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### 3c Restrictions on Exports for IV B

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

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#### UN Region: Africa

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##### **Egypt**

**2008** Egypt restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** There is no specific regulation to ban export of hazardous waste and other waste outside Egypt for recovery; however exportation is regulated within the provision of the Basel convention and destined only to countries those are parties to the Basel convention.

**Countries** Export for recovery proposes take place only to countries those are parties to the convention and have enough technical capacity to manage the hazardous waste in environmentally sound manner, and upon prior request from these countries.

**Remarks** All export of hazardous waste should be under Basel Convention control regime.

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##### **Madagascar**

**2008** Madagascar has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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##### **Nigeria**

**2008** Nigeria restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Degree No. 42 of 1988

**Countries** Applied to all countries

**Remarks** Degree 42 of 1988 on harmful wastes being reviewed to harmonize it with the Basel Convention.

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##### **Senegal**

**2008** Senegal restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** The Law pertaining to the Environment Code, Art. L39, which entered into force in 2001.

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

**Remarks**

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

**2008** Tanzania (United Republic of) has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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##### **Tunisia**

**2008** Tunisia restricts the export of hazardous wastes and other wastes for recovery.  
**Legislation** By law n°96-41 on wastes and the control of their management and disposal (entered into force on the 10 June 1996) as amended and complemented by law n° 2001-14 dated 30 January 2001 which make distinction between hazardous waste management requiring authorization and management of non hazardous wastes requiring “Terms and Conditions “document, 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.

**Remarks**

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## **Uganda**

**2008** Uganda restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** The National Environment Statue, 1995  
The National Environment (Waste Management) Regulations, 1999

**Countries** Restriction to all countries in the world covering all categories of waste.

**Remarks** No export of hazardous wastes and other wastes is allowed in the country for recovery without possession of adequate and appropriate movement documents issued by this authority in accordance with the Basel Convention.

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

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## **Azerbaijan**

**2008** Azerbaijan restricts the export of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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## **Bahrain**

**2008** Bahrain is in a preparatory process to restrict the export of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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**Brunei Darussalam**

**2008** Brunei Darussalam is in a preparatory process to restrict the export of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

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

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**China**

**2008** China restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** China:

The relevant legislation complies with the Basel Convention and Measures for Administration of Hazardous Waste Export Approval (No. 47 ORDER of SEPA) .

**Countries**

**Remarks**

China

The export of hazardous waste for recovery must comply with the requirements of the Basel Convention and Measures for Administration of Hazardous Waste Export Approval (No. 47 ORDER of SEPA) . 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.

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**Cyprus**

**2008** Cyprus restricts the export of hazardous wastes and other wastes for recovery.

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

**Countries**

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

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**Japan**

**2008** Japan restricts the export of hazardous wastes and other wastes for recovery.

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

**Countries** All countries and regions.

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

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

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### Malaysia

**2008** Malaysia restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** The Environmental Quality Act 1974, (Amendment 2005) Section 34B; and the Customs (Prohibition of Export) Order 1998 Amendment 2008.

**Countries** All countries.

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

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### Qatar

**2008** Qatar restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Law No. 30 of 2002 and it is By - Law. 4 of 2005.

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

**Remarks** However, the importing country must certify the availability of appropriate facilities for treatment and recovery.

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### Republic of Korea

**2008** Republic of Korea restricts the export of hazardous wastes and other wastes for recovery.

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

**Countries** 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.

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### Singapore

**2008** Singapore restricts the export of hazardous wastes and other wastes for recovery.

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

**Countries**

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

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### **Sri Lanka**

**2008** Sri Lanka has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks** However, the export of hazardous waste is carried out under the provisions provided under the Basel Convention even for recovery purposes.

