
3c Restrictions on Exports for IV B

All Regions/Countries, Parties of the Basel Convention

UN Region: Africa

Egypt

2007 Egypt restricts the export of hazardous wastes and other wastes for recovery.

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

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

Remarks

Gambia

2007 Gambia is in a preparatory process to restrict the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Madagascar

2007 Madagascar is in a preparatory process to restrict the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Mali

2007 Mali has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Morocco

2007 Morocco restricts the export of hazardous wastes and other wastes for recovery.

Legislation La convention de Bâle a été ratifiée par le Maroc en 1995 est publiée dans le Bulletin Officiel. A cet effet, elle est 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). Le décret sur le contrôle des mouvements transfrontières des déchets est cours de préparation.

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

2007 Mozambique has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Nigeria

2007 Nigeria restricts the export of hazardous wastes and other wastes for recovery.

Legislation Degree No. 42 of 1988

Countries Applies to all countries

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

Rwanda

2007 Rwanda restricts the export of hazardous wastes and other wastes for recovery.

Legislation Organic Law N° 04/2005, determining the modalities of protection, conservation and promotion of environment in Rwanda. Date of entry into force: 08 April 2005.

Countries

Remarks

Senegal

2007 Senegal restricts the export of hazardous wastes and other wastes for recovery.

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

Countries The restriction covers all hazardous wastes and all countries.

Remarks

South Africa

2007 South Africa restricts the export of hazardous wastes and other wastes for recovery.
Legislation South Africa is a signatory to the Basel Convention. South Africa uses the provisions in the Basel Convention to restrict the export of hazardous waste for disposal in other countries.

In addition the International Trade Administration Act No. 71 of 2003 requires that a permit be issued by the International Trade Administration Commission (ITAC) before any wastes identified in Annex III of the convention can be imported or exported.

Countries South Africa restricts the export of hazardous wastes and other wastes to all non Parties to the Basel Convention and any country which cannot demonstrate that it has the necessary technology to dispose of the waste in an environmentally sound manner which is protective to human health.

Remarks Should a South African company wish to export waste to another country for recovery, the exporting company would need to motivate why the waste cannot be recovered in South Africa. In addition the Department would require a copy of the environmental permits required for the technology being used to recover the waste in the country of import as well as a copy of the recovery companies ISO 14001 which would demonstrate that they are able to manage the waste in an environmentally sound manner.

Tunisia

2007 Tunisia restricts the export of hazardous wastes and other wastes for recovery.

Legislation By law n°96-41 on wastes and the control of their management and disposal (entered into force on the 10 June 1996) as amended and complemented by law n° 2001-14 dated 30 January 2001 which make distinction between hazardous waste management requiring authorization and management of non hazardous wastes requiring ‘‘Terms and Conditions ‘‘document, the export of hazardous wastes, as defined by national legislation, for final disposal and for recovery, to any State that prohibits the import of such wastes, is banned. Also is banned the export of hazardous wastes, for final disposal and for recovery, to any State that does not prohibit the import of such wastes in the case of the absence of its specific written consent.

The authorization of export is not attributed unless the following conditions are met:
Due account is taken of international rules and standards in the field of packaging, labelling and transport;

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

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

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

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

Countries All countries are covered by this restriction.

Remarks

Uganda

2007 Uganda restricts the export of hazardous wastes and other wastes for recovery.
Legislation The National Environment Statue, 1995
The National Environment (Waste Management) Regulations, 1999
Countries Restriction to all countries in the world covering all categories of waste.
Remarks No export of hazardous wastes and other wastes is allowed in the country for recovery without possession of adequate and appropriate movement documents issued by this authority in accordance with the Basel Convention.

