/93/EC all exports of waste for disposal shall be prohibited, except those to EFTA countries which are Parties of the Basel Convention. The next part of this Article stipulates some cases when export of waste for disposal is banned in the EFTA countries. In general, the export of waste for final disposal into non-EU/non-EFTA countries is prohibited.

**Remarks** Annex IV A of the Basel Convention is equal to Annex III of the national Act No. 223/2001 Coll. of Laws as amended by subsequent regulations.

**Slovenia: Restrictions exist**

**Legislation:** Regulation (EC) 1013/2006., especially art. 34, 39 and 40 . Entry into force: July 2006.

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

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**Question 3b. Export restrictions for final disposal**

**2006. Latin America and The Caribbean. (Parties which did not report are not listed).**

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**Barbados:** Restrictions do not exist

**Belize:** Restrictions in preparation

**Brazil:** Restrictions do not exist

**Remarks** Although there are not restrictions, this practice is not usual due to ethical aspects. Some exportations happen just for recycling and treatment.

**Chile:** Restrictions do not exist

**Colombia:** Restrictions exist

**Remarks** In addition to rules adopted by the Basel Convention, in those cases when the exporter requires temporary storage of these wastes, he must previously obtain Environmental Licensing for Waste Storage in accordance with the dispositions of Art. 9, num. 9 of National Decree No. 1220 of 2005.

**Costa Rica:** Restrictions do not exist

**Cuba:** Restrictions do not exist

**Dominican Republic:** Restrictions exist

**El Salvador:** Restrictions do not exist

**Remarks** The exportation of hazardous waste is permitted, however all transboundary movements must comply with the Basel Convention.

**Guyana:** Restrictions in preparation

**Legislation:** Environmental Protection Export and Intransit Import of Hazardous Waste Regulations (currently being drafted).

**Honduras:** Restrictions do not exist

**Jamaica:** Restrictions exist

**Legislation:** The Natural Resources (Hazardous Waste)(Control of Transboundary Movement) Regulations, 2002. These Regulations entered into force on December 27, 2002.

**Countries:** The area south of 60o latitude

**Remarks** Under Section 13(1)(k) of the Natural Resources (Hazardous Waste)(Control of Transboundary Movement) Regulations, the competent authority will not grant an export permit if the waste in question is destined for disposal within the area south of 60o latitude, whether or not the waste is subject to transboundary movement.

**Mexico:** Restrictions exist

**Legislation:** In accordance with Article 50, Fraction X, of the General Law of Prevention and Integral Management of Wastes (LGPGIR) requires authorization of the Secretariat for the import and export of hazardous wastes. The article 85 of the LGPGIR, establishes the follow, "The import and export of hazardous wastes will subject to the restrictions or conditions established in the Law, its Regulation, the Law of Foreign Trade, the Federal Law of Economic Competition, the International Treaties of which Mexico is part and the other applicable orderings. Also, in accordance with Article 87 of the LGPGIR: "The authorizations for the export of hazardous wastes will be only emitted when that ask for them count on the previous consent of the import country and, in its case of the governments of the countries by which the wastes journey.

**Countries:** The restriction covers all countries.

**Paraguay:** Restrictions do not exist

**Trinidad and Tobago:** Restrictions do not exist

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

**Venezuela:** Restrictions do not exist

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**Question 3b. Export restrictions for final disposal**

**2006. Western Europe and Others. (Parties which did not report are not listed).**

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**Andorra:** Restrictions do not exist

**Legislation:** See article 27, 1-2-5 (law: "Llei 25/2004, del 14 de desembre, de residus")

**Australia:** Restrictions exist

**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.

**Austria:** Restrictions exist

**Legislation:** Federal Waste Management Plan 2006, which statutes the principle of self-sufficiency for final disposal. Based on this principle objections are raised in case of exports for final disposal provided there is a suitable disposal option in Austria.. In line with the EU Regulation 1013/2006/EC final disposal is allowed only within the European Economic Area (EEA).

**Countries:** Exports for final disposal are allowed only to member countries of the European Union or the European Free Trade Association. The export can be allowed only if there is no adequate disposal option in Austria.

**Belgium:** Restrictions exist

**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:** Restrictions exist

**Legislation:** In Canada, the following legislation applies to restrictions on the export of hazardous wastes, hazardous recyclable material and other wastes for final disposal: Canadian Environmental Protection Act, 1999 (CEPA 1999) ([http://www.ec.gc.ca/RegistreLCPE/the\\_act/default.cfm](http://www.ec.gc.ca/RegistreLCPE/the_act/default.cfm)). The following legislation applies to restrictions on the export of hazardous wastes and hazardous recyclable materials only: Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations, (EIHWHRMR); and PCB Waste Export Regulations, 1996 (PCBWER), came into force on February 4, 1997. National Stakeholders consultations have been completed in the development of regulations on the transboundary movement of non-hazardous wastes for final disposal.

**Countries:** Exports are restricted to Basel Parties or to non-parties which are subject to an Article 11 agreement (for example, Canada - USA Agreement; OECD Decision C(2001)107/FINAL). In addition, Canada permits the export of Canadian PCB wastes only to the United States and only for the purpose of destruction.

**Remarks** Under the Export and Import of Hazardous Waste and Hazardous Recyclable Materials Regulations (EIHWHRMR), Canada defines a hazardous waste or a hazardous recyclable material to include "waste" that is prohibited by a country for import and is considered hazardous under their domestic legislation in accordance with the Basel Convention. Exports to non-parties are not permitted unless subject to an Article 11 agreement (for example, Canada - USA Agreement; OECD Decision C (2001)107/FINAL). The EIHWHRMR place the following number of strict conditions on the export of hazardous waste and hazardous recyclable materials: • 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; • Requirement for mandatory prior notification of, and consent from (i.e. prior informed consent, PIC), the importing country; • Exports can only take place with a permit issued by Environment Canada; • Mandatory use of a movement document as a tracking system to ensure that hazardous wastes actually arrive at the intended authorized facilities; and are treated, disposed of or recycled as per the advance notice and permit; • All disposal



operations to be followed up with a certificate of disposal; • Require every exporter and carrier to obtain insurance to cover environmental damages should an accident occur during the transboundary movement of hazardous wastes; and • Requirements for shipments which cannot be completed as planned in the permit, to prevent them from becoming "orphans". If the Minister is of the opinion that the hazardous waste or hazardous recyclable material will not be managed in a manner that will protect the environment and human health against the adverse effects that may result from that waste or material, the Minister may refuse to issue a permit under subsection 185(2) of the CEPA 1999 taking into account different criteria set out in the EIHWHMR.

**Denmark:** Restrictions exist

**Legislation:** Paragraph 10 in Statutory Order no. 799 on shipment of waste has a general prohibition on import and export of waste for disposal. This prohibition is in accordance with EU Shipment Regulation 1013/2006 article 11.1 (a)

**Finland:** Restrictions exist

**Legislation:** Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste. The regulation came into force in Finland on 12 July 2007.

**Countries:** According to the Regulation (EC) No 1013/2006 of the European Parliament and of the Council, 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.

**Germany:** Restrictions exist

**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.

**Greece:** Restrictions exist

**Legislation:** Council Regulation EC 259/1993, as amended and implemented.

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

**Ireland:** Restrictions exist

**Legislation:** As a member of the European Community (EC) Ireland is bound by Council Regulation (EEC) No. 259/93, as amended on the supervision and control of shipments of waste within, into and out of the European Community. Article 14 prohibits the export of waste for disposal outside the EU except to EFTA (European Free Trade Agreement) States, which are Parties to the Basel Convention. Council Regulation (EEC) No. 259/93 has been repealed with effect from 12 July 2007. The new EU regulation governing shipments of waste is Regulation (EC) No. 1013/2006. Article 34 deals with exports of waste for disposal.

**Italy:** Restrictions exist

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

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

**Luxembourg:** Restrictions exist

**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:** Restrictions do not exist

**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:** Restrictions exist

**Legislation:** The Council Regulation (EEC) No 259/93; entry into force May 6th 1994; Since May 2003 the national policy on waste is given in 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:** Restrictions exist

**Legislation:** Imports and Exports (Restrictions) Prohibition Order (No 2) 2004

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

**Remarks:** The Waigani Convention came into force on 21 October 2001 and New Zealand is prohibited from exporting hazardous wastes to Parties to the Waigani Convention.

**Norway:** Status not provided

**Legislation:** The Norwegian regulation on waste, chap. 13, implements EU Regulation no. 259/93.

**Countries:** Non-OECD countries.

**Sweden:** Restrictions exist

**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:** Restrictions exist

**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:** Restrictions exist

**Legislation:** Article 34 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 and will be revised in 2007).

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**Question 3c. Export restrictions for recovery**

**2006. Africa. (Parties which did not report are not listed).**

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**Algeria:** Restrictions exist

**Legislation:** Law no 01-19 of 12/12/2001 related to the management, control and disposal of wastes.

**Remarks** The export of hazardous wastes is prohibited to a country which has forbidden the import of hazardous wastes.

**Botswana:** Restrictions do not exist

**Cameroon:** Restrictions do not exist

**Gambia:** Restrictions in preparation

**Legislation:** The Draft Waste Bill 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 Bill contains provisions for this.

**Ghana:** Restrictions in preparation

**Lesotho:** Restrictions do not exist

**Madagascar:** Restrictions do not exist

**Mali:** Restrictions do not exist

**Morocco:** Restrictions exist

**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. La loi 28-00 sur la gestion des déchets et leur élimination intègre les dispositions de la Convention de Bâle. 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).

**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:** Restrictions do not exist

**Nigeria:** Restrictions exist

**Legislation:** Decree No. 42 of 1988 on Harmful Wastes currently restricts the export of hazardous wastes for recovery in Nigeria.

**Countries:** The restrictions on the export of these hazardous wastes for recovery apply to all countries.

**Remarks** Decree No. 42 of 1988 on harmful waste is being reviewed to harmonize it with the Basel Convention.

**Seychelles:** Restrictions do not exist

**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:** Restrictions exist

**Legislation:** No national legislation in existence in SA to restrict the export of hazardous waste for recovery in another country. However where South Africa has permitted facilities for recycling of wastes, through the Basel Convention restricts exports of waste for recovery into companies who are not able to demonstrate through EMS, compliance with the countries occupational and environmental legislation.

**Countries:** The restriction covers countries not listed in Annex VII of the Convention.

**Remarks** South Africa does not import hazardous waste to other developing countries and or countries with no adequate infrastructure to manage the waste in environmental sound manner.

**Tunisia: Restrictions exist**

**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. Pursuant to the decree n°94-1742 of August 29, 1994 regarding the list of products submitted to foreign trade procedures, authorization from the Minister in charge of Trade after consultation with other relevant Ministries, is required for the import and export of non hazardous waste.

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

**Zambia: Restrictions exist**

**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.

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**Question 3c. Export restrictions for recovery**

**2006. Asia and Pacific. (Parties which did not report are not listed).**

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**Bahrain:** Restrictions in preparation

**Brunei Darussalam:** Restrictions in preparation

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

**Cambodia:** Restrictions do not exist

**China:** Restrictions exist

**Legislation:** China: The relevant legislation complies with the Basel Convention.

**Remarks** China The export of hazardous waste for recovery 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, to the competent authorities of the states of 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. Macao Special Administrative Region, China The export of waste for the purpose of recovery will be subject to the controls according to the Basel Convention requirements.

**Cyprus:** Restrictions exist

**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:** Restrictions exist

**Legislation:** Article 53 of the Governmental Regulation No 18/1999 Jo 85/1999 on Hazardous Waste Management states that exports are allowed as long as the shipment of wastes obtain a written permission from the competent authority of the destination country. Ministry of Environment is the competent authority of the Indonesian Government.

**Iran (Islamic Republic of):** Restrictions exist

**Legislation:** Under terms of Basel Convention ratified in Islamic Republic of Iran Parliament (Majlis), the export of hazardous wastes and other wastes for final disposal will take place if the state of import has the capability of recovery of the hazardous wastes in an environmentally sound manner.

**Countries:** The restriction covers the Islamic Republic of Iran.

**Japan:** Restrictions exist

**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.

**Kazakhstan:** Restrictions in preparation

**Remarks** The Order of the Minister of environment protection of the Republic of Kazakhstan from December 8 2005 331-p are approved Rules of the referring dangerous wastes, be generated in process of activity physical and juridical persons, to concrete class of the dangers. Information, which there is on export toxic wastes, is formed on unapproved Qualifier 1996 and requires the obligatory inventory and revision.

**Kiribati:** Restrictions in preparation

**Malaysia:** Status not provided

**Legislation:** The Environmental Quality Act 1974, (Amendment 1996) Section 34B; and the Customs (Prohibition of Export) Order 1998 Amendment 2006.

**Countries:** All countries.

**Remarks** Hazardous wastes to be exported and destined for recovery are subject to the export guidelines on minimum percentage for recoverables.

**Pakistan:** Restrictions exist

**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."

**Republic of Korea:** Restrictions exist

**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 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.

**Singapore:** Restrictions exist

**Legislation:** The Hazardous Waste (Control of Export, Import or Transit) Act (HWA) which entered into force on 16 Mar 1998.

