
3d Restrictions on Imports for IV A

All Regions/Countries, Parties of the Basel Convention

UN Region: Africa

Burkina Faso

2008 Burkina Faso has no restrictions on the import of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks According to article 39 of the Law 005/97/ADP establishing the Environmental Code for Burkina Faso, any activity regarding the transit, import, purchase, sale, transport, treatment, deposit or storage of hazardous wastes is prohibited in Burkina Faso.

Egypt

2008 Egypt restricts the import of hazardous wastes and other wastes for final disposal.

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

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

Remarks Importation of hazardous waste and other waste to Egypt is considered as criminal under the Egyptian regulations.

Madagascar

2008 Madagascar has no restrictions on the import of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Nigeria

2008 Nigeria restricts the import of hazardous wastes and other wastes for final disposal.

Legislation Harmful Waste Degree No. 42 of 1988

Countries The restriction covers all countries

Remarks

Senegal

2008 Senegal restricts the import of hazardous wastes and other wastes for final disposal.

Legislation Environment Code (Law 200-01 of 15 January 2001), which entered into force in 2001.

Countries All hazardous wastes and all countries.

Remarks

Tanzania (United Republic of)

2008 Tanzania (United Republic of) restricts the import of hazardous wastes and other wastes for final disposal.

Legislation According to the Environmental Management Act, 2004 of Tanzania, Provision 133(1) of this Act, it state that ‘It shall be an offence to import into or export from Tanzania, hazardous waste without a permit granted by the Minister. Furthermore article 135 (1) It state that ‘The Minster shall ensure that any movement of hazardous waste within and through Tanzania shall be conducted in a manner that prevents or minimizes adverse effects to human health and the environment and shall conform to the movement procedures as may be prescribed in the Regulations. Provision 136 (2) of this Act request an EIA to be carried out before hazardous waste is disposed of into soil, land, air or body of water. The President of United Republic of Tanzania signed this Environment Management Act of 2004 in early February 2005. This legislation is operational since 1st July 2005.

Countries All countries worldwide.

Remarks

Tunisia

2008 Tunisia restricts the import of hazardous wastes and other wastes for final disposal.

Legislation By law n°96-41 on wastes and the control of their management and disposal (entered into force on the 10 June 1996) 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 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 (prohibition).

Remarks

Uganda

2008 Uganda restricts the import of hazardous wastes and other wastes for final disposal.

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 import of hazardous wastes and other wastes is allowed in the country for final disposal without possession of adequate and appropriate movement documents issued by this authority in accordance with the Basel Convention.

UN Region: *Asia and Pacific*

Azerbaijan

2008 Azerbaijan restricts the import of hazardous wastes and other wastes for final disposal.

Legislation In accordance to the article 14 of the law about municipal and industrial wastes adopted by Azerbaijan Republic and decision № 167 of Cabinet of the Ministries on dated 25 July 2008, the import of wastes, which safe final disposal, recovery and transitaire impossible is prohibited.

Countries The restriction covers all categories of wastes.

Remarks

Bahrain

2008 Bahrain is in a preparatory process to restrict import of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Brunei Darussalam

2008 Brunei Darussalam is in a preparatory process to restrict import of hazardous wastes and other wastes for final disposal.

Legislation

Countries

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

China

2008 China restricts the import of hazardous wastes and other wastes for final disposal.

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.

Countries

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

2008 Cyprus restricts the import of hazardous wastes and other wastes for final disposal.

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

Countries

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.

Japan

2008 Japan restricts the import of hazardous wastes and other wastes for final disposal.
Legislation The Waste Management Law and Basel Law.
Countries All countries and regions.
Remarks Waste Management Law: Without the permission of the Minister of the Environment, any person cannot import wastes for final disposal.