Zambia

2007 Zambia restricts the export of hazardous wastes and other wastes for recovery.
Legislation The Environmental Protection and Pollution Control Act, 1990, amended in 1999; The Hazardous Waste Management Regulations, Statutory Instrument No. 125 of 2001.
Countries The restriction covers those countries which have not consented to receive the waste and those that are not under Annex VII, unless a bilateral agreement exists.
Remarks Export will be subject to consent received from receiving country and if receiving country has necessary facilities and capacity to handle hazardous waste.

UN Region: Asia and Pacific

Azerbaijan

2007 Azerbaijan restricts the export of hazardous wastes and other wastes for recovery.
Legislation
Countries
Remarks

Bahrain

2007 Bahrain is in a preparatory process to restrict the export of hazardous wastes and other wastes for recovery.
Legislation
Countries
Remarks

Cambodia

2007 Cambodia has no restrictions on the export of hazardous wastes and other wastes for recovery.
Legislation
Countries
Remarks

China

2007 China restricts the export of hazardous wastes and other wastes for recovery.

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

Countries

Remarks China
The export of hazardous waste for recovery must comply with the requirements of the Basel Convention and Measures for Administration of Hazardous Waste Export Approval (No. 47 ORDER of SEPA) . The transboundary movement can only take place upon prior written notification from the competent authorities of the states of export, to the competent authorities of the states of import and transit, and upon consent from these authorities. Furthermore, each shipment of hazardous waste should be accompanied by a movement document from the point at which the movement begins to the point of recovery.

Hong Kong Special Administrative Region, China

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

Macao Special Administrative Region, China

The export of waste for the purpose of recovery will be subject to the controls according to the Basel Convention requirements.

Cyprus

2007 Cyprus restricts the export of hazardous wastes and other wastes for recovery.

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

Countries

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

Indonesia

2007 Indonesia restricts the export of hazardous wastes and other wastes for recovery.

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.

Countries

Remarks

Iran (Islamic Republic of)

2007 Iran (Islamic Republic of) restricts the export of hazardous wastes and other wastes for recovery.

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

Countries The restriction covers the Islamic Republic of Iran.

Remarks

Japan

2007 Japan restricts the export of hazardous wastes and other wastes for recovery.

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

Countries All countries and regions.

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

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

Kazakhstan

2007 Kazakhstan restricts the export of hazardous wastes and other wastes for recovery.

Legislation The Ecological code of the Republic of Kazakhstan, 2007.
The Customs code of the Republic of Kazakhstan (with changes and additions as of 05.07.2008)
The law of the Republic of Kazakhstan from April, 23, 1998 № 219-I "About radiation safety of the population " (with the changes brought by Law of RK from 29.12.06).
The law of the Republic of Kazakhstan from September, 21, 1994 № 156-XIII "About transport in the Republic of Kazakhstan " (with changes and additions as of 29.12.2006).

Countries All countries specified by the Basel Convention.

Remarks

Kuwait

2007 Kuwait restricts the export of hazardous wastes and other wastes for recovery.

Legislation Article (25): Importing or exporting of dangerous wastes or permitting its entry or passings are prohibited in the State of Kuwait. An except thereof is exporting dangerous wastes which the country does not have the technical ability, required facilities, means or ports suitable for getting rid of it in an environmentally safe way, provided that a written approval from importaing authority should be issued as well as the approval of Environment Public Authority board.

Countries All country.

Remarks

Malaysia

2007 Malaysia restricts the export of hazardous wastes and other wastes for recovery.
Legislation The Environmental Quality Act 1974, (Amendment 2007) Section 34B; and the Customs (Prohibition of Export) Order 2008.
Countries The restriction covers all countries.
Remarks Hazardous wastes to be exported and destined for recovery are subject to the export guidelines on minimum percentage for recoverables and must have a written approval from the Director General of Environment, Malaysia prior to exportation.

Pakistan

2007 Pakistan restricts the export of hazardous wastes and other wastes for recovery.

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

2007 Philippines restricts the export of hazardous wastes and other wastes for recovery.

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

Countries All countries/regions and/or wastes.