**Countries:** All.

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

**Sri Lanka:** Restrictions do not exist

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

**Viet Nam:** Restrictions do not exist

**Legislation:** Law on Environment Protection in 1993 prohibited the export of waste for any purpose but the Law on Environmental Protection in 2005 has repealed this provision

### Question 3c. Export restrictions for recovery

2006. Central and Eastern Europe. (Parties which did not report are not listed).

**Armenia:** Restrictions exist

**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:** Restrictions in preparation

**Legislation:** The Waste Law, which entered into force from November, 25th, 2003 in edition of the Law of Republic of Belarus from 18.11.2004 2338-3, which states that " Transboundary Movement of waste to the Republic of Belarus is carried out on the basis of the written permit which are given by the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus, under the condition of representation by competent governing bodies of that state where such waste are imported, the written permit to their import with the purpose of further use or neutralization in its territory with confirmation of the contract presence fact in which stipulate for ecologically proved use or ecologically safe neutralization of these waste.

**Bosnia & Herzegovina:** Restrictions do not exist

**Croatia:** Restrictions exist

**Legislation:** Regulation on supervision of transboundary movement of waste, which came into force on 1st September 2006, provides provisions on restrictions on transboundary movement of waste. Croatia restricts the export of hazardous wastes and other wastes for final disposal and for recovery by the orders of Articles 50., 51., 53. of the Waste Act, Official Gazette, No. 178/04 as follows: Article 50 (1) For the export of hazardous waste, the person doing the exporting must obtain the decision prescribed by this Act. (2) Export referred to in paragraph 1 of this Article shall be permitted to a person registered for carrying out one of the hazardous waste management activities (hereinafter referred to as: the exporter), at the person's request, if the following requirements are met: 1. authorisation for import is granted by the state importing the hazardous waste, 2. the exporter provides a written statement on the type, quantity, composition and origin of hazardous waste, as well as on the reasons for export, 3. a contract is concluded between the exporter and importer of hazardous waste 4. authorisation is issued by the states through which the hazardous waste will transit on its way to the final destination or no written declaration has been issued by the transit state within 60 days from the day of receiving the notification on the intended transboundary transport of hazardous waste, 5. data is provided on the tariff number, hazardous waste key number, the mode of transport, the border crossing for export, 6. a document notifying the intended transboundary transport of waste is enclosed - Document on movement in accordance with the Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, 7. the exporter has an appropriate insurance policy or bank guarantee for the amount necessary to cover the costs of the hazardous waste recovery and/or disposal without posing a risk to the environment, 8. the exporter has an appropriate insurance policy or bank guarantee for the amount necessary to cover the remediation costs in case of an accident. Article 51 (1) The Ministry shall decide on the request to export hazardous waste. The decision shall also determine the period for

which the decision is valid. (2) The exporter shall submit a report to the Ministry on the exported quantities and types of hazardous waste by 31 March of the current year, for the previous year. (3) An appeal shall not be permitted against the decision referred to in paragraph 1 of this Article, but an administrative dispute may be instituted. Article 53 (1) The person registered for export activity cannot begin to export hazardous waste before registering into the register and obtaining the certificate on registration in the Register of Non-Hazardous Waste Exporters. (2) The Ministry shall keep the register referred to in paragraph 1 of this Article. (3) The exporter of non-hazardous waste shall submit to the Ministry a report on the types and quantities of non-hazardous waste exported in the previous year by 1 February of the current year. (4) If the Ministry rejects the application for registering into the Register referred to in paragraph 1 of this Article, it shall do so by decision. (5) An appeal shall not be permitted against the decision referred to in paragraph 4 of this Article, but an administrative dispute may be instituted. (6) The Minister shall prescribe by a special regulation the content and method

**Countries:** The restriction covers all countries.

**Czech Republic:** Restrictions exist

**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 (applicable until 11 July 2007). Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 July 2006 on shipments of waste (applicable from 12 July 2007).

**Countries:** All exports of hazardous wastes (according to Article 1(1)a and 1(1)b of the Basel Convention) and other wastes (Annex II to the Basel Convention) to non-EU and non-OECD countries for recovery are prohibited. The wastes in questions are listed in Annex V to EU Regulation 1013/2006. Moreover, the exports of following wastes for recovery are prohibited: • hazardous wastes not classified under one single entry in Annex V to EU Regulation 1013/2006 • mixtures of hazardous wastes and mixtures of hazardous wastes with non-hazardous wastes not classified under one single entry in Annex V to EU Regulation 1013/2006 • wastes that the country of destination has notified to be hazardous under Article 3 of the Basel Convention • wastes the import of which has been prohibited by the country of destination • wastes which the competent authority of dispatch has reason to believe will not be managed in an environmentally sound manner in the country of destination concerned

**Estonia:** Restrictions do not exist

**Georgia:** Restrictions do not exist

**Hungary:** Restrictions exist

**Legislation:** Regulation (EC) No 1013/2006 of the European Parliament and of the Council on Shipment of Waste. The regulation entered into force on 15.07.2006

**Countries:** Art. 36. Export from the Community hazardous and other wastes for recovery in countries to which the OECD Decision does not apply are prohibited.

**Remarks:** The regulation shall apply from 12 July 2007.

**Latvia:** Restrictions exist

**Legislation:** Latvia acceded to European Union on 1st of May, 2004. Council Regulation No 259/93 of 1st February 1993 on the supervision and control of shipments of waste within, into and out of the European Community and Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste are directly applicable in Latvia.

**Countries:** Provisions regarding prohibition of export of waste for recovery have been provided for in Article 16 of Regulation 259/93 of 1st February 1993 on the supervision and control of shipments of waste within, into and out of the European Community. Provisions regarding prohibition of export of waste for recovery have been provided for in Article 36 of Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste.

**Poland:** Restrictions exist

**Legislation:** 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 (OJ L 30, 6.2.1993, p. 1) Regulation became directly applicable on Poland's accession to the EU (1 May 2004)

**Countries:** All countries except for EU and OECD countries.

**Remarks:** - Shipments within the EU: Green listed waste: no control procedure (shipments to Poland, Slovakia, Latvia - transitional measures in Treaty of Accession - control procedure according to art. 6-8 of Council Regulation No 259/93) Amber listed waste - control procedure stipulated in art. 6-8 of Council Regulation No 259/93 Red listed waste - control procedure stipulated in art. 10 of Council Regulation No 259/93 Unlisted waste - control procedure stipulated in art. 10 of Council Regulation No 259/93 (unlisted waste - waste for which no single entry exists in green, amber and red list of waste) - Shipments outside the EU: All exports of hazardous waste listed in annex V of Council



Regulation No 259/93 are prohibited except for OECD countries. Annex V comprises of annex VIII and IX to the Basel Convention as well as of European Waste Catalogue (hazardous waste is marked with an asterisk). Export of waste to OECD countries is subject to control procedures stipulated in art. 17 paragraph 4-7 of Council Regulation No 259/93.

**Republic of Moldova:** Restrictions do not exist

**Romania:** Restrictions exist

**Legislation:** Emergency Governmental Ordinance 195/2005 on environmental protection, approved by Law 265/2006.

**Remarks** According to art. 32 point 4 of the Emergency Government Ordinance no. 195 / 2005 approved by Law no. 265/2006, the export and transit of hazardous wastes may take place in accordance with agreements to which Romania is a party. In case of export, the responsible operator must ensure that international obligations are observed and that the consent of the recipient country has been obtained.

**Slovakia:** Restrictions exist

**Legislation:** The following shall be forbidden: Export of hazardous wastes destined for recovery except for export to member states of the European Free Trade Association (EFTA). A provision of the Article No 23, paragraph 4 of the Act No 223/2001 on waste, which provides for that the hazardous waste originated in Slovak Republic shall be preferentially recovered in Slovak Republic. If it is not possible it shall be preferentially recovered in European Union. 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. Since 1st May 2004 Slovakia applies provisions of the Council Regulation No 259/93/EC (Articles 16 and 18) and Decision III/1 of the Basel Convention.

**Countries:** All exports of hazardous wastes for recovery listed in Annex V of the Council Regulation No 259/93/EC into countries which do not apply OECD Council Decision C92(39) FINAL is prohibited from January 1998.

**Slovenia:** Restrictions exist

**Legislation:** Regulation (EC) 1013/2006., especially art. 36, 39 and 40. Entry into force : July 2006.

**Countries:** Prohibition of export of wastes for recovery listed in Annex V of Regulation (EC) 1013/2006 into all countries which do not apply OECD Council Decision C92/39.

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**Question 3c. Export restrictions for recovery**

**2006. Latin America and The Caribbean. (Parties which did not report are not listed).**

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**Barbados:** Restrictions do not exist

**Belize:** Restrictions in preparation

**Brazil:** Restrictions do not exist

**Remarks** The exportation of hazardous wastes happens in two manners: to developed countries for treatment; to developing countries for recovering.

**Chile:** Restrictions do not exist

**Colombia:** Restrictions exist

**Remarks** In addition to rules adopted by the Basel Convention, in those cases when the exporter requires temporary storage of these wastes, he must previously obtain Environmental Licensing for Waste Storage in accordance with the dispositions of Art. 9, num. 9 of National Decret No. 1220 of 2005.

**Costa Rica:** Restrictions do not exist

**Cuba:** Restrictions do not exist

**Dominican Republic:** Restrictions do not exist

**El Salvador:** Restrictions exist

**Legislation:** The Environment Act (13 May 1998) and the Special Regulation Relating to Hazardous Substances, Residues and Wastes (9 June 2000).

**Remarks** Requirement for an Environmental Permit and notifications to the importing and transit country, in accordance with the Basel Convention.

**Guyana:** Restrictions in preparation

**Legislation:** Environmental Protection Export and Intransit Import of Hazardous Waste Regulations (currently being drafted).

**Honduras:** Restrictions do not exist

**Jamaica:** Restrictions do not exist

**Mexico:** Restrictions exist

**Legislation:** In accordance with Article 50, Fraction X, of the General Law of Prevention and Integral Management of Wastes (LGPGIR) requires authorization of the Secretariat for the import and export of hazardous wastes. The article 85 of the LGPGIR, establishes the follow condition, "The import and export of hazardous wastes will subject to the restrictions or conditions established in the Law, its Regulation, the Law of Foreign Trade, the Federal Law of Economic Competition, the International Treaties of which Mexico is part and the other applicable orderings. Also, in accordance with Article 87 of the LGPGIR: "The authorizations for the export of hazardous wastes will be only emitted when that ask for them count on the previous consent of the import country and, in its case of the governments of the countries by which the wastes journey.

**Countries:** The restriction covers all countries.

**Paraguay:** Restrictions do not exist

**Trinidad and Tobago:** Restrictions do not exist

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

**Venezuela:** Restrictions do not exist

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**Question 3c. Export restrictions for recovery**

**2006. Western Europe and Others. (Parties which did not report are not listed).**

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**Andorra:** Restrictions do not exist

**Legislation:** See article 27, 1-2-5 (law: "Llei 25/2004, del 14 de desembre, de residus")

**Remarks:** Due to 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:** Restrictions exist

**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.

**Austria:** Restrictions exist

**Legislation:** The export of hazardous wastes in accordance with Commission Decision 2000/532/EC and of wastes listed in Annex V of the Shipment Regulation (1013/2006/EC) for recycling is allowed only to Countries applying OECD Council Decision C(2001)107 FINAL. This restriction covers all countries not applying the OECD Council Decision C(2001)107 FINAL.

**Countries:** The restriction covers all countries not listed in Annex VII of the Basel Convention.

**Belgium:** Restrictions exist

**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:** Restrictions exist

**Legislation:** In Canada, the following legislation applies to restrictions on the export of hazardous wastes, hazardous recyclable material and other wastes for final disposal: Canadian Environmental Protection Act, 1999 (CEPA 1999). The following legislation applies to restrictions on the export of hazardous wastes and hazardous recyclable materials only: Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations, (EIHWHRMR); and PCB Waste Export Regulations, 1996 (PCBWER), came into force on February 4, 1997.

**Countries:** Exports are restricted to Basel Parties or to non-parties which are subject to an Article 11 agreement (for example, Canada - USA Agreement; OECD Council Decisions C(2001)107/FINAL). In addition, Canada permits the export of Canadian PCB wastes only to the United States and only for the purpose of destruction.

**Remarks:** The EIHWHRMR place a number of strict conditions on the export of hazardous waste and hazardous recyclable material such as: • Requirement for mandatory prior notification of, and consent from (i.e. prior informed consent, PIC) the importing country; • Exports can only take place with a permit issued by Environment Canada; • Mandatory use of a movement document as a tracking system to ensure that hazardous waste actually arrives at the intended authorized facilities; and are stored, recovered or recycled as per the notice and permit; • All recycling operations to be followed up with a certificate of recycling; • Require every exporter and carrier to obtain insurance to cover environmental and third party damages should an accident occur during the transboundary movement of hazardous waste; • Requirements for shipments which cannot be completed as planned in the permit to prevent them from becoming "orphans"; • Simplified procedures for the transboundary movement of certain specified hazardous waste 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. If the Minister is of the opinion that the hazardous waste or hazardous recyclable material will not be managed in a manner that will protect the environment and human health against the adverse effects that may result from that waste or material, the Minister may refuse to issue a permit under subsection 185(2) of the CEPA 1999 taking into account different criteria set out in the EIHWHRMR.