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

Malaysia

2008 Malaysia restricts the import of hazardous wastes and other wastes for final disposal.
Legislation The Environmental Quality Act 1974, (Amendment 2005) Section 34B; and the Customs (Prohibition of Import) Order 1998 Amendment 2008.
Countries All countries.
Remarks Import of hazardous wastes for final disposal are totally prohibited.

Qatar

2008 Qatar restricts the import of hazardous wastes and other wastes for final disposal.
Legislation The Environment Protection Law No.30 of 2002 and The Rules on the Transboundary Movement of Hazardous Wastes, 1997 of the State of Qatar. The Kuwait Regional Convention for Cooperation on the Protection of the Marine Environment from Pollution, 1978.
Countries The restriction covers state of Qatar and the signatory states.
Remarks According to the article No. 24 of the law No.30 of 2002, and to section 3 of the Rules, the import of hazardous wastes and other wastes into the national territory is prohibited.

Republic of Korea

2008 Republic of Korea restricts the import of hazardous wastes and other wastes for final disposal.
Legislation The "Act on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal," which entered into force in May 1994.
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.

Singapore

2008 Singapore restricts the import of hazardous wastes and other wastes for final disposal.

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

Countries

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

Sri Lanka

2008 Sri Lanka restricts the import of hazardous wastes and other wastes for final disposal.

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).

Remarks

Thailand

2008 Thailand restricts the import of hazardous wastes and other wastes for final disposal.

Legislation Generally, any productions, imports, exports and possessions of the hazardous substances and wastes within the Kingdom of Thailand shall follow the procedures under the Regulation of Ministry of Industry B.E.2537 (1994). In case of import of hazardous wastes and used electrical and electronic equipments, the importer/consignee/factory shall follow procedures under the Notification of the Department of Industrial Works on the Criteria for the approval of the import of chemical wastes into the Kingdom of Thailand, issued on 14 May B.E. 2539 (1996) and the Notification of the Department of Industrial Works on the Criteria for the approval of the import of used electrical and electronic equipments into the Kingdom of Thailand, issued on 26 September B.E. 2546 (2003). Additionally, the Royal Thai Government has a national policy on total ban of the hazardous waste import for final disposal within the country, e.g. The National Environmental Broad had a decision on import ban of used lead acid batteries and plastic wastes for the purpose of final disposal since 1993 and 1994, respectively.

Under the notification of Ministry of Commerce on the import of used tyres into the Kingdom of Thailand B.E. 2546 (2003), issued on 23 May 2003, the imports of used tyres (under the harmonized code item 4012.11, 4012.12, 4012.192, 4012.199, 4012.202, and 4012.209) including their rubber scrap, pairings and waste (under the harmonized code item 4004.00) to Thailand have been prohibited. In case of the import for the purpose of research, model study or the vehicle attachment and for racing or tourism is excluded from the control under this notification.

Countries The restriction covers all countries; wastes listed in the Basel Convention; used lead-acid batteries and plastic wastes; and wastes listed in the Notification of Ministry of Industry B.E. 2548 (2005).

Remarks

United Arab Emirates

2008 United Arab Emirates restricts the import of hazardous wastes and other wastes for final disposal.

Legislation Federal Law No. (24) Of 1999 for the protection and development of the environment Article 62
No public or private party or qualified or unqualified persons are allowed to import or bring, bury or dispose of hazardous wastes in any form in the environment of the State.

Countries The restriction covers all countries and regions.

Remarks

Yemen

2008 Yemen restricts the import of hazardous wastes and other wastes for final disposal.

Legislation ENVIRONMENT PROTECTION LAW No. (26) Of 1995 Republic of Yemen: Article (54): It is prohibited for vessels or aircraft or any other means to enter the territorial waters or to land at airports or to use the Yemeni territory as a transit passage if they carry radioactive, toxic or hazardous wastes, except that to be in accordance with the international conventions and agreements and with prior permission from the cabinet and approval from the parliament.

Countries All Hazardous Wastes, all countries/regions.