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### **Thailand**

**2008** Thailand restricts the export of hazardous wastes and other wastes for recovery.

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

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

**Remarks**

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### **United Arab Emirates**

**2008** United Arab Emirates has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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### **Yemen**

**2008** Yemen has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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

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### **Andorra**

**2008** Andorra has no restrictions on the export of hazardous wastes and other wastes for recovery.

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

**Countries**

**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.

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**Australia**

**2008** Australia restricts the export of hazardous wastes and other wastes for recovery.

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

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

**Remarks**

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**Austria**

**2008** Austria restricts the export of hazardous wastes and other wastes for recovery.

**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.

**Remarks**

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**Belgium**

**2008** Belgium restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Belgium fulfils the Provision of the Council Regulation (EC) N° 1013/2006 on the supervision and control of shipments of waste within, into and out of the European Community. All exports of hazardous and other waste for recovery listed in Annex V are prohibited from EU countries to non-OECD countries.

**Countries**

**Remarks**

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**Canada**

**2008** Canada restricts the export of hazardous wastes and other wastes for recovery.

**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) which came into force on November 1, 2005; 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 recyclable material intended for recycling operations set out in Schedule 2 of the EIHWHRMR such as:

- Requirement for mandatory prior notification 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 the hazardous recyclable material actually arrives at the intended authorized facilities; and are stored, recovered or recycled as per the 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 the hazardous recyclable material;
- Requirements for the return or alternate arrangements of shipments for which the recycling operation cannot be completed as set out in the permit to prevent them from becoming "orphaned";
- Simplified procedures for the transboundary movement of certain specified low risk hazardous recyclable material destined for recovery/recycling facilities within the OECD area, based on OECD decisions; and
- The exporting country must permit re-entry of any hazardous recyclable material 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 the criteria set out in the EIHWHRMR.

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## **Denmark**

**2008** Denmark restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** EU Regulation 1013/2006 of 14 June 2006. Export of waste for recovery between OECD countries has to be notified. Export of waste on annex V (hazardous according to BC and EU regulation) for recovery to Basel non-Annex VII countries is banned.

**Countries**

**Remarks**

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## **Finland**

**2008** Finland restricts the export of hazardous wastes and other wastes for recovery.

**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.

**Remarks**

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## **Germany**

**2008** Germany restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** In Germany the provisions of the Waste Shipment Regulation apply since May 1994 (amended in January 1998 (Implementation of decision III/1)), especially referring to Article 36.

**Countries** The export of hazardous wastes for recovery listed in Annex V of the Waste Shipment Regulation into all countries which do not apply OECD Council Decision C(2001)107/FINAL is prohibited from January 1998.

**Remarks**

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## **Greece**

**2008** Greece restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Regulation (EC) no 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste.

**Countries**

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

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## **Ireland**

**2008** Ireland restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** As a member of the European Community (EC) Ireland is bound by Council Regulation (EC) No. 1013/2006, on the supervision and control of shipments of waste within, into and out of the European Community. Article 36 of the regulation deals with the exports of hazardous waste for recovery.

**Countries**

**Remarks**

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## **Israel**



**2008** Israel restricts the export of hazardous wastes and other wastes for recovery.  
**Legislation** Hazardous Substances Regulations (Export and Import Of Hazardous Waste), 1994. These regulations call for a permit to export waste for recovery. The permit may specify requirements and restrictions.

Exports are permitted to OECD/EC countries, which are Parties to the Convention.

**Countries** Israel approves the export of hazardous wastes for recovery to to EC or OECD countries that are parties to the convention. Approval is given through a special permit certificate.

**Remarks**

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**Italy**

**2008** Italy restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Council Regulation EC 1013/2006 applied from 12 July 2007.

**Countries** The restriction covers all dangerous wastes listed in the Annex V of the Regulation EC 1013/2006, outside the OECD countries.

**Remarks**

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**Luxembourg**

**2008** Luxembourg restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** A special authorization is required by the modified Waste Management Law of 17th June 1994 for the export of waste to non-EU countries; prohibition of export of waste to non-OECD countries, unless the carrier has a waste carrier authorization delivered according to the modified Waste Management Law.

**Countries**

**Remarks**

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**Malta**

**2008** Malta restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Environment Protection (Control of Transboundary Movement of Toxic and other Substances) Regulations, 2000 (LN205/00), which entered into force on 17 September 2000.

**Countries** All countries / regions and all waste covered by the above-mentioned Regulations are covered by this restriction.