**Denmark:** Restrictions exist

**Legislation:** EU Regulation 1013/2006 of 14 June 2006. Export of waste for recovery between OECD countries has to be notified except waste on annex III in EU Regulation 1013/2006. Export of waste on annex

V for recovery to Basel non-Annex VII countries is banned.

**Finland: Restrictions exist**

**Legislation:** Wastes covered by the export ban are listed in Annex V of the Regulation (EC) No 1013/2006.

**Countries:** The legislation prohibits all exports of waste listed in Annex V from Finland for recovery to "non-OECD countries" (i.e. countries to which the OECD Decision C(2001)107 does not apply). Annex V contains wastes listed in Annex VIII of the Basel Convention, wastes included in the OECD Amber list of waste (excluding certain non-hazardous wastes) as well as wastes defined as hazardous in the European Community legislation.

**Germany: Restrictions exist**

**Legislation:** 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: Restrictions exist**

**Legislation:** Council Regulation EC 259/1993, as amended and implemented.

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

**Ireland: Restrictions exist**

**Legislation:** As a member of the European Community (EC) Ireland is bound by Council Regulation (EEC) No. 259/93, as amended on the supervision and control of shipments of waste within, into and out of the European Community. Article 16 prohibits all exports for recovery of waste listed in Annex V other than to those countries to which the OECD Decision applies, other countries which are parties to the Basel Convention and / or which have concluded bilateral agreements with the EC or the individual Member State. Council Regulation (EEC) No. 259/93 has been repealed with effect from 12 July 2007. The new EU regulation governing shipments of waste is Regulation (EC) No. 1013/2006. article 36 deals with exports of waste for recovery.

**Italy: Restrictions exist**

**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: Restrictions exist**

**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: Restrictions do not exist**

**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: Restrictions exist**

**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: Restrictions exist**

**Legislation:** Imports and Exports (Restrictions) Prohibition Order (No 2) 2004

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

**Remarks** The Waigani Convention came into force on 21 October 2001 and New Zealand is prohibited from exporting hazardous wastes to Parties to the Waigani Convention.

**Norway: Restrictions exist**

**Legislation:** The Norwegian regulation on waste, chap. 13, implements EU Regulation no. 259/93.

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

**Sweden: Restrictions exist**

**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:** Restrictions exist

**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:** Restrictions exist

**Legislation:** The WSR prohibits the shipment of certain wastes for recovery from EU Member States to countries not covered by OECD Decision.

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**Question 3d. Import restrictions for final disposal**

**2006. Africa. (Parties which did not report are not listed).**

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**Algeria:** Restrictions exist

**Legislation:** In accordance with Law no 01-19 of 12/12/2001 related to the management, control and disposal of wastes the import of hazardous special wastes is forbidden.

**Botswana:** Status not provided

**Remarks** There are no hazardous waste disposal sites in the country.

**Cameroon:** Restrictions exist

**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. The introduction, discharge, storage or transit of waste on the national territory and produced outside Cameroon shall be formally prohibited given the international commitments of Cameroon. Section I, 44. Law N° 96/12 of 05 August 1996 relating to environmental management.

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

**Gambia:** Restrictions exist

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

**Ghana:** Restrictions in preparation

**Lesotho:** Restrictions in preparation

**Legislation:** Hazardous and Non-Hazardous Waste Management Draft Bill and Regulations 2005.

**Madagascar:** Restrictions do not exist

**Mali:** Restrictions do not exist

**Morocco:** Restrictions exist

**Legislation:** Conformément à l'article 42 de la loi 28- 00 sur la gestion des déchets et leur élimination et 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. Alors que l'importation de déchets non dangereux leur importation pour valorisation seulement est soumise à autorisation.

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

**Mozambique:** Restrictions exist

**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.

**Nigeria:** Restrictions exist

**Legislation:** Harmful Waste Decree No. 42 of 1988 (special criminal provisions etc.).

**Countries:** The restriction covers all countries.

**Seychelles:** Restrictions exist

**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:** The restriction covers all countries and regions.

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

**South Africa: Restrictions exist**

**Legislation:** South Africa only allows the import of waste for final disposal from SADC countries who can demonstrate that they do not have adequate disposal facilities in their own country.

**Countries:** The restriction covers all countries other than SADC countries.

**Remarks** South Africa imports hazardous wastes for final disposal only from SADC Countries, who can demonstrate that they do not have facilities for the environmentally sound management of this waste in their own country. All imports still however are subject to the provisions of the Basel Convention.

**Tunisia: Restrictions exist**

**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. Pursuant to the decree n°94-1742 of August 29, 1994 regarding the list of products submitted to foreign trade procedures, authorization from the Minister in charge of Trade after consultation with other relevant Ministries, is required for the import and export of non hazardous waste.

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

**Zambia: Restrictions exist**

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

**Countries:** The restriction covers all countries and all wastes.

**Remarks** The current legislation prohibits the import of hazardous waste into Zambia

**Question 3d. Import restrictions for final disposal**

**2006. Asia and Pacific. (Parties which did not report are not listed).**

**Bahrain:** Restrictions in preparation

**Brunei Darussalam:** Restrictions in preparation

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

**Cambodia:** Restrictions exist

**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:** Restrictions exist

**Legislation:** China Decision on Several issues on Environmental Protection (State Council, No 31, 1996) prohibits the importation of hazardous waste and Municipal Solid Waste from abroad. Law of the People's Republic of China on Prevention of Environmental Pollution Caused by Solid Waste, effective on April 1st, 2005; the Interim Regulation on the Administration of Environmental Protection in the Import of Waste Materials, entry into force on April 1st, 1996, which is under amendment; and the Environmental Protection Control Standards for Imported Waste Material, entry into force in 2006. Law of the People's Republic of China on Prevention of Environmental Pollution Caused by Solid Waste: - Article 24: It is forbidden to dump, store or dispose of foreign solid wastes within the territory of the People's Republic of China. - Article 25: The state forbids the import of solid wastes which can not be used as raw materials or can not be used in an environmentally sound manner. And as to solid wastes which can be used as raw materials, they are divided into two categories. One is called automatic-licensing solid wastes that can be used as raw materials; the other is called restricted solid wastes that can be used as raw materials. 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. The Waste Disposal Ordinance was amended in 2006 on this control and has been in effect since 7 April 2006.

**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. Macao Special Administrative Region, China The import of waste for the purpose of final disposal will be subject to the controls according to the Basel Convention requirements.

**Cyprus:** Restrictions exist

**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:** Restrictions exist

**Legislation:** · Articles 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 · Articles 64 and 53 of the Governmental Regulation No. 18/1999 Jo. 85/1999 on Hazardous Waste Management.

**Countries:** The restriction covers 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 of the GR 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 of the GR 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 lead car-battery, started in 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.

**Iran (Islamic Republic of):** Restrictions exist

**Legislation:** Under terms of Basel Convention ratified in Islamic Republic of Iran Parliament (Majlis), the import of hazardous wastes and other wastes for final disposal will not take place because the country has not the adequate capability of final disposal of the imported hazardous wastes in an environmentally sound manner.

**Countries:** The restriction covers the Islamic Republic of Iran.

**Japan:** Restrictions exist

**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.

**Kazakhstan:** Restrictions exist

**Legislation:** In accordance with acting law of the Republic Kazakhstan "About environment protection" st.60mp.2 (with change, contributed Law RK from 24.12.98; from 11.05.99 N 381-1; from 29.11.99 N 488-1; from 04.06.01 N 205-II; from 24.12.01 N 276-II; from 09.08.02 N 346-II; from 25.05.04 N 553-II; from 09.12.04 N 8-III; from 20.12.04 N 13-III; from 15.04.05 N 45-III, from 08.07.05 7I-III from 10.01.06 116-III from 31.01.06 125-III): St. 60 Ecological requirements when referencing with wastes production and consumptions 2. Import for conversion, burial or keeping wastes in Republic Kazakhstan can be realized only on special permit Government Republics Kazakhstan. 3. It is Forbidden import to product, not having technologies for her (its) neutralize or salvaging after use. 4. The Ecological requirements when referencing with wastes, alongside with the present Law, are defined by legislation about wastes and other normative legal acts. In accordance with Statue 311. "Transboundary transportation wastes of Ecological Code, residing on stage of consideration in Parliament RK: "import dangerous wastes on territory of the Republic Kazakhstan in purpose of their use (salvaging, conversions, recycling) and burial is realized on decision Government Republics Kazakhstan at presence of the positive conclusions state ecological and sanitary epidemiological expert operations".

**Countries:** There is in view of import in Republic Kazakhstan. In accordance with cl. 57 acting law of the Republic Kazakhstan "About environment protection". (with change, contributed Law RK from 24.12.98; from 11.05.99 N 381-1; from 29.11.99 N 488-1; from 04.06.01 N 205-II; from 24.12.01 N 276-II; from 09.08.02 N 346-II; from 25.05.04 N 553-II; from 09.12.04 N 8-III; from 20.12.04 N 13-III; from 15.04.05 N 45-III, from 08.07.05 7I-III from 10.01.06 116-III from 31.01.06 125-III): is forbidden import in Republic Kazakhstan in purpose of keeping or burial nuclear waste and material other state. Also address is specified with potentially dangerous chemical and biological material (st. 58), prohibited import to product, not having technologies for her (its) neutralize or salvaging after use (st.60).

**Kiribati:** Restrictions in preparation

**Remarks** The Environment Act 1999 (as amended in 2007) which the Environment and Conservation Division works with does not directly address importation of hazardous waste, however, under its provisions, license may be required to establish a facility for the disposal of any such waste and its unlikely that such a license would be granted.

**Malaysia:** Restrictions exist

**Legislation:** The Environmental Quality Act 1974, (Amendment 1996) Section 34B; and the Customs (Prohibition of Import) Order 1998 Amendment 2006.

**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.

**Pakistan:** Restrictions exist

**Legislation:** Pakistan Environmental Protection Act, 1997. Import Policy Order, 2006 issued by Ministry of

Commerce.

**Countries:** All countries.

**Remarks:** According to section 13 (Prohibition of Import of Hazardous Waste) 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 as classified in Basel Convention except where import is specifically authorized by the Government of Pakistan. As the Government of 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.

**Republic of Korea:** Restrictions exist

**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 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.

**Singapore:** Restrictions exist

**Legislation:** The Hazardous Waste (Control of Export, Import or Transit) Act (HWA) which entered into force on 16 Mar 1998.

**Countries:** All.

**Remarks:** Singapore does not allow the import of hazardous wastes for final disposal.

**Sri Lanka:** Restrictions exist

**Legislation:** 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. Regulations are drafted and to be gazetted in 2007.

**Countries:** A Cabinet decision was obtained to prohibit import of hazardous waste as specified in the Basel Convention from all countries (not restricting to annex VII countries).

**Viet Nam:** Restrictions exist

**Legislation:** Waste is prohibited from import for any purpose by Law on Environmental Protection in 2005.

**Countries:** The prohibition covers all countries and all wastes under the definition. However, the State allows importation of certain categories of scrap materials for use (or recovery) as secondary materials for industrial production (see Decision No. 12/2006/QĐ-BTNMT in 3e(iii) below). Hence, waste import for final disposal is completely prohibited.

**Question 3d. Import restrictions for final disposal**

**2006. Central and Eastern Europe. (Parties which did not report are not listed).**

**Armenia: Restrictions exist**

**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-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). 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: Restrictions exist**

**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: Restrictions exist**

**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.

**Croatia: Status not provided**

**Legislation:** Regulation on supervision of transboundary movement of waste, which came into force on 1st September 2006, provides provisions on restrictions on transboundary movement of waste. Special conditions for the import of hazardous wastes and other wastes are prescribed by the orders of Articles 47., 48., 49. of the Waste Act, Official Gazette, No. 178/04 as follows: Article 47 (1) Import of hazardous waste shall be prohibited. (2) Import of waste for the purpose of landfilling and use for energy purposes shall be prohibited. (3) Import of non-hazardous waste that can be recovered in accordance with this Act shall be permitted. (4) Supervision of the transboundary transport of waste, the method and procedure of border control at the borders and border crossings as well as the authorities of environmental protection inspectors shall be prescribed by a special regulation passed by the Croatian Government. Article 48 (1) For the import of non-hazardous waste referred to in Article 47 paragraph 3 of this Act, the person importing the waste must obtain the decision prescribed by this Act. (2) Import as referred to in paragraph 1 of this Article shall be permitted to the person registered for import activities (hereinafter referred to as: the importer) at the person's request, if the following requirements are met: 1. a contract is concluded between the waste importer and the person exporting waste 2. a contract is concluded between the waste importer and the person who is performing recovery and/or disposal of waste, 3. the waste importer has a statement from the person exporting waste on the type, quantity, composition and origin of waste, as well as on the technology through which it was generated, and on the reasons for its export, 4. the waste importer has evidence that the person responsible for the recovery and/or disposal of waste has an available technological plant for treating waste which does not present any hazard to the environment (possesses a licence in accordance with Article 41 paragraph 1 of this Act). 5. the

waste importer encloses a statement from the person responsible for the recovery and/or treatment of the imported waste on the type of waste that is to be produced by means of treatment or recovery of the imported waste and on the method of its disposal, 6. data is provided on the waste tariff number, the waste key number, the mode of transport and the border crossing for import. Article 49 (1) Request for the import of waste referred to in Article 47 paragraph 3 of this Act shall be submitted for the import of waste for a period of one year. (2) The Ministry shall decide on the request referred to in paragraph 1 of this Article. The decision shall also determine the time period for which the decision is valid. (3) The importer shall submit to the Ministry a report on imported amounts and types of waste by 1 February of the current year for the previous year. (4) An appeal shall not be permitted against the decision referred to in paragraph 2 of this Article, but an administrative dispute may be instituted.