Remarks Does not allow the import of hazardous wastes from outside the Republic of Yemen.

UN Region: Western Europe and Others

Andorra

2008 Andorra restricts the import of hazardous wastes and other wastes for final disposal.

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

Countries

Remarks

Australia

2008 Australia restricts the import of hazardous wastes and other wastes for final disposal.

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

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

Remarks

Austria

2008 Austria restricts the import of hazardous wastes and other wastes for final disposal.

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.

Following Art. 69/2/7 of the Federal Waste Management Act the import of asbestos wastes for final disposal is prohibited.

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 Non parties to the Basel Convention, neither listed in Annex VII of the Convention nor having concluded an Article 11 agreement.

Remarks

Belgium

2008 Belgium restricts the import of hazardous wastes and other wastes for final disposal.

Legislation Belgium fulfils the Provisions of the Council Regulation (EC) N° 1013/2006, specially referring to Art. 41, i.e. total ban for the import of hazardous wastes from non-Parties to the Basel Convention.

Countries

Remarks

Canada

2008 Canada restricts the import of hazardous wastes and other wastes for final disposal.

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 to the Basel Convention, unless subject to an Article 11 agreement.

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

Although there are a number of conditions on the import of hazardous waste, 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, 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

2008 Denmark restricts the import of hazardous wastes and other wastes for final disposal.

Legislation Paragraph 10 in Statutory Order no. 799 on shipment of waste has a general prohibition on import and export of waste for final disposal (excluding D10 incineration on land according to Statutory Order 1221 of 27. of November 2008). This prohibition is in accordance with EU Shipment Regulation 1013/2006 article 11.1 (a)

Countries

Remarks

Finland

2008 Finland restricts the import of hazardous wastes and other wastes for final disposal.

Legislation The amendment 747/2007 to the Waste Act (1072/1993) came into force on 12 July 2007. Waste Act (1072/1993) has further been amended by 806/2008.

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.

Section 47 has been further amended by 806/2008, which allows imports of other than hazardous waste in respect of the communal cooperation in shipments of waste dispatched from Sweden or Norway.

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 areas.

Remarks:

Remarks

Germany

2008 Germany restricts the import of hazardous wastes and other wastes for final disposal.

Legislation In Germany the provisions of the Waste Shipment Regulation apply since May 1994, especially referring to Article 41.

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.

Remarks

Greece

2008 Greece restricts the import of hazardous wastes and other wastes for final disposal.

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

Countries

Remarks No hazardous wastes have been imported for the year 2008 in Greece for final disposal purposes.

Ireland

2008 Ireland restricts the import of hazardous wastes and other wastes for final disposal.
Legislation In accordance with Article 41 of Council Regulation (EC) No. 1013/2006, 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 prohibited except from a country party to the Basel Convention, or with an agreement in place or from other areas during situations of crisis or war..

Countries

Remarks

Israel

2008 Israel restricts the import of hazardous wastes and other wastes for final disposal.
Legislation Hazardous Substances Regulations (Export and Import of Hazardous Waste), 1994. These Regulations prohibit the import of hazardous waste for final disposal.

Countries The restriction on the import of hazardous waste for final disposal applies to all countries.

Remarks

Italy

2008 Italy restricts the import of hazardous wastes and other wastes for final disposal.

Legislation Regulation EC 1013/2006 applied from 12 July 2007

Countries The restriction covers hazardous wastes as per Council Regulation EC 1013/2006 from non-EFTA countries, from countries that did not ratify the Basel Convention or that do not have bilateral agreements with Italy or EU.

Remarks

Luxembourg

2008 Luxembourg restricts the import of hazardous wastes and other wastes for final disposal.

Legislation An import authorization is required by the modified Waste Management Law of 17th June 1994. Since December 2006 that import restriction has been abolished. The notification procedures for waste transports remain applicable however.

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

Remarks

Malta

2008 Malta restricts the import of hazardous wastes and other wastes for final disposal.

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.

