
Question 3a. Amendment to Basel Convention (Decision III/1)**2005. Africa. (Parties which did not report are not listed).**

Algeria: Implemented

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

Botswana: Implemented**Burundi:** Implemented

L'amendement à la Convention de Bâle (amendement d'interdiction) n'a pas encore été officiellement ratifié mais certaines dispositions contre les importations et les exportations ont été prises dans notre législation nationale. Dans l'article 125 du code de l'environnement, il est stipulé que nul ne peut importer les déchets dangereux sur le territoire du Burundi, ni utiliser ledit territoire à des fins de transit. Il est interdit d'exporter des déchets dangereux vers un quelconque pays.

Cameroon: Implemented

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

Djibouti: In preparation

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

Ethiopia: Implemented

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

Gambia: Implemented

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

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

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

Mozambique: Implemented**Senegal:** In preparation**Tunisia:** Implemented

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

Uganda: Not implemented**Zambia:** Implemented

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

Question 3a. Amendment to Basel Convention (Decision III/1)**2005. Asia and Pacific. (Parties which did not report are not listed).**

Azerbaijan: Not implemented

Bahrain: Implemented

Brunei Darussalam: In preparation

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

Cambodia: Implemented

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

China: Implemented

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

Cyprus: Implemented

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

Indonesia: Implemented

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

Japan: Not implemented

Malaysia: Implemented

Mongolia: Not implemented

Pakistan: Implemented

Philippines: Not implemented

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

Qatar: Implemented

Republic of Korea: Not implemented

Korean government amended (2001.7) Article 18-2 (export banned countries) of the Enforcement Decree of the Act on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal and therefore provided the legal basis for implementing the Ban amendment. However, this article takes "when Annex VII of the Basel Convention comes into effect" as the beginning of the enforcement period.

Singapore: Not implemented

Sri Lanka: Implemented

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

Thailand: Not implemented

Viet Nam: In preparation

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

sources or destinations.

Question 3a. Amendment to Basel Convention (Decision III/1)**2005. Central and Eastern Europe. (Parties which did not report are not listed).**

Albania: Implemented

The amendment of the Basel Convention was accessed by Law no. 9299 date 28/10/2004.

Belarus: Not implemented**Bosnia & Herzegovina:** Not implemented**Bulgaria:** Implemented

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

Croatia: Implemented

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

Estonia: Implemented**Hungary:** Implemented**Latvia:** Implemented**Lithuania:** Implemented

The Law No. IX-1739 On the Ratification of Decision III/1 (Amendment to the Basel Convention) of the Conference of the Parties to the 1989 Basel Convention on the Control of Transboundary Movements of Hazardous Waste and their Disposal adopted on 18 September 2003. Also, the Council Decision 97/640/EC of 22 December 1997 on the approval, on behalf of the Community, of the amendment to the Convention on Control of transboundary movements of hazardous waste and their disposal (Basel Convention), as laid down in Decision III/1 of the Conference of the Parties is directly applied in Lithuania.

Poland: Implemented

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

Republic of Moldova: Not implemented**Romania:** Implemented

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

Serbia and Montenegro: Implemented

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

Slovakia: Implemented

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

Slovenia: Implemented

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

Ukraine: Not implemented

Question 3a. Amendment to Basel Convention (Decision III/1)**2005. Latin America and The Caribbean. (Parties which did not report are not listed).**

Argentina: In preparation**Barbados:** Not implemented**Bolivia:** In preparation

Bolivia ya entregó el instrumento de la enmienda al convenio de Basilea en Nueva York.

Brazil: In preparation**Chile:** Not implemented**Colombia:** Not implemented**Costa Rica:** Implemented

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

Cuba: Not implemented**Dominican Republic:** Implemented**Ecuador:** Implemented

It was implemented in 1998.

Guyana: Not implemented**Honduras:** Implemented

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

Jamaica: Implemented

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

Mexico: Implemented

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

Paraguay: Not implemented**Trinidad and Tobago:** Implemented**Venezuela:** Not implemented

Question 3a. Amendment to Basel Convention (Decision III/1)**2005. Western Europe and Others. (Parties which did not report are not listed).**

Andorra: Implemented

Australia: Not implemented

Austria: Implemented

The ban is implemented via EU-Legislation (Shipment Regulation 259/93/EC as amended by OJ L 022 24.01.1997 p.14 and OJ L 316 10.12.1999 p.45; Article 16). Austria ratified the two amendments to the Basel Convention (III/1 and IV/9) in 1999 (Fed. Law Gaz.III 2000/6). The amendments became effective October 26th 1999.

Belgium: Implemented

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

Canada: Not implemented

Although Canada has not ratified the Basel Ban (Decision III/I), Canada defines a hazardous waste or a hazardous recyclable material to include "waste" that is prohibited by a country for import and is considered hazardous under their domestic legislation in accordance with the Basel Convention. Exports to non-parties are not permitted unless subject to an Article 11 agreement (for example, Canada U.S.A.-Agreement; OECD Council Decisions).

Finland: Implemented

The Decision has been in force since 1 October 1995.

France: Implemented

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

Germany: Implemented

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

Greece: Implemented

As part of the Regulation 259/93.

Ireland: Implemented

Ireland has yet to formally ratify the Amendment to the Basel Convention (Decision III/1). However, as a member of the European Community (EC) Ireland is bound by Article 16 of Council Regulation (EEC) No. 259/93 on the supervision and control of shipments of waste within, into and out of the European Community, as amended by Council Regulation (EC) 120/97, which implements the ban.

Israel: Implemented

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

Italy: In preparation

Liechtenstein: Implemented

Council Regulation (EEC) No 259/93 of February 1993 on the supervision and control of shipments of waste within, into and out of the European Community and Council Regulation (EC) No 120/97 of 20 January amending Regulation (EC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community which implements Decision III/1 are applicable in Liechtenstein.

Luxembourg: Implemented

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

Monaco: Implemented

In practice the BAN is in force for waste exported out from Monaco. Monaco and France have a Custom Union Agreement and Monaco is legally considered as a part of the custom territory of the EU. All the French and EU

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

Netherlands: Implemented

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

New Zealand: Not implemented

Norway: Implemented

Spain: Implemented

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

Sweden: Implemented

Switzerland: Implemented

It is Swiss policy not to export hazardous waste outside OECD-countries. The Basel Convention Ban Amendment was ratified in 2002.

Turkey: Implemented

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

United Kingdom of Great Britain and Northern Ireland: Implemented

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

Question 3b. Export restrictions for final disposal**2005. Africa. (Parties which did not report are not listed).**

Algeria: Restrictions exist

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

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

Botswana: Restrictions do not exist

Burundi: Restrictions exist

Legislation: Les exportations de déchets pour l'élimination définitive sont interdites.

Cameroon: Restrictions do not exist

Djibouti: Restrictions in preparation

Ethiopia: Restrictions do not exist

Legislation: As Ethiopia is signatory to both Basel and Bamako conventions, it does not export hazardous chemicals for final disposal, which has no appropriate technology or capacity.

Countries: Since the aforementioned proclamation is a domestic legislation, its scope of application is limited to Ethiopia. And it applies on subjects within the territorial jurisdiction of the country. The type of waste covered is "hazardous waste" which is defined by the proclamation as -any unwanted material that is believed to be deleterious to human safety or health or the environment.

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

Gambia: Restrictions in preparation

Legislation: The Draft Waste Bill is yet to be adopted.

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

Lesotho: Restrictions in preparation

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

Madagascar: Restrictions in preparation

Morocco: Restrictions exist

Legislation: La loi 28-00 sur la gestion et l'élimination de déchets, régleme dans son chapitre VI les mouvements transfrontières des déchets ainsi toute exportation de déchet dangereux est subordonné selon l'article 44 à une autorisation délivrée par le pays intéressé et elle est prohibée pour les états qui interdisent l'importation de ces déchet. La convention de Bâle a été ratifiée par le Maroc en 1995 est publiée dans le Bulletin Officiel. A cet effet, elle considérée comme une législation nationale. Toute exportation de déchets est contrôlée en respectant le système de contrôle visé par la convention de Bâle (notification, contrat, consentement de l'Etat d'importation).

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

Remarks: The export of hazardous wastes and other wastes to countries which do not ban the import, and that have given specific written approval, is not banned but submitted to authorization by the Governmental Authority for the Environment. The authorization is granted in accordance with the Basel Convention requirements. However, the law 28-00 on Waste Management and its Disposal entry into inforce, stipulates that the export of hazardous wastes is banned to countries that ban import and to countries that do not ban it in the absence of specific written agreement.

Mozambique: Restrictions do not exist

Senegal: Restrictions exist

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

Countries: All hazardous wastes and all countries.

Tunisia: Restrictions exist

Legislation: By law n°96-41 on wastes and the control of their management and disposal (entered into force on the 10 June 1996), the export of hazardous wastes, as defined by national legislation, for final disposal and for recovery, to any State that prohibits the import of such wastes, is banned. Also is banned the export of hazardous wastes, for final disposal and for recovery, to any State that does not prohibit the import of such wastes in the case of the absence of its specific written consent. The authorization of export is not attributed unless the following conditions are met: Due account is taken of international rules and standards in the field of packaging, labelling and transport; The presentation of a written contract between the exporter and the disposer/person in charge of the recovery; The presentation of an insurance contract presenting sufficient financial guarantees; and The presentation of the movement document signed by the person who takes charge of the transboundary movement of the wastes in question.

Countries: All countries are covered by this restriction.

Uganda: Restrictions exist

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

Countries: This restriction is global and covers all wastes.

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

Zambia: Restrictions exist

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

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

Question 3b. Export restrictions for final disposal**2005. Asia and Pacific. (Parties which did not report are not listed).**

Azerbaijan: Restrictions exist

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

Countries: Non-ferrous and black metals.

Bahrain: Restrictions in preparation

Brunei Darussalam: Restrictions in preparation

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

Cambodia: Restrictions do not exist

China: Restrictions exist

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

Remarks China The export is allowed when there are no adequate disposal facilities in China capable of disposing the waste in an environmental sound manner. The export of hazardous waste for disposal for which there are no adequate disposal facilities in China must comply with the requirements of the Basel Convention. The transboundary movement can only take place upon prior written notification from the competent authorities of the states of export, to the competent authorities of the states of import and transit, and upon consent from these authorities. Furthermore, each shipment of hazardous waste should be accompanied by a movement document from the point at which the movement begins to the point of disposal. Hong Kong Special Administrative Region, China In addition to the Basel Convention requirements, the export of any waste for a purpose other than re-use, recovery, reprocessing or recycling (e.g. for final disposal including landfilling and incineration) of the waste is subject to control by the same procedure as that of the control of export of hazardous waste. Macao Special Administrative Region, China The export of waste for the purpose of final disposal will be subject to the controls according to the Basel Convention requirements.

Cyprus: Restrictions exist

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

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

Indonesia: Restrictions exist

Legislation: To supervise hazardous waste exports, Indonesian Government has issued policies as written in Article 53 GR18/1999 Jo. GR 85/1999 and the Basel Convention, which states that waste exports are allowed as long as the shipment of wastes receives a written permission from the competent authority of the destination country and exporting country. KLH (Ministry of Environment) is Indonesian competent authority. Other legislations are: · Minister of Industry and Trade, Letter of Decree No. 228/MPP/KP/07/1997 on Export Regulations Minister of Industry and Trade, Letter of Decree No. 259/KMK.01/1997 on Export Custom Procedures Law of the Republic of Indonesia (UU.RI.) No. 23/1997 on Environmental Management (Articles 43 and 49); Law of the Republic of Indonesia No. 10/1995 on Custom Regulation and · Governmental Regulation of the Republic of Indonesia (PP) No. 18/1999 Jo. PP 85/1999 on Hazardous Waste Management (article 64).

Countries: All countries/regions.

Japan: Restrictions exist

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

Countries: All countries and regions.

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

Malaysia: Restrictions exist

Legislation: The Environmental Quality Act 1974, (Amendment 1996) Section 34B; and the Customs (Prohibition of Export) Order 1993 Amendment 1998.

Countries: All countries.

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

Mongolia: Restrictions do not exist**Pakistan:** Restrictions exist

Legislation: Pakistan Environmental Protection Act - 1997.

Countries: All countries.

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

Philippines: Restrictions exist

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

Countries: All countries/regions and all wastes.

Qatar: Restrictions exist

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

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

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

Republic of Korea: Restrictions exist

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

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

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

Singapore: Restrictions exist

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

Countries: All.

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

Sri Lanka: Restrictions do not exist

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

Thailand: Restrictions exist

Legislation: The production, import, export and possession of the hazardous substances as well as hazardous wastes within the Kingdom of Thailand shall be followed the procedure under the Ministerial

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

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

Viet Nam: Restrictions do not exist

Legislation: Law on Environment Protection in 1993 prohibited the export of waste for any purpose but the Law on Environmental Protection in 2005 (entered into force since 1 July 2006) has repealed this provision.

Question 3b. Export restrictions for final disposal**2005. Central and Eastern Europe. (Parties which did not report are not listed).**

Albania: Restrictions exist

Legislation: Regulation No 4 date 15/10/2003 "Procedures for approving of Permit for Export of waste and Permit for Transit of waste". During 2005, the draft law on hazardous waste management was prepared.

Countries: The restriction covers all countries.

Remarks: According to this Regulation the natural and juridical persons should apply for Permit for Export of Waste or Permit for Transit of Waste in Ministry of Environment, after they have fulfilled the requirements which are in compliance with Basel convention. It is crucial the written consent from the competent authority of country of export. This Regulation does not specify the recovery or disposal of waste.

Belarus: Restrictions in preparation

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

Bosnia & Herzegovina: Restrictions do not exist

Bulgaria: Restrictions exist

Legislation: - Waste Management Act (Promulgated, State Gazette No. 86/30.09.2003) and - Ordinance on the cases for which permit or registration is required for import, export and transit of waste, establishment of bank guarantee and on the control of transboundary movement of waste (Promulgated, State Gazette No.102/19.11.2004).

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

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

Croatia: Restrictions exist

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

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

Countries: All countries.

Estonia: Restrictions do not exist

Hungary: Restrictions do not exist

Remarks The National Inspectorate for Environment and Water (Hungary), as competent authority of the state of export, is ready to issue the consent of Hungary concerning the export of waste in question, in case of receiving the permits of the competent authorities of the transit and import countries. The permit from National Inspectorate for Environment and Water (Kff) is necessary for the exportation of hazardous waste from the territory of the country. The permit application shall be submitted by the owner of the hazardous waste.

Latvia: Restrictions exist

Legislation: Latvia accessed to European Union on 1st of May, 2004. Council Regulation No 259/93 of 1st February 1993 on the supervision and control of shipments of waste within, into and out of the European Community is directly applicable in Latvia since that date.

Countries: In accordance with Article 14 of above mentioned Regulation 259/93: 1. All exports of waste for disposal shall be prohibited, except those to EFTA countries which are also parties to the Basle Convention. 2. However, without prejudice to Articles 25 (2), and 26 (2), exports of waste for disposal to an EFTA country shall also be banned: (a) where the EFTA country of destination prohibits imports of such wastes or where it has not given its written consent to the specific import of this waste; (b) if the competent authority of dispatch in the Community has reason to believe that the waste will not be managed in accordance with environmentally sound methods in the EFTA country of destination concerned.

Lithuania: Restrictions exist

Legislation: After the accession to European Union from 2004 May, the Council Regulation (EEC) No 259/93 of 1 February 1993 on the Supervision and Control of Shipments of Waste within, into and out of the European Community is directly applied in Lithuania. Also, the Council Decision 97/640/EC of 22 December 1997 on the approval, on behalf of the Community, of the amendment to the Convention on Control of transboundary movements of hazardous waste and their disposal (Basel Convention), as laid down in Decision III/1 of the Conference of the Parties is directly applied in Lithuania.