Remarks

Qatar

2007 Qatar restricts the export of hazardous wastes and other wastes for recovery.

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.

Singapore

2007 Singapore restricts the export of hazardous wastes and other wastes for recovery.

Legislation The Hazardous Waste (Control of Export, Import and 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

2007 Sri Lanka has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

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

Thailand

2007 Thailand restricts the export of hazardous wastes and other wastes for recovery.

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

Countries All countries and wastes listed in the Basel Convention.

Remarks

United Arab Emirates

2007 United Arab Emirates has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Viet Nam

2007 Viet Nam has no restrictions on the export of hazardous wastes and other wastes for recovery.

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

Countries

Remarks

UN Region: Western Europe and Others

Andorra

2007 Andorra has no restrictions on the export of hazardous wastes and other wastes for recovery.

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

Countries

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

Australia

2007 Australia restricts the export of hazardous wastes and other wastes for recovery.
Legislation Section 17 of the Hazardous Waste (Regulation of Exports and Imports) Act 1989.
Entry into force: 12 December 1996.
Countries The restriction covers all countries and regions and all hazardous wastes.
Remarks

Austria

2007 Austria restricts the export of hazardous wastes and other wastes for recovery.
Legislation The export of hazardous wastes in accordance with Commission Decision 2000/532/EC and of wastes listed in Annex V of the Shipment Regulation (1013/2006/EC) for recycling is allowed only to Countries applying OECD Council Decision C(2001)107 FINAL. This restriction covers all countries not applying the OECD Council Decision C(2001)107 FINAL.
Countries The restriction covers all countries not listed in Annex VII of the Basel Convention.
Remarks

Belgium

2007 Belgium restricts the export of hazardous wastes and other wastes for recovery.
Legislation Belgium fulfils the Provision of the Council Regulation (EC) N° 1013/2006 on the supervision and control of shipments of waste within, into and out of the European Community. All exports of hazardous and other waste for recovery listed in Annex V are prohibited from EU countries to non-OECD countries.
Countries
Remarks

Canada

2007 Canada restricts the export of hazardous wastes and other wastes for recovery.

Legislation In Canada, the following legislation applies to restrictions on the export of hazardous wastes, hazardous recyclable material and other wastes for final disposal: Canadian Environmental Protection Act, 1999 (CEPA 1999).

The following legislation applies to restrictions on the export of hazardous wastes and hazardous recyclable materials only: Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations, (EIHWHRMR); and PCB Waste Export Regulations, 1996 (PCBWER), came into force on February 4, 1997.

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

Remarks The EIHWHRMR place a number of strict conditions on the export of hazardous waste and hazardous recyclable material such as:

- Requirement for mandatory prior notification of, and consent from (i.e. prior informed consent, (PIC)) the importing country;
- Exports can only take place with a permit issued by Environment Canada;
- Mandatory use of a movement document as a tracking system to ensure that hazardous waste actually arrives at the intended authorized facilities; and are stored, recovered or recycled as per the notice and permit;
- All recycling operations to be followed up with a certificate of recycling;
- Require every exporter and carrier to obtain insurance to cover environmental and third party damages should an accident occur during the transboundary movement of hazardous waste;
- Requirements for shipments which cannot be completed as planned in the permit to prevent them from becoming "orphans";
- Simplified procedures for the transboundary movement of certain specified hazardous waste destined for recovery/recycling facilities within the OECD area, based on OECD decisions; and
- The exporting country must permit re-entry of any hazardous waste that may be returned by the importing country.

If the Minister is of the opinion that the hazardous waste or hazardous recyclable material will not be managed in a manner that will protect the environment and human health against the adverse effects that may result from that waste or material, the Minister may refuse to issue a permit under subsection 185(2) of the CEPA 1999 taking into account different criteria set out in the EIHWHRMR.