**Countries:** The restriction covers all countries.

**Czech Republic:** Restrictions exist

**Legislation:** Act on Waste No. 185/2001 Coll. as last amended by Act No. 314/2006 Coll. (in force from 1 May 2004).

**Countries:** All imports of waste (both hazardous and non-hazardous) for final disposal are prohibited.

**Estonia:** Restrictions do not exist

**Georgia:** Restrictions exist

**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:** Restrictions exist

**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; - Governmental Decree No. 120/2004 (IV.29.)

**Countries:** The restriction covers all countries.

**Latvia:** Restrictions exist

**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.

**Poland:** Restrictions exist

**Legislation:** 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 (OJ L 30, 6.2.1993, p. 1) Regulation became directly applicable on Poland's accession to the EU (1 May 2004)

**Countries:** Since 1 May 2004 All countries except for EU, EFTA and Basel Convention countries.

**Remarks:** - Shipments within the EU: Shipment of waste destined for disposal operations between Member States of the EU is subject to notification procedure stipulated in articles 3-5 of Council Regulation No 259/93. - Shipments into the EU: In general all imports of waste for disposal are prohibited except for those from EFTA and Basel Convention countries. In case of import of waste for disposal from EFTA and Basel Convention countries, notification procedure stipulated in art. 20 should be applied.

**Republic of Moldova:** Restrictions exist

**Legislation:** Law on Environmental Protection, which prohibits the introduction of all kinds of waste. The Framework of the Law on Environmental Protection, art. 73 "There are prohibited the introduction of waste and the residuals of any nature, crude or in processing state, due to temporary storage, deposit, processing, spreading on ground, water or their destruction. Customs authorities are obliged to control and to be responsible for applying of present article concerning import and transportation of waste and the residuals of any nature on the territory of the Republic of Moldova." A similar article is included in the range of other laws concerning wastes.

**Romania:** Restrictions exist

**Legislation:** In accordance to art. 32 (1) of the Emergency Ordinance no.195/2005 on Environmental Protection approved by Law 265/2006, the import of any kind of wastes for final disposal is prohibited. In accordance to art.32 of the Emergency Ordinance no.78/2000 for the Waste Regime approved with modifications by Law 426/2001, modified and completed by Emergency Ordinance no.61/2006 the import of any kind of wastes for final disposal is prohibited until the finalizing the transition period obtained for waste landfill by the Treaty concerning Romania adherence to EU.

**Remarks:** Romania has obtained transition periods for the implementation of the Shipment Regulation: 1. Romania reconsiders its position presented in Position Paper CONF-RO 37/01 and requests a transition period until 31 December 2015, for the notification to the competent authorities of all shipments to Romania of waste for recovery listed in Annex II to Regulation (EEC) No 259/93, according to Articles 6, 7 and 8 of the Regulation. 2. By way of derogation from Article 7(4) of Regulation (EEC) No 259/93, Romania requests to object, by the competent authorities, to shipments of waste for recovery, listed in Annexes II, III and IV of the Regulation and shipments of waste for recovery unlisted in those Annexes, destined for a facility benefiting from a temporary derogation from certain provisions of Directive 96/61/EC concerning integrated pollution prevention and control (IPPC), of Directive 2001/80/EC on the limitation of emissions of certain pollutants into the air from large combustion plants (LCP) and of Directive 2000/76/EC on incineration of waste, during the period in which the temporary derogation is applied to the facility of destination. 3. By way of derogation from Article 7(4) of Regulation (EEC) no. 259/93, until 31 December 2011, Romania, by the competent authorities, requests the possibility to raise objections to shipments to Romania for recovery of the following wastes according to the provisions of Article 4(3) of the Regulation. Such shipments should be subject to Article 10 of the Regulation.

**Slovakia:** Restrictions exist

**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. Since 1st May 2004 Slovakia applies provisions of the Council Regulation No 259/93/EC. The import of wastes for final disposal is regulated under the Article 19 of the Council Regulation No 259/93/EC in Slovakia. (an Article 23 of the national Waste Act No 223/2001 Coll. Of Laws as amended by subsequent regulations).

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

**Slovenia:** Restrictions exist

**Legislation:** Regulation (EC) 1013/2006, especially art. 41. Entry into force : July 2006. Regulation on implementation of Regulation (EC) No. 1013/2006 on shipments of wastes (O.J. of RS No. 71/07) - national legislation. Entry into force: August 2007.

**Countries:** According to Regulation (EC) 1013/2006 import of hazardous wastes from non-Parties of Basel Convention, except from countries with an agreement in place or from other areas during situations of crisis or war, is prohibited. According to national legislation - Regulation on implementation of Regulation (EC) No. 1013/2006 on shipments of wastes (O.J. of RS No. 71/07) - competent authority will object if the shipment will not be in accordance with national operation plans for management of wastes. This is valid for all countries and regions. Exception cases according to Art. 11(1)(3). of Regulation (EC) No. 1013/2006.

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**Question 3d. Import restrictions for final disposal**

**2006. Latin America and The Caribbean. (Parties which did not report are not listed).**

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**Barbados:** Restrictions do not exist

**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.

**Belize:** Restrictions do not exist

**Brazil:** Restrictions exist

**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. The CONAMA Resolution no 23, from December 12, 1996 in its article 5 only allows the import of non-inert wastes for recycling or recovery operations.

**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-A - 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 II-B - There is no restriction to import except the importation of used tires, which is prohibited (of the CONAMA Resolution no 23, from December 12, 1996)

**Chile:** Restrictions in preparation

**Remarks** Se encuentra en vigencia una instrucción que señala que las Autoridades Sanitarias no pueden autorizar el ingreso de residuos peligrosos provenientes de terceros países a territorio nacional. A Draft Law is being prepared by the National Congress, which, if approved, will prohibit the entry of hazardous wastes into Chile.

**Colombia:** Restrictions exist

**Legislation:** Article 81 of the Political Constitution of Colombia (dated 1991), forbids the introduction of toxic and nuclear wastes into national territory. The Law 430 of 1998 issued by the National Congress sets environmental regulations 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 isn't in capacity to administer an environmentally sound manner and that represent unacceptable risks is forbidden; • No entity can introduce or import hazardous wastes without complying with the procedures established by the Basel Convention and its annexes for that purpose; and • The entity who intends to introduce into national territory any cargo which contains any forms of hazardous wastes in an illegal manner and it is consequently detected, shall return it without delay and under his/her exclusive responsibility, this not regarding or in detriment of

applicable penal sanctions. The Law 99 of 1993 (Article 52, paragraph 8) establishes that an Environmental License (authorization), is required previously to the import of pesticides, substances and materials or products subject to control by International Agreements. This considered an Environmental License must be obtained in the framework of the dispositions set in the Basel Convention and requirements hence established. Additionally, through National Decree No. 4741 of 2005, the import of residues or wastes containing Persistent Organic Pollutants (COP's: Aldrin, Chlordane, Dieldrin, Endrin, Heptachlor, Hexachlorobenzene, Mirex, Toxaphene, Polychlorinated Biphenyls -PCBs-, DDT) is specifically forbidden; as well as equipment or substances containing PCBs, in an amount equal or above to 50 mg/kg. Resolution No. 1402 of July 2006, emitted by the Ministry of Environment, Housing and Territorial Development provides further dispositions to those set in decree 4741 of December 2005 regarding hazardous wastes.

**Countries:** All countries, all regions.

**Costa Rica:** Restrictions exist

**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:** Restrictions exist

**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.

**Dominican Republic:** Restrictions exist

**Legislation:** Article 100 of the National Environmental Law 64-00 prohibits import of any kind of Hazardous wastes. It prohibits to import any toxic remainders agree with the classification contained in the international conventions about this theme approved by the Dominican Republic or the its established by the Secretary of State of Environment and Natural Resources, in consult with the Secretary of State of Public Health and Social Assistance like it's prohibit too the utilization of National Territory like transit of this remainders and deposits of their selves. This amendment is contained in The Environment and Natural Resources General Law 64-00 available in Web Page [www.ceiba.gov.do](http://www.ceiba.gov.do) at was edited in Santo Domingo, Dominican Republic on June 2002 by the Secretary of State of Environment and Natural Resources (Page 71).

**Countries:** This restriction to apply for all wastes and all countries/regions.

**El Salvador:** Restrictions exist

**Legislation:** The Environment Act, article 59, 13 May 1998; the Special Regulation Relating to Hazardous Substances, Residues and Wastes, 9 June 2000; the Special Regulation Relating to Integrated Management of Solid Wastes, 9 June 2000; the Special Regulation Relating to Waste Water, 9 June 2000; and the Central American Regional Agreement on Transboundary Movements of Hazardous Wastes, December 1992.

**Remarks:** The Agreement lays down a ban on imports of any type of hazardous wastes from outside the Central American region. Within the country, the Environment Act bans the introduction of hazardous wastes, including transit, release and storage in its territory.

**Guyana:** Restrictions do not exist

**Honduras:** Restrictions exist

**Legislation:** Art.8 General Law on Environment Se prohíbe la introducción al país, de desechos tóxicos radiactivos, Basuras domiciliarias, cienos o lodos cloacales y otros. Así mismo se prohíbe utilizar el territorio nacional y las aguas nacionales como depósito 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 contaminantes. 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 radiactivos, Basuras domiciliarias, cienos y lodos cloacales y otros. Así mismo se prohíbe utilizar el territorio nacional y las aguas nacionales como depósito 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. Art. 129 Reglamento General de Salud Ambiental "...En ninguna circunstancia se permitirá el ingreso al país de desechos tóxicos y otras sustancias radiactivas, mutogénicas, teratogénicas, carcinogénicas y otras que afectan la salud humana y al ambiente, el incumplimiento

del presente Artículo se sancionará desde falta menos leve a hasta grave"

**Countries:** All hazardous wastes.

**Jamaica:** Restrictions exist

**Legislation:** Under Section 6(1) of the Natural Resources (Hazardous Waste)(Control of Transboundary Movement) Regulations, 2002, the importation of hazardous wastes into any area under the jurisdiction of Jamaica is prohibited.

**Remarks:** The importation of hazardous wastes for recovery or final disposal is prohibited.

**Mexico:** Restrictions exist

**Legislation:** In accordance with Article 50, Fraction X, of the General Law of Prevention and Integral Management of Wastes (LGPGIR) requires authorization of the Secretariat for the import and export of hazardous wastes. The Article 85 of the LGPGIR, establishes the follow condition, "The import and export of hazardous wastes will subject to the restrictions or conditions established in the Law, its Regulation, the Law of Foreign Trade, the Federal Law of Economic Competition, the International Treaties of which Mexico is part and the other applicable orderings. Additionally, the article 86 of the LGPGIR resolve that "In the import of hazardous wastes the following dispositions will be due to observe: I. It will be only allowed with the purpose of reusing or recycle hazardous wastes, II. In no case the import of hazardous wastes will be authorized that are or are constituted by persistent organic compounds, and III. The Secretariat will be able to impose limitations to the import of remainders when disincentive or constitutes an obstacle for the reusability or recycling of the remainders generated in national territory."

**Countries:** The restriction covers all countries.

**Paraguay:** Restrictions exist

**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

**Trinidad and Tobago:** Restrictions exist

**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.

**Venezuela:** Restrictions exist

**Legislation:** En la Constitución de la Republica Bolivariana de Venezuela, en el artículo 129, establece que el Estado impedirá la entrada al país de desechos tóxicos, y una ley especial regulará el uso, manejo, transporte y almacenamiento de las sustancias tóxicas y peligrosas. Adicionalmente, se ratifica lo afirmado en la Constitución por la Ley Sobre Sustancias, Materiales y Desechos Peligrosos de (Gaceta Oficial N° 5.554 Extraordinario de fecha 13 de Noviembre de 2001), según los artículos de dicha ley: - Artículo 5. Se prohíbe la introducción de desechos patológicos y peligrosos al país, de conformidad con lo establecido en el artículo 9, numerales 4 y 5 de esta ley. - Artículo 9. A los efectos de esta Ley, se entiende por: • Desecho patológico: desecho biológico o derivado biológico que posea la potencialidad de causar enfermedades en todo ser vive. • Desecho peligroso: material simple o compuesto, en estado sólido, líquido o gaseoso que presenta propiedades peligrosas o que está constituido por sustancias peligrosas, que conserva o no sus propiedades físicas, químicas o biológicas y para el cual no se encuentra ningún uso, por lo que debe implementarse un método de disposición final. El termino incluye los recipientes que los contienen o los hubieren contenidos. • Disposición final de desechos peligrosos: operación de deposito permanente que permite mantener minimizadas las posibilidades de migración de los componentes ni de su contenido energético, ni conduzca a la recuperación de los compuestos resultantes.