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

Poland: Restrictions exist

Legislation: Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community (OJ L 30, 6.2.1993, p. 1) Regulation became directly applicable on Poland's accession to the EU (1 May 2004)

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

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

Republic of Moldova: Restrictions do not exist

Romania: Restrictions exist

Remarks According to art. 23 of the Law on Environmental Protection no. 137 / 1995 republished, amended by the Emergency Ordinance 91/2002 approved by Law no. 294/2003, the export and transit of hazardous wastes may take place in accordance with agreements to which Romania is a party. In case of export, the responsible operator must ensure that international obligations are observed and that the consent of the recipient country has been obtained.

Serbia and Montenegro: Restrictions exist

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

Slovakia: Restrictions exist

Legislation: The following shall be forbidden: Export of wastes destined for final disposal except for export to states that are members of the Organisation for Economic Cooperation and Development and also are parties to the Basel Convention, (Notification of the Ministry of Foreign Affairs of the Slovak Republic No. 60/1995 Coll. of Laws on the Accession of the Slovak Republic to the Basel Convention on Control of Traffic of Hazardous Wastes across State Borders and Their Disposal Notification of the Ministry of Foreign Affairs of the Slovak Republic No. 132/2000 Coll. of Laws on the Adoption of Modifications Contained in Annex I and the Adoption of Two New Annexes VIII and IX of the Basel Convention on Control of Traffic of Hazardous Wastes across State Borders and Their Disposal), unless an international agreement, by which the Slovak Republic is bound, stipulates otherwise. This exception shall not apply where a waste disposal installation is located in the Slovak Republic with a sufficient capacity and with a comparable level of technology (Act No. 223/2001 Coll. of Laws § 23, paragraph 4, letter b). For the purpose of exports under paragraph 4 letter c), hazardous wastes shall be considered waste a) Listed in Annex VIII to the Basel Convention b) Designated hazardous in the Waste Catalogue c) Included in the Amber List of Wastes, with their code indications starting with the letter A, or included in the Red List of Wastes d) Listed in Annex IX to the Basel Convention and containing substances listed in Annex I to the Basel Convention within a scope causing the occurrence of dangerous properties listed in Annex III to the Basel Convention. Objections to the waste export destined for final disposal listed on Amber/Red List may be raised where: a) an export of waste is not compliant with the generally binding regulations for environmental protection, public order, public safety or the human health protection b) an applicant for a transboundary waste shipment or the waste consignee effected illegal transboundary waste shipments in the past (§ 38) c) a waste consignment is contradictory to the obligations resulting from international agreements by which the Slovak Republic is bound d) an export of waste is not compliant with the objectives of the Waste Management Programme of the Slovak Republic e) a principle of self-sufficiency may be applied on the national level f) a waste disposal installation must dispose of waste originating in a closer territory and the competent authority of destination has informed about its preference to dispose of that waste. Since 1st May 2004 the Council Regulation No 259/93/EC is applied to the transboundary movements of wastes. Based on this Regulation Slovakia restricts the export of hazardous and non-hazardous wastes for final disposal. According to the Article 14 of the Council Regulation No 259/93/EC all exports of waste for disposal shall be prohibited, except those to EFTA countries which are Parties of the Basel Convention. The next part of this Article stipulates some cases when export of waste for disposal is banned in the EFTA countries. In general, the export of waste for final disposal into non-EU/non-EFTA countries is prohibited.

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

Slovenia: Restrictions exist

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

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

Ukraine: Restrictions do not exist

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

Question 3b. Export restrictions for final disposal**2005. Latin America and The Caribbean. (Parties which did not report are not listed).**

Argentina: Restrictions do not exist

Barbados: Restrictions do not exist

Bolivia: Restrictions in preparation

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

Brazil: Restrictions do not exist

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

Chile: Restrictions do not exist

Colombia: Restrictions exist

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

Costa Rica: Restrictions do not exist

Cuba: Restrictions do not exist

Dominican Republic: Restrictions do not exist

Ecuador: Restrictions exist

Legislation: 1. When the export is made to states that cannot demonstrate that they will make a suitable final disposal (Annex IVA) of the waste 2. If the dangerous waste can have a technically suitable final disposition in the country Environmental Law Unified Text of Ecuadorian Environmental Ministry, Book VI of the Environmental Quality, Title V "Regulation for the prevention and control of the contamination by dangerous waste" published in the Official Registration No. 2 of March 31, 2003.

Countries: To national level.

Remarks The Ministry of Environment is the National Environmental Authority in Ecuador.

Guyana: Restrictions in preparation

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

Honduras: Restrictions do not exist

Jamaica: Restrictions exist

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

Countries: The area south of 60o latitude

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

Mexico: Restrictions exist

Legislation: De conformidad con el Artículo 50, Fracción X, de la Ley General de Prevención y gestión Integral de Residuos (LGPGIR) Se requiere autorización de la Secretaría para la importación y exportación de residuos peligrosos. De conformidad con el Artículo 85 de la LGPGIR, publicada en el Diario Oficial de la Federación el 8 de octubre de 2003, "La importación y exportación de residuos peligrosos se sujetará a las restricciones o condiciones establecidas en esta Ley, su Reglamento, la

Ley de Comercio Exterior, la Ley Federal de Competencia Económica, los tratados internacionales de los que México sea parte y los demás ordenamientos aplicables. Asimismo, de conformidad con el Artículo 87 de la LGPGIR: "Las autorizaciones para la exportación de residuos peligrosos sólo se emitirán cuando quienes las solicitan cuentan con el consentimiento previo del país importador y, en su caso de los gobiernos de los países por los que transiten los residuos.

Countries: All countries.

Paraguay: Restrictions do not exist

Trinidad and Tobago: Restrictions do not exist

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

Venezuela: Restrictions do not exist

Question 3b. Export restrictions for final disposal**2005. Western Europe and Others. (Parties which did not report are not listed).**

Andorra: Restrictions do not exist

Legislation: See article 27, 1-2-5

Australia: Restrictions exist

Legislation: Section 17 of the Hazardous Waste (Regulation of Exports and Imports) Act 1989. Section 18A also provides that the Minister must not grant a Basel export permit if the applicant proposes that the hazardous waste will be disposed of by a method that is within the scope of Section A of Annex IV to the Basel Convention, unless the Minister is satisfied that there are exceptional circumstances. In deciding whether there are exceptional circumstances the Minister must have regard to the following: whether there will be significant risk of injury or damage to human beings or the environment if the permit is not granted; whether the waste is needed for research into improving the management of hazardous waste; and whether the waste is needed for testing for the purposes of improving the management of hazardous waste. The Minister also has discretion to decide not to grant a permit under the Act if there is reason to believe that the hazardous waste could be disposed of safely, efficiently and in an environmentally sound manner at a facility in Australia. Entry into force: 12 December 1996.

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

Austria: Restrictions exist

Legislation: Federal Waste Management Plan 2006, which states the principle of self-sufficiency for final disposal. Based on this principle objections are raised in case of exports for final disposal provided there is a suitable disposal option in Austria.. In line with the EU Regulation 259/93/EC final disposal is allowed only within the European Economic Area (EEA).

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

Belgium: Restrictions exist

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

Canada: Restrictions exist

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

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

Remarks Under the Export and Import of Hazardous Waste and Hazardous Recyclable Materials Regulations (EIHWHRMR), Canada defines a hazardous waste or a hazardous recyclable material to include "waste" that is prohibited by a country for import and is considered hazardous under their domestic legislation in accordance with the Basel Convention. Exports to non-parties are not permitted unless subject to an Article 11 agreement (for example, Canada - USA Agreement; OECD Council Decisions). The EIHWHRMR place a number of strict conditions on the export of hazardous waste and hazardous recyclable materials: exports of hazardous wastes to countries that prohibits the imports or are not party to the Basel Convention or not covered under an Article 11 agreement with Canada are prohibited; requirement for mandatory prior notification of, and consent from (i.e. prior informed consent, PIC), the importing country; exports can only take place with a permit issued by Environment Canada; mandatory use of a movement document as a tracking system to ensure that hazardous wastes actually arrive at the intended authorized facilities; and are treated, disposed of or recycled as per the advance notice and permit; all disposal operations to be followed up with a certificate of disposal; require every exporter and carrier to obtain insurance to cover environmental

damages should an accident occur during the transboundary movement of hazardous wastes; and requirements for shipments which cannot be completed as planned in the permit, to prevent them from becoming "orphans". If the Minister is of the opinion that the hazardous waste or hazardous recyclable material will not be managed in a manner that will protect the environment and human health against the adverse effects that may result from that waste or material, the Minister may refuse to issue a permit under subsection 185(2) of the CEPA 1999 taking into account different criteria set out in the EIWHRMR.

Finland: Restrictions exist

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

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

France: Restrictions do not exist

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

Germany: Restrictions exist

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

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

Greece: Restrictions exist

Legislation: Regulation EEC 259/93, as amended.

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

Ireland: Restrictions exist

Legislation: As a member of the European Community (EC) Ireland is bound by Council Regulation (EEC) No. 259/93, as amended on the supervision and control of shipments of waste within, into and out of the European Community. Article 14 prohibits the export of waste for disposal outside the EU except to EFTA (European Free Trade Agreement) States, which are Parties to the Basel Convention.

Israel: Restrictions exist

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

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

Italy: Restrictions exist

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

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

Liechtenstein: Restrictions exist

Legislation: Council Regulation (EEC) No 259/93 of February 1993 on the supervision and control of shipments of waste within, into and out of the European Community and Council Regulation (EC) No 120/97 of 20 January amending Regulation (EC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community which implements Decision III/1 are applicable in Liechtenstein.

Luxembourg: Restrictions exist

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

Monaco: Restrictions do not exist

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

Netherlands: Restrictions exist

Legislation: The Council Regulation (EEC) No 259/93; entry into force May 6th 1994; Since May 2003 the national policy on waste is given in the Waste policy plan 2002-2012. This plan indicates the restrictions for all types of waste.

Countries: All countries/regions and all waste.

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

New Zealand: Restrictions exist

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

Countries: As per Basel Convention/OECD requirements.

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

Norway: Status not provided

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

Countries: Non-OECD countries.

Spain: Restrictions exist

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

Countries: The restriction in Article 14 of Council Regulation (EEC) No. 259/93 applies to all countries, except Member States of the European Union, Norway, Switzerland, Iceland and Liechtenstein; and to all wastes.

Remarks Article 14 of Council Regulation (EEC) No. 259/93 also lays down restrictions, in certain circumstances, on the export of wastes to EFTA countries which are Parties to the Basel Convention.

Sweden: Restrictions exist

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

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

Switzerland: Restrictions exist

Remarks It is Swiss policy not to export hazardous waste outside OECD-countries. The Basel Convention Ban Amendment was ratified in 2002.

Turkey: Restrictions exist

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

United Kingdom of Great Britain and Northern Ireland: Restrictions exist

Legislation: Article 34 of the WSR prohibits the export of wastes for disposal, except to other EU and EFTA countries. However, the UK prohibits the export of all wastes for disposal (as set out in the UK Management Plan for Exports and Imports of Waste, which came into effect in June 1996).

Question 3c. Export restrictions for recovery**2005. Africa. (Parties which did not report are not listed).**

Algeria: Restrictions exist

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

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

Botswana: Restrictions do not exist

Burundi: Restrictions exist

Legislation: Les exportations de déchets pour l'élimination définitive sont interdites.

Cameroon: Restrictions do not exist

Djibouti: Restrictions in preparation

Ethiopia: Restrictions do not exist

Gambia: Restrictions in preparation

Legislation: The Draft Waste Bill is yet to be adopted.

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

Lesotho: Restrictions do not exist

Madagascar: Restrictions do not exist

Morocco: Restrictions exist

Legislation: La convention de Bâle a été ratifiée par le Maroc en 1995 est publiée dans le Bulletin Officiel. A cet effet, elle considérée comme une législation nationale. La loi 28-00 sur la gestion des déchets et leur élimination intègre les dispositions de la Convention de Bâle. Toute exportation de déchets est contrôlée en respectant le système de contrôle visé par la convention de Bâle (notification, contrat, consentement de l'Etat d'importation).

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

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

Mozambique: Restrictions do not exist

Senegal: Restrictions exist

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

Countries: All hazardous wastes and all countries.

Tunisia: Restrictions exist

Legislation: By law n°96-41 on wastes and the control of their management and disposal (entered into force on the 10 June 1996), the export of hazardous wastes, as defined by national legislation, for final disposal and for recovery, to any State that prohibits the import of such wastes, is banned. Also is banned the export of hazardous wastes, for final disposal and for recovery, to any State that does not prohibit the import of such wastes in the case of the absence of its specific written consent. The authorization of export is not attributed unless the following conditions are met: Due account is taken of international rules and standards in the field of packaging, labelling and transport; The presentation of a written contract between the exporter and the disposer/person in charge of the recovery; The presentation of an insurance contract presenting sufficient financial guarantees; and The presentation of the movement document signed by the person who takes charge of the transboundary movement of the wastes in question.

Countries: All countries are covered by this restriction.

Uganda: Restrictions exist

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

Countries: This restriction is global and covers all wastes.

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

Zambia: Restrictions exist

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

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

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

Question 3c. Export restrictions for recovery**2005. Asia and Pacific. (Parties which did not report are not listed).**

Azerbaijan: Restrictions in preparation

Bahrain: Restrictions in preparation

Brunei Darussalam: Restrictions in preparation

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

Cambodia: Restrictions do not exist

China: Restrictions exist

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

Remarks China The export is allowed when there are no adequate recovery facilities in China capable of recovering the waste in an environmental sound manner. The export of hazardous waste for recovery for which there are no adequate recovery facilities in China must comply with the requirements of the Basel Convention. The transboundary movement can only take place upon prior written notification from the competent authorities of the states of export, to the competent authorities of the states of import and transit, and upon consent from these authorities. Furthermore, each shipment of hazardous waste should be accompanied by a movement document from the point at which the movement begins to the point of recovery. Hong Kong Special Administrative Region, China In addition to the Basel Convention requirements, the export of any waste for a purpose other than re-use, recovery, reprocessing or recycling (e.g. for final disposal including landfilling and incineration) of the waste is subject to control by the same procedure as that of the control of export of hazardous waste. Macao Special Administrative Region, China The export of waste for the purpose of recovery will be subject to the controls according to the Basel Convention requirements.

Cyprus: Restrictions exist

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

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

Indonesia: Restrictions exist

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

Japan: Restrictions exist

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

Countries: All countries and regions.

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

Malaysia: Restrictions exist

Legislation: The Environmental Quality Act 1974, (Amendment 1996) Section 34B; and the Customs (Prohibition of Export) Order 1993 Amendment 1998.

Countries: All countries.

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

Mongolia: Restrictions do not exist

Pakistan: Restrictions exist

Legislation: Pakistan Environmental Protection Act - 1997.

Countries: All countries.

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

Philippines: Restrictions exist

Legislation: Republic Act 6969- DAO- 28 series of 1994 and 1997.

Countries: All countries/regions and/or wastes.

Qatar: Restrictions exist

Legislation: Law No. 30 of 2002.

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.

Republic of Korea: Restrictions exist

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

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

Remarks: According to Articles 6, 10 and 16 of this Act, the export, import and transit of hazardous waste is strictly prohibited unless prior written approval is obtained from the competent authority. Also, the MOE has the authority to limit or ban the export and import of specific wastes which may be of significant impact on human health or the environment if and when considered necessary.

Singapore: Restrictions exist

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

Countries: All.

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

Sri Lanka: Restrictions do not exist

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

Thailand: Restrictions exist

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.

Viet Nam: Restrictions do not exist

Legislation: Law on Environment Protection in 1993 prohibited the export of waste for any purpose but the Law on Environmental Protection in 2005 (entered into force since 1 July 2006) has repealed this provision.

Question 3c. Export restrictions for recovery**2005. Central and Eastern Europe. (Parties which did not report are not listed).**

Albania: Restrictions exist

Legislation: Regulation No 4 date 15/10/2003 "Procedures for approving of Permit for Export of waste and Permit for Transit of waste". During 2005, the draft law on hazardous waste management was prepared.

Countries: The restriction covers all countries.