Denmark

2007 Denmark restricts the export of hazardous wastes and other wastes for recovery.

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

Countries

Remarks

Finland

2007 Finland restricts the export of hazardous wastes and other wastes for recovery.
Legislation Wastes covered by the export ban are listed in Annex V of the Regulation (EC) No 1013/2006.
Countries The legislation prohibits all exports of waste listed in Annex V from Finland for recovery to “non-OECD countries” (i.e. countries to which the OECD Decision C(2001)107 does not apply). Annex V contains wastes listed in Annex VIII of the Basel Convention, wastes included in the OECD Amber list of waste (excluding certain non-hazardous wastes) as well as wastes defined as hazardous in the European Community legislation.

Remarks

Germany

2007 Germany restricts the export of hazardous wastes and other wastes for recovery.
Legislation In Germany the provisions of the EC Waste Movement Regulation apply since May 1994 (amended in January 1998 (Implementation of decision III/1)), especially referring to Article 16 and 18 (Article 36 of the new Waste Shipment Regulation from 12 July 2007).
Countries The export of hazardous wastes for recovery listed in Annex V of the EC Waste Shipment Regulation into all countries which do not apply OECD Council Decision C 92/39 (OECD Council Decision C(2001)107 from 12 July 2007) is prohibited from January 1998.

Remarks

Greece

2007 Greece restricts the export of hazardous wastes and other wastes for recovery.
Legislation Council Regulation EC 259/1993, as amended and implemented, which applied until 11-07-2007. From 12-07-2007, Regulation (EC) no 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste, applies.
Countries
Remarks Export only within OECD and after the consensus of the importing country’s authorities.

Ireland

2007 Ireland restricts the export of hazardous wastes and other wastes for recovery.
Legislation As a member of the European Community (EC) Ireland is bound by Council Regulation (EC) No. 1013/2006, on the supervision and control of shipments of waste within, into and out of the European Community. Article 36 of the regulation deals with the exports of hazardous waste for recovery. This regulation came into effect on 12/7/2007. An export prohibition was also in place under the previous EU regulation which applied up to 12/7/2007, i.e. Council Regulation (EEC) No. 259/93 of 1 February 1993.

Countries

Remarks

Israel

2007	Israel restricts the export of hazardous wastes and other wastes for recovery.
Legislation	Hazardous Substances Regulations (Export and Import Of Hazardous Waste), 1994. These regulations call for a permit to export waste for recovery. The permit may specify requirements and restrictions.
	Exports are permitted to OECD/EC countries, which are Parties to the Convention.
Countries	Israel approves the export of hazardous wastes for recovery to to EC or OECD countries that are parties to the convention. Approval is given through a special permit certificate.
Remarks	
<hr/>	
Italy	
2007	Italy restricts the export of hazardous wastes and other wastes for recovery.
Legislation	Council Regulation (EC) No. 120/97 replaced by Council Regulation EC 1013/2006 applied from 12 July 2007.
Countries	The restriction covers all dangerous wastes listed in the Annex V of the Regulation EEC/259/93 and in the Annex V of the Regulation EC 1013/2006, outside the OECD countries.
Remarks	
<hr/>	
Luxembourg	
2007	Luxembourg restricts the export of hazardous wastes and other wastes for recovery.
Legislation	A special authorization is required by the modified Waste Management law of 17th June 1994 for export of waste to non-EC countries; and prohibition of export of waste to non-OECD countries through waste carrier authorization delivered according to the Waste Management Law.
Countries	
Remarks	
<hr/>	
Malta	
2007	Malta restricts the export of hazardous wastes and other wastes for recovery.
Legislation	Environment Protection (Control of Transboundary Movement of Toxic and other Substances) Regulations, 2000 (LN205/00), which entered into force on the 17 September 2000.
Countries	All countries/regions and all waste covered by the above-mentioned regulations are covered by this restriction.
Remarks	As per Provision 8 to the Environment Protection (Control of Transboundary Movement of Toxic and other Substances) Regulations, 2000 (LN205/00), the Competent Authority may take any action whatsoever in order to ban, restrict and control the management, transit, export and import of hazardous waste or other waste.
<hr/>	
Monaco	
2007	Monaco has no restrictions on the export of hazardous wastes and other wastes for recovery.
Legislation	
Countries	
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

2007 Netherlands restricts the export of hazardous wastes and other wastes for recovery.

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

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

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

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

Norway

2007 Norway restricts the export of hazardous wastes and other wastes for recovery.

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

Countries EU and non-OECD countries.