Netherlands

2008 Netherlands restricts the import of hazardous wastes and other wastes for final disposal.

Legislation Since 12 July 2007 on basis of Regulation (EC) 1013/2006. Specific restrictions will be given in the Waste policy plan 2002-2012.

Countries All countries/regions and all waste.

Remarks In general the Netherlands does not allow import of waste for landfilling.

New Zealand

2008 New Zealand restricts the import of hazardous wastes and other wastes for final disposal.

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.

Portugal

2008 Portugal restricts the import of hazardous wastes and other wastes for final disposal.

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

Countries It is prohibited to import wastes for final disposal from non-Parties to the Basel Convention, except from countries which bilateral agreements exist.

Remarks

Spain

2008 Spain restricts the import of hazardous wastes and other wastes for final disposal.

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

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

Remarks

Sweden

2008 Sweden restricts the import of hazardous wastes and other wastes for final disposal.

Legislation The Swedish Ordinance on Transboundary Movements of Waste (SFS 2007:383).

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

Remarks

United Kingdom of Great Britain and Northern Ireland

2008 United Kingdom of Great Britain and Northern Ireland restricts the import of hazardous wastes and other wastes for final disposal.

Legislation The UK Plan for Shipment of Waste (2007) sets out Government policy on shipments of waste for disposal to and from the United Kingdom.

Shipments of waste to and from the UK for disposal are, save for the exceptions below, prohibited:

- emergency situations that may require the shipment of hazardous waste to the UK from any country;

- emergency situations that may require shipment of hazardous waste from the UK to other Member States and EFTA countries;

- trial runs to the UK from any country in order to test a specific specialised treatment technology which results in the disposal of waste, except where the technology to be tested exists in the country of dispatch;

- trial runs from the UK to other Member States or EFTA countries in order to test a specific specialised treatment technology which results in the disposal of waste, except where the technology exists in the UK;

- shipments of hazardous waste between Northern Ireland and the Republic of Ireland, in either direction, for disposal operations specified in this Plan and where the waste is generated and disposed of within Northern Ireland or the Republic of Ireland;

- shipments of hazardous waste produced in such a small quantity overall per year in the UK, another Member State or an EFTA country that the provision of new specialised disposal installations in the country of dispatch would be uneconomic;

- shipments of waste into the UK from a Party to the Basel Convention outside the Community where a UK competent authority has acceded to a duly reasoned request;

- shipments of waste into the UK from a non-Party to the Basel Convention with which the UK Government has concluded a bilateral agreement.

It should be noted that even where these exceptions apply, shipments of waste for disposal to and from the UK are subject to the procedure of prior written notification and consent as set out in the Community Regulation.

Additional prohibitions apply by virtue of Regulations made under UK health and safety legislation: imports of products into the UK to which amphibole asbestos or chrysotile has intentionally been added are prohibited by regulation 3 of the Asbestos (Prohibitions) (Amendment) Regulations 2003; 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 2002 namely:

- (a) 2-naphthylamine, benzidine, 4-aminodiphenyl, 4-nitrodiphenyl, their salts and any substance containing any of those compounds in a total concentration equal to or greater than 0.1 per cent by mass;

- (b) matches made with white phosphorus.

Countries All countries.

Remarks None

UN Region: *Central and Eastern Europe*

Bosnia & Herzegovina

2008 Bosnia & Herzegovina restricts the import of hazardous wastes and other wastes for final disposal.

Legislation 1. Law on waste management (“Official Gazette of Federation of Bosnia and Herzegovina”, number: 33/03”), which entered into force on 19 July 2003.
2. Law on waste management (“Official Gazette of Republic Srpska”, No.53/02), entered into force on 2002.
3. Law on waste management (“Official Gazette of District Brcko”, No.25/04), entered into force on 2004.

Countries The restriction applies to all countries and all wastes.