Remarks According this Regulation the natural and juridical persons should apply for Permit for Export of Waste or Permit for Transit of Waste in Ministry of Environment, after they have been fulfilled the requirements which are in compliance with Basel convention. It is crucial the written consent from the competent authority of country of export. This Regulation does not specify the recovery or disposal of waste.

Belarus: Restrictions in preparation

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

Bosnia & Herzegovina: Restrictions do not exist

Bulgaria: Restrictions exist

Legislation: - Waste Management Act (Promulgated, State Gazette No. 86/30.09.2003 and - Ordinance on the cases for which permit or registration is required for import, export and transit of waste, establishment of bank guarantee and on the control of transboundary movement of waste (Promulgated, State Gazette No.102/19.11.2004).

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

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

Croatia: Restrictions exist

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

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

Countries: All countries.

Estonia: Restrictions do not exist

Hungary: Restrictions do not exist

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

Latvia: Restrictions exist

Legislation: Latvia accessed to European Union on 1st of May, 2004. Council Regulation No 259/93 of 1st February 1993 on the supervision and control of shipments of waste within, into and out of the European Community is directly applicable in Latvia since that date.

Countries: In accordance with Article 16 of Regulation 259/93: 1. All exports of waste for recovery shall be prohibited except those to: (a) countries to which the OECD decision applies; (b) other countries: - which are Parties to the Basle Convention and/or with which the Community, or the Community and its Member States, have concluded bilateral or multilateral or regional agreements or arrangements in accordance with Article 11 of the Basle Convention and paragraph 2, or - with which individual Member States have concluded bilateral agreements and arrangements prior to the date of application of this Regulation, in so far as these are compatible with Community legislation and in accordance with Article 11 of the Basle Convention and paragraph 2. These agreements and arrangements shall be notified to the Commission within three months of the date of application of this Regulation or of their date of application, whichever is the earlier, and shall expire when agreements or arrangements are concluded in accordance with the first indent. 2. The agreements and arrangements referred to in paragraph 1 (b) shall guarantee an environmentally sound management of the waste in accordance with Article 11 of the Basel Convention and shall, in particular: (a) guarantee that the recovery operation is carried out in an authorized centre which complies with the requirements for environmentally sound management; (b) fix the conditions for the treatment of the non-recoverable components of the waste and, if appropriate, oblige the notifier to take them back; (c) enable, if appropriate, the examination of the compliance of the agreements on the spot in agreement with the countries concerned; (d) be subject to periodic review by the Commission and for the first time not later than 31 December 1996, taking into account the experience gained and the ability of the countries concerned to carry out recovery activities in a manner which provides full guarantees of environmentally sound management. The Commission shall inform the European Parliament and the Council about the results of this review. If such a review leads to the conclusion that environmental guarantees are insufficient, the continuation of waste exports under such terms shall, on a proposal from the Commission, be reconsidered, including the possibility of a ban. 3. However, without prejudice to Article 25 (2) and 26 (2), exports of waste for recovery to the countries referred to in paragraph 1 shall be prohibited: (a) where such a country prohibits all imports of such wastes or where it has not given its consent to their specific import; (b) if the competent authority of dispatch has reason to believe that the waste will not be managed in accordance with environmentally sound methods in such a country. 4. The competent authority of dispatch shall require that any waste for recovery authorized for export be managed in an environmentally sound manner throughout the period of shipment and in the State of destination.

Lithuania: Restrictions exist

Legislation: After the accession to European Union from 2004 May, the Council Regulation (EEC) No 259/93 of 1 February 1993 on the Supervision and Control of Shipments of Waste within, into and out of the European Community is directly applied in Lithuania.

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

Poland: Restrictions exist

Legislation: Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of

shipments of waste within, into and out of the European Community (OJ L 30, 6.2.1993, p. 1) Regulation became directly applicable on Poland's accession to the EU (1 May 2004)

Countries: All countries except for EU and OECD countries.

Remarks - Shipments within the EU: Green listed waste: no control procedure (shipments to Poland, Slovakia, Latvia - transitional measures in Treaty of Accession - control procedure according to art. 6-8 of Council Regulation No 259/93) Amber listed waste - control procedure stipulated in art. 6-8 of Council Regulation No 259/93 Red listed waste - control procedure stipulated in art. 10 of Council Regulation No 259/93 Unlisted waste - control procedure stipulated in art. 10 of Council Regulation No 259/93 (unlisted waste - waste for which no single entry exists in green, amber and red list of waste) - Shipments outside the EU: All exports of hazardous waste listed in annex V of Council Regulation No 259/93 are prohibited except for OECD countries. Annex V comprises of annex VIII and IX to the Basel Convention as well as of European Waste Catalogue (hazardous waste is marked with an asterisk). Export of waste to OECD countries is subject to control procedures stipulated in art. 17 paragraph 4-7 of Council Regulation No 259/93.

Republic of Moldova: Restrictions do not exist

Romania: Restrictions exist

Remarks According to art. 23 of the Law on Environmental Protection no. 137 / 1995 republished, amended by the Emergency Ordinance 91/2002 approved by Law no. 294/2003, the export and transit of hazardous wastes may take place in accordance with agreements to which Romania is a party. In case of export, the responsible operator must ensure that international obligations are observed and that the consent of the recipient country has been obtained.

Serbia and Montenegro: Restrictions exist

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

Slovakia: Restrictions exist

Legislation: The following shall be forbidden: Export of hazardous wastes destined for recovery except for export to member states of the Organisation for Economic Cooperation and Development (Act No. 223/2001 Coll. of Law § 23, paragraph 4, letter c) entered into force since 1 July, 2001). The same objections may be raised in case of export destined for recovery (waste listed in Amber/Red List or wastes not included in any lists of wastes) as they are mentioned in case of import destined for recovery. Since 1st May 2004 Slovakia applies provisions of the Council Regulation No 259/93/EC (Articles 16 and 18) and Decision III/1 of the Basel Convention.

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

Slovenia: Restrictions exist

Legislation: European Council Regulation 259/93/EEC, especially art. 14 and 18. Entry into force : May 1994. Regulation on transboundary movements of wastes (O.J. of RS No. 101/04 and 46/05) – national legislation. Entry into force: 18.9.2004.

Countries: Prohibition of export of wastes for recovery listed in Annex V of European Council Regulation 259/93/EEC into all countries which do not apply OECD Council Decision C92/39. According to national legislation export out of EU is possible only across designated border crossings.

Ukraine: Restrictions do not exist

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

Question 3c. Export restrictions for recovery**2005. Latin America and The Caribbean. (Parties which did not report are not listed).**

Argentina: Restrictions do not exist

Barbados: Restrictions do not exist

Bolivia: Status not provided

Legislation: Bolivia con relacion 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 chatarrad e Hierro y plásticos, a la república del Perú, con el objetivo de reciclaje.

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

Brazil: Restrictions do not exist

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

Chile: Restrictions do not exist

Colombia: Restrictions exist

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

Costa Rica: Restrictions do not exist

Cuba: Restrictions do not exist

Dominican Republic: Restrictions do not exist

Ecuador: Restrictions exist

Legislation: 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. For the states that within their legislation have prohibited the import of dangerous waste 3. When the export is made to states that cannot demonstrate that they will make a suitable handling of the waste 4. Toward states that be not part of the Basel Agreement, unless a bilateral or multilateral agreement with those states exists. Environmental Law Unified Text of Ecuadorian Environmental Ministry, Book VI of the Environmental Quality, Title V "Regulation for the prevention and control of the contamination by dangerous waste" published in the Official Registration No. 2 of March 31, 2003.

Countries: To national level.

Remarks The Ministry of Environment is the National Environmental Authority in Ecuador.

Guyana: Restrictions in preparation

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

Honduras: Restrictions do not exist

Jamaica: Restrictions do not exist

Mexico: Restrictions exist

Legislation: De conformidad con el Artículo 50, Fracción X, de la Ley General de Prevención y gestión Integral de Residuos (LGPGIR) Se requiere autorización de la Secretaría para la importación y exportación de residuos peligrosos. De conformidad con el Artículo 85 de la LGPGIR, publicada en el Diario Oficial de la Federación el 8 de octubre de 2003, "La importación y exportación de residuos peligrosos se sujetará a las restricciones o condiciones establecidas en esta Ley, su Reglamento, la

Ley de Comercio Exterior, la Ley Federal de Competencia Económica, los tratados internacionales de los que México sea parte y los demás ordenamientos aplicables. Asimismo, de conformidad con el Artículo 87 de la LGPGIR: "Las autorizaciones para la exportación de residuos peligrosos sólo se emitirán cuando quienes las solicitan cuentan con el consentimiento previo del país importador y, en su caso de los gobiernos de los países por los que transiten los residuos.

Countries: All countries.

Paraguay: Restrictions do not exist

Trinidad and Tobago: Restrictions do not exist

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

Venezuela: Restrictions do not exist

Question 3c. Export restrictions for recovery**2005. Western Europe and Others. (Parties which did not report are not listed).**

Andorra: Restrictions do not exist

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

Australia: Restrictions exist

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

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

Austria: Restrictions exist

Legislation: The export of hazardous wastes in accordance with Council Decision 94/904/EC and of wastes listed in Annex V of the Shipment Regulation (295/93/EC) for recycling is allowed only to Countries applying OECD Council Decision C92(39) FINAL (amendment of the Shipment Regulation OJ L 022 24.01.1997 p.14 and OJ L 316 10.12.1999 p.45). This restriction covers all countries not applying the OECD Council Decision C92(39) FINAL.

Countries: All countries not listed in Annex VII of the Basel Convention.

Belgium: Restrictions exist

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

Canada: Restrictions exist

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

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

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

Finland: Restrictions exist

Legislation: Council Regulation (EEC) on the supervision and control of shipments of waste within, into and out of the European Community No. 259/93, as amended by 120/97. It came into force in January 1997. Wastes covered by the export ban are listed in Annex V of the Council Regulation. Basel Annexes

VIII and IX were included in Annex V from 10 November 1998 (Council Regulation 2408/98). Annex V has been last amended by Commission Regulation 2557/2001. The export ban (with slight differences in scope) has been in force in Finland from 1 October 1995.

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

France: Restrictions do not exist

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

Germany: Restrictions exist

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

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

Greece: Restrictions exist

Legislation: Regulation EEC 259/93, as amended.

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

Ireland: Restrictions exist

Legislation: As a member of the European Community (EC) Ireland is bound by Council Regulation (EEC) No. 259/93, as amended on the supervision and control of shipments of waste within, into and out of the European Community. Article 16 prohibits all exports for recovery of waste listed in Annex V other than to those countries to which the OECD Decision applies, other countries which are parties to the Basel Convention and / or which have concluded bilateral agreements with the EC or the individual Member State.

Israel: Restrictions exist

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.

Italy: Restrictions exist

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

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

Liechtenstein: Restrictions exist

Legislation: Council Regulation (EEC) No 259/93 of February 1993 on the supervision and control of shipments of waste within, into and out of the European Community and Council Regulation (EC) No 120/97 of 20 January amending Regulation (EC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community which implements Decision III/1 are applicable in Liechtenstein.

Luxembourg: Restrictions exist

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

Monaco: Restrictions do not exist

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

Netherlands: Restrictions exist

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

Countries: Wastes not covered by the Basel Convention.

New Zealand: Restrictions exist

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

Countries: As per Basel Convention/OECD requirements.

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

Norway: Restrictions exist

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

Countries: EU and non-OECD countries.

Spain: Restrictions exist

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.

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.

Sweden: Restrictions exist

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

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

Switzerland: Restrictions exist

Remarks: It is Swiss policy not to export hazardous waste outside OECD-countries. The Basel Convention Ban Amendment was ratified in 2002.

Turkey: Restrictions exist

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

United Kingdom of Great Britain and Northern Ireland: Restrictions exist

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

Question 3d. Import restrictions for final disposal**2005. Africa. (Parties which did not report are not listed).**

Algeria: Restrictions exist

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

Botswana: Restrictions do not exist

Burundi: Restrictions exist

Legislation: Les explorations de déchets pour l'élimination définitive sont interdites.

Cameroon: Restrictions exist

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

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

Djibouti: Restrictions exist

Legislation: Selon la Loi cadre sur l'environnement: Article 45: Il est interdit d'importer des déchets dangereux sur le territoire national.

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

Ethiopia: Restrictions do not exist

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

Gambia: Restrictions exist

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

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

Lesotho: Restrictions in preparation

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

Madagascar: Restrictions do not exist

Morocco: Restrictions exist

Legislation: Conformément à l'article 42 de la loi 28- 00 sur la gestion des déchets et leur élimination et en tant que partie à la convention de Bâle et ayant ratifié son amendement, le Maroc interdit toute importation de déchets dangereux vu qu'il ne dispose pas d'installation de leur élimination. Alors que l'importation de déchets non dangereux leur importation pour valorisation seulement est soumise à autorisation

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

Mozambique: Restrictions exist

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

Senegal: Restrictions exist

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

Countries: All hazardous wastes and all countries.

Tunisia: Restrictions exist

Legislation: By law n°96-41 on wastes and the control of their management and disposal (entered into force on the 10 June 1996), the import of hazardous wastes, as defined by national legislation (Tunisian list of hazardous waste available on request), for final disposal and for recovery, is strictly prohibited. By law n°96-41, categories of waste, other than those defined as hazardous by national legislation, requiring specific control when imported, can be specified by decree.

Countries: All countries are covered by this restriction.

Uganda: Restrictions exist

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

Countries: The restriction covers all regions and all wastes.

Remarks Regarding the transboundary movement of hazardous waste, the import is prohibited. However, persons desiring to import or export any wastes may apply for a license by completing a movement document, which conforms to the Basel Convention requirements. NEMA is required to notify other States through which the waste will transit in order to seek their informed consent. In order to ensure tight control/monitoring of possible illegal hazardous waste imports into the country, only a few points have been designated as entry ports.

Zambia: Restrictions exist

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

Countries: All countries and all wastes.

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

Question 3d. Import restrictions for final disposal**2005. Asia and Pacific. (Parties which did not report are not listed).**

Azerbaijan: Restrictions exist

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

Countries: All categories of wastes.

Bahrain: Restrictions in preparation

Brunei Darussalam: Restrictions in preparation

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

Cambodia: Restrictions exist

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

China: Status not provided

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.

Remarks Hong Kong Special Administrative Region, China In addition to the Basel Convention requirements, the import of any waste for a purpose other than re-use, recovery, reprocessing or recycling (e.g. for final disposal including landfilling and incineration) of the waste is also subject to control by the same procedure as that of the control of import of hazardous waste. Macao Special Administrative Region, China The import of waste for the purpose of final disposal will be subject to the controls according to the Basel Convention requirements.

Cyprus: Restrictions exist

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

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

Indonesia: Restrictions exist

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

Countries: All countries/regions. Wastes that are prohibited to be imported according to existing regulations are: · Wastes listed in Appendix I PP85/1999 on Hazardous Waste Management; · Hazardous Wastes with characteristics specified in Article 7 Sub Article 3 of the GR 85/1999 on Hazardous Wastes Management; · Wastes that have been discovered to have acute and chronic characteristics after toxicological test specified by Article Sub Article 4 of the GR 85/1999 on Hazardous Wastes

Management; · Wastes listed in Annex I, II, and VIII and exhibiting characteristics listed in Annex III of the Basel Convention; · Wastes in the form of dust and mud/paste/sludge as it is written in Article 4 Minister of Industry and Trade Letter of Decree No. 231/MPP/KP/07/1997 on Waste Importing Procedures; and · Plastic Wastes as specified in the Appendix of Minister of Industry and Trade Letter of Decree No. 230/MPP/KP/07/1997 on Regulated Imported Goods.

Remarks The following are some waste import policies that the Indonesian Government has implemented: Prohibition of all hazardous waste imports, except for used lead car-battery, started in September 2002; Since September 1997, prohibition on issuing permits for any types of business or activities that uses hazardous wastes imports. Since January 1998, prohibition of hazardous wastes imports, including used car-batteries, from countries that are registered in the Basel Convention Annex VII (OECD, EC, Liechtenstein); and Car-batteries imports are allowed only from developing countries that are members of the Basel Convention, and other developing countries through bilateral, multilateral and regional agreements.