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**Question 3d. Import restrictions for final disposal**

**2006. Western Europe and Others. (Parties which did not report are not listed).**

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**Andorra:** Restrictions exist

**Legislation:** See article 27, 1-2-5 (law: "Llei 25/2004, del 14 de desembre, de residus")

**Australia:** Restrictions exist

**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.

**Austria:** Restrictions exist

**Legislation:** Federal Waste Management Plan 2006, which statutes the principle of self sufficiency for final disposal. Based on this principle objections can be raised in case of imports for final disposal provided there is no sufficient capacity for domestic wastes in Austria. The import of hazardous wastes is allowed only from Countries party to the Basel Convention or applying the OECD Decision C(2001)107 or having concluded an Article 11 agreement (Article 11 of Basel Convention).

**Countries:** The restriction covers non parties to the Basel Convention, neither listed in Annex VII of the Convention nor having concluded an Article 11 agreement.

**Belgium:** Restrictions exist

**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:** Restrictions exist

**Legislation:** In Canada, the following legislation applies restrictions on the import of hazardous wastes, hazardous recyclable material and other wastes for final disposal: Canadian Environmental Protection Act, 1999 (CEPA 1999). The following legislation applies restrictions on the import of hazardous wastes and hazardous recyclable materials only: Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations, (EIHWHRMR) – including import controls on PCB waste. National Stakeholder consultations have been completed in the development of regulations on the transboundary movement of non-hazardous wastes for final disposal.

**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 a number of conditions on the import of hazardous waste and hazardous recyclable material the following controls for imports apply: • The importer is the disposer of the hazardous waste in Canada; and • The import of that hazardous waste is not prohibited under the laws of Canada. Although there are a number of conditions on the import of hazardous waste and hazardous recyclable material the following considerations for imports apply: • 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; • The importer and carrier are required to obtain insurance to cover environmental and third party damages should an accident occur during the transboundary movement of hazardous wastes; • An import permit issued by Environment Canada is required; • All shipments must be tracked using a movement document; and • A certificate of disposal is required once the operations are completed. The conditions of the Canada - USA Agreement also apply to imports for final disposal set out in question 3 c) above.

**Denmark:** Restrictions exist

**Legislation:** Paragraph 10 in Statutory Order no. 799 on shipment of waste has a general prohibition on import and export of waste for disposal. This prohibition is in accordance with EU Shipment Regulation 1013/2006 article 11.1 (a)

**Finland:** Restrictions exist

**Legislation:** The amendment 747/2007 to the Waste Act (1072/1993) came into force on 12 July 2007.

**Countries:** According to Section 47 of the amendment 747/2007, imports of all wastes to disposal operations D1, D2, D3, D4, D5, D6, D7, D11 and D12 are totally prohibited. Imports of all wastes to disposal operations D8, D9 and D10 are prohibited with certain exceptions. These restrictions concern both hazardous and non-hazardous wastes. According to the Article 30 of the Regulation (EC)

1013/2006, Member States may conclude bilateral agreements making the notification procedure for shipments of specific flows of waste less stringent in respect of cross-border shipments to the nearest suitable facility located in the border area between the two Member States concerned. Such border-area agreements are currently being drafted with both Sweden and Norway and will be formally approved in the near future. There will be some further exceptions defined in disposal of certain waste streams in respect of the communal cooperation in the border area s.

**Germany:** Restrictions exist

*Legislation:* 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:** Restrictions exist

*Legislation:* Council Regulation EC 259/1993, as amended and implemented.

*Remarks* No hazardous wastes have been imported for the year 2006 in Greece for final disposal purposes.

**Ireland:** Restrictions exist

*Legislation:* In accordance with Article 19 of Council Regulation (EEC) No. 259/93, as amended, on the supervision and control of shipments of waste within, into and out of the European Community, the importation of wastes for final disposal is only permitted from other EU Member States, EFTA Countries which are Parties to the Basel Convention and countries with which bilateral agreements exist. Council Regulation (EEC) No. 259/93 has been repealed with effect from 12 July 2007. The new EU regulation governing shipments of waste is Regulation (EC) No. 1013/2006. Article 41 deals with imports of waste for disposal.

**Italy:** Restrictions exist

*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:** Restrictions exist

*Legislation:* Import authorization is required by the modified Waste Management Law of 17th June 1994. Since December 2006 the restriction in the law has been abolished. The notification procedures for waste transports is however applicable

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

**Monaco:** Restrictions exist

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

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

**Netherlands:** Restrictions exist

*Legislation:* The Council Regulation (EEC) No 259/93; entry into force May 6th 1994; Since May 2003 the national policy on waste is given in 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:** Restrictions exist

*Legislation:* Imports and Exports (Restrictions) Prohibition Order (No 2) 2004.

*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:** Restrictions exist

*Legislation:* The Norwegian regulation on waste, chap. 13, implements EU Regulation no. 259/93.

*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.

**Sweden: Restrictions exist**

**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: Restrictions exist**

**Legislation:** By-law on the Control of Hazardous Wastes, which came into force in 2005, No. 25755.

**Countries:** According to the above-mentioned by-law, 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 by-law. According to the By-law on Control of Hazardous Wastes that was enforced on 14 March 2005, 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: Restrictions exist**

**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.

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**Question 3e. Import restrictions for recovery**

**2006. Africa. (Parties which did not report are not listed).**

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**Algeria:** Restrictions exist

**Legislation:** In accordance with Law no 01-19 of 12/12/2001 related to the management, control and disposal of wastes the import of hazardous special wastes is forbidden.

**Botswana:** Status not provided

**Remarks:** There are no waste recovery industries in the country, waste is only exported for recovery in neighboring countries.

**Cameroon:** Restrictions exist

**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. The introduction, discharge, storage or transit of waste on the national territory and produced outside Cameroon shall be formally prohibited given the international commitments of Cameroon. Section I, 44. Law N° 96/12 of 05 August 1996 relating to environmental management.

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

**Gambia:** Restrictions exist

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

**Ghana:** Restrictions in preparation

**Lesotho:** Restrictions in preparation

**Legislation:** Hazardous and Non-Hazardous Waste Management Draft Bill and Regulations 2005.

**Madagascar:** Restrictions in preparation

**Mali:** Restrictions do not exist

**Morocco:** Restrictions exist

**Legislation:** The Law 28-00 on Waste Management and its Disposal bans the import of hazardous wastes for recovery. The import of non-hazardous wastes according to the Law is allowed if the wastes are managed in an environmentally sound manner. Conformément à la loi 28 00-sur la gestion des déchets et leur élimination et 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 importation pour valorisation seulement est soumise à autorisation.

**Remarks:** The import of non-hazardous wastes is subject to authorisation from the Competent Authority.

**Mozambique:** Restrictions exist

**Legislation:** Under Article 9, Environmental Law 20/97, 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.

**Nigeria:** Restrictions exist

**Legislation:** Decree No. 42 of 1988 on Harmful Waste restricts the import of hazardous wastes for recovery in Nigeria.

**Countries:** The restriction covers all countries.

**Remarks:** Recyclable wastes can only be imported with approved permit given by the Federal Ministry of Environment.

**Seychelles:** Restrictions exist

**Legislation:** EPA 1994 12(7). EPA effectively bans the importation of hazardous waste into the country and prescribes set procedures for movement of wastes. Seychelles does not import any form of waste for recovery.

**Countries:** The restriction covers all countries and regions.

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

**South Africa:** Restrictions exist

**Legislation:** Currently there is no national legislation, so the provisions of the Basel Convention hold.

**Countries:** The restriction covers all countries who are party to the Basel Convention.

**Remarks:** South Africa would only import Hazardous waste from other African countries for recovery purposes, provided there are adequate facilities to do so in an environmental sound manner.

**Tunisia:** Restrictions exist

**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. Pursuant to the decree n°94-1742 of August 29, 1994 regarding the list of products submitted to foreign trade procedures, authorization from the Minister in charge of Trade after consultation with other relevant Ministries, is required for the import and export of non hazardous waste.

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

**Zambia:** Restrictions exist

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

**Countries:** The restriction covers all countries and all wastes.

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**Question 3e. Import restrictions for recovery**

**2006. Asia and Pacific. (Parties which did not report are not listed).**

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**Bahrain:** Restrictions in preparation

**Brunei Darussalam:** Restrictions in preparation

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

**Cambodia:** Restrictions exist

**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:** Restrictions exist

**Legislation:** China Decision on Several issues on Environmental Protection (State Council, No 31, 1996) prohibits the import of hazardous waste and Municipal Solid Waste from abroad. Law of the People's Republic of China on Prevention of Environmental Pollution Caused by Solid Waste, effective on April 1st, 2005; the Interim Regulation on the Administration of Environmental Protection in the Import of Waste Materials, entry into force on April 1st, 1996, which is under amendment; and the Environmental Protection Control Standards for Imported Waste Material, entry into force in 2006. According to Law of the People's Republic of China on Prevention of Environmental Pollution Caused by Solid Waste, effective on April 1st, 2005, import of solid waste which can not be used as a raw material or can not be used in an environmentally sound manner is prohibited. Up to now, wastes listed in the "list of automatic-licensing solid wastes that can be used as raw materials" and the "list of restricted solid wastes that can be used as raw materials" are permitted to be imported. Solid wastes which are not included in either of the above two categories are forbidden to be imported. "Announcement 66, 2004 promulgated by Ministry of foreign trade and economic cooperation (MOFTEC), General Administration of Customs, General Administration of Quality Supervision, Inspection and Quarantine, State Environmental Protection Administration on Oct 20, 2004, promulgated list of Wastes that can be used as raw materials and are restricted in importation (Third). "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 Environmental 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 V2O5 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) (See Annex-3) "Announcement 25, 2002, promulgated by Ministry of foreign trade and economic cooperation (MOFTEC), General Administration of Customs, State Environmental 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 automatic-licensing solid wastes that can be used as raw materials, promulgated by State Environmental Protection Administration on January 18, 2002. Announcement 41, 2001 promulgated by Ministry of foreign trade and economic cooperation (MOFTEC), General Administration of Customs, General Administration of Quality Supervision, Inspection and Quarantine, State Environmental Protection Administration on December 30, 2001, promulgated list of Wastes that can be used as raw materials and are restricted in importation (First). List of Goods Prohibited to be Imported (Third) (See Annex-3) "Announcement 36, 2001, promulgated by Ministry of Foreign Trade and Economic Cooperation (MOFTEC), General Administration of Customs, State Environmental 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. The Waste Disposal Ordinance was amended in 2006 on this control and has been in effect since 7 April 2006.

**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. Macao Special Administrative Region, China The import of waste for the purpose of recovery will be subject to the controls according to the Basel Convention requirements.

**Cyprus:** Restrictions exist

**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:** Restrictions exist

**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:** The restriction covers 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 trough bilateral, multilateral and regional agreements.

**Iran (Islamic Republic of):** Restrictions exist

**Legislation:** Under terms of Basel Convention ratified in Islamic Republic of Iran Parliament (Majlis), the import of hazardous wastes and other wastes for recovery will take place because the country has capability of recovery of some imported hazardous wastes in an environmentally sound manner.

**Countries:** The restriction covers the Islamic Republic of Iran.

**Japan:** Restrictions exist

**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.

**Kazakhstan:** Restrictions exist

**Legislation:** In accordance with acting law of the Republic Kazakhstan "About environment protection" st.60 p.2. (with change, contributed Law RK from 24.12.98; from 11.05.99 N 3811; from 29.11.99 N 488-1; from 04.06.01 N 205-II; from 24.12.01 N 276-II; from 09.08.02 N 346-II; from 25.05.04 N 553-II; from 09.12.04 N 8-III; from 20.12.04 N 13-III; from 15.04.05 N 45-III, from 08.07.05 7I-III from 10.01.06 116-II1 from 31.01.06 125-III): St. 60 Ecological requirements when referencing with wastes production and consumptions 2. Import for conversion, burial or keeping wastes in Republic

Kazakhstan can be realized only on special permit Government Republics Kazakhstan. 3. It is Forbidden import to product, not having technologies for her (its) neutralize or salvaging after use. 4. The Ecological requirements when referencing with wastes, alongside with the present Law, are defined by legislation about wastes and other normative legal acts. In accordance with Statue 311. "Transboundary transportation wastes of Ecological Code, residing on stage of consideration in Parliament RK: "import dangerous wastes on territory of the Republic Kazakhstan in purpose of their use (salvaging, conversions, recycling) and burial is realized on decision Government Republics Kazakhstan at presence of the positive conclusions state ecological and sanitary epidemiological expert operations".

**Countries:** There is in view of import in Republic Kazakhstan.

**Kiribati:** Restrictions in preparation.

**Remarks:** Restrictions are currently based around the needs to obtain permits/licenses to operate facilities under the provisions of the Environment Act 1999 (as amended in 2007). A legislative review currently underway may lead to more robust importation legislation being put in place.

**Malaysia:** Restrictions exist

**Legislation:** The Environmental Quality Act 1974, (Amendment 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.

**Pakistan:** Restrictions exist

**Legislation:** Pakistan Environmental Protection Act, 1997. Import Policy Order 2006 issued by Ministry of Commerce.

**Countries:** All countries.

**Remarks:** According to section 13 (Prohibition of Import of Hazardous Waste) of Pakistan Environmental Protection Act - 1997, "No person shall import hazardous waste into Pakistan and its territorial waters, Exclusive Economic Zone and historic waters". 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.