Remarks The import of hazardous waste is prohibited. No capacity within the country for recovery or disposal of hazardous wastes.

Bulgaria

2008 Bulgaria restricts the import of hazardous wastes and other wastes for final disposal.

Legislation Waste Management Act (Promulgated, State Gazette No. 86/30.09.2003)

Countries The import of hazardous and non- hazardous waste into Bulgaria with the purpose of all final disposal operations listed in Annex IV and IVA of the Regulation (EC) N° 1013/2006 is prohibited.

Remarks

Croatia

2008

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

Legislation Regulation on supervision of transboundary movement of waste, OG No 69/06 which came into force on 1st September 2006, regulates restrictions on transboundary movement of waste.

Special requirements for the import of hazardous wastes and other wastes are prescribed by Articles 47., 48., 49. of the Waste Act, Official Gazette, No. 178/04, 111/06, 80/06 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.

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Countries All country.

Remarks

Czech Republic

2008 Czech Republic restricts the import of hazardous wastes and other wastes for final disposal.

Legislation Act on Waste No. 185/2001 Coll. as last amended by Act No. 83/2008 Coll. (in force from October 2008).

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

Remarks

Estonia

2008 Estonia has no restrictions on the import of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Georgia

2008 Georgia restricts the import of hazardous wastes and other wastes for final disposal.

Legislation Law of Georgia on Transit and Import of Waste into and out of the Territory of Georgia (16th of October 1997).
Statute of the Government of Georgia “Permit issue rules for production, transportation, import, export re-export and transit and list of restricted materials” (28.09.2006)- postponed till 1.07.2011

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

2008 Hungary restricts the import of hazardous wastes and other wastes for final disposal.
Legislation Import of the hazardous waste into Hungary for final disposal is banned.
- XLIII. Act of year 2000 on the Waste Management 17. § Put in force 01.01.2001;
- Governmental Decree No. 120/2004 (IV.29.)
Countries The restriction covers all countries.
Remarks

Latvia

2008 Latvia restricts the import of hazardous wastes and other wastes for final disposal.
Legislation Waste Management Law, 01.03.2001.
Countries In accordance with Waste Management Law, it is prohibited to import into the territory of the Republic of Latvia any waste for disposal or long-term storage. Restriction applies to all countries.
Remarks

Poland

2008 Poland restricts the import of hazardous wastes and other wastes for final disposal.
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, Basel Convention countries and countries which have the agreement signed with an EU country.
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 - 12 of Regulation (EC) no 1013/2006
- Shipments into the EU:
In general all imports of waste for disposal are prohibited except for those from Basel Convention countries or from countries which have an agreement signed with an EU country (art. 41 - 42 of Regulation No. 1013/2006).

Republic of Moldova

2008 Republic of Moldova restricts the import of hazardous wastes and other wastes for final disposal.
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 stoke, 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.
Countries
Remarks

Romania

2008 Romania restricts the import of hazardous wastes and other wastes for final disposal.
Legislation In accordance with the art. 32 (1) from 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 with the art.32 of the Emergency Ordinance no.78/2000 for the Waste Regime will all further updates, the import of any kind of wastes for final disposal is prohibited until the end of the transition period obtained by Romania through the Accession Treaty approved by Law no.157/2005..

Countries

Remarks

Serbia

2008 Serbia restricts the import of hazardous wastes and other wastes for final disposal.

Legislation The Law on Confirmation of Basel Convention, ("Off. Gazette FRY", International Agreements, No.2/90)
•The Regulation on Documentation to be Submitted with the Application for Issuing Permit for Import, Export and Transit of Wastes ("Off.Gazette FRY", No.69/99)

The Law on Environmental Protection of Republic of Serbia ("Off. Herald RS", No.135/04);- Article 57, para.1 (Import of hazardous waste is forbade).