Japan: Restrictions exist

Legislation: The Waste Management Law and Basel Law.

Countries: All countries and regions.

Remarks Waste Management Law: Without the permission of the Minister of the Environment, any person cannot import wastes for final disposal. Basel law: MOE shall examine whether sufficient measures will be taken for preventing environmental pollution, and thereafter notify the METI of the result of its examination. METI is not able to issue import permission without the notification by MOE certifying that necessary measures will be taken for preventing environmental pollution.

Malaysia: Restrictions exist

Legislation: The Environmental Quality Act 1974, (Amendment 1996) Section 34B; and the Customs (Prohibition of Import) Order 1993 Amendment 1998.

Countries: All countries.

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

Mongolia: Restrictions exist

Legislation: The national prohibition of the hazardous waste is given below as at Article 4 of the Mongolian Law for prohibition of import, transboundary movement of hazardous waste and its export. 4.1. To prohibit the import of hazardous wastes for use, storage and final disposal in Mongolia. 4.2. To prohibit the hazardous wastes for transboundary movement in Mongolia

Pakistan: Restrictions exist

Legislation: Pakistan Environmental Protection Act - 1997 import Trade and Procedure Order - 2000.

Countries: All countries.

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

Philippines: Restrictions exist

Legislation: Republic Act 6969- DAO29: 1992.

Countries: All countries/regions and all wastes

Qatar: Restrictions exist

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: Restrictions exist

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

Countries: There is no restriction on the country or region of origin regarding the import of hazardous wastes, but the MOE has the authority to ban or limit the import of specific wastes if and when considered necessary.

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

Singapore: Restrictions exist

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

Countries: All.

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

Sri Lanka: Restrictions in preparation

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).

Thailand: Status not provided

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 Board 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).

Viet Nam: Restrictions exist

Legislation: Waste is prohibited from import for any purpose by Law on Environmental Protection in 2005 (entered into force since 1 July 2006).

Countries: The prohibition covers all countries and all wastes under the definition. However, the State allows importation of certain categories of scrap materials after being treated and cleaned outside the country for use as secondary material for industrial production (see Decision 03/2004/QD-BTNMT and Decision 12/2006/QD-BTNMT in 3e(iii) below). Hence, waste import for final disposal is completely prohibited.

Question 3d. Import restrictions for final disposal**2005. Central and Eastern Europe. (Parties which did not report are not listed).**

Albania: Restrictions exist

Legislation: The Environmental Protection Law No. 7664 1/21/1993, Article No. 5: "In the Republic of Albania the import of hazardous waste and substances for reservation, storage or disposal purposes is prohibited"; and the Council of Ministers, Decision No. 26 1/31/1994: "In the Republic of Albania the import of hazardous waste in gross or refined conditions, and the import of waste for disposal purpose are prohibited".

Countries: The restriction covers all countries.

Belarus: Restrictions exist

Legislation: Waste Law, in force from 1 January, 2001, which states that "Transboundary Movement of waste to the Republic of Belarus with the purpose of their storage and (or) neutralization (landfilling, burning etc.) is prohibited".

Countries: All countries.

Bosnia & Herzegovina: Restrictions exist

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

Legislation: - Waste Management Act (Promulgated, State Gazette No. 86/30.09.2003 and - Ordinance on the cases for which permit or registration is required for import, export and transit of waste, establishment of bank guarantee and on the control of transboundary movement of waste (Promulgated, State Gazette No.102/19.11.2004).

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

Remarks: The import of waste into the state with the purpose of storage, landfill or disposal is prohibited.

Croatia: Status not provided

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

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

Countries: All countries.

Estonia: Restrictions do not exist

Hungary: Restrictions exist

Legislation: Import of the hazardous waste into Hungary for final disposal is banned. - XLIII. Act of year 2000 on the Waste Management 17. § Put in force 01.01.2001; - Governmental Decree No. 120/2004 (IV.29.)

Countries: All countries.

Latvia: Restrictions exist

Legislation: Waste Management Law, 01.03.2001.

Countries: Its prohibited to import into the territory of the Republic of Latvia any waste for disposal or long-term storage. Restriction applies to all countries.

Lithuania: Restrictions exist

Legislation: After the accession to European Union from 2004 May, the Council Regulation (EEC) No 259/93 of 1 February 1993 on the Supervision and Control of Shipments of Waste within, into and out of the European Community is directly applied in Lithuania.

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

Poland: Restrictions exist

Legislation: Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community (OJ L 30, 6.2.1993, p. 1) Regulation became directly applicable on Poland's accession to the EU (1 May 2004)

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

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

Republic of Moldova: Restrictions exist

Legislation: Law on Environmental Protection, which prohibits the introduction of all kinds of waste. The Framework of the Law on Environmental Protection, art. 73 "There are prohibited the introduction of waste and the residuals of any nature, crude or in processing state, due to temporary 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.

Romania: Restrictions exist

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

Remarks: Romania has obtained transition periods for the implementation of the Shipment Regulation: 1. Romania reconsiders its position presented in Position Paper CONF-RO 37/01 and requests a transition period until 31 December 2015, for the notification to the competent authorities of all shipments to Romania of waste for recovery listed in Annex II to Regulation (EEC) No 259/93,

according to Articles 6, 7 and 8 of the Regulation. 2. By way of derogation from Article 7(4) of Regulation (EEC) No 259/93, Romania requests to object, by the competent authorities, to shipments of waste for recovery, listed in Annexes II, III and IV of the Regulation and shipments of waste for recovery unlisted in those Annexes, destined for a facility benefiting from a temporary derogation from certain provisions of Directive 96/61/EC concerning integrated pollution prevention and control (IPPC), of Directive 2001/80/EC on the limitation of emissions of certain pollutants into the air from large combustion plants (LCP) and of Directive 2000/76/EC on incineration of waste, during the period in which the temporary derogation is applied to the facility of destination. 3. By way of derogation from Article 7(4) of Regulation (EEC) no. 259/93, until 31 December 2011, Romania, by the competent authorities, requests the possibility to raise objections to shipments to Romania for recovery of the following wastes according to the provisions of Article 4(3) of the Regulation. Such shipments should be subject to Article 10 of the Regulation.

Serbia and Montenegro: Restrictions exist

Legislation: The Law on Transport of Dangerous Substances ("Off.Gazette SFRY", No. 27/90 and 45/90); The Law on Foreign Trade ("Off. Herald RS", No. 80/05) Customs Act ("Off. Herald RS", No.73/2003) The Law on Environmental Protection of Republic of Serbia ("Off.Herald RS", No.135/04); The Law on Environment of Republic of Montenegro ("Off. Gazette RCG", No.12/96).

Slovakia: Restrictions exist

Legislation: The following shall be forbidden: Import of wastes destined for final disposal, except for import of wastes generated in outward processing (§ 157 of the Act of the National Council of the Slovak Republic No. 180/1996 Coll. of Laws), the subject of processing being waste. Since 1st May 2004 Slovakia applies provisions of the Council Regulation No 259/93/EC. The import of wastes for final disposal is regulated under the Article 19 of the Council Regulation No 259/93/EC in Slovakia. (an Article 23 of the national Waste Act No 223/2001 Coll. of Laws)

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

Slovenia: Restrictions exist

Legislation: European Council Regulation 259/93/EEC, especially art. 19. Entry into force : May 1994. Regulation on transboundary movements of wastes (O.J. of RS No. 101/04 and 46/05) – national legislation. Entry into force: 18.9.2004.

Countries: According to European Council Regulation 259/93/EEC import of hazardous wastes from non-Parties of Basel Convention, except from countries with which bilateral agreement exists, is prohibited. According to national legislation import of wastes destined for D1 and D7 operations from Annex IV A of Basel Convention is prohibited. This prohibition is valid for import from all countries/regions and for all wastes. Exception: cases according to Art. 4(3)(a)(ii) of Council Regulation 259/93/EEC. Import possible only across designated border crossings.

Ukraine: Restrictions exist

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.

Question 3d. Import restrictions for final disposal**2005. Latin America and The Caribbean. (Parties which did not report are not listed).**

Argentina: Restrictions exist

Legislation: Argentina has an import ban for those wastes defined as hazardous according to the National Law of Hazardous Wastes (National Law 24051. Entry into force 1991). Decree of Import of Wastes 181 (Entry in force 1992). The entry of hazardous wastes and radioactive wastes into national territory is forbidden by National Constitution (Entry into force in 1994).

Countries: This restriction covers all countries and wastes covered by National Legislation.

Remarks National territory encloses 12 miles of Argentine sea.

Barbados: Restrictions do not exist

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

Bolivia: Restrictions do not exist

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.

Brazil: Restrictions exist

Legislation: National Environmental Council (CONAMA) Resolution no. 008 (September 19, 1991), which prohibits the import of hazardous wastes to Brazil for final disposal or incineration. The CONAMA Resolution no 23, from December 12, 1996 in its article 5 only allows the import of non-inert wastes for recycling or recovery operations.

Countries: The import of any waste, whether dangerous or not, notwithstanding its origin or country of export, is forbidden if intended for final disposal in Brazil. Beside those hazardous wastes listed in Annexes I and II of the Convention, the Brazilian legislation defines as controlled wastes those listed in Annex 10 of CONAMA Resolution No.235/98. They are provided under 3e (II), as follows: Hazardous wastes - Class I - Importation prohibited: Asbestos powder; Others (particularly: asbestos wastes); Galvanization matters containing mostly zinc; Ashes and wastes containing mostly lead; Ashes and wastes containing mostly copper; Ashes and wastes containing mostly vanadium; Other ashes and wastes containing mostly titanium; Others (ashes and wastes); Other wastes of petroleum oils of bituminous minerals; Others (particularly: wastes containing polychlorinated biphenyls - PCBs); Residual dye from the manufacture of cellulose paste to sulphite; Residual dye from the manufacture of cellulose paste to soda or sulphate; lignosulphonates; Wastes and residues from lead; Others (wastes and residues from cadmium); Others (wastes and residues from antimony); Beryllium (particularly: wastes, residues and dust); Others (wastes and residues from chrome); Wastes and residues from lead electric accumulators; Unserviceable electric accumulators; Wastes and residues from arsenic; wastes and residues from selenium; Wastes and residues from tellurium; Wastes and residues from thallium; Wastes and residues from mercury. Non-inert Wastes - Class II-A - Controlled by IBAMA: Macadam from blast-furnace slag, from other slag or from similar industrial wastes; Granulated blast-furnace slag (slag sand) from manufacture of iron and steel; Slag and other wastes from manufacture of iron and steel; Others (ashes and wastes containing mostly zinc); Others (other slag and ashes), Slag from dephosphorization; Other (particularly: dust from skins, treated or not with chrome); Wastes and residues from copper (particularly: exception of metallic copper scrap); Wastes and residues from nickel; Wastes and residues from zinc; Wastes and residues from tin; Wastes and residues from tungsten; Wastes and residues from molybdenum; Wastes and residues and dust from tantalum; Wastes residues from magnesium; Others (particularly: Wastes, residues and dust from cobalt); Others (particularly: wastes and residues from bismuth); Others (particularly: wastes, residues and dust from titanium); Particularly: wastes and residues from zirconium); Others (particularly: wastes, residues and dust from manganese); Others (particularly: wastes, residues and dust from germanium and vanadium; Others (particularly: wastes, residues and dust); Others (particularly: wastes and residues from cermets). Inert Wastes - Class II-B - There is no restriction to import except the importation of used tires, which is prohibited (of the CONAMA Resolution no 23, from December 12, 1996)

Chile: Restrictions in preparation

Remarks A Draft Law is being prepared by the National Congress, which, if approved, will prohibit the entry of hazardous wastes into Chile.

Colombia: Restrictions exist

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

Countries: All countries, all regions.

Costa Rica: Restrictions exist

Legislation: The Environmental Organic Law No 7554, October 4, 1995, says: "It is prohibited to import any kind of waste with the purpose of storage, confine, and final disposal, as well as the transit of dangerous wastes through Costa Rican territory, except those wastes listed in the national regulation within the intention to be recycled or reuse" Definitive, radioactive and toxic products is not permitted imports.

Countries: All countries, regions.

Cuba: Restrictions exist

Legislation: Resolution 87/99 from Ministry of Science, Technology and Environment.

Countries: All hazardous wastes and all countries.

Remarks: In Cuba there is a ban on the import of hazardous wastes and other wastes for final disposal.

Dominican Republic: Restrictions exist

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

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

Ecuador: Restrictions exist

Legislation: a) The Ecuadorian Republic Constitution 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 Environment Ministry and basing on the technical manual a) 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, Book VI of the Environmental Quality, Title V "Regulation for the prevention and control of the contamination by dangerous waste" published in the Official Registration No. 2 of March 31, 2003.

Countries: To national level.

Remarks: The Ministry of Environment is the National Environmental Authority in Ecuador.

Guyana: Restrictions do not exist

Honduras: Restrictions exist

Legislation: Art.8 General Law on Environment Se prohíbe la introducción al país, de desechos tóxicos radiactivas, Basuras domiciliarias, cienos o lodos cloacales y otros. Así mismo se prohíbe utilizar el territorio nacional y las aguas nacionales como deposito de tales materiales Art.9 del Reglamento General del Ambiente Los órganos competentes deberán elaborar y poner en vigencia las normas Técnicas que se deberán seguir en el proceso de descarga y emisión de contaminales. En todo caso, se aplicaran las normas internacionales contenidas en los tratados, convenios, acuerdos bilaterales o multilaterales suscritos por Honduras. Se prohíbe la introducción al país, de desechos tóxicos radiactivas, Basuras domiciliarias, cienos y lodos cloacales y otros. Así mismo se prohíbe utilizar el territorio nacional y las aguas nacionales como deposito de tales materiales. La autoridad que permita la introducción de estos materiales y el particular que los introduzca, será procesada por la comisión de un delito ambiental, sin perjuicio de la responsabilidad patrimonial por los daños ocasionados al ambiente y a los recursos naturales y la aplicación de las sanciones administrativas que procedan. Art. 129 Reglamento General de Salud Ambiental "...En ninguna circunstancia se permitirá el ingreso al país de desechos tóxicos y otras sustancias radiactivas, mutogénicas, teratogénicas, carcinogénicas y otras que afectan la salud humana y al ambiente, el incumplimiento del presente Artículo se sancionará desde falta menos leve a hasta grave"

Countries: All hazardous wastes.

Jamaica: Restrictions exist

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

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

Mexico: Restrictions exist

Legislation: De conformidad con el Artículo 50, Fracción X, de la Ley General de Prevención y gestión Integral de Residuos (LGPGIR) Se requiere autorización de la Secretaría para la importación y exportación de residuos peligrosos. De conformidad con el Artículo 85 LGPGIR, publicada en el Diario Oficial de la Federación el 8 de octubre de 2003, "La importación y exportación de residuos peligrosos se sujetará a las restricciones o condiciones establecidas en esta Ley, su Reglamento, la Ley de Comercio Exterior, la Ley Federal de Competencia Económica, los tratados internacionales de los que México sea parte y los demás ordenamientos aplicables. Artículo 86 de la LGPGIR " En la importación de residuos peligrosos se deberán observar las siguientes disposiciones: I. Sólo se permitirá con el fin de reutilizar o reciclar los residuos II. En ningún caso se autorizará la importación de residuos que sean o estén constituidos por compuestos orgánicos persistentes, y III. La Secretaría podrá imponer limitaciones a la importación de residuos cuando desincentive o constituya un obstáculo para la reutilización o reciclaje de los residuos generados en territorio nacional

Countries: All countries.