**Republic of Korea:** Restrictions exist

**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:** Restrictions exist

**Legislation:** The Hazardous Waste (Control of Export, Import or Transit) Act (HWA) which entered into force on 16 Mar 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:** Restrictions exist

**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 have been prepared for this purpose.

**Countries:** The Cabinet decision was to prohibit import of hazardous waste from all countries (not restricting to annex VII countries).

**Viet Nam:** Restrictions exist

**Legislation:** Waste is prohibited from import for any purpose by Law on Environmental Protection in 2005.



- Countries:* The prohibition covers all countries and all wastes under the definition. However, the State allows importation of certain categories of scrap materials for use (or recovery) as secondary production materials (Decision No. 12/2006/QĐ-BTNMT in 3e(iii) below).
- Remarks* Vietnam differentiates between wastes and scrap materials. Law on Environmental Protection in 2005 generally defines scrap materials as products or materials discarded from production or consumption, which could be recovered as secondary materials for production. Decision No. 12/2006/QĐ-BTNMT dated 08 September 2006 of Minister of Natural Resources and Environment (replacing Decision No. 03/2004/QĐ-BTNMT dated 02 April 2004 of the Minister of Natural Resources and Environment on promulgation of Environment Protection Regulations on the Import of Scrap Materials as Secondary Materials for Domestic Production) issues the list of scraps permitted for import as secondary production materials.

**Question 3e. Import restrictions for recovery**

**2006. Central and Eastern Europe. (Parties which did not report are not listed).**

**Armenia: Restrictions exist**

**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. 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: Restrictions exist**

**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: Restrictions exist**

**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.

**Croatia: Restrictions exist**

**Legislation:** Regulation on supervision of transboundary movement of waste, which came into force on 1st September 2006, provides provisions on restrictions on transboundary movement of waste. Special conditions for the import of hazardous wastes and other wastes are prescribed by the orders of Articles 47., 48. and 49. of the Waste Act, Official Gazette, No. 178/04 as follows: Article 47 (1) Import of hazardous waste shall be prohibited. (2) Import of waste for the purpose of landfilling and use for energy purposes shall be prohibited. (3) Import of non-hazardous waste that can be recovered in accordance with this Act shall be permitted. (4) Supervision of the transboundary transport of waste, the method and procedure of border control at the borders and border crossings as well as the authorities of environmental protection inspectors shall be prescribed by a special regulation passed by the Croatian Government. Article 48 (1) For the import of non-hazardous waste referred to in Article 47 paragraph 3 of this Act, the person importing the waste must obtain the decision prescribed by this Act. (2) Import as referred to in paragraph 1 of this Article shall be permitted to the person registered for import activities (hereinafter referred to as: the importer) at the person's request, if the following requirements are met: 1. a contract is concluded between the waste importer and the person exporting waste, 2. a contract is concluded between the waste importer and the person who is performing recovery and/or disposal of waste, 3. the waste importer has a statement from the person exporting waste on the type, quantity, composition and origin of waste, as well as on the technology through which it was generated, and on the reasons for its

export, 4. the waste importer has evidence that the person responsible for the recovery and/or disposal of waste has an available technological plant for treating waste which does not present any hazard to the environment (possesses a licence in accordance with Article 41 paragraph 1 of this Act). 5. the waste importer encloses a statement from the person responsible for the recovery and/or treatment of the imported waste on the type of waste that is to be produced by means of treatment or recovery of the imported waste and on the method of its disposal, 6. data is provided on the waste tariff number, the waste key number, the mode of transport and the border crossing for import. Article 49 (1) Request for the import of waste referred to in Article 47 paragraph 3 of this Act shall be submitted for the import of waste for a period of one year. (2) The Ministry shall decide on the request referred to in paragraph 1 of this Article. The decision shall also determine the time period for which the decision is valid. (3) The importer shall submit to the Ministry a report on imported amounts and types of waste by 1 February of the current year for the previous year. (4) An appeal shall not be permitted against the decision referred to in paragraph 2 of this Article, but an administrative dispute may be instituted.

**Countries:** The restriction covers all countries.

**Czech Republic:** Restrictions exist

**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 (applicable until 11 July 2007). Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 July 2006 on shipments of waste (applicable from 12 July 2007).

**Countries:** All imports of hazardous waste for recovery are prohibited except those from EU and OECD countries, other countries which are Parties to the Basel Convention and other countries with which bilateral or multilateral agreements or arrangements in accordance with Article 11 of the Basel Convention have been concluded as well as from other areas in cases where, on exceptional grounds during situations of crisis, peacemaking, peacekeeping or war, no bilateral agreements or arrangements can be concluded or where a competent authority in the country of dispatch has either not been designated or is unable to act.

**Estonia:** Restrictions do not exist

**Georgia:** Restrictions exist

**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 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:** Restrictions do not exist

**Countries:** The waste import is restricted if processing/recycling capacity is lacking.

**Remarks:** The permit from National Inspectorate for Environment and Water (Kf) is necessary for the import. The permit application shall be submitted by the importer to Kf with notification form.

**Latvia: Restrictions exist**

**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.

**Poland: Restrictions exist**

**Legislation:** 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 (OJ L 30, 6.2.1993, p. 1). Regulation became directly applicable on Poland's accession to the EU (1 May 2004).

**Countries:** All countries except for EU, OECD and Basel Convention countries.

**Remarks** - Shipments within the EU: Green listed waste: no control procedure (shipments to Poland, Slovakia, Latvia – transitional measures in Treaty of Accession - control procedure according to art. 6-8 of Council Regulation No 259/93) Amber listed waste - control procedure stipulated in art. 6-8 of Council Regulation No 259/93 Red listed waste - control procedure stipulated in art. 10 of Council Regulation No 259/93 Unlisted waste - control procedure stipulated in art. 10 of Council Regulation No 259/93. - Shipments into the EU In case of import of waste for recovery from OECD countries, notification procedures stipulated in art. 22 paragraph 1 should be applied. In case of import of waste for recovery from non-OECD countries, notification procedure stipulated in art. 22 paragraph 2 should be applied.

**Republic of Moldova: Restrictions exist**

**Legislation:** Law on Environmental Protection, which prohibits the introduction of all kinds of waste. The Framework of the Law on Environmental Protection, art. 73 "There are prohibited the introduction of waste and the residuals of any nature, crude or in processing state, due to temporary storage, deposit, processing, spreading on ground, water or their destruction. Customs authorities are obliged to control and to be responsible for applying of present article concerning import and transportation of waste and the residuals of any nature on the territory of the Republic of Moldova." A similar article is included in the range of other laws concerning wastes. New amendments for the Environmental Protection Law, nr 1515 – XII from 16 June 1993. According to new amendment of the article 73, it is allowed to import the paper waste, mentioned in the annex, for utilization at the existing factory in the country. Therefore it is allowed to import paper waste for recovery. The following categories of paper are included in the annex to the Law on Environmental Protection: Cod Name of the goods: 4707- Waste and scrap of paper or paperboard 4707 10 000 - of unbleached kraft paper or paperboard or corrugated paper or paperboard 4707 20 000 - of other papers or paperboard, made mainly of bleached chemical pulp, not colored in the mass 4707 30 - of papers or paperboard made mainly of mechanical pulp (for example, newspaper, journals and similar printed matter) 4707 30 100 --obtained from old or unsold newspapers, magazines, phone books, and other newsprint.

**Remarks** It should be mentioned also that the same amendment was introduced in the article 20 of the Law on production and domestic waste, nr.1347-XIII from 9 October 1997.

**Romania: Restrictions exist**

**Legislation:** In accordance to art. 32 (2) of the Emergency Ordinance no.195/2005 on Environmental Protection approved by Law 265/2006 the import of waste for recovery is permitted in accordance with regulations imposed by norms proposed by the central environmental protection authority and approved by the Government, in compliance with Treaty concerning Romania adherence to EU, according Law no.157/2005.

**Remarks** Romania has obtained transition periods for the implementation of the Shipment Regulation: 1. Romania reconsiders its position presented in Position Paper CONF-RO 37/01 and requests a transition period until 31 December 2015, for the notification to the competent authorities of all shipments to Romania of waste for recovery listed in Annex II to Regulation (EEC) No 259/1993 regarding shipments of waste, according to Articles 6, 7 and 8 of the Regulation. 2. By way of derogation from Article 7(4) of Regulation (EEC) No 259/93, Romania requests to object, by the competent authorities, to shipments of waste for recovery, listed in Annexes II, III and IV of the Regulation and shipments of waste for recovery unlisted in those Annexes, destined for a facility benefiting from a temporary derogation from certain provisions of Directive 96/61/EC concerning integrated pollution prevention and control (IPPC), of Directive 2001/80/EC on the limitation of emissions of certain pollutants into the air from large combustion plants (LCP) and of Directive 2000/76/EC on incineration of waste, during the period in which the temporary derogation is applied to the facility of destination. 3. Until 31 December 2011, Romania, by the competent authorities, requests the possibility to raise objections to shipments to Romania for recovery of the following wastes according to the provisions of Article 4(3) of the Regulation. Such shipments should be subject to Article 10 of the Regulation.

**Slovakia: Restrictions exist**

**Legislation:** Since 1st May 2004 Slovakia applies Council Regulation No 259/93/EC as amended by subsequent

regulations and the Treaty of Accession of the SR to the EU. Based on the Treaty of Accession of the SR to the EU all consignments of wastes to Slovakia, destined for recovery operations, listed in Annexes II, III, IV of Council Regulation No 259/93/EC, as well as the consignments of wastes not listed in these annexes, will be the subject of notification to the relevant bodies and procedures according to the provisions of the Articles 6, 7 and 8 of the Council Regulation No 259/93/EC by 31st December 2011. The relevant bodies, without regard to the provisions of the Article 7/4 of Regulation, will raise objections to the consignments of wastes destined for recovery, listed in the Annexes II, III, IV of Regulation and against the consignments not listed in these annexes and destined for facilities under temporary exemption. This provision is applied to the following nine facilities: Slovensky hodvab, corp., Senica until 31.12.2011 Istrochem, corp., Bratislava until 31.12.2011 NCHZ, corp., Novaky until 31.12.2011 SLZ Chemia, corp., Hnusta until 31.12.2011 Duslo, corp., Sala until 31.12.2010 ZOS Trnava, corp., Trnava until 31.12.2010 Bukocel, corp., Hencovce until 31.12.2009 U.S. Steel, corp., Kosice (coking plant) until 31.12.2010 Matador, corp., Puchov until 31.12.2011

**Countries:** Referring to the Article 21 of the Council Regulation No 259/93/EC the import of hazardous wastes for recovery from non-Parties of the Basel Convention, except from OECD countries or countries which conclude bilateral agreement with Slovakia or EU, is prohibited.

**Slovenia:** Restrictions exist

**Legislation:** Regulation (EC) 1013/2006, especially art. 43. Entry into force : July 2006. Regulation on implementation of Regulation (EC) No. 1013/2006 on shipments of wastes (O.J. of RS No. 71/07) - national legislation. Entry into force: August 2007

**Countries:** According to Regulation (EC) 1013/2006 import of hazardous wastes from non-Parties of Basel Convention, except from OECD-countries or from countries with agreement in place or from other areas during situations of crisis or war, is prohibited. According to national legislation - Regulation on implementation of Regulation (EC) No. 1013/2006 on shipments of wastes (O.J. of RS No. 71/07) - competent authority will object to the shipments of wastes intended to R1 operation if the waste generated in Slovenia will have to be disposed or their management will not be in accordance with national operation plans for management of wastes. This is valid for all countries and regions. Exception cases according to Art. 11(1)(3). Of Regulation (EC) No. 1013/2006.

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**Question 3e. Import restrictions for recovery**

**2006. Latin America and The Caribbean. (Parties which did not report are not listed).**

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**Barbados:** Restrictions do not exist

**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.

**Belize:** Restrictions do not exist

**Brazil:** Restrictions exist

**Legislation:** National Environmental Council (CONAMA) Resolutions Nr. 23 (December, 1996) and Nr. 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:** Restrictions in preparation

**Remarks** Se encuentra en vigencia una instrucción que señala que las Autoridades Sanitarias no pueden autorizar el ingreso de residuos peligrosos provenientes de terceros países a territorio nacional. A Draft Law is being prepared by the National Congress, which, if approved, will prohibit the entry of hazardous wastes into Chile.

**Colombia:** Restrictions exist

**Legislation:** Article 81 of the Political Constitution of Colombia (dated 1991), forbids the introduction of toxic and nuclear wastes into national territory. The Law 430 of 1998 issued by the National Congress sets forth injunctive environmental regulations 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 administer in an environmentally sound manner and that represent exclusive and unacceptable risks is forbidden; No entity can introduce or import hazardous wastes without complying with the procedures established by the Basel Convention and its annexes for that purpose; and The entity who intends to introduce into national territory any cargo which contains any forms of hazardous wastes in an illegal manner and it is consequently detected, shall return it without delay and under his/her exclusive responsibility, this not regarding or in detriment of applicable penal sanctions. The Law 99 of 1993 (Article 52, paragraph 8) establishes that an Environmental License (authorization), is required previously to the import of pesticides, substances and materials or products subject to control by Environmental Multilateral Agreements; This considered an Environmental License must be obtained in the framework of the dispositions set in the Basel Convention and requirements hence established. Additionally, through National Decree No. 4741 of 2005, the import of residues or wastes containing Persistent Organic Pollutants (COP's): Aldrin, Chlordane, Dieldrin, Endrin, Heptachlor, Hexachlorobenzene, Mirex, Toxaphene, Polychlorinated Biphenyls -PCBs-, DDT) is specifically forbidden; as well as equipment or substances containing PCBs, in an amount equal or above to 50 mg/kg. Resolution No. 1402 of July 2006, emitted by the Ministry of Environment, Housing and Territorial Development provides further dispositions to those set in decree 4741 of December 2005 regarding hazardous wastes.