**Remarks** As per Provision 8 to the Environment Protection (Control of Transboundary Movement of Toxic and other Substances) Regulations, 2000 (LN205/00), the Competent Authority may take any action whatsoever in order to ban, restrict and control the management, transit, export and import of hazardous waste or other waste.

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**Netherlands**

**2008** Netherlands restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Since 12 July 2007 Regulation (EC) 1013/2006 restricts the export of hazardous waste for recovery outside the European Union.

**Countries** The countries that are covered by the restrictions are the non-OECD countries.

**Remarks** Regulation (EC) 1013/2006 gives a ban on the export of hazardous waste for recovery operations in non-OECD countries.

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**New Zealand**

**2008** New Zealand restricts the export of hazardous wastes and other wastes for recovery.  
**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.

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## Portugal

**2008** Portugal restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Regulation (EC) No 1013/2006 of the European Parliament and the Council entered into to force in 12 July 2007.

**Countries** The Regulation (EC) No 1013/2006 prohibited exports from the Community of the following wastes destined for recovery in countries to which the OECD Decision does not apply: wastes listed as hazardous in Annex V; wastes listed in Annex V, Part 3; hazardous wastes not classified under one single entry in Annex V; mixtures of hazardous wastes and mixtures of hazardous wastes with non-hazardous wastes not classified under one single entry in Annex V; 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; or wastes which the competent authority of dispatch has reason to believe will not be managed in an environmentally sound manner, as referred to in Article 49, in the country of destination concerned.

## Remarks

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## Spain

**2008** Spain restricts the export of hazardous wastes and other wastes for recovery.

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

Notice.- As of 12 July 2007, REGULATION (EC) No 1013/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL, of 14 June 2006, ON SHIPMENTS OF WASTE, applies in Spain and Council Regulation 259/93 has been repealed. Article 36 prohibits exports for recovery to non-OECD countries. Article 39 prohibited exports to the Antarctic.

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

**Remarks** Article 17 of Regulation (EEC) No. 259/93 stipulates that the movement of the wastes listed under annexes III and IV, intended for recovery, will be subject to control, which in certain circumstances could imply imposing restrictions on exports of these wastes.

Article 38 of Reg 1013/2006 states that exports of waste listed in Annexes III, IIIA, IIIB, IV and IVA shall apply Title II.

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## Sweden

**2008** Sweden restricts the export of hazardous wastes and other wastes for recovery.  
**Legislation** The EU Regulation 1013/2006 on shipments of waste. The regulation applies from 12 July 2007.  
**Countries** Exports of hazardous waste for recovery is prohibited except those to EFTA countries which are also parties to the Basel Convention.

**Remarks**

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

**2008** United Kingdom of Great Britain and Northern Ireland restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Article 36 of the WSR prohibits the shipment of certain wastes that are destined for recovery from EU Member States to countries which the OECD Decision does not apply:

- (a) wastes listed as hazardous in Annex V;
- (b) wastes listed in Annex V, Part 3;
- (c) hazardous wastes not classified under one single entry in Annex V;
- (d) mixtures of hazardous wastes and mixtures of hazardous wastes with non-hazardous wastes not classified under one single entry in Annex V;
- (e) wastes that the country of destination has notified to be hazardous under Article 3 of the Basel Convention;
- (f) wastes the import of which has been prohibited by the country of destination; or
- (g) wastes which the competent authority of dispatch has reason to believe will not be managed in an environmentally sound manner.

**Countries** Non-Annex VII (Basel Convention) countries for export of hazardous wastes. All countries for exports for final disposal.

**Remarks** None.

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**UN Region: Central and Eastern Europe**

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**Bosnia & Herzegovina**

**2008** Bosnia & Herzegovina has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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**Bulgaria**

**2008** Bulgaria restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste in force since July 13, 2007.

**Countries** The export of hazardous wastes for recovery to non OECD members is prohibited. The restriction covers all countries not listed in Annex VII of the Basel Convention. The export to OECD countries of amber listed waste in accordance with annex IV of the Regulation (EC) No 1013/2006 and non-listed waste requires notification and written consent of the countries of dispatch and destination.