Paraguay: Restrictions exist

Legislation: Constitución Nacional 1992 Ley 42/90- Que prohíbe la importación , depósito utilización de productos calificados como residuos industriales peligrosos o basura tóxica y establece las penas correspondientes por su incumplimiento y su Decreto reglamentario N° 18.969/97. Ley 567 que ratifica el Convenio de Basilea Ley 1173/85 Código Aduanero Art relevantes 10,5051,74 Da tratamiento a las mercancías de tráfico prohibido sin especificaciones. Establece como 30 días el plazo para declarar el abandono y actuar como consecuencia al respecto de mercancías inflamables, explosivos o corrosivos. Da tratamiento al almacenamiento vencido a los productos alterados o nocivos a la salud. Características y movilización de contenedores. Decreto N° 17.723 Que aprueba el acuerdo que facilita el Transporte de mercancías Peligrosas del MERCOSUR (1997)Art. 6,7,8,9. Decreto 11.502/91 Por la cual adoptan requisitos concernientes a los plaguicidas destinados al tratamiento de semillas de algodón. Ley 2333/04 Ratifica el Convenio de Estocolmo.

Countries: Residuos Industriales o basuras tóxicas. Países del MERCOSUR

Trinidad and Tobago: Restrictions exist

Legislation: Although there is no legal instrument restricting the importation of hazardous waste, the Government of the Republic of Trinidad and Tobago does not allow the importation of hazardous waste.

Remarks: The legal framework is in preparation.

Venezuela: Restrictions exist

Legislation: In its article 129, the Constitution of the Republic of Venezuela stipulates that the State shall prevent

the entry into the country of toxic and hazardous wastes. Ley Sobre Sustancias, Materiales y Desechos Peligrosos (Gaceta Oficial N° 5.554 Extraordinario de fecha 13 de Noviembre de 2001) Prohíbe la introducción de desechos patológicos y peligrosos al país, así como, importación y distribución de los productos químicos contaminantes orgánico-persistentes (COP), a excepción del diclorodifeniltricloroetano (DDT), que podrá ser utilizado en forma restringida, y sólo por los organismos oficiales, bajo la supervisión del Ministerio de Salud, y con la aprobación, del Ministerio del Ambiente, en caso de requerirse para control de epidemias. La lista de productos químicos contaminantes orgánico-persistentes, será determinada por la reglamentación técnica y los convenios internacionales ratificados por la República que regulen esta materia. A los efectos de esta Ley, se entiende por: 4. Desecho patológico: desecho biológico o derivado biológico que posea la potencialidad de causar enfermedades en todo ser vivo. 5. Desecho peligroso: material simple o compuesto, en estado sólido, líquido o gaseoso que presenta propiedades peligrosas o que está constituido por sustancias peligrosas, que conserva o no sus.

Question 3d. Import restrictions for final disposal**2005. Western Europe and Others. (Parties which did not report are not listed).**

Andorra: Restrictions in preparation

Legislation: See article 27, 3-4

Australia: Restrictions exist

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

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

Austria: Restrictions exist

Legislation: Federal Waste Management Plan 2006, which statutes the principle of self sufficiency for final disposal. Based on this principle objections can be raised in case of imports for final disposal provided there is no sufficient capacity for domestic wastes in Austria. The import of hazardous wastes is allowed only from Countries party to the Basel Convention or applying the OECD Decision C(92)39 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.

Belgium: Restrictions exist

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

Canada: Restrictions exist

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

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

Remarks Canada meets its international obligations through the legislations listed in 3(d)(i) above. Although there are a number of conditions on the import of hazardous waste and hazardous recyclable material the following controls for imports apply: the importer is the disposer of the hazardous waste in Canada; the import of that hazardous waste is not prohibited under the laws of Canada. Although there are a number of conditions on the import of hazardous waste and hazardous recyclable material the following considerations for imports apply: there is a signed, written contract or a series of such contracts between the importer and the person who exports the hazardous waste from the country of export or, where the importer and the person who exports the hazardous waste are the same legal entity doing business in both Canada and the country of export, there is a signed, written arrangement between representatives of the entity in both countries; the importer and carrier are required to obtain insurance to cover environmental and third party damages should an accident occur during the transboundary movement of hazardous wastes: an import permit issued by Environment Canada is required; all shipments must be tracked using a movement document; and a certificate of disposal is required once the operations are completed. The conditions of the Canada - USA Agreement also apply to imports for final disposal set out in question 3 c) above.

Finland: Restrictions exist

Legislation: Government Decision on the Part of the National Waste Plan concerning Transfrontier Waste Movements (495/1998). It came into force on 1 August 1998.

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

France: Restrictions do not exist

Germany: Restrictions exist

Legislation: In Germany the provisions of the EC Waste Movement Regulation apply, especially referring to Art. 19. Entry into force: May 1994.

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

Greece: Restrictions exist

Legislation: Regulation EEC 259/93, as amended.

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

Ireland: Restrictions exist

Legislation: In accordance with Article 19 of Council Regulation (EEC) No. 259/93, as amended, on the supervision and control of shipments of waste within, into and out of the European Community, the importation of wastes for final disposal is only permitted from other EU Member States, EFTA Countries which are Parties to the Basel Convention and countries with which bilateral agreements exist.

Israel: Restrictions exist

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.

Italy: Restrictions exist

Legislation: Council Regulation (EEC) 259/93.

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

Liechtenstein: Restrictions exist

Legislation: Council Regulation (EEC) No 259/93 of February 1993 on the supervision and control of shipments of waste within, into and out of the European Community and Council Regulation (EC) No 120/97 of 20 January amending Regulation (EC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community is applied.

Remarks Imports need notification and consent.

Luxembourg: Restrictions exist

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

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

Monaco: Restrictions exist

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

Remarks Final disposal of wastes is theoretically impossible in Monaco.

Netherlands: Restrictions exist

Legislation: The Council Regulation (EEC) No 259/93; entry into force May 6th 1994; Since May 2003 the national policy on waste is given in the Waste policy plan 2002-2012. This plan indicates the restrictions for all types of waste.

Countries: All countries/regions and all waste.

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

New Zealand: Restrictions exist

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

Countries: As per Basel Convention/OECD requirements.

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

Norway: Restrictions exist

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

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

Remarks Norway may give consents for import of waste for disposal, mainly landfilling, but normally only to

waste originating from Nordic countries.

Spain: Restrictions exist

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

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

Sweden: Restrictions exist

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

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

Switzerland: Restrictions do not exist

Remarks Basel Convention is applied. Imports need notification and consent.

Turkey: Restrictions exist

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

Countries: According to the above-mentioned by-law, importation of hazardous wastes listed in the Annex to sites and free zones under the authority of Turkey is forbidden. However, those who have evidence that they have used the wastes of an economic value on sectoral basis for health research, fuel and similar purposes shall be granted a permission for import by the Ministry of Environment in accordance with the communiqué to be issued for such period and under such conditions as to be deemed fit until the publication of the by-law. According to the By-law on Control of Hazardous Wastes that was enforced on 14 March 2005, the ships which are sent to Turkey for dismantling have to comply with the prior notification and consent procedure of the Basel Convention.

United Kingdom of Great Britain and Northern Ireland: Restrictions exist

Legislation: The UK Management Plan for Export and Imports for Waste (June 1996) sets out, among other things, the UK's policy on the import of waste for final disposal. The general presumption is that wastes should not be imported for disposal in the UK and imports of all wastes for disposal are prohibited, except in limited circumstances. Imports of waste for some disposal operations are banned without exception. These are: release into water bodies (oceans, sea beds, rivers etc); incineration at sea; permanent storage; and temporary storage. For some other disposal operations (landfill, biological, chemical or physio-chemical treatment, and incineration) exceptions are allowed where: the exporting country does not have and cannot be expected to acquire suitable facilities, and where imports of wastes which cannot realistically be dealt with in an environmentally sound manner in, or in closer proximity to, the country of origin; imports for high temperature incineration, from Ireland and Portugal; and imports of hazardous wastes for high temperature incineration from any country, in cases of emergency. Additional prohibitions apply by virtue of Regulations made under UK health and safety legislation: imports of amphibole asbestos into the UK are prohibited by regulation 3 of the Asbestos (Prohibitions) Regulations 1992; and Imports into the UK, other than from another Member State of the European Economic Area, of the following substances and articles are prohibited under regulation 4(2) of The Control of Substances Hazardous to Health Regulations 1994 namely: 2-naphthylamine, benzidine, 4-aminodiphenyl, 4-nitrophenyl their salts and any substance containing any of these compounds in a total concentration exceeding 0.1 percent by mass; and matches made with white phosphorus.

Question 3e. Import restrictions for recovery**2005. Africa. (Parties which did not report are not listed).**

Algeria: Restrictions exist

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

Botswana: Restrictions do not exist

Burundi: Restrictions exist

Legislation: Les exploitations de déchets pour l'élimination définitive sont interdites.

Cameroon: Restrictions exist

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

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

Djibouti: Restrictions exist

Legislation: Selon la Loi cadre sur l'environnement: Article 45: Il est interdit d'importer des déchets dangereux sur le territoire national

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

Ethiopia: Restrictions do not exist

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

Gambia: Restrictions exist

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

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

Lesotho: Restrictions in preparation

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

Madagascar: Restrictions do not exist

Morocco: Restrictions exist

Legislation: The Law 28-00 on Waste Management and its Disposal bans the import of hazardous wastes for recovery. The import of non-hazardous wastes according to the Law is allowed if the wastes are managed in an environmentally sound manner. Conformément à la loi 28 00-sur la gestion des déchets et leur élimination et en tant que partie à la convention de Bâle et ayant ratifié son amendement, le Maroc interdit toute importation de déchets dangereux vu qu'il ne dispose pas d'installation de leur élimination. Concernant les déchets non dangereux leur importation pour valorisation seulement est soumise à autorisation.

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

Mozambique: Restrictions exist

Legislation: Under Article 9, Environmental Law 20/97, the importation of toxic residues or wastes is expressly prohibited for final disposal and recovery, except under the terms of that would be established under specific legislation. However, such legislation is not in existence yet.

Senegal: Restrictions exist

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

Countries: All hazardous wastes and all countries.

Tunisia: Restrictions exist

Legislation: By law n°96-41 on wastes and the control of their management and disposal (entered into force on the 10 June 1996), the import of hazardous wastes, as defined by national legislation (Tunisian list of hazardous waste available on request), for final disposal and for recovery, is strictly prohibited. By law n°96-41, categories of waste, other than those defined as hazardous by national legislation, requiring specific control when imported, can be specified by decree.

Countries: All countries are covered by this restriction.

Uganda: Restrictions exist

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

Countries: The restriction covers all regions and all wastes.

Remarks Regarding the transboundary movement of hazardous waste, the import is prohibited. However, persons desiring to import or export any wastes may apply for a license by completing a movement document, which conforms to the Basel Convention requirements. NEMA is required to notify other States through which the waste will transit in order to seek their informed consent. In order to ensure tight control/monitoring of possible illegal hazardous waste imports into the country, only a few points have been designated as entry ports.

Zambia: Restrictions exist

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

Countries: All countries and all wastes.

Question 3e. Import restrictions for recovery**2005. Asia and Pacific. (Parties which did not report are not listed).**

Azerbaijan: Restrictions exist

Legislation: According to the Law on industrial and municipal wastes (30 June 1998) the wastes which are not subject to their recovery could not be imported.

Bahrain: Restrictions in preparation

Brunei Darussalam: Restrictions in preparation

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

Cambodia: Restrictions exist

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

China: Status not provided

Legislation: China Decision on Several issues on Environmental Protection (State Council, No 31, 1996) prohibits the import of hazardous waste and Municipal Solid Waste from abroad. Law of the People's Republic of China on Prevention of Environmental Pollution Caused by Solid Waste, effective on April 1st, 2005; the Interim Regulation on the Administration of Environmental Protection in the Import of Waste Materials, entry into force on April 1st, 1996, which is under amendment; and the Environmental Protection Control Standards for Imported Waste Material, entry into force in 2006. According to Law of the People's Republic of China on Prevention of Environmental Pollution Caused by Solid Waste, effective on April 1st, 2005, import of solid waste which can not be used as a raw material or can not be used in an environmentally sound manner is prohibited. Up to now, wastes listed in the "list of automatic-licensing solid wastes that can be used as raw materials" and the "list of restricted solid wastes that can be used as raw materials" are permitted to be imported. Solid wastes which are not included in either of the above two categories are forbidden to be imported. "Announcement 66, 2004 promulgated by Ministry of foreign trade and economic cooperation (MOFTEC), General Administration of Customs, General Administration of Quality Supervision, Inspection and Quarantine, State Environmental Protection Administration on Oct 20, 2004, promulgated list of Wastes that can be used as raw materials and are restricted in importation (Third). "Announcement 10, 2003 promulgated by Ministry of foreign trade and economic cooperation (MOFTEC), General Administration of Customs, General Administration of Quality Supervision, Inspection and Quarantine, State Environmental Protection Administration on April 24, 2003, promulgated list of Wastes that can be used as raw materials and are restricted in importation (Second). The list of Wastes that can be used as raw materials and are restricted in importation (Second) revised the List of Goods Prohibited to be Imported (fourth and fifth) on the following. Sugar cane molasses H.S 1703.1000 and other molasses H.S1703.9000 were removed from List of Goods Prohibited to be Imported (Fourth). Sugar cane molasses H.S 1703.1000, other molasses H.S1703.9000, and vanadium dross in which the content of V2O5 be more than 10% H.S 2620.9990.10 were included in list of Wastes that can be used as raw materials and are restricted in importation (Second). List of Goods Prohibited to be Imported (Fourth and Fifth) (See Annex-3) "Announcement 25, 2002, promulgated by Ministry of foreign trade and economic cooperation (MOFTEC), General Administration of Customs, State Environmental Protection Administration on July 3, 2002. In accordance with the Regulation on the Administration of Import and Export of Goods of the People's Republic of China, the Law of Prevention and control of Solid Waste Pollution to the Environment of the People's Republic of China, and the Circular on Import of the Seventh Category of Waste, the List of Goods Prohibited to be Imported (fourth and fifth) is hereby promulgated and shall become effective as of the August 15, 2002". List of automatic-licensing solid wastes that can be used as raw materials, promulgated by State Environmental Protection Administration on January 18, 2002. Announcement 41, 2001 promulgated by Ministry of foreign trade and economic cooperation (MOFTEC), General Administration of Customs, General Administration of Quality Supervision, Inspection and Quarantine, State Environmental Protection Administration on December 30, 2001, promulgated list of Wastes that can be used as raw materials and are restricted in importation (First). List of Goods Prohibited to be Imported (Third) (See Annex-3) "Announcement 36, 2001, promulgated by Ministry of Foreign Trade and Economic Cooperation (MOFTEC), General Administration of Customs, State Environmental Protection Administration on December 23, 2001. In accordance with the Regulation on the Administration of Import and Export of Goods of the People's Republic of China, the Basel Convention on the Control of Transboundary Movement of hazardous wastes and Their Disposal, the Law of Prevention and control of Solid Waste Pollution to the Environment of the People's Republic of China, and the decision of the State Council on several Issues concerning Environmental Protection, the List of Goods Prohibited to be Imported (Third) is hereby promulgated and shall become effective as of the

January 1, 2002". Hong Kong Special Administrative Region, China With effect from 28 December 1998, import of hazardous wastes from states which are OECD members, European Community (EC) and Liechtenstein into HKSAR or through HKSAR to other states has been prohibited.

Remarks: Hong Kong Special Administrative Region, China In addition to the Basel Convention requirements, the import of any waste for a purpose other than re-use, recovery, reprocessing or recycling (e.g. for final disposal including landfilling and incineration) of the waste is subject to control by the same procedure on control of import of hazardous waste. Macao Special Administrative Region, China The import of waste for the purpose of recovery will be subject to the controls according to the Basel Convention requirements.

Cyprus: Restrictions exist

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

Remarks: Cyprus follows all the provisions of the Basel convention regarding the import of hazardous wastes and other wastes. As far as the import of wastes for purposes other than disposal (e.g. recycling, recovery) is concerned, these are examined on a case- by- case basis. Permits are issued only for "green wastes".