The Law of Waste Management ("The Official Gazette of the Republic of Serbia" No. 36/09), Article 71. Condition and manner of transboundary movement of waste, 72. Import, export and transit of waste and Article 73. Prohibition of transboundary movement of waste.

The Law on Transport of Dangerous Substances ("Off. Gazette SFRY", No. 27/90 and 45/90);
The Federal Law on Foreign Trade ("Off. Herald RS", No. 80/05);
Customs Act ("Off. Herald RS", No. 73/2003);

Countries The restriction covers all countries.

Remarks

Slovakia

2008 Slovakia restricts the import of hazardous wastes and other wastes for final disposal.

Legislation Since 12 July 2007 the import of hazardous waste and other wastes for final disposal is regulated by relevant articles of the Regulation (EC) No 1013/2006. Shipments of waste from other member state to Slovak Republic and import of waste from other than member state to Slovak Republic destined for disposal are forbidden pursuant to Article 23 (3) of the national Waste Act No 223/2001 Coll. as amended by subsequent regulations. 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 disposal pursuant to Article 11 of the Regulation (EC) No 1013/2006.

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. Imports prohibited except from a country Party to the Basel Convention or with an agreement in place or from other areas during situations of crisis or war (Article 41 of the Regulation (EC) No 1013/2006).

Remarks

Slovenia

2008 Slovenia restricts the import of hazardous wastes and other wastes for final disposal.

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.

Remarks

Ukraine

2008 Ukraine restricts the import of hazardous wastes and other wastes for final disposal.

Legislation

In accordance with the Law of Ukraine "On wastes" of 5 March 1998 No.187/98-BP (Article 36) the import of wastes in Ukraine with the aim of their storage or disposal is forbidden.

Countries

All wastes.

Remarks

According to Article 16 of Decision of the Cabinet of Ministers of Ukraine No. 1120 from July, 13, 2000 import of hazardous waste to Ukraine is forbidden for the purpose of their storage or burial. Hazardous waste can be imported only under conditions of presence of the written agreement of the Ministry of the environment protection of Ukraine. According to Article 20 of the same Decision of the Cabinet of Ministers of Ukraine, the Ministry of the Environment Protection of Ukraine can give the written agreement on import of hazardous waste in the case of certain conditions observance. One of such conditions are:

The state of export is a part of the Basel convention or with it the corresponding international agreement about transboundary movement of hazardous waste is made;
The state of export has no technical opportunities and necessary capacities for removal of such waste products by ecologically proved way or such waste are used as secondary raw material in Ukraine.

UN Region: Latin America and the Caribbean

Argentina

2008 Argentina restricts the import of hazardous wastes and other wastes for final disposal.

Legislation Article 41 of the Argentine Constitution determines that the import of present or potentially hazardous wastes as well as radioactive (wastes) is forbidden.

Also, Argentina bans import or transit operations of wastes defined as hazardous according to the National Law 24.051. On the other hand, Executive Decree 181/1992 prohibits import or transit operations of wastes (listed in Annex I).

Countries This import and transit restriction covers all countries and embraces every waste listed in the National Legislation (Law 24.051, Executive Decree 181/92).

Remarks The legislation mentioned in 3d (i) is applicable in Argentina national territory and areas within national jurisdiction as defined by Argentinean law.

Barbados

2008 Barbados has no restrictions on the import of hazardous wastes and other wastes for final disposal.

Legislation There is no significant legal authority to prevent the importation of hazardous waste. The Chief Parliamentary Council is in the process of preparing comprehensive environmental management legislation, which would incorporate Basel Convention issues. The restrictions are taken as those found in Article 4 (General Obligations) of the Basel Convention.

Countries

Remarks

Bolivia

2008 Bolivia restricts the import of hazardous wastes and other wastes for final disposal.

Legislation En Bolivia restringen la importación de desechos peligrosos y de otros desechos que tienen las características del CRETIB, mismo que esta especificado en el Reglamento para Actividades con Sustancias Peligrosas de la ley 1333 del Medio Ambiente, en la cual se prohíbe y restringe la importación de desechos destinados a su eliminación final, por tanto queda terminantemente prohibido la importación, introducción y transito de desechos peligrosos por territorio nacional.