Remarks

Portugal

2007 Portugal restricts the export of hazardous wastes and other wastes for recovery.

Legislation Council Regulation (EEC) No 259/93 of 1 February 1993 as amended by Council Regulation (EC) No 120/97 of 20 January 1997, Commission Regulation (CE) 2408/98 of 6 November 1998 and Commission Regulation (EC) No 2557/2001 of 28 December 2001, which entered into force on 1 January 2002.

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

Countries It is prohibited to export the waste listed in Annex V of Council Regulation (EEC) No 259/93 for recovery into all countries to which the OECD Council Decision C92(39)FINAL, as revised, does not apply. Annex V contains: (i) wastes listed in Annex VIII of the Basel Convention, (ii) wastes included in the OECD Amber list and (iii) Red waste lists and wastes included in the European Hazardous Waste List.

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

Remarks

Spain

2007 Spain restricts the export of hazardous wastes and other wastes for recovery.
Legislation The Article 16 of Council Regulation (EEC) No. 259/93, which prohibits all export of wastes which appear in annex V to the regulation, except for those destined to countries to which the OECD Decision applies.

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

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

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

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

Sweden

2007 Sweden restricts the export of hazardous wastes and other wastes for recovery.

Legislation The EU Regulation 1013/2006 on shipments of waste. The regulation applies from 12 July 2007.

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

Remarks

Turkey

2007 Turkey restricts the export of hazardous wastes and other wastes for recovery.

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

Countries

Remarks

United Kingdom of Great

Britain and Northern

Ireland

2007 United Kingdom of Great Britain and Northern Ireland restricts the export of hazardous wastes and other wastes for recovery.

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

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

Countries

Remarks

UN Region: *Central and Eastern Europe*

Albania

2007 Albania restricts the export of hazardous wastes and other wastes for recovery.

Legislation Regulation No 4 date 15/10/2003 "Procedures for approving of Permit for Export of waste and Permit for Transit of waste".
Law no 9537 dated 18.05.2006 "On hazardous waste management".

Countries The restriction covers all countries.

Remarks

Belarus

2007 Belarus is in a preparatory process to restrict the export of hazardous wastes and other wastes for recovery.

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.

Countries

Remarks

Bosnia & Herzegovina

2007 Bosnia & Herzegovina has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Bulgaria

2007 There is no information concerning restrictions on the import of hazardous wastes and other wastes for final disposal provided for Bulgaria.

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

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

Remarks

Croatia

2007

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

Legislation

Regulation on supervision of transboundary movement of waste, which came into force on 1st September 2006, provides provisions on restrictions on transboundary movement of waste.

Croatia restricts the export of hazardous wastes and other wastes for final disposal and for recovery by the orders of Articles 50., 51., 53. of the Waste Act, Official Gazette, No. 178/04 as follows:

Article 50

(1) For the export of hazardous waste, the person doing the exporting must obtain the decision prescribed by this Act.