Indonesia: Restrictions exist

Legislation: Article 21 of the Act No. 23/1997 prohibits importing of toxic and hazardous waste; Minister of Industry and Trade, Letter of Decree No. 229/MPP/KP/07/1997 on Import Regulations; Minister of Industry and Trade, Letter of Decree No. 230/MPP/KP/07/1997 on Regulated Import Goods; Minister of Industry and Trade, Letter of Decree No. 231/MPP/KP/07/1997 on Waste Importing Procedures; Law of the Republic of Indonesia (UU.RI.) No. 23/1997 on Environmental Management (Article 43 and 49); Law of the Republic of Indonesia No. 10/1995 on Custom Regulation ;and Government Regulation of the Republic of Indonesia (PP) No. 18/1999 Jo. PP 85/1999 on Hazardous Waste Management (article 64).

Countries: All countries/regions. Wastes that are prohibited to be imported according to existing regulations are: Wastes listed in Appendix I PP85/1999 on Hazardous Waste Management; Hazardous Wastes with characteristics specified in Article 7 Sub Article 3 PP 85/1999 on Hazardous Wastes Management; Wastes that have been discovered to have acute and chronic characteristics after toxicological test specified by Article Sub Article 4 PP 85/1999 on Hazardous Wastes Management; Wastes listed in Annex I, II, and VIII and exhibiting characteristics listed in Annex III of the Basel Convention; Wastes in the form of dust and mud/paste/sludge as it is written in Article 4 Minister of Industry and Trade Letter of Decree No. 231/MPP/KP/07/1997 on Waste Importing Procedures; and Plastic Wastes as specified in the Appendix of Minister of Industry and Trade Letter of Decree No. 230/MPP/KP/07/1997 on Regulated Imported Goods.

Remarks: The following are some waste import policies that the Indonesian Government has implemented: Prohibition of all hazardous waste imports, except for used car-battery wastes, since September 2002; Since September 1997, prohibition on issuing permits for any types of business or activities that uses hazardous wastes imports. Since January 1998, prohibition of hazardous wastes imports, including used car-batteries, from countries that are registered in the Basel Convention Annex VII (OECD, EC, Liechtenstein); and Car-batteries imports are allowed only from developing countries that are members of the Basel Convention, and other developing countries through bilateral, multilateral and regional agreements.

Japan: Restrictions exist

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

Countries: All countries and regions.

Remarks: Waste Management Law: Without the permission of the Minister of the Environment, any person cannot import wastes for recovery. Basel law: MOE shall examine whether sufficient measures will be taken for preventing environmental pollution, and thereafter notify the METI of the result of its examination. METI is not able to issue import permission without the notification by MOE certifying that necessary measures will be taken for preventing environmental pollution.

Malaysia: Restrictions exist

Legislation: The Environmental Quality Act 1974, (Amendment 1996) Section 34B; and the Customs (Prohibition of Export) Order 1993 Amendment 1998.

Countries: All countries.

Remarks: Import of hazardous wastes for recovery requires written approval.

Mongolia: Restrictions do not exist

Pakistan: Restrictions exist

- Legislation:** Pakistan Environmental Protection Act - 1997 and Import, Trade and Procedure Order - 2000.
- Countries:** All countries.
- Remarks:** According to section 13 of Pakistan Environmental Protection Act - 1997, "No person shall import hazardous waste into Pakistan and its territorial waters, Exclusive Economic Zone and historic water" Import, Trade and Procedure Order, 2000, inter-alia, also bans import of hazardous wastes as defined and classified in Basel Convention except where import is specifically authorized by the Federal Government. 3) Pakistan has also prepared a national Profile on Chemical Management in Pakistan - 2000 to provide information on registered hazardous chemicals being imported or produced locally. 4) In addition, the mechanism of Prior Informed Consent (PIC) is being strengthened to monitor inflow of hazardous substances into Pakistan in accordance with UNEP/London guidelines.
- Philippines:** Restrictions exist
- Legislation:** Republic Act 6969 - DAO 28 series of 1994 and 1997.
- Countries:** All countries/ regions and all wastes.
- Remarks:** As a general policy and consistent with the provisions of the Basel Convention and the Toxic Substances and Hazardous and Nuclear Waste Control Act of 1990 otherwise known as Republic Act 6969, no importation of hazardous wastes, as defined in Chapter VII, Sections 24 and 25 of DAO 29 (Implementing Rules and Regulations of RA 6969) shall be allowed by the country. However, importation of materials containing hazardous substances as defined under RA 6969, its implementing rules and regulations and subsequent directives for the control of importation of wastes, for recovery, recycling and reprocessing, may be allowed only upon obtaining prior written approval from the Secretary of the Department of Environment and Natural Resources or his duly authorized representative.
- Qatar:** Restrictions exist
- Legislation:** The Environment Protection Law No.30 of 2002 and The Rules on the Transboundary Movement of Hazardous Wastes, 1997 of the State of Qatar. The Kuwait Regional Convention for Cooperation on the Protection of the Marine Environment from Pollution, 1978.
- Countries:** The restriction covers Qatar and the signatory states.
- Remarks:** According to the article No. 24 of the law No.30 of 2002, and to section 3 of the Rules, the import of hazardous wastes and other wastes into the national territory is prohibited.
- Republic of Korea:** Restrictions exist
- Legislation:** The "Act on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal," which entered into force in May 1994.
- Countries:** There is no restriction on the country or region of origin regarding the import of hazardous wastes, but the MOE has the authority to ban or limit the import of specific wastes if and when considered necessary.
- Remarks:** According to Articles 6, 10 and 16 of this Act, the export, import and transit of hazardous waste is strictly prohibited unless prior written approval is obtained from the competent authority. Also, the MOE has the authority to limit or ban the export and import of specific wastes which may be of significant impact on human health or the environment if and when being considered to be necessary.
- Singapore:** Restrictions exist
- Legislation:** The Hazardous Waste (Control of Export, Import or Transit) Act (HWA) which entered into force on 16 Mar 1998.
- Countries:** All.
- Remarks:** The import of hazardous wastes for recovery is granted on a case-by-case basis. The importer needs to obtain a Basel import permit from Pollution Control Department prior to the import.
- Sri Lanka:** Restrictions exist
- Legislation:** Sri Lanka has taken a Cabinet decision to prohibit the import of hazardous wastes given in List A. Wastes given in List B will be considered on a case by case basis. Legislature have been prepared for this purpose.
- Countries:** The Cabinet decision was to prohibit import of hazardous waste from all countries (not restricting to annex VII countries).
- Thailand:** Status not provided
- Legislation:** Generally, any productions, imports, exports and possessions of the hazardous substances and wastes within the Kingdom of Thailand shall follow the procedures under the Regulation of Ministry of Industry B.E.2537 (1994). In case of import of hazardous wastes and used electrical and electronic equipments, the importer/ consignee/factory shall follow procedures under the Notification

of the Department of Industrial Works on the Criteria for the approval of the import of chemical wastes into the Kingdom of Thailand, issued on 14 May B.E. 2539 (1996) and the Notification of the Department of Industrial Works on the Criteria for the approval of the import of used electrical and electronic equipments into the Kingdom of Thailand, issued on 26 September B.E. 2546 (2003). In addition, for the import of plastic wastes for the purpose of recovery in the Kingdom, the importer/consignee/factory shall follow procedures under the Notification of Ministry of Commerce on the Import of Goods No.112 B.E.2539 (1996) and the Notification of Ministry of Industry on the criteria for the approval of the import of the scarp and used material which is made of used plastic and unused plastic B.E. 2539 (1996). For other hazardous wastes, since, Thailand has a specific law for the purpose of the industrial hazardous waste management within the country, namely the Notification of Ministry of Industry B.E. 2548 (2005) on Disposal of Wastes or Unusable Materials. Therefore, if any wastes listed in the Notification have imported for recovery within the Kingdom, the importer/consignee/factory shall manage such wastes pursuant to the criteria of the Notification.

Countries: The restriction covers all countries; wastes listed in the Basel Convention; plastic wastes; and wastes listed in the Notification of Ministry of Industry B.E. 2548 (2005) on Disposal of Wastes or Unusable Materials.

Viet Nam: Restrictions exist

Legislation: Waste is prohibited from import for any purpose by Law on Environmental Protection in 2005 (entered into force since 1 July 2006).

Countries: The prohibition covers all countries and all wastes under the definition. However, the State allows importation of certain categories of scrap materials after being treated and cleaned outside the country for use as material for industrial production (see Decision 03/2004/QD-BTNMT and Decision 12/2006/QD-BTNMT in 3e(iii) below). Hence, waste import for final disposal is completely prohibited. The List of scraps to be imported is updated regularly.

Remarks Ministry of Natural Resources and Environment issued the Decision 03/2004/QD-BTNMT dated on 2 April 2004 of the Minister of Natural Resources and Environment on promulgation of Environment Protection Regulations on the Import of Scrap Materials as Secondary Materials for Domestic Production. Vietnam differentiates between wastes and scrap materials. Law on Environmental Protection in 2005 and Decision 03/2004/QD-BTNMT define scrap materials as products or materials discarded from production or consumption, which could be recovered as secondary materials for production. Decision 03/2004/QD-BTNMT is going to be replaced by Decision 12/2006/QD-BTNMT dated 8 September 2006 of Minister of Natural Resources and Environment issuing the list of scrap materials allowed to be imported as secondary materials for domestic production when it enters into force (it will enter into force in 15 days after published in Official Gazette).

Question 3e. Import restrictions for recovery**2005. Central and Eastern Europe. (Parties which did not report are not listed).****Albania:** Restrictions exist

Legislation: 1. Actually the import of hazardous waste is prohibited for recovery also. 2. Decision of Council of Ministers no 26 date 31.1.1994 "On hazardous waste and residues", defined the rules and procedures for transboundary movement of waste and list of waste allowed to import in Albania (Annex 1), as well as the list of waste prohibited to import in Albania (Annex 2). 3. The Decision No 26 (mentioned above) was amended from Decision of Council of Ministers no. 806 date 4/12/2003 "Procedures for import of waste, intently only for reusing, recovery and recycling" and Regulation No 4 date 15/10/2003 "Procedures for approving of Permit for Export of waste and Permit for Transit of waste", but they are focused only in rules and procedures that activities should apply for relevant permit. 4. The Decision of Council of Ministers no. 806 date 4/12/2003 "Procedures for import of waste, intently only for reusing, recovery and recycling" applies for non-hazardous waste. Regarding the list of waste which are allowed to import in Albania is yet in force the list of waste in Annex 1 of Decision No 26.

Countries: The restriction covers all countries.

Remarks During 2005, MoE prepared a new list of waste which are allowed to import in Albania (based on Green List of OECD) but it is not approved yet.

Belarus: Restrictions exist

Legislation: Waste Law, in force from 1 January, 2001, which states that "Transboundary Movement of waste to the Republic of Belarus is allowed only with the purpose of their usage as raw materials or secondary materials and is executed only on the basis of a preliminary obtained permit for transboundary movement of waste to the Republic of Belarus issued by the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus under conditions that possibility of their environmentally justified usage is confirmed and competent authorities of country of waste origin have provided their concern in written form to take back waste in case of cancellation of the permit for transboundary movement of waste to the Republic of Belarus".

Countries: All countries.

Bosnia & Herzegovina: Restrictions exist

Legislation: Law on waste management, which entered into force on 19 July 2003.

Countries: The restriction applies to all countries and all wastes.

Remarks The import of hazardous waste is prohibited. No capacity within the country for recycling, recovery or reuse of hazardous waste.

Bulgaria: Restrictions exist

Legislation: - Waste Management Act (Promulgated, State Gazette No. 86/30.09.2003 and - Ordinance on the cases for which permit or registration is required for import, export and transit of waste, establishment of bank guarantee and on the control of transboundary movement of waste (Promulgated, State Gazette No.102/19.11.2004).

Countries: There are restrictions covering all wastes and restrictions for the import of wastes within the scope of the Basel Convention.

Remarks Bulgaria remarks that import of all wastes within the Republic of Bulgaria shall be allowed in exceptional cases and under observation of the following conditions: 1. the waste is used solely for recovery and provided there is a written contract with a person operating the recovery facility, describing the technology and the resulting products; 2. the competent Municipal Council has passed a resolution granting consent to the acceptance of the waste for recovery within the territory of the municipality where the facility referred to in Item 1 is located; 3. the persons who or which shall recover the waste has a permit for the relevant operation and an environmental impact assessment decision in the cases where such a decision is required according to the Environmental Protection Act; 4. the waste has exactly identified physical and chemical characteristics and is accompanied by the relevant documents, including a specification, a certificate and an invoice; 5. the use of the waste in the relevant production results in the generation of smaller amounts of waste than the use of conventional raw materials, or replaces valuable or rare natural resources; in the cases of pneumatic tyres, they should be pre-processed to a degree for use as fuel possessing better characteristics than the conventionally used fuel; 6. the waste is stored and recovered within a period of time not exceeding six months as from the date of import thereof and in a manner presenting no risk to human health or to the environment; 7. the import is consistent with the National Waste Management Programme and with the relevant Municipal Waste Management Programme. Bulgaria remarks that import of wastes within the scope of the Basel convention and Amber and Red List Wastes (Annex III and IV) to the Regulation 259/93/EEC shall be allowed after

issuance of permit for which the applicant should present the following documents: 1. a certificate of current status of the Commercial Register record on the applicant and, in the case of non-residents, a document certifying the legal status of the applicant, issued in accordance with the national legislation thereof; 2. the permit or registration document for waste-related operations held by the applicant: applicable to persons required to hold such a permit or document in accordance with Article 12 of the Waste Management Act; 3. a certificate of current status of the Commercial Register record on the applicant and, in the case of non-residents, a document certifying the legal status of the carrier, issued in accordance with the national legislation thereof, if the said carrier is a person other than the person referred to in Item 1, and a notarized copy of the permit or registration document if other than the permit or document referred to in Item 2; 4. documentary proof of fee paid; 5. a written contract with the person operating the planned recovery facility, completed in a standard form endorsed by the ordinance referred to in Article 72 (2) of the Waste Management Act; 6. a written confirmation from the mayor of the municipality with the territory whereof the planned recovery facility is located, stating: (a) the name of the applicant, the type and amount of the waste, the period of import, the business name of the person operating the planned waste recovery facility; (b) that the import of the waste conforms to the municipal waste management programme; (c) that the waste imported will be accepted within the territory of the relevant municipality in accordance with the resolution referred to in Item 2 of Article 79 of the Waste Management Act; 7. notarized copies of certificates, specifications and other such certifying the physical and chemical characteristics of the waste, issued by an accredited laboratory; 8. a notarized copy of the permit under Article 37 of the Waste Management Act, applicable to the persons recovering the waste; 9. a notarized freely worded declaration drawn up by the person operating the planned waste recovery facility, certifying compliance with the conditions established by Item 6 of Article 79 of the Waste Management Act; 10. an environmental impact assessment decision on the waste recovery facility, in the cases where such a decision is required according to the Environmental Protection Act; 11. an opinion of the Regional Inspectorate of Environment and Water covering the territory where the facility is located, regarding the capability of the relevant facility to recover the waste intended for import within the time limits under the application and without presenting a risk to human health and to the environment; 12. a written notification from the competent authority of the State of export, containing the declaration and information specified in Annex V A to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, and a confirmation that the said State does not have the technical capacity or the necessary facilities, capacity or suitable sites in order to recover the waste in question in an environmentally sound and efficient manner; 13. a notarized declaration by the person operating the planned recovery facility, to the effect that the conditions under Item 4 and/or Item 5 of Article 73 of the Waste Management Act have been fulfilled; 14. a certificate issued by the National Veterinary Service, to the effect that no ban has been imposed on import of items under Article 49 (1) of the Veterinary Practice Act, where falling within the scope of Littera (m) of item 1 of § 1 of the Supplementary Provisions herein; 15. a plan of the measures as the applicant shall undertake in the event the import of the waste cannot take place in accordance with this Act and the secondary legislation on the application thereof; 16. a bank guarantee or an insurance covering any damage arising during transport or the costs arising from recovery of the waste under the terms established by Item 12.