**Remarks**

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**Croatia**

2008

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

**Legislation** Regulation on supervision of transboundary movement of waste, OG No 69/06 which came into force on 1st September 2006, dictates 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., (for hazardous waste) and 53. (for non-hazardous waste) of the Waste Act, Official Gazette, No. 178/04, 111/06, 80/06 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 environmental 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** All country.

**Remarks**

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### **Czech Republic**

**2008** Czech Republic restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Regulation (EC) No. 1013/2006 of the European Parliament and of the Council of 14 June 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.

**Remarks**

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### **Estonia**

**2008** Estonia has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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### **Georgia**

**2008** Georgia has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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### **Hungary**

**2008** Hungary restricts the export of hazardous wastes and other wastes for recovery.  
**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.

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#### **Latvia**

**2008** Latvia restricts the export of hazardous wastes and other wastes for recovery.  
**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.

#### **Remarks**

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#### **Poland**

**2008** Poland restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Regulation (EC) no 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipment of waste which became applicable since 12.07.2007.

**Countries** The restriction covers all countries except for EU and OECD countries.

**Remarks** - Shipments within the EU:  
Green listed waste (Annex III to the Regulation No. 1013/2006): no control procedure (shipments to Poland, Slovakia, Latvia, Bulgaria and Romania - Art. 63 of Regulation No. 1013/2006 - control procedure according to art. 3-12 of the Regulation No 1013/2006).

Amber listed waste (Annex IV to the Regulation No. 1013/2006): - control procedure stipulated in art. 3-12 of Title II of the Regulation No 1013/2006

Unlisted waste - control procedure stipulated in art. 3-12 of Regulation No 1013/2006 (unlisted waste - waste for which no single entry exists in green and amber list of waste).

- Shipments outside the EU:

All exports of hazardous waste:

- classified as hazardous waste in Annex V of Regulation No. 1013/2006,
  - hazardous waste not listed in Annex V,
  - mixtures of hazardous waste and mixtures of hazardous and non hazardous waste,
  - waste classified by consignee country as hazardous,
  - waste which import was prohibited by consignee country
- according to the art. 36 of Regulation No. 1013/2006 are prohibited except for OECD countries.

(Annex V comprises waste 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. 38 of Regulation No 1013/2006.

Procedure of export of green waste from the EU to non-OECD countries destined for recovery operations is regulated by Commission Regulation no. 1418/2007 on 29.11.2007 amended by Commission Regulation no. 740/2008 on 29.07.2008 and Commission Regulation no. 967/2009 on 15.10.2009.

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## **Republic of Moldova**

**2008** Republic of Moldova has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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## **Romania**

**2008** Romania has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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## **Serbia**



**2008** Serbia restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Serbia restricts the export of hazardous wastes and other wastes for recovery. The restriction is in accordance with the provisions of the Basel Convention and its Ban amendment.

**Countries** The restriction covers all countries.

**Remarks** Restriction for disposal and recovery are given in principles of the Law of Waste Management ("The Official Gazette of the Republic of Serbia" No. 36/09), Article 6, Principals,  
Principle of waste management hierarchy  
Waste management hierarchy means the hierarchy of waste management priorities:  
- waste prevention, the reduction of resource consumption and the reduction of quantities and/or hazardous characteristics of the waste created;  
- reuse of the same product for the original or other purpose;  
- recycling, that is treatment of waste for the purpose of obtaining raw materials for the production of the original or other product;  
- Recovery, that is the use of waste value (composting, incineration with energy recovery, etc.);  
- Disposal of waste through depositing or incineration without energy recovery, if there is no other appropriate solution.

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## **Slovakia**

**2008** Slovakia restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Since 12 July 2007 the export of hazardous waste and other wastes for recovery is regulated by the Regulation (EC) No 1013/2006 and further relevant regulations. Shipments of all wastes shall be subject to the procedure of prior written notification and consent according to the Regulation (EC) No 1013/2006, Article 3 (1) b), (2), (3), (4), (5).

Export of hazardous wastes destined for recovery except for export to member states of the European Free Trade Association (EFTA) is prohibited. 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.

Based on the objectives of the Waste Management Programme of the Slovak Republic the Ministry of Environment of the Slovak Republic applies objections to shipments of waste destined for recovery pursuant to Article 12 of the Regulation (EC) No 1013/2006.