(2) Export referred to in paragraph 1 of this Article shall be permitted to a person registered for carrying out one of the hazardous waste management activities (hereinafter referred to as: the exporter), at the person's request, if the following requirements are met:

1. authorisation for import is granted by the state importing the hazardous waste,
2. the exporter provides a written statement on the type, quantity, composition and origin of hazardous waste, as well as on the reasons for export,
3. a contract is concluded between the exporter and importer of hazardous waste
4. authorisation is issued by the states through which the hazardous waste will transit on its way to the final destination or no written declaration has been issued by the transit state within 60 days from the day of receiving the notification on the intended transboundary transport of hazardous waste,
5. data is provided on the tariff number, hazardous waste key number, the mode of transport, the border crossing for export,
6. a document notifying the intended transboundary transport of waste is enclosed - Document on movement in accordance with the Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal,
7. the exporter has an appropriate insurance policy or bank guarantee for the amount necessary to cover the costs of the hazardous waste recovery and/or disposal without posing a risk to the environment,
8. the exporter has an appropriate insurance policy or bank guarantee for the amount necessary to cover the remediation costs in case of an accident.

Article 51

(1) The Ministry shall decide on the request to export hazardous waste. The decision shall also determine the period for which the decision is valid.

(2) The exporter shall submit a report to the Ministry on the exported quantities and types of hazardous waste by 31 March of the current year, for the previous year. (3)

An appeal shall not be permitted against the decision referred to in paragraph 1 of this Article, but an administrative dispute may be instituted.

Article 53

(1) The person registered for export activity cannot begin to export hazardous waste before registering into the register and obtaining the certificate on registration in the Register of Non-Hazardous Waste Exporters.

(2) The Ministry shall keep the register referred to in paragraph 1 of this Article.

(3) The exporter of non-hazardous waste shall submit to the Ministry a report on the types and quantities of non-hazardous waste exported in the previous year by 1 February of the current year.

(4) If the Ministry rejects the application for registering into the Register referred to in paragraph 1 of this Article, it shall do so by decision.

(5) An appeal shall not be permitted against the decision referred to in paragraph 4 of this Article, but an administrative dispute may be instituted.

(6) The Minister shall prescribe by a special regulation the content and method

Countries The restriction covers all countries.

Remarks

Czech Republic

2007 Czech Republic restricts the export of hazardous wastes and other wastes for recovery.

Legislation Council Regulation (EEC) No 259/93 on the supervision and control of shipments of waste within, into and out of the European Community, as amended (applicable until 11 July 2007). Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 July 2006 on shipments of waste (applicable from 12 July 2007).

Countries All exports of hazardous wastes (according to Article 1(1)a and 1(1)b of the Basel Convention) and other wastes (Annex II to the Basel Convention) to non-EU and non-OECD countries for recovery are prohibited. The wastes in questions are listed in Annex V to EU Regulation 1013/2006. Moreover, the exports of following wastes for recovery are prohibited:

- hazardous wastes not classified under one single entry in Annex V to EU Regulation 1013/2006
- mixtures of hazardous wastes and mixtures of hazardous wastes with non-hazardous wastes not classified under one single entry in Annex V to EU Regulation 1013/2006
- wastes that the country of destination has notified to be hazardous under Article 3 of the Basel Convention
- wastes the import of which has been prohibited by the country of destination
- wastes which the competent authority of dispatch has reason to believe will not be managed in an environmentally sound manner in the country of destination concerned

Remarks

Estonia

2007 Estonia has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Georgia

2007 Georgia has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Hungary

2007 Hungary restricts the export of hazardous wastes and other wastes for recovery.
Legislation Regulation (EC) No 1013/2006 of the European Parliament and of the Council on Shipment of Waste.
The regulation entered into force on 15.07.2006
Countries Art. 36. Export from the Community hazardous and other wastes for recovery in countries to which the OECD Decision does not apply are prohibited.
Remarks The regulation shall apply from 12 July 2007.

Latvia

2007 Latvia restricts the export of hazardous wastes and other wastes for recovery.
Legislation Latvia acceded to European Union on 1st of May, 2004. Council Regulation No 259/93 of 1st February 1993 on the supervision and control of shipments of waste within, into and out of the European Community and Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste are directly applicable in Latvia.
Countries Provisions regarding prohibition of export of waste for recovery have been provided for in Article 16 of Regulation 259/93 of 1st February 1993 on the supervision and control of shipments of waste within, into and out of the European Community.