Croatia: Restrictions exist

Legislation: Regulation on supervision of transboundary movement of waste, which came into force on 1st September 2006, provides provisions on restrictions on transboundary movement of waste. Special conditions for the import of hazardous wastes and other wastes are prescribed by the orders of Articles 47., 48. and 49. of the Waste Act, Official Gazette, No. 178/04 as follows: Article 47 (1) Import of hazardous waste shall be prohibited. (2) Import of waste for the purpose of landfilling and use for energy purposes shall be prohibited. (3) Import of non-hazardous waste that can be recovered in accordance with this Act shall be permitted. (4) Supervision of the transboundary transport of waste, the method and procedure of border control at the borders and border crossings as well as the authorities of environmental protection inspectors shall be prescribed by a special regulation passed by the Croatian Government. Article 48 (1) For the import of non-hazardous waste referred to in Article 47 paragraph 3 of this Act, the person importing the waste must obtain the decision prescribed by this Act. (2) Import as referred to in paragraph 1 of this Article shall be permitted to the person registered for import activities (hereinafter referred to as: the importer) at the person's request, if the following requirements are met: 1. a contract is concluded between the waste importer and the person exporting waste, 2. a contract is concluded between the waste importer and the person who is performing recovery and/or disposal of waste, 3. the waste importer has a statement from the person exporting waste on the type, quantity, composition and origin of waste, as well as on the technology through which it was generated, and on the reasons for its export, 4. the waste importer has evidence that the person responsible for the recovery and/or disposal of waste has an available technological plant for treating waste which does not present any hazard to the environment (possesses a licence in accordance with Article 41 paragraph 1 of this Act). 5. the waste importer encloses a statement from the person responsible for the recovery and/or treatment of the imported waste on the type of waste that is to be produced by means of treatment or recovery of the imported waste and on the method of its disposal, 6. data is provided on the waste tariff number, the waste key number, the mode of transport and the border crossing for import. Article 49 (1) Request for the import of waste referred to in Article 47 paragraph 3 of this Act shall be submitted for the import of waste for a period of one year. (2) The Ministry shall decide on the request referred to in paragraph 1 of this Article. The decision shall also determine the time

period for which the decision is valid. (3) The importer shall submit to the Ministry a report on imported amounts and types of waste by 1 February of the current year for the previous year. (4) An appeal shall not be permitted against the decision referred to in paragraph 2 of this Article, but an administrative dispute may be instituted.

Countries: All countries.

Estonia: Restrictions do not exist

Hungary: Restrictions do not exist

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

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

Latvia: Restrictions exist

Legislation: Waste Management Law, 01.03.2001.

Countries: It is permitted to import hazardous waste for recovery only if there are hazardous waste recovery facilities in operation in the territory of the Republic of Latvia, the owner of which has obtained a permit for the recovery of the relevant hazardous waste, and which have the necessary capacity.

Lithuania: Restrictions exist

Legislation: After the accession to European Union from 2004 May, the Council Regulation (EEC) No 259/93 of 1 February 1993 on the Supervision and Control of Shipments of Waste within, into and out of the European Community is directly applied in Lithuania.

Remarks: All hazardous wastes destined for recovery must be notified and import of such wastes are only possible with the consents of all competent authorities concerned.

Poland: Restrictions exist

Legislation: Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community (OJ L 30, 6.2.1993, p. 1). Regulation became directly applicable on Poland's accession to the EU (1 May 2004).

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

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

Republic of Moldova: Restrictions exist

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

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

Romania: Restrictions exist

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

approved by the Government, in compliance with Treaty concerning Romania adherence to EU, according Law no.157/2005.

Remarks

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

Serbia and Montenegro: Restrictions exist

Legislation: The Rules on Import, Export and Transit of Wastes ("Off.Gazette FRY", No.69/99). Law on Environmental Protection ("Off. Herald RS", No. 135/04) enter into force on 29. december 2004. These legislations regulate the transboundary movements of hazardous wastes and other wastes (import of non-hazardous wastes for recovery). Each case of import is subject to the approval and issuance of permits by the competent authority. Environmentally sound waste disposal is the condition required for issuance of the permit.

Slovakia: Restrictions exist

Legislation: Since 1st May 2004 Slovakia applies Council Regulation No 259/93/EC as amended by subsequent regulations and the Treaty of Accession of the SR to the EU. Based on the Treaty of Accession of the SR to the EU all consignments of wastes to Slovakia, destined for recovery operations, listed in Annexes II, III, IV of Council Regulation No 259/93/EC, as well as the consignments of wastes not listed in these annexes, will be the subject of notification to the relevant bodies and procedures according to the provisions of the Articles 6, 7 a 8 of the Council Regulation No 259/93/EC by 31st December 2011. The relevant bodies, without regard to the provisions of the Article 7/4 of Regulation, will raise objections to the consignments of wastes destined for recovery, listed in the Annexes II, III, IV of Regulation and against the consignments not listed in these annexes and destined for facilities under temporary exemption. This provision is applied to the following nine facilities: Slovensky hodvab, corp., Senica until 31.12.2011 Istrochem, corp., Bratislava until 31.12.2011 NCHZ, corp., Novaky until 31.12.2011 SLZ Chemia, corp., Hnusta until 31.12.2011 Duslo, corp., Sala until 31.12.2010 ZOS Trnava, corp., Trnava until 31.12.2010 Bukocel, corp., Hencovce until 31.12.2009 9- U.S. Steel, corp., Kosice (coking plant) until 31.12.2010 Matador, corp., Púchov until 31.12.2011

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

Slovenia: Restrictions exist

Legislation: European Council Regulation 259/93/EEC, especially art. 21. Entry into force : May 1994.

Countries: According to European Council Regulation 259/93/EEC import of hazardous wastes from non-Parties of Basel Convention, except from OECD-countries or countries with which bilateral agreement exists, is prohibited.

Ukraine: Restrictions do not exist

Question 3e. Import restrictions for recovery**2005. Latin America and The Caribbean. (Parties which did not report are not listed).**

Argentina: Restrictions exist

Legislation: Argentina has an import ban for those wastes defined as hazardous according to the National Law of Hazardous Wastes (National Law 24051. Entry into force 1991). Decree of Import of Wastes 181 (Entry in force 1992). The entry of hazardous wastes and radioactive wastes into national territory is forbidden by National Constitution (Entry into force in 1994).

Countries: This restriction covers all countries and wastes covered by National Legislation.

Remarks National territory encloses 12 miles of Argentine sea.

Barbados: Restrictions do not exist

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

Bolivia: Status not provided

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.

Brazil: Restrictions exist

Legislation: National Environmental Council (CONAMA) Resolutions Nr. 23 (December, 1996) and Nr. 235 (January 7, 1998). The legislation defines which wastes are forbidden from being imported and which are just controlled by IBAMA.

Countries: All countries are subject to the restrictions imposed by the Resolution no 235/98 that lists wastes which are forbidden from being imported or controlled by IBAMA. In the first case, the wastes cannot be imported irrespectively of the country of origin, in the second case, the controlled wastes can only be imported from the countries which are party to the Basel Convention.

Chile: Restrictions in preparation

Remarks A Draft Law is being prepared by the National Congress, which, if approved, will prohibit the entry of hazardous wastes into Chile.

Colombia: Restrictions exist

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

Countries: All countries, all regions.

Costa Rica: Restrictions exist

Legislation: Environmental Organic (October 4, 1995) Law and General Health Law (November 24, 1973).

Countries: The import is limited by regulated list (to be published).

Remarks: The import for recycling is allowed.

Cuba: Restrictions do not exist**Dominican Republic:** Restrictions exist

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

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

Ecuador: Restrictions exist

Legislation: There are some custom regulations related hazardous wastes. The Executive Decision, Or. No. 970 of July 2, 1992; and Art. 90 of the Ecuadorian Republic Constitution, 1998.

Countries: To National level.

Guyana: Restrictions do not exist**Honduras:** Restrictions exist

Legislation: General Law on Environment- Ley General del Ambiente. Health Code

Countries: All hazardous wastes.

Jamaica: Restrictions exist

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

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

Mexico: Restrictions exist

Legislation: De conformidad con el Artículo 50, Fracción X, de la Ley General de Prevención y gestión Integral de Residuos (LGPGIR) Se requiere autorización de la Secretaría para la importación y exportación de residuos peligrosos. De conformidad con el Artículo 85 LGPGIR, publicada en el Diario Oficial de la Federación el 8 de octubre de 2003, "La importación y exportación de residuos peligrosos se sujetará a las restricciones o condiciones establecidas en esta Ley, su Reglamento, la Ley de Comercio Exterior, la Ley Federal de Competencia Económica, los tratados internacionales de los que México sea parte y los demás ordenamientos aplicables. Artículo 86 de la LGPGIR " En la importación de residuos peligrosos se deberán observar las siguientes disposiciones: IV. Sólo se permitirá con el fin de reutilizar o reciclar los residuos V. En ningún caso se autorizará la importación de residuos que sean o estén constituidos por compuestos orgánicos persistentes, y VI. La Secretaría podrá imponer limitaciones a la importación de residuos cuando desincentive o constituya un obstáculo para la reutilización o reciclaje de los residuos generados en territorio nacional Asi mismo, de conformidad con el Artículo 50 de la LGPGIR, se requiere autorización de la Secretaría para: I. La prestación de servicios de manejo de residuos peligrosos II. La utilización de residuos peligrosos en procesos productivos, de conformidad con lo dispuesto en el Artículo 63 de este ordenamiento III. -- IV. La realización de cualquiera de las actividades relacionadas con el manejo de residuos peligrosos provenientes de terceros V. La incineración de residuos peligrosos VI. El transporte de residuos peligrosos VII. -- VIII. -- IX. -- X. -- XI. Las demás que establezcan la presente Ley y las normas oficiales mexicanas. Because of this, the enterprises that import hazardous wastes have to be authorized by SEMARNAT for recycling of then.

Countries: All countries.

Paraguay: Restrictions exist

Legislation: Constitución Nacional 1992 Art.8

Countries: Basuras tóxicas

Trinidad and Tobago: Restrictions exist

Legislation: Although there is no legal instrument restricting the importation of hazardous waste, the Government of the Republic of Trinidad and Tobago regulates importation for recovery.

Remarks The legal framework is in preparation.

Venezuela: Restrictions exist

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

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

Question 3e. Import restrictions for recovery**2005. Western Europe and Others. (Parties which did not report are not listed).**

Andorra: Restrictions exist

Legislation: See article 27, 3-4

Australia: Restrictions exist

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

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

Austria: Restrictions exist

Legislation: EU Regulation 259/93/EEC as amended.

Countries: Imports of hazardous wastes are allowed only from Countries party to the Basel Convention or Countries applying the OECD Decision C(92)39. Additionally import from non parties are allowed on the basis of a bilateral agreement in accordance with article 11 of the Basel Convention. No such agreement beside C(92)39 (as amended) is in force in Austria.

Belgium: Restrictions exist

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

Canada: Restrictions exist

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

Countries: Canada's restrictions on import for recovery does not permit imports from non-parties, unless subject to an Article 11 agreement.

Remarks: Canada meets its international obligations through the legislation listed in 3(e)(i) above. The conditions listed above for imports for final disposal apply, and in addition to that: the importer is the recycler of the hazardous waste in Canada. The conditions of the Canada - USA Agreement also applies to imports for recovery set out under "Export for IV B".

Finland: Restrictions do not exist

France: Restrictions do not exist

Germany: Restrictions exist

Legislation: In Germany the provisions of the EC Waste Movement Regulation apply, especially referring to Art. 21. Entry into force: May 1994.

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

Greece: Restrictions exist

Legislation: Regulation EEC 259/93, as amended.

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

Ireland: Restrictions exist

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

Israel: Restrictions exist

Legislation: Hazardous Substances Regulations (Export and Import of Hazardous Waste), 1994. These regulations call for a permit to import waste for recovery. The permit may specify requirements and restrictions.

Countries: A permit could be issued for the import of wastes for recovery operations to any party to the convention.

Remarks: The importer must receive a special permit certificate and the Ministry of the Environment ensures that the recovery is carried out in an environmentally sound manner.

Italy: Restrictions exist

Legislation: Council Regulation (EEC) 259/93.

Countries: The restriction covers hazardous wastes as per EEC/259/93 from non-OECD countries, from countries that did not ratify the Basel Convention or that do not have bilateral agreement with Italy or EU.

Liechtenstein: Restrictions exist

Legislation: Council Regulation (EEC) No 259/93 of February 1993 on the supervision and control of shipments of waste within, into and out of the European Community and Council Regulation (EC) No 120/97 of 20 January amending Regulation (EC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community is applied

Remarks: Imports need notification and consent.

Luxembourg: Restrictions exist

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

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

Monaco: Restrictions exist

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

Netherlands: Restrictions exist

Legislation: Council Regulation (EEC) No 259/93; entry into force May 6th 1994.

Countries: According to the European Shipment Regulation, article 7, section 4a, 5th indent, the Netherlands will object to an import of waste if the amount of waste recovered is relatively small in relation to the total amount.

New Zealand: Restrictions exist

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

Countries: As per Basel Convention/OECD requirements.

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

Norway: Restrictions exist

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

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

Spain: Restrictions exist

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

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

Sweden: Restrictions exist

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

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

Switzerland: Restrictions do not exist

Remarks: Basel Convention is applied. Imports need notification and consent.

Turkey: Restrictions exist

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

Remarks: Some metal scraps, some textile wastes and some other wastes listed in List B of the Basel

Convention are imported for recovery by the approval of the Ministry of Environment and Forestry according to communiqué which is to be revised every year by MoE & F under the sectoral needs.

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

Question 3f. Transit restrictions**2005. Africa. (Parties which did not report are not listed).**

Algeria: Restrictions exist

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

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

Botswana: Restrictions do not exist

Burundi: Restrictions exist

Legislation: Le transit des déchets pour récupération net pour élimination définitive est interdite par le code de l'environnement.

Cameroon: Restrictions exist

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

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

Djibouti: Restrictions in preparation

Remarks Le Ministère de l'Environnement demande à tous les pays parties et autres, en attendant la mise en place d'une législation pertinente sur tous les déchets dangereux et autres déchets qui fait l'objet d'un mouvement transfrontières, de se conformer aux procédures et dispositions établies par la Convention de Bâle sur le contrôle des mouvements transfrontières des déchets dangereux et de leur élimination.

Ethiopia: Restrictions exist

Legislation: The Environmental Policy of Ethiopia approved in 1996 strictly bans import into and transit through Ethiopia of hazardous wastes as defined in the Bamako Convention (Ethiopia ratified the convention in 2002). The Environmental Pollution Control Proclamation no.300/2002 that entered into force in December 3, 2002 stipulates that anyone engaged in importation or transport of hazardous waste must first secure a permit from the Environmental Protection Authority or other competent agencies.

Countries: The Bamako convention applies on all African countries that ratified it. The type of wastes covered are those mentioned under art.3,a,b,c&d of the convention. Since Proclamation no.300/2002 is a domestic legislation, its scope of application is limited to Ethiopia. And it applies on subjects within the territorial jurisdiction of the country. The type of waste covered is "hazardous waste "which is defined by the proclamation as -any unwanted material that is believed to be deleterious to human safety or health or the environment.

Gambia: Restrictions exist

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

Countries: To be determined.

Lesotho: Restrictions in preparation

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

Madagascar: Restrictions do not exist

Morocco: Restrictions exist

Legislation: Conformément à l'article 42 de la loi 28-00 sur la gestion des déchets et leur élimination et en tant que partie à la convention de Bâle et ayant ratifié son amendement, le Maroc soumis le transit de déchets dangereux à une autorisation des autorités compétentes. In accordance with the bill on the management and destruction of wastes, the transit of dangerous wastes and other wastes is prohibited.

Remarks The transit of hazardous wastes and other wastes in Morocco is in accordance with the Basel Convention requirements.

Mozambique: Restrictions do not exist

Senegal: Restrictions exist

Legislation: The Basel Convention.