**Countries** Export from the Community of wastes destined for recovery in countries to which the OECD Decision does not apply are prohibited (Article 36 (1) of the Regulation (EC) No 1013/2006).

## **Remarks**

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## **Slovenia**

**2008** Slovenia restricts the export of hazardous wastes and other wastes for recovery.

**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 C(2001) 107 FINAL.

## **Remarks**

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## **Ukraine**

**2008** Ukraine has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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

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

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**Argentina**

**2008** Argentina has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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**Barbados**

**2008** Barbados has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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**Bolivia**

**2008** Bolivia has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Legislation** Bolivia con relación a las exportaciones de desechos peligrosos viene trabajando en el marco de las convenciones de Basilea y Rotterdam.

**Countries** Bolivia al momento ha realizado exportaciones principalmente de chatarra de Hierro y residuos de plásticos (botellas PET) a la república del Perú, con fines de reciclaje únicamente.

**Remarks** Por tanto se considera que estos desechos no están restringidos.

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**Brazil**

**2008** Brazil has no restrictions on the export of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

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

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**Colombia**

**2008** Colombia restricts the export of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries** All countries and all regions.

**Remarks** Colombian Law No. 1252 as of November 27, 2008 provides in its article 13, that the only hazardous wastes which can be exported from the Colombian territory, those which due to their complexity cannot be treated in a sound environmental and sanitary way in the Colombian territory. In such case, the producer, transporter and recipient of hazardous wastes must comply with the provisions of the Basel Convention and other regulations in force ruling the matter.

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.

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**Cuba**

**2008** Cuba restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** The Resolution 136/2009 of the CITMA (entry into force 28/09/2009).

**Countries** All the countries. It is prohibited all transboundary movement of hazardous biological wastes (article 69) according with Annex I of this Resolution.

**Remarks**

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**Ecuador**

**2008** Ecuador restricts the export of hazardous wastes and other wastes for recovery.

**Legislation** Environmental Law Unified Text of Ecuadorian Environmental Ministry published in the Official Registration No. 2 of March 31, 2003.  
Book VI of the Environmental Quality, Title V "Regulation for the prevention and control of the contamination by dangerous waste"

**Countries** To national level.

**Remarks** The Ecuadorian Environmental Ministry (MAE) will not allow the export of dangerous waste, in the following cases

1. If the waste can be recycled or reused within the country in safe environmental conditions for these cases.
2. If the dangerous waste can have a technically suitable final disposition within the country
3. When it tried to make the export to places beyond the sixty degrees south latitude
4. For the countries which legislation have prohibited the import of dangerous waste
5. When the export is made by the countries that cannot demonstrate that they will make a suitable handling of the waste
6. Toward states that be not part of the Basel Agreement, unless a bilateral or multilateral agreement with those states exists.
7. When the conditions of their transportation through the national territory, imply unacceptable risks.

The Ministry of Environment is the National Environmental Authority.

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**Guatemala**

**2008** Guatemala has no restrictions on the export of hazardous wastes and other wastes for recovery.

*Legislation*

*Countries*

*Remarks*

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**Guyana**

**2008** Guyana is in a preparatory process to restrict the export of hazardous wastes and other wastes for recovery.

*Legislation* Environmental Protection (Export and Intransit Import of Hazardous Waste) Regulations (Drafted but needs to be finalized).

*Countries*

*Remarks*

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**Honduras**

**2008** Honduras has no restrictions on the export of hazardous wastes and other wastes for recovery.

*Legislation*

*Countries*

*Remarks*

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**Jamaica**

**2008** Jamaica has no restrictions on the export of hazardous wastes and other wastes for recovery.

*Legislation*

*Countries*

*Remarks*

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**Mexico**

**2008** Mexico restricts the export of hazardous wastes and other wastes for recovery.

*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.

*Remarks*

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**Saint Lucia**

**2008** Saint Lucia has no restrictions on the export of hazardous wastes and other wastes for recovery.

*Legislation*

*Countries*

*Remarks*

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**Uruguay**

**2008** Uruguay has no restrictions on the export of hazardous wastes and other wastes for recovery.

*Legislation*

*Countries*

*Remarks*

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