**Countries:** All countries, all regions.

**Costa Rica:** Restrictions exist

**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:** Restrictions do not exist

**Dominican Republic:** Restrictions exist

**Legislation:** Article 100 of the National Environmental Law 64-00 prohibits import of any kind of Hazardous wastes. It's prohibits to import any toxics remainders agree with the classification contained in the internationals conventions about this theme approved by the Dominican Republic or the its

established by the Secretary of State of Environment and Natural Resources, in consult with the Secretary of State of Publics Health and Social Assistance like it's prohibit too the utilization of National Territory like transit of this remainders and deposits of their selves. This amendment is contained in The Environment and Naturals Resources General Law 64-00 available in Web Page [www.ceiba.gov.do](http://www.ceiba.gov.do) at was edited in Santo Domingo, Dominican Republic on June 2002 by the Secretary of State of Environment and Naturals Resources (Page 71).

**Countries:** This restriction to apply for all wastes and all countries/regions.

**El Salvador:** Restrictions exist

**Legislation:** The Environment Law, article 59, 13 May 1998; the Special Regulation Relating to Hazardous Substances, Residues and Wastes, 9 June 2000; the Special Regulation Relating to Integrated Management of Solid Wastes, and the Central American Regional Agreement on Transboundary Movements of Hazardous Wastes, December 1992.

**Remarks** The Special Regulation Relating to Hazardous Substances, Residues and Wastes (June 2000) allows for waste for recovery to enter the country but it must request an Environmental Permit whereby final disposition is assured. The Environment Law prohibits the introduction, transit, release and storage of hazardous wastes that cannot be recovered.

**Guyana:** Restrictions do not exist

**Honduras:** Restrictions exist

**Legislation:** - General Environmental Law- Ley General del Ambiente. - General Environmental Law Regulation- Reglamento de la Ley General del Ambiente - Health Code-Código de Salud

**Countries:** All the countries of the world/All hazardous wastes.

**Jamaica:** Restrictions exist

**Legislation:** Under Section 6(1) of the Natural Resources (Hazardous Waste)(Control of Transboundary Movement) Regulations, 2002, the importation of hazardous wastes into any area under the jurisdiction of Jamaica is prohibited.

**Remarks** The importation of hazardous wastes for recovery or final disposal is prohibited.

**Mexico:** Restrictions exist

**Legislation:** In accordance with Article 50, Fraction X, of the General Law of Prevention and Integral Management of Wastes (LGPGIR) requires authorization of the Secretariat for the import and export of hazardous wastes. The Article 85 of the LGPGIR, establishes the follow condition, "The import and export of hazardous wastes will subject to the restrictions or conditions established in the Law, its Regulation, the Law of Foreign Trade, the Federal Law of Economic Competition, the International Treaties of which Mexico is part and the other applicable orderings. Additionally, the article 86 of the LGPGIR resolve that "In the import of hazardous wastes the following dispositions will be due to observe: I. It will be only allowed with the purpose of reusing or recycle hazardous wastes, II. In no case the import of hazardous wastes will be authorized that are or are constituted by persistent organic compounds, and III. The Secretariat will be able to impose limitations to the import of remainders when disincentive or constitutes an obstacle for the reusability or recycling of the remainders generated in national territory." Also, in accordance with Article 50 of the LGPGIR determines that the following activities of hazardous wastes handling requires authorization of the Secretariat: I. The benefit of services of handling of hazardous wastes, II. The use of hazardous wastes in productive processes, in accordance with the arranged thing in Article 63 of the Law, III. ... IV. The accomplishment of anyone of the activities related to the handling of originating hazardous wastes of third part V. The incineration of hazardous wastes VI. The transport of hazardous wastes VII. ... , VIII. ... , IX. ... , X. ... , XI. The others that establish the Law and the Mexican Official Norms. Because of this, the enterprises that import hazardous wastes have to sees authorized for by SEMARNAT recycling of then.

**Countries:** The restriction covers all Countries.

**Paraguay:** Restrictions exist

**Legislation:** Constitución Nacional 1992 Art.8

**Countries:** Basuras tóxicas

**Trinidad and Tobago:** Restrictions exist

**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.

**Venezuela:** Restrictions exist

**Legislation:** Según la Ley Sobre Sustancias, Materiales y Desechos Peligrosos, aquellos desechos que puedan ser recuperados son denominados materiales peligrosos recuperables según los artículos de dicha ley: • Artículo 68. Los interesados en importar sustancias o materiales peligrosos recuperables deberán solicitar la autorización del Ministerio del Ambiente y de los Recursos Naturales antes de ingresar la mercancía al país, anexando toda la información relativa a la sustancia o al material, de conformidad con la reglamentación técnica vigente. En los casos de materiales peligrosos recuperables debe garantizarse que no se trata de desechos peligrosos y que efectivamente será convertido en un producto de consumo o de uso en el país, indicando los beneficios de su importación. • Artículo 69. El Ministerio del Ambiente y de los Recursos Naturales deberá solicitar información y consentimiento al gobierno del país de procedencia, antes de otorgar la autorización para importar materiales peligrosos recuperables. Si el material está sujeto a otros controles por razones sanitarias y de seguridad y defensa, el interesado deberá tramitar la autorización correspondiente ante las autoridades competentes. • Artículo 70. Si el importador no cuenta con la autorización del Ministerio del Ambiente, el material será considerado como desecho peligroso y deberá ser devuelto de inmediato al país de origen. Todos los gastos serán por cuenta del importador, sin menoscabo de la aplicación de las sanciones establecidas en esta Ley.

**Remarks** Insofar as materials with hazardous characteristics that, after serving a specific purpose, still have useful physical and chemical characteristics and can therefore be recovered, reused, recycled, regenerated or otherwise used to good effect for that same or another purpose, they are considered by Venezuela's domestic legislation (Decree 2635, article 3), as recoverable hazardous material and are exempt from the Constitutional ban on imports if and only if the country has environmentally safe technology available to recover it.



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**Question 3e. Import restrictions for recovery**

**2006. Western Europe and Others. (Parties which did not report are not listed).**

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**Andorra:** Restrictions exist

**Legislation:** See article 27, 1-2-5 (law: "Llei 25/2004, del 14 de desembre, de residus")

**Australia:** Restrictions exist

**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.

**Austria:** Restrictions exist

**Legislation:** EU Regulation 1013/2006/EC.

**Countries:** Imports of hazardous wastes are allowed only from Countries party to the Basel Convention or Countries applying the OECD Decision C(2001)179 FINAL. Additionally import from non parties are allowed on the basis of a bilateral agreement in accordance with article 11 of the Basel Convention. No such agreement beside the OECD-Decision is in force in Austria.

**Belgium:** Restrictions exist

**Legislation:** Council Regulation (EEC) 259/93, Art. 21. The restriction covers non-OECD countries and non-Parties to the Basel Convention.

**Canada:** Restrictions exist

**Legislation:** In Canada, the following legislation applies restrictions on the import of hazardous wastes, hazardous recyclable material and other wastes for final disposal: Canadian Environmental Protection Act, 1999 (CEPA 1999). The following legislation applies restrictions on the import of hazardous wastes and hazardous recyclable materials only: Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations, (EIHWHRMR) – including import controls on PCB waste.

**Countries:** Canada's restrictions on import for recovery 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 3(e)(i) above. The conditions listed above in 3(d)(iii) 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 under "Export for IV B".

**Denmark:** Restrictions exist

**Legislation:** Article 43 in EU Regulation 1013/2006 of June 14 2006 prohibits import except from an OECD Decision country or an country Party to the Basel Convention or with an agreement in place or from other areas during situations of crisis or war.

**Finland:** Restrictions do not exist

**Germany:** Restrictions exist

**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:** Restrictions exist

**Legislation:** Council Regulation EC 259/1993, as amended and implemented.

**Remarks:** Limited amounts of used oil and dry lead (car) batteries are imported for recovery/recycling purposes.

**Ireland:** Restrictions exist

**Legislation:** In accordance with Article 21 of Council Regulation (EEC) No. 259/93, as amended, on the supervision and control of shipments of waste within, into and out of the European Community, the importation of waste for recovery may only be permitted from countries to which OECD Decision C (92)/39 Final applies, other countries which are parties to the Basel Convention and /or which have

concluded bilateral agreements with the EC or the individual Member State.

**Italy:** Restrictions exist

*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:** Restrictions exist

*Legislation:* Import authorization is required by the modified Waste Management Law of 17th June 1994. Since December 2006 the restriction in the law has been abolished. The notification procedures for waste transports is however applicable

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

**Monaco:** Restrictions exist

*Remarks:* However, household wastes import is authorized for energy recycling only.

**Netherlands:** Restrictions exist

*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:** Restrictions exist

*Legislation:* Imports and Exports (Restrictions) Prohibition Order (No 2) 2004.

*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:** Restrictions exist

*Legislation:* The Norwegian regulation on waste, chap 13, implements EU Regulation no. 259/93.

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

**Sweden:** Restrictions exist

*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:** Restrictions exist

*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 and Forestry according to communiqué which is to be revised every year by MoE & F under the sectoral needs.

**United Kingdom of Great Britain and Northern Ireland:** Restrictions do not exist

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**Question 3f. Transit restrictions**

**2006. Africa. (Parties which did not report are not listed).**

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**Algeria:** Restrictions exist

**Legislation:** In accordance with Law no 01-19 of 12/12/2001 related to the management, control and disposal of wastes.

**Remarks** Article 26 of the Law no 01-19 of 12/12/2001 related to the management, control and disposal of wastes said that the exportation and the transit of the special and hazardous wastes are prohibited toward the countries that forbid their importation and toward the countries that do not forbid this importation in the absence of their special and written commitment besides the authorization of the transit that match with the affix seals on the container at the borders of the national territory.

**Botswana:** Restrictions exist

**Legislation:** Waste Management Act 1998.

**Countries:** The restriction covers all forms of hazardous on transit irrespective of region or country of origin.

**Remarks** Countries have to make requests for transit in advance and they have to be accompanied by both movement and notification forms and permit from the disposer including dates and times of transit, this help us to alert officers at border posts and arrange for Police escort while in transit.

**Cameroon:** Restrictions exist

**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. The introduction, discharge, storage or transit of waste on the national territory and produced outside Cameroon shall be formally prohibited given the international commitments of Cameroon. Section I, 44. Law N° 96/12 of 05 August 1996 relating to environmental management.

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

**Gambia:** Restrictions exist

**Legislation:** The Bamako Convention and Draft Waste Bill (to be adopted).

**Countries:** To be determined.

**Ghana:** Restrictions in preparation

**Lesotho:** Restrictions in preparation

**Legislation:** Hazardous and Non-Hazardous Waste Management Draft Bill and Regulations 2005.

**Madagascar:** Restrictions do not exist

**Mali:** Restrictions do not exist

**Morocco:** Restrictions exist

**Legislation:** Conformément à l'article 42 de la loi 28-00 sur la gestion des déchets et leur élimination et en tant que partie à la convention de Bâle et ayant ratifié son amendement, le Maroc soumis le transit de déchets dangereux à une autorisation des autorités compétentes. 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:** Restrictions do not exist

**Nigeria:** Restrictions exist

**Legislation:** Harmful Waste Decree No. 42 of 1988.

**Countries:** The restriction covers all countries.

**Remarks** Basel Convention signatories are required to obtain written consent of the Competent Authority before the movement occurs.

**Seychelles:** Restrictions exist

**Legislation:** EPA 1994 12(8)(a). No person shall transport hazardous waste within or through Seychelles without an authorization from the agency.

**Countries:** The restriction covers 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:** Restrictions exist

**Legislation:** There is no national legislation covering this, therefore provisions of the Basel Convention hold.

**Countries:** The restriction covers all countries party to the Basel Convention.

**Remarks:** The hazardous waste consignment has to meet adequate requirements in terms of :-packaging, labeling, liability, insurance, -Specific time frame for transit period, Remain in the transit point for the said waste.

**Tunisia:** Restrictions exist

**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.

**Zambia:** Restrictions exist

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

**Countries:** The restriction covers 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 shown received.

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**Question 3f. Transit restrictions**

**2006. Asia and Pacific. (Parties which did not report are not listed).**

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**Bahrain:** Restrictions in preparation

**Brunei Darussalam:** Restrictions in preparation

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

**Cambodia:** Restrictions do not exist

**China:** Restrictions exist

**Legislation:** China According to Solid Waste Law and the Ocean Environmental Protection Law, it is forbidden to transit of hazardous waste via the territory of the People's Republic of China, including via China's inner water and territorial waters. Transit of hazardous waste via other oceanic area under the jurisdiction of China shall get the written consent from SEPA in advance. 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. The Waste Disposal Ordinance was amended in 2006 on this control and has been in effect since 7 April 2006. Macao Special Administrative Region, China The transit of waste will be subject to the controls according to the Basel Convention requirements.

**Cyprus:** Restrictions exist

**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:** Restrictions do not exist

**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 obtained a written approval from Ministry of Environment in advance.