Tunisia: Restrictions exist

Legislation: By law n°96-41 on wastes and the control of their management and disposal (entered into force on the 10th June 1996), the transit of hazardous wastes, as defined by national legislation, is not allowed until the reception by the exporter of the written authorization of the minister of the Environment and Land Use Planning. The authorization of transit is not attributed unless the conditions that are mentioned under the above sub-heading "Restrictions on export for final disposal and recovery" are met.

Countries: All countries are covered by this restriction.

Uganda: Restrictions exist

Legislation: The National Environment (Waste Management) Regulations 1999.

Countries: The restriction covers all regions and all wastes.

Remarks Transit must be in line with national regulations and Basel Convention framework.

Zambia: Restrictions exist

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

Countries: All countries.

Remarks But permission for transit of hazardous waste should be obtained from the authorities and notification of both the country of export and import should be shown received.

Question 3f. Transit restrictions**2005. Asia and Pacific. (Parties which did not report are not listed).**

Azerbaijan: Restrictions exist

Legislation: The restrictions are specified in Article 14 of the legislation of the Republic of Azerbaijan "About industrial and municipal wastes" saying that "transit transportation of wastes which are not subject to treatment is prohibited".

Bahrain: Restrictions in preparation

Brunei Darussalam: Restrictions in preparation

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

Cambodia: Restrictions do not exist

China: Status not provided

Legislation: China According to Solid Waste Law and the Ocean Environmental Protection Law, it is forbidden to transit of hazardous waste via the territory of the People's Republic of China, including via China's inner water and territorial waters. Transit of hazardous waste via other oceanic area under the jurisdiction of China shall get the written consent from SEPA in advance. Hong Kong Special Administrative Region, China With effect from 28 December 1998, import of hazardous wastes from states which are OECD members, European Community (EC) and Liechtenstein into Hong Kong or through Hong Kong to other states has been prohibited. Macao Special Administrative Region, China The transit of waste will be subject to the controls according to the Basel Convention requirements.

Cyprus: Restrictions exist

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

Remarks: Cyprus follows the provisions of the Basel convention regarding transit issues. In order for a permit to be granted, a copy of the Notification Document appropriately stamped by the Competent Authority of the Import Country is required, as well as detailed information on the date of arrival and departure and the name of the ship.

Indonesia: Restrictions do not exist

Remarks: Though there are no restrictions on transit, Article 53 paragraph (2) and (3) on the transportation of toxic and hazardous waste through Indonesia's territory, states that the transit must obtained a written approval from Ministry of Environment in advance.

Japan: Restrictions do not exist

Malaysia: Restrictions exist

Legislation: Environmental Quality Act 1974, (Amendment 1996), Section 34B.

Countries: All countries.

Mongolia: Restrictions do not exist

Pakistan: Restrictions do not exist

Legislation: Pakistan Environmental Protection Act - 1997

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

Philippines: Restrictions exist

Legislation: Department Administrative Order 29, series of 1992.

Countries: All wastes.

Qatar: Restrictions exist

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

Remarks: The transit of hazardous wastes and other wastes through the national territory is prohibited except in such cases where a specific approval is obtained from the Supreme Council for Environment and Natural Reserves in the State of Qatar.

Republic of Korea: Restrictions exist

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

Remarks: Prior consent is the only restriction on the transit of hazardous wastes.

Singapore: Restrictions exist

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

Remarks: The Pollution Control Department requires the exporter to appoint a cargo/shipping agent in Singapore to obtain a Basel transit permit prior to the transit of hazardous wastes through Singapore.

Sri Lanka: Restrictions exist

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

Thailand: Restrictions exist

Legislation: Generally, any productions, imports, exports and possessions of the hazardous substances and wastes within the Kingdom of Thailand shall be followed the procedures under the Regulation of Ministry of Industry B.E.2537 (1994). In addition, the importer/ consignee/factory shall follow the Regulation of Port Authority of Thailand concerning the export and import of dangerous goods.

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

Viet Nam: Restrictions exist

Legislation: Law on Environmental Protection in 2005 (entered into force since 1 July 2006) prohibits the transit of wastes (as defined by this Law, not scrap materials). Decree 12/2006/ND-CP dated 23 January 2006 of the Government providing guidelines on implementation of the Trade Law's regulations on international commodities buying and selling activities stipulates that the temporary import for re-export of commodities (including waste) should have permit from Ministry of Trade. Regulations on management of businesses on temporary import for re-export and transit of commodities prohibited or suspended from import (issued by Decision 2504/2005/QD-BTN dated 10/10/2005 of Minister of Trade) was expired after Decree 12/2006/ND-CP issued.

Question 3f. Transit restrictions

2005. Central and Eastern Europe. (Parties which did not report are not listed).

Albania: Restrictions exist

Legislation: 1. Environmental Protection Law No. 7664 1/21/1993, Article No. 5 defines: "The transit/transport of hazardous waste and substances through the territory and national waters of Republic of Albania is permitted only in case the import is foreseen in an international act in which the Republic of Albania contributes as Party. In this case, the transit/transport is done with permission of the Council of Ministers". 2. The Regulation of Ministry of Environment no.4 date 15.10.2003 "Procedures for approving of Permit for Export of waste and Permit for Transit of waste", which defines the requirements and authority (MoE) that issue this permit.

Countries: The restriction covers all countries.

Belarus: Restrictions exist

Legislation: Waste Law, in force from 1 January, 2001, which states that "Transboundary Movement of waste through Republic of Belarus is executed only on the basis of a preliminary obtained permit for transboundary movement of waste through the Republic of Belarus issued by the Ministry of Natural Resources and Environmental Protection of the Republic of Belarus under conditions that the states concerned have issued their permits for import (transit) of this waste and competent authority of the country of waste origin has provided its concern in written form to take back waste in case of cancellation of the permit for transboundary movement of waste through the Republic of Belarus".

Countries: All countries

Bosnia & Herzegovina: Restrictions do not exist

Bulgaria: Restrictions exist

Legislation: - Waste Management Act (Promulgated, State Gazette No. 86/30.09.2003) and - Ordinance on the cases for which permit or registration is required for import, export and transit of waste, establishment of bank guarantee and on the control of transboundary movement of waste (Promulgated, State Gazette No.102/19.11.2004).

Countries: This restriction covers all waste that are within the scope of the Basel Convention and Amber and Red List Wastes (Annex III and IV) to the Regulation 259/93/EEC.

Remarks The permits for transit transportation of waste shall be issued in observation of the following conditions: 1. a written notification from the competent authorities of the State of export; 2. a written consent of the competent authorities of the States of transit wherethrough the waste will pass after passing through the territory of the Republic of Bulgaria, including the State of import; 3. a declaration by the competent authority of the State of transit of the waste along the route before the Bulgarian order, confirming the obligation to allow the reverse movement and to accept the shipment back in the event the waste is denied permission to enter the Republic of Bulgaria or any of the States along the route; 4. a bank guarantee or insurance covering any damage arising during transport, including the cases where the transboundary movement is deemed to be illegal traffic.

Croatia: Status not provided

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

Countries: All countries.

Estonia: Restrictions do not exist

Hungary: Restrictions do not exist

Latvia: Restrictions do not exist

Lithuania: Restrictions exist

Legislation: After the accession to European Union from 2004 May, the Council Regulation (EEC) No 259/93 of 1 February 1993 on the Supervision and Control of Shipments of Waste within, into and out of the European Community is directly applied in Lithuania.

Remarks All wastes destined for disposal and hazardous wastes destined for recovery or disposal must be notified and transit through the Republic of Lithuania is only possible with the consents of all competent authorities concerned.

Poland: Restrictions exist

Legislation: Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community (OJ L 30, 6.2.1993, p. 1) Regulation became directly applicable on Poland's accession to the EU (1 May 2004).

Countries: Since 1 May 2004 All countries

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

Republic of Moldova: Restrictions exist

Legislation: Law on Environmental Protection, which prohibits the introduction of all kinds of waste. The Framework of the Law on Environmental Protection, art. 73 "There are prohibited the introduction of waste and the residuals of any nature, crude or in processing state, due to temporary 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.

Romania: Restrictions do not exist

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

Serbia and Montenegro: Restrictions exist

Legislation: The Rules on Import, Export and Transit of Wastes ("Off.Gazette FRY" No.69/99) Law on Environmental Protection ("Off. Herald RS", No. 135/04) enter into force on 29. december 2004. These legislations regulate the conditions for transit of hazardous and other wastes. Each case of transit is subject to approval and issuance of permit by the Competent Authority.

Slovakia: Restrictions do not exist

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

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

Slovenia: Restrictions do not exist

Ukraine: Restrictions do not exist

Remarks No additional restrictions in comparison with the Basel Convention procedure.

Question 3f. Transit restrictions**2005. Latin America and The Caribbean. (Parties which did not report are not listed).**

Argentina: Restrictions exist

Legislation: Argentina has an import ban for those wastes defined as hazardous according to the National Law of Hazardous Wastes (National Law 24051. Entry into force 1991). Decree of Import of Wastes 181 (Entry in force 1992). The entry of hazardous wastes and radioactive wastes into national territory is forbidden by National Constitution (Entry into force in 1994).

Countries: This restriction covers all countries and wastes covered by National Legislation.

Remarks National territory encloses 12 miles of Argentine sea.

Barbados: Restrictions do not exist

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

Bolivia: Restrictions exist

Legislation: En Bolivia restringen el transito de desechos peligrosos y de otras basuras peligrosas. Bolivia cuenta con la Ley 1333 del Medio Ambiente en la cual existen restricciones para el Transito de desechos a través de nuestro territorio.

Brazil: Restrictions do not exist**Chile:** Restrictions in preparation

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

Colombia: Restrictions do not exist

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

Costa Rica: Restrictions exist

Legislation: Environmental Organic Law other governmental regulations.

Cuba: Restrictions exist

Legislation: Resolution 87/99 from Ministry of Science, Technology and Environment.

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

Remarks This restriction establishes the need for a license and financial guarantee to cover the movement.

Dominican Republic: Restrictions exist

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

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

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

Ecuador: Restrictions exist

Legislation: Any transboundary movement of dangerous waste is considered illegal in the following circumstances: 1. Without previous authorization on the part of the environmental authority. 2. Without previous notification on the part of the exporter 3. When the authorization has been

obtained through forgery 4. When it is not counted on approval by the part of the import state Environmental Law Unified Text of Ecuadorian Environmental Ministry, Book VI of the Environmental Quality, Title V "Regulation for the prevention and control of the contamination by dangerous waste" published in the Official Registration No. 2 of March 31, 2003.

Countries: To National level.

Remarks Ministry of the Environment as a National Environmental Authority.

Guyana: Restrictions in preparation

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

Honduras: Restrictions exist

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

Countries: All hazardous wastes.

Jamaica: Restrictions do not exist

Mexico: Restrictions exist

Legislation: De conformidad con el Artículo 90 de la LGPGIR "Por incumplimiento de las disposiciones legales aplicables, la Secretaría podrá negar o revocar las autorizaciones para la importación o exportación de residuos peligrosos, así como para su tránsito y transporte por territorio nacional" General Law of the Ecological Equilibrium and Environmental protection (LGEEPA): Article 153 fraction IV "The traffic through national territory of hazardous material will not be authorized if they do not satisfy the specifications of use or consumption according to the ones that were elaborated, or whose manufacturing, use or consumption be found prohibited or restricted in the country to which they will be destined; neither the traffic of such materials or hazardous wastes will not be authorized, when they come a foreign country to be destined to a third country; "LGEEPS regulations referring to hazardous wastes: Article 151 "An authorization will not be granted, for the traffic of hazardous wastes through national territory, coming from outland and destined for a third country, if there is no express consent of the receiver state, what should be verified with the request for the respective traffic, and whenever reciprocity with the in question state exists."

Countries: All countries.

Paraguay: Restrictions exist

Legislation: Constitución Nacional 1992 Ley 294/93 de Impacto Ambiental. Resl: 750/02 del MSP y B.S. Normas técnicas que reglamenta el manejo de los desechos sólidos y hospitalarios. Ley 2333/04 que Ratifica el Convenio de Estocolmo.

Countries: Químicos Organoclorados. Residuos sólidos de hogares y residuos de hospitales.

Trinidad and Tobago: Restrictions do not exist

Remarks Legislation in preparation.

Venezuela: Restrictions do not exist

Question 3f. Transit restrictions**2005. Western Europe and Others. (Parties which did not report are not listed).**

Andorra: Restrictions exist

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

Australia: Restrictions exist

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

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

Austria: Restrictions do not exist

Belgium: Restrictions exist

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

Canada: Restrictions exist

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

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

Remarks: Canada restricts the transit of hazardous wastes and hazardous recyclable material. The following condition for transit apply: For the purposes of Part 7, Division 8 of the CEPA 1999, where Canada is only a country of transit, subject to the EIHWHRMR a person may import and subsequently export a hazardous waste or hazardous recyclable material only if the import or export of that hazardous waste/recyclable material is not prohibited under the laws of Canada. The following considerations apply such as: the carrier of the hazardous waste/recyclable material, if other than Her Majesty in right of Canada or a province or Her agent, is insured in accordance with section 37; where the country of export and the country of import are not the same country, the competent authority in the country of export has provided to the Director, written confirmation that the competent authority in the country of import, and in each country of transit through which the hazardous waste is destined to pass before entering the country of import, consents, in accordance with the laws of the country of that authority with respect to giving that consent, to the proposed import into and, where applicable, export from that country; where the country of export and the country of import are the same country, the generator or the carrier of the hazardous waste or hazardous recyclable material is required to notify and receive a permit before the transit movement can take place through Canada; receives written confirmation from the Director that the authority, body or person specified on the List of Hazardous Waste Authorities in respect of Canada has received the notice in respect of the proposed import of the hazardous waste; and The conditions of the Canada - USA Agreement also apply to transits.

Finland: Restrictions do not exist

France: Restrictions do not exist

Germany: Restrictions do not exist

Greece: Restrictions exist

Legislation: Regulation EEC 259/93, as amended.

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

Ireland: Restrictions exist

Legislation: Articles 12, 23 and 24 of Council Regulation (EEC) No. 259/93, as amended on the supervision and control of shipments of waste within, into and out of the European Community.

Israel: Restrictions do not exist

Italy: Restrictions do not exist

Liechtenstein: Restrictions exist

Legislation: Council Regulation (EEC) No 259/93 of February 1993 on the supervision and control of shipments of waste within, into and out of the European Community and Council Regulation (EC) No 120/97 of 20 January amending Regulation (EC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community is applied

Remarks Transits need notification and consent.

Luxembourg: Restrictions exist

Legislation: Regulation of the Council No 259/93 (CEE).

Countries: The restriction is for all countries and for all kinds of wastes which are subject to regulation 259/93 CEE.

Monaco: Restrictions do not exist

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

Netherlands: Restrictions exist

Legislation: Council Regulation (EEC) No 259/93; entry into force May 6th 1994.

Countries: According to the European Shipment Regulation Member States may object to transit movements which are not in line with European legislation (e.g. because of infringements of transport safety regulations, or because of transit from non-EU to non-EU countries).

New Zealand: Restrictions exist

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

Countries: As per Basel Convention/OECD requirements.

Remarks Transit consents required.

Norway: Restrictions exist

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

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

Remarks Norway is not a natural transit country for the great part of the waste shipments.

Spain: Restrictions exist

Legislation: Articles 3, 4, 6, 7, 23 and 24 of Council Regulation (EEC) No.259/93, which entered into force on 09.02.93. 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

Countries: The restriction in Council Regulation (EEC) No.259/93 covers all countries and all wastes intended for final disposal and those listed under annexes III and IV of the regulation or those not yet included in annexes II, III and IV to the regulation, in the case of those destined to recovery.

Sweden: Restrictions do not exist

Switzerland: Restrictions do not exist

Remarks Basel Convention is applied. Transits need notification and consent.

Turkey: Restrictions exist

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

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

Remarks According to Communiqué, the importation waste tires to the Turkey is forbidden. For that reason, for transit of these wastes through Turkey is subject to the approval of the Ministry of Environment

and Forestry. In the case of transit movement, Ministry requires the written consent of the state of import before giving the transit permission.

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