Provisions regarding prohibition of export of waste for recovery have been provided for in Article 36 of Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste.

Remarks

Lithuania

2007 Lithuania restricts the export of hazardous wastes and other wastes for recovery.
Legislation The export of hazardous waste from Lithuania until 12 July 2007 was regulated by 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 and from the 12 July 2007 the new Council Regulation (EEC) No 1013/2006 on shipment of waste is directly applied to Lithuania.
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.

Countries

Remarks Any export of hazardous waste for recovery (operations R1-R15) from the Republic of Lithuania to the Third Countries excluding the OECD countries which are also the Basel Convention Parties is prohibited.
All export of non-hazardous and hazardous waste for recovery (operations R1-R15) from the Republic of Lithuania to the European Community 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.

Montenegro

2007 Montenegro restricts the export of hazardous wastes and other wastes for recovery.
Legislation The restriction is in accordance with the provisions of the Basel Convention and its Ban amendment.

Countries

Remarks

Poland

2007 Poland restricts the export of hazardous wastes and other wastes for recovery.

Legislation Until 11.07.2007:
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)
Since 12.07.2007:
Regulation (EC) no 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipment of waste which replaced the Council regulation (EEC) No 259/93 mentioned above.

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

Remarks Until 11.07.2007:
- 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.

Since 12.07.2007:
- Shipments within the EU:
Green listed waste Annex III to the Regulation No. 1013/2006): no control procedure (shipments to Poland, Slovakia, Latvia, Bulgaria and Romania – art. 63 of Regulation No 1013/2006 - control procedure according to articles 3 - 12 of the Regulation No 1013/2006
Amber listed waste Annex IV to the Regulation No. 1013/2006) - control procedure stipulated in articles 3 – 12 of Title II of the Regulation No 1013/2006
Unlisted waste - control procedure stipulated in art. 3-12 of Regulation No. 1013/2006 (unlisted waste - waste for which no single entry exists in green and amber list of waste)

- Shipments outside the EU:
All exports of waste:
- classified as hazardous waste in Annex V of Regulation No. 1013/2006,
- hazardous waste not listed in Annex V,
- mixtures of hazardous waste and mixtures of hazardous and non hazardous waste,
- waste classified by consignee country as hazardous,
- waste which import was prohibited by consignee country

according to the art. 36 of Regulation No. 1013/2006 are prohibited except for OECD countries.

(Annex V comprises waste of Annex VIII and IX to the Basel Convention as well as of European Waste Catalogue (hazardous waste is marked with an asterisk).

Export of waste to OECD countries is subject to control procedures stipulated in art. 38 of Regulation No. 1013/2006.

Republic of Moldova

2007 Republic of Moldova has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Romania

2007 Romania restricts the export of hazardous wastes and other wastes for recovery.

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

Countries

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

Serbia

2007 Serbia restricts the export of hazardous wastes and other wastes for recovery.

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

Countries The restriction covers all countries.

Remarks

Slovakia

2007 Slovakia restricts the export of hazardous wastes and other wastes for recovery.

Legislation The following shall be forbidden:

Export of hazardous wastes destined for recovery except for export to member states of the European Free Trade Association (EFTA). A provision of the Article No 23, paragraph 4 of the Act No 223/2001 on waste, which provides for that the hazardous waste originated in Slovak Republic shall be preferentially recovered in Slovak Republic. If it is not possible it shall be preferentially recovered in European Union. The same objections may be raised in case of export destined for recovery (waste listed in Amber/Red List or wastes not included in any lists of wastes) as they are mentioned in case of import destined for recovery.

Since 1st May 2004 Slovakia applies provisions of the Council Regulation No 259/93/EC (Articles 16 and 18) and Decision III/1 of the Basel Convention.