Countries

Remarks

Brazil

2008 Brazil restricts the import of hazardous wastes and other wastes for final disposal.
Legislation National Environmental Council (CONAMA) Resolution no. 008, dated September 19, 1991, prohibits the import of hazardous wastes to Brazil for final disposal or incineration. CONAMA Resolution No. 23, of December 12, 1996 in its article 5, allows the import of non-inert wastes only 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. Besides those hazardous wastes listed in Annexes I and II of the Convention, 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 or bituminous minerals; Others (particularly: wastes containing polychlorinated biphenyls - PCBs); Residual dye from manufacture of cellulose paste to sulphite; Residual dye from manufacture of cellulose paste to soda or sulphate; lignosulphonates; Wastes and residues of lead; Others (wastes and residues of cadmium); Others (wastes and residues of antimony); Beryllium (particularly: wastes, residues and dust); Others (wastes and residues of chrome); Wastes and residues of lead electric accumulators; Unserviceable electric accumulators; Wastes and residues of arsenic; wastes and residues of selenium; Wastes and residues of tellurium; Wastes and residues of thallium; Wastes and residues of mercury. CONAMA Resolution No. 23/1996 also prohibits importation of any wastes requiring special consideration, such as wastes collected from households or residues arising from their incineration (Annex II of the Convention).

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; Others (particularly: skin dust, treated or not with chrome); Wastes and residues of copper (importantly: except for metallic copper scrap); Wastes and residues of nickel; Wastes and residues of zinc; Wastes and residues of tin; Wastes and residues of tungsten; Wastes and residues of molybdenum; Wastes, residues and dust of tantalum; Wastes and residues of magnesium; Others (particularly: Wastes, residues and dust of cobalt); Others (particularly: wastes and residues of bismuth); Others (particularly: wastes, residues and dust of titanium); Others (particularly: wastes and residues of zirconium); Others (particularly: wastes, residues and dust of manganese); Others (particularly: wastes, residues and dust of germanium and vanadium; Others (particularly: wastes, residues and dust); Others (particularly: wastes and residues of cermets).

Inert Wastes - Class II-B - There is no restriction to import except for the importation of used tires, which is prohibited – CONAMA Resolution No. 23, Annex 3, dated December 12, 1996 (see Appendix).

Controlled Wastes – CONAMA Resolution No. 23, Annex 10, dated December 12, 1996 (see Appendix).

Remarks

Colombia

2008 Colombia restricts the import of hazardous wastes and other wastes for final disposal.

Legislation Article 81 of the Political Constitution of Colombia (dated 1991), forbids the introduction of toxic and nuclear wastes into national territory.

Law No. 1252 as of November 27, 2008, banned all imports of hazardous wastes to the country. Chapter I Article 4° prohibits the introduction, importation, of trafficking of hazardous residues or wastes to the national territory, by any natural or public or private legal person.

Previously, 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) had been 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.

Remarks

Cuba

2008 Cuba restricts the import of hazardous wastes and other wastes for final disposal.

Legislation The Resolution 136/2009 of the CITMA (entry into force 28/09/2009). In their article 72 prohibit to import hazardous wastes (Annex I of the Resolution) and any kind of wastes.

Countries All hazardous wastes, all any kind of wastes (including wastes of Annex IX of Basel Convention) and all countries.

Remarks In Cuba it is only allowed to import hazardous wastes and any kind of wastes (including wastes of Annex IX of Basel Convention) with the objective of recovering resources, to recycle, re use and other economic uses of the wastes.

Ecuador

2008 Ecuador restricts the import of hazardous wastes and other wastes for final disposal.

Legislation The Executive Decision, Or. No. 970 of July 2, 1992; and Art. 90 of the Ecuadorian Republic Constitution, 1998.

