
3c Restrictions on Exports for IV B

All Regions/Countries, Parties of the Basel Convention

UN Region:

Bhutan

2009 There is no information concerning restrictions on the import of hazardous wastes and other wastes for final disposal provided for Bhutan.

Legislation

Countries

Remarks - We do not have required infrastructure and facilities for recovery. This is coupled with lack of technology and capacity in managing the hazardous wastes.
- Based on the 'Waste Prevention and Management Act of Bhutan, 2009', we will be developing regulation which would clarify the question 3c.

UN Region: Africa

Egypt

2009 Egypt restricts the export of hazardous wastes and other wastes for recovery.

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

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

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

Guinea-Bissau

2009 Guinea-Bissau has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks The chapter of the hazardous wastes is on going regulation by the Basic Environmental Law.

Kenya

2009 Kenya has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation Environmental Management and Coordination Act, 1999 and its regulations on Waste.

Countries All countries except Uganda and Tanzania.

Remarks Kenya is a transit state for Uganda, Tanzania, Rwanda, Burundi and Democratic Republic of Congo for which bilateral relations on transit goods relate.

Madagascar

2009 Madagascar has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Mozambique

2009 Mozambique has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Nigeria

2009 Nigeria restricts the export of hazardous wastes and other wastes for recovery.

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

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

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

Rwanda

2009 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

South Africa

2009 There is no information concerning restrictions on the import of hazardous wastes and other wastes for final disposal provided for South Africa.

Legislation The provisions of the Basel Convention apply to any exports of waste for recovery.

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 can be imported and exported. This will apply to wastes being exported for recovery.

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.

Togo

2009 Togo has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Tunisia

2009 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

2009 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.

UN Region: *Asia and Pacific*

Azerbaijan

2009 Azerbaijan restricts the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Bahrain

2009 Bahrain is in a preparatory process to restrict the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

China

2009 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

2009 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.

Japan

2009 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

2009 Kazakhstan restricts the export of hazardous wastes and other wastes for recovery.

Legislation Environmental Code of the Republic of Kazakhstan, 2007.
Customs Code of the Republic of Kazakhstan (amended as of 05/07/2008 r)
Law of the Republic of Kazakhstan dated April 23, 1998 № 219-I on radiation safety of the population (as amended by the Law of RK as of 29/12/2006 was)
Law of the Republic of Kazakhstan dated September 21, 1994 № 156-XIII «On transport in Kazakhstan (with amendments as at 29.12.2006)
Code of the Republic of Kazakhstan "On people's health and the health care system", 2009

Countries All the countries listed under the Basel Convention.

Remarks

Kyrgyzstan

2009 Kyrgyzstan restricts the export of hazardous wastes and other wastes for recovery.

Legislation Law of the Kyrgyz Republic "On Waste from Production and Consumption" from November 13, 2001 № 89 regulates that:

- State regulation of transboundary movements of hazardous and other wastes is established by the Government of the Kyrgyz Republic (Article 12);
- The control of exports (imports) of hazardous and other wastes is provided by the state bodies of executive power in charge of customs, ecological and sanitary-epidemiological control (Article 12);
- Activities of legal entities and individuals associated with waste management, subject to licensing in accordance with the Law of the Kyrgyz Republic "On Licensing" (Article 13).

In accordance with the Law of the Kyrgyz Republic "On licensing" of Article 9, the license is required for the following activities:

- Recycling, placement, destruction and disposal of toxic materials and substances, including radioactive waste;
- Transportation (including cross-border) of waste production of toxic substances.

Position on a single system of technical, medical, pharmaceutical, sanitary, veterinary, phytosanitary and environmental standards, rules, regulations and requirements in respect of goods imported into the participating States of the Customs Union.

Countries All countries

Remarks

Malaysia

2009 Malaysia restricts the export of hazardous wastes and other wastes for recovery.

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

Countries All countries.

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

Nepal

2009 Nepal has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Pakistan

2009 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 provision 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.

Singapore

2009 Singapore restricts the export of hazardous wastes and other wastes for recovery.

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

Countries

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

Sri Lanka

2009 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

2009 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

2009 United Arab Emirates has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Uzbekistan

2009 Uzbekistan has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

UN Region: Western Europe and Others

Andorra

2009 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

2009 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

2009 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

2009 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

2009 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 regulations apply to restrictions on the export of hazardous wastes and hazardous recyclable materials only: Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations, (EIHWHRM) which came into force on November 1, 2005; and PCB Waste Export Regulations, 1996 (PCBWER), came into force on February 4, 1997.

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

Remarks Legislation and Regulations referred to in 3c(i) place a number of conditions on the export of hazardous recyclable material intended for recycling operations set out in Schedule 2 of the EIHWHRM. A full list of the conditions can be found in Part 2 of the EIHWHRM. Here are some highlights of the conditions:

- Requirement for mandatory prior notification and consent from (i.e. prior informed consent, (PIC)) the importing country;
 - Exports can only take place with a permit issued by Environment Canada;
 - Mandatory use of a movement document as a tracking system to ensure that the hazardous recyclable material actually arrives at the intended authorized facilities; and are stored, recovered or recycled as per the permit;
 - All recycling operations to be followed up with a certificate of recycling;
 - Require every exporter and carrier to obtain insurance to cover environmental and third party damages should an accident occur during the transboundary movement of the hazardous recyclable material;
 - Requirements for the return or alternate arrangements of shipments for which the recycling operation cannot be completed as set out in the permit to prevent them from becoming "orphaned";
 - Procedures for the transboundary movement of certain specified low risk hazardous recyclable material destined for recovery/recycling facilities within the OECD area, based on OECD decisions; and
- If the Minister is of the opinion that the hazardous waste or hazardous recyclable material will not be managed in a manner that will protect the environment and human health against the adverse effects that may result from that waste or material, the Minister may refuse to issue a permit under subsection 185(2) of the CEPA 1999 taking into account the criteria set out in the EIHWHRM.

Denmark