Since 12 July 2007 the export of hazardous waste and other wastes for recovery is regulated by relevant articles of the Regulation (EC) No 1013/2006.

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.

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

Remarks

Slovenia

2007 Slovenia restricts the export of hazardous wastes and other wastes for recovery.

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

Countries Prohibition of export of wastes for recovery listed in Annex V of Regulation (EC) 1013/2006 into all countries which do not apply OECD Council Decision C(2001) 107 FINAL.

Remarks

Ukraine

2007 Ukraine has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

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

UN Region: Latin America and the Caribbean

Argentina

2007 Argentina has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Barbados

2007 Barbados has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Belize

2007 Belize is in a preparatory process to restrict the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Bolivia

2007 Bolivia restricts the export of hazardous wastes and other wastes for recovery.

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

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

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

Brazil

2007 Brazil has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

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

Colombia

2007 Colombia restricts the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

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

Costa Rica

2007 Costa Rica has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Cuba

2007 Cuba has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Dominican Republic

2007 Dominican Republic has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Ecuador

2007 Ecuador restricts the export of hazardous wastes and other wastes for recovery.

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

Countries To national level.

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

1. If the waste can be recycled or reused within the country in safe environmental conditions for these cases.
2. 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.
5. -When the export is made by the countries that cannot demonstrate that they will make a suitable handling of the waste
6. Toward states that be not part of the Basel Agreement, unless a bilateral or multilateral agreement with those states exists.
7. When the conditions of their transportation through the national territory, imply unacceptable risks

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

Guatemala

2007 Guatemala has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Guyana

2007 Guyana is in a preparatory process to restrict the export of hazardous wastes and other wastes for recovery.

Legislation

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

Countries

Remarks

Honduras

2007 Honduras has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Jamaica

2007 Jamaica has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Mexico

2007 Mexico restricts the export of hazardous wastes and other wastes for recovery.

Legislation

In accordance with Article 50, Fraction X, of the General Law of Prevention and Integral Management of Wastes (LGPGIR) requires authorization of the Secretariat for the import and export of hazardous wastes.

The article 85 of the LGPGIR, establishes the follow condition, "The import and export of hazardous wastes will subject to the restrictions or conditions established in the Law, its Regulation, the Law of Foreign Trade, the Federal Law of Economic Competition, the International Treaties of which Mexico is part and the other applicable orderings.

Also, in accordance with Article 87 of the LGPGIR: "The authorizations for the export of hazardous wastes will be only emitted when that ask for them count on the previous consent of the import country and, in its case of the governments of the countries by which the wastes journey.

Countries

The restriction covers all countries.

Remarks

Panama

2007 Panama restricts the export of hazardous wastes and other wastes for recovery.

Legislation Ley 21, del 6 de diciembre de 1990, se adopta el Convenio de Basilea
Ley 13, 21 de abril de 1995, por el cual se aprueba el acuerdo Regional sobre
movimiento transfronterizo de desecho peligroso.

Countries República de Panamá y la Región.

Remarks Por ser Panamá, un país de tránsito se permite la aprobación o rechazo del tránsito
para los desechos peligrosos.

Saint Lucia

2007 Saint Lucia restricts the export of hazardous wastes and other wastes for recovery.

Legislation Specific Marine Pollution legislation to give effect to Decision III/I Legislation being
developed.

Countries The restriction covers all countries and regions.

Remarks

Trinidad and Tobago

2007 Trinidad and Tobago has no restrictions on the export of hazardous wastes and other
wastes for recovery.

Legislation

Countries

Remarks

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

Uruguay

2007 Uruguay has no restrictions on the export of hazardous wastes and other wastes for
recovery.

Legislation

Countries

Remarks

Venezuela

2007 Venezuela has no restrictions on the export of hazardous wastes and other wastes for
recovery.

Legislation

Countries

Remarks