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 National Congress of the Ecuadorian Republic.
The Ministry of Environment is the National Environmental Authority in Ecuador.

a) The manufacture is prohibited IMPORT possession and use of chemical, biological and nuclear weapons, as well as the introduction al national territory of nuclear residues and toxic waste. The country will establish standards for the production, import, distribution and use of those substances that, despite their utility, they are toxic and dangerous for the people and environment

b) The import or enter the national territory, as well as the transit or any transboundary movement of the dangerous waste regulated by this regulation, in any form, any use even for recycling or any benefit will be able only with the approval of the Ministry of the Environment and based on the technical manual.

Guatemala

2008 Guatemala restricts the import of hazardous wastes and other wastes for final disposal.

Legislation Article 7 of Decree 68-86, the Environment Protection and Improvement Act, refers to this point implicitly, as follows: "It is prohibited to introduce into the country, by any means, human or animal excrement, household or municipal garbage or its derivatives, sewage silt or sludge whether treated or untreated, or toxic wastes from industrial processes which contain substances that may infect, pollute and/or degrade the environment and endanger human life or health, including chemical mixtures and combinations, heavy metal residues, residues of radioactive materials, indeterminate acids and alkalis, bacteria, viruses, eggs, larvae, spores and funguses that may carry animal and plant diseases".

Countries Applicable to the entire country.

Remarks

Guyana

2008 Guyana has no restrictions on the import of hazardous wastes and other wastes for final disposal.

Legislation

Countries

Remarks

Honduras

2008 Honduras restricts the import of hazardous wastes and other wastes for final disposal.

Legislation Art.8 General Law on Environment

Se prohíbe la introducción al país, de desechos tóxicos radioactivos, basuras domiciliarias, cienos o lodos cloacales y otros. Así mismo se prohíbe utilizar el territorio nacional y las aguas nacionales como deposito de tales materiales

Art.9 del Reglamento General del Ambiente

Los órganos competentes deberán elaborar y poner en vigencia las normas Técnicas que se deberán seguir en el proceso de descarga y emisión de 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 radioactivos, basuras domiciliarias, cienos y lodos cloacales y otros. Así mismo se prohíbe utilizar el territorio nacional y las aguas nacionales como deposito de tales materiales.

La autoridad que permita la introducción de estos materiales y el particular que los introduzca, será procesada por la comisión de un delito ambiental, sin perjuicio de la responsabilidad patrimonial por los daños ocasionados al ambiente y a los recursos naturales y la aplicación de las sanciones administrativas que procedan.

Art. 129 Reglamento General de Salud Ambiental

"...En ninguna circunstancia se permitirá el ingreso al país de desechos tóxicos y otras sustancias radiactivas, mutagénicas, 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 the countries of the world. All hazardous wastes.

Remarks

Jamaica

2008 Jamaica restricts the import of hazardous wastes and other wastes for final disposal.

Legislation The Natural Resources (Hazardous Waste)(Control of Transboundary Movement) Regulations, 2002

Countries

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

Mexico

2008 Mexico restricts the import of hazardous wastes and other wastes for final disposal.

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.

Remarks

Saint Lucia

2008 Saint Lucia restricts the import of hazardous wastes and other wastes for final disposal.

Legislation Saint Lucia Solid Waste Management Authority (SLSWMA) regulates the importation of hazardous waste (administrative measure)

Countries The restriction covers all countries and regions.

Remarks

Uruguay

2008 Uruguay restricts the import of hazardous wastes and other wastes for final disposal.

Legislation Law n° 17.220 de 11 of November 1999. Law about Transboundary Movements of Hazardous Wastes and its modification by article 367 of Law n° 17. of 19th December 2005.

The law establishes that it is forbidden for any hazardous waste to enter the country.

Countries

Remarks