**Iran (Islamic Republic of):** Restrictions exist

**Legislation:** Under terms of Basel Convention, Marpol Convention and Kuwait Convention, ratified in Islamic Republic of Iran Parliament (Majlis), the transit of hazardous wastes and other wastes take places across the country's frontiers in compliance with the above mentioned conventions.

**Countries:** The restriction covers the Islamic Republic of Iran.

**Japan:** Restrictions do not exist

**Kazakhstan:** Restrictions exist

**Legislation:** In accordance with acting law of the Republic Kazakhstan "About environment protection" st.60 p.2. (with change, contributed Law RK from 24.12.98; from 11.05.99 N 381-1; from 29.11.99 N 488-1; from 04.06.01 N 205-II; from 24.12.01 N 276-II; from 09.08.02 N 346-II; from 25.05.04 N 553-II; from 09.12.04 N 8-III; from 20.12.04 N 13-III; from 15.04.05 N 45-III, from 08.07.05 71-III from 10.01.06 116-III from 31.01.06 125-III); The Item 60-4. International transportation wastes International transportation wastes are realized in order, installed by Government of the Republic Kazakhstan. Supervision for import (the export) wastes in Republic Kazakhstan is provided state organ, realizing border, transport and customs supervision, as well as accredited by organ in the field of environment protection and state organ sanitary-epidemiological service in accordance with legislation of the Republic Kazakhstan and international agreements, ratified by Republic Kazakhstan. In accordance with Statue 286 "Transboundary displacement radioactive material and wastes radioactive material on territory of the Republic Kazakhstan" Ecological Code, residing on stage of consideration in Parliament RK: " translimit displacement through state of the transit .must be realized at term of the execution that international obligations, which correspond to concrete used type of the transport" .

**Countries:** The restriction covers all countries.

**Remarks** Procedures of the supervision for translimit by movement wastes Are they At present found on

stage of the co-ordination "Rules of the realization of international transportation wastes", designed by Ministry of the transport and communications RK. providing procedure of the supervision for trans limit by movement wastes.

**Kiribati:** Restrictions in preparation

**Remarks** Everything in preparation needs cabinet priority and financial assistance.

**Pakistan:** Restrictions exist

**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 substances 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 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."

**Republic of Korea:** Restrictions exist

**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:** Restrictions exist

**Legislation:** The Hazardous Waste (Control of Export, Import or Transit) Act (HWA) entered into force on 16 Mar 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:** Restrictions exist

**Legislation:** The controlling procedures are in accordance with the provisions of the Basel Convention.

**Viet Nam:** Restrictions exist

**Legislation:** Law on Environmental Protection prohibits the transit of wastes (as defined by this Law, but scrap materials). Decree No. 12/2006/ND-CP dated 23 January 2006 of the Government providing guidelines on implementation of the Trade Law's regulations on international commodities buying and selling activities stipulates that the temporary import for re-export of commodities (including waste) should have permit from Ministry of Trade. Regulations on management of businesses on temporary import for re-export and transit of commodities prohibited or suspended from import (issued by Decision 2504/2005/QĐ-BTN dated 10/10/2005 of Minister of Trade) was expire after Decree 12/2006/ND-CP was issued.

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**Question 3f. Transit restrictions**

**2006. Central and Eastern Europe. (Parties which did not report are not listed).**

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**Armenia:** Status not provided

**Legislation:** Information on restrictions on the transit/import of hazardous wastes and other wastes through the territory of the Republic of Armenia is stated in the Decisions of the Republic of Armenia "On approval of the list of hazardous waste in the Republic of Armenia" (No874-N dated May 20, 2004) and "On approval of the List of hazardous waste banned in the Republic of Armenia" (No1093-N dated July 08, 2004). "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 prohibition/restrictions are 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:** Restrictions exist

**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:** Restrictions do not exist

**Croatia:** Restrictions exist

**Legislation:** Articles 52 and 54 of the Waste Act, Official Gazette, No. 178/04 as follows: Article 52 (1) Transit of hazardous waste in the territory of the Republic of Croatia may be performed by a person who is registered for performing the activity, under the condition that the person obtains the decision prescribed by this Act. (2) The Ministry shall issue a decision on the transit of hazardous waste at the request of the person doing the transiting. (3) The decision referred to in paragraph 2 of this Article shall be issued if the person doing the transiting meets the requirements for the export of hazardous waste in an appropriate manner as prescribed by Article 50 of this Act. (4) An appeal shall not be permitted against the decision referred to in paragraph 2 of this Article, but an administrative dispute may be instituted. Article 54 Transit of non-hazardous waste through the Republic of Croatia shall be permitted.

**Countries:** The restriction covers all countries.

**Czech Republic:** Restrictions do not exist

**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 (applicable until 11 July 2007). Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 July 2006 on shipments of waste (applicable from 12 July 2007).

**Estonia:** Restrictions do not exist

**Georgia: Restrictions exist**

**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 h) Category "GE" (glass waste in non-dispersible form).

**Hungary: Restrictions do not exist**

**Latvia: Restrictions exist**

**Legislation:** Article 47 and 48 of Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste.

**Countries:** The restriction covers third countries.

**Poland: Restrictions exist**

**Legislation:** 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 (OJ L 30, 6.2.1993, p. 1) Regulation became directly applicable on Poland's accession to the EU (1 May 2004).

**Countries:** Since 1 May 2004All countries

**Remarks** Transit to non-OECD country: control procedures stipulated in art. 23 of Council Regulation No 259/93. Transit to OECD country: control procedure stipulated in art. 24 of Council Regulation No 259/93.

**Republic of Moldova: Restrictions exist**

**Legislation:** Law on Environmental Protection, which prohibits the introduction of all kinds of waste. The Framework of the Law on Environmental Protection, art. 73 "There are prohibited the introduction of waste and the residuals of any nature, crude or in processing state, due to temporary storage, deposit, processing, spreading on ground, water or their destruction. Customs authorities are obliged to control and to be responsible for applying of present article concerning import and transportation of waste and the residuals of any nature on the territory of the Republic of Moldova." A similar article is included in the range of other laws concerning wastes.

**Romania: Restrictions do not exist**

**Remarks** According to art. 32(3) of the Emergency Ordinance no.195/2005 on Environmental Protection approved by Law 265/2006, the export and transit of any wastes may take place in accordance with agreements to which Romania is a party. In case of export, the responsible operator must ensure that international obligations are observed and that the consent of the recipient country has been obtained.

**Slovakia: Restrictions do not exist**



**Legislation:** Since 1st May 2004 Slovakia applies Council Regulation No 259/93/EC as amended by subsequent regulations. Slovakia has no restrictions on the transit of wastes.

**Countries:** The transit of wastes has to be notified and is allowed only with a permit of the relevant state authority of the Slovak Republic.

**Slovenia:** Restrictions do not exist

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**Question 3f. Transit restrictions**

**2006. Latin America and The Caribbean. (Parties which did not report are not listed).**

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**Barbados:** Restrictions do not exist

**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.

**Belize:** Restrictions do not exist

**Brazil:** Restrictions do not exist

**Chile:** Restrictions in preparation

**Remarks:** A Draft Law is being prepared by the National Congress, which, if approved, will transit the entry of hazardous wastes.

**Colombia:** Restrictions do not exist

**Remarks:** Applications for transit authorization of hazardous wastes are to be refused by the National Competent Authority if such transit involves the unloading of such wastes, even if it is for a short period of time.

**Costa Rica:** Restrictions exist

**Legislation:** Environmental Organic Law other governmental regulations.

**Cuba:** Restrictions exist

**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.

**Dominican Republic:** Restrictions exist

**Legislation:** Article 100 of the National Environmental Law 64-00 prohibits import of any kind of Hazardous wastes. It's prohibits to import any toxics remainders agree with the classification contained in the international conventions about this theme approved by the Dominican Republic or the its established by the Secretary of State of Environment and Natural Resources, in consult with the Secretary of State of Public Health and Social Assistance like it's prohibit too the utilization of National Territory like transit of this remainders and deposits of their selves. This amendment is contained in The Environment and Natural Resources General Law 64-00 available in Web Page [www.ceiba.gov.do](http://www.ceiba.gov.do) at was edited in Santo Domingo, Dominican Republic on June 2002 by the Secretary of State of Environment and Natural Resources (Page 71).

**Countries:** This restriction to apply for all wastes and all countries/regions.

**Remarks:** Law 4201 of the Secretary of Public Health prohibits transit and disposal of medicinal wastes through the county.

**El Salvador:** Restrictions exist

**Legislation:** The Environment Act, article 59, 13 May 1998; the Special Regulation Relating to Hazardous Substances, Residues and Wastes, 9 June 2000; the Special Regulation Relating to Integrated Management of Solid Wastes, 9 June 2000; and the Special Regulation Relating to Waste Water, 9 June 2000.

**Remarks:** Article 59 of the Environment Act lays down a ban on the transit of hazardous wastes through the national territory.

**Guyana:** Restrictions in preparation

**Legislation:** Environmental Protection Export and Intransit Import of Hazardous Waste Regulations (currently being drafted).

**Honduras:** Restrictions exist

**Legislation:** General Law on Environment- Ley General del Ambiente. Health Code Regulation for the Highway transportation of Dangerous Goods and wastes (Draft)

**Countries:** All the countries of the world/All hazardous wastes.

**Jamaica:** Restrictions do not exist

**Mexico:** Restrictions exist

**Legislation:** In accordance with Article 90 of the LGPGIR "By breach of the applicable legal dispositions, the Secretariat will be able to deny or to revoke the authorizations for the import or export of hazardous wastes, as well as for its transit and transports by national territory" The 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:** The restriction covers all countries.

**Paraguay:** Restrictions exist

**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.

**Trinidad and Tobago:** Restrictions do not exist

**Remarks** Legislation in preparation.

**Venezuela:** Restrictions do not exist

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**Question 3f. Transit restrictions**

**2006. Western Europe and Others. (Parties which did not report are not listed).**

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**Andorra:** Restrictions exist

**Legislation:** Given the geography and roads of Andorra, there is no transit of hazardous wastes. Nevertheless, there is no specific legislation.

**Australia:** Restrictions exist

**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.

**Austria:** Restrictions do not exist

**Belgium:** Restrictions exist

**Legislation:** Council Regulation (EEC) 259/93. The restriction covers non-OECD countries and non-Parties to the Basel Convention.

**Canada:** Restrictions exist

**Legislation:** In Canada, the following legislation applies to restrictions on the export of hazardous wastes, hazardous recyclable material and other wastes for final disposal: Canadian Environmental Protection Act, 1999 (CEPA 1999). The following legislation applies to restrictions on the export of hazardous wastes and hazardous recyclable materials only: • Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations, (EIHWHMR); and • PCB Waste Export Regulations, 1996 (PCBWER), came into force on February 4, 1997. National Stakeholder consultations have been completed in the development of regulations on the transboundary movement of non-hazardous wastes for final disposal.

**Countries:** Transits through Canada are only allowed following notification once a permit is issued by Environment Canada for the movement

**Remarks:** Canada restricts the transit of hazardous wastes and hazardous recyclable material. The following condition for transit apply: For the purposes of Part 7, Division 8 of the CEPA 1999, where Canada is only a country of transit, subject to the EIHWHMR a person may import and subsequently export a hazardous waste or hazardous recyclable material only if the import or export of that hazardous waste/recyclable material is not prohibited under the laws of Canada. The following considerations apply such as: • The carrier of the hazardous waste/recyclable material, if other than Her Majesty in right of Canada or a province or Her agent, is insured in accordance with section 37; • 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 generator or the carrier of the hazardous waste or hazardous recyclable material is required to notify and receive a permit before the transit movement can take place through Canada; • 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 apply to transits.

**Denmark:** Restrictions exist

**Remarks:** The transit has to be notified.

**Finland:** Restrictions do not exist

**Germany:** Restrictions do not exist

**Greece:** Restrictions exist

**Legislation:** Council Regulation EC 259/1993, as amended and implemented.

**Remarks:** All transit movements must be covered by financial guarantee or relevant insurance against third parties (covering accidents during transport through Greece).

**Ireland:** Restrictions exist

**Legislation:** Articles 12, 23 and 24 of Council Regulation (EEC) No. 259/93, as amended on the supervision and control of shipments of waste within, into and out of the European Community. Council Regulation (EEC) No. 259/93 has been repealed with effect from 12 July 2007. The new EU regulation governing shipments of waste is Regulation (EC) No. 1013/2006.

**Italy:** Restrictions do not exist

**Luxembourg:** Restrictions exist

**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:** Restrictions do not exist

**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:** Restrictions exist

**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:** Restrictions exist

**Legislation:** Imports and Exports (Restrictions) Prohibition Order (No 2) 2004.

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

**Remarks** Transit consents required.

**Norway:** Restrictions exist

**Legislation:** The Norwegian regulation on waste, chap. 13, implements EU Regulation nr. 259/93.

**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.

**Sweden:** Restrictions do not exist

**Turkey:** Restrictions exist

**Legislation:** By-law on the Control of Hazardous Waste which come into force in 2005, Communiqué which has been revised each year by MoE & F.

**Countries:** The restriction covers all countries, including free zones.

**Remarks** According to Communiqué, the importation 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 and Forestry. 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:** Restrictions do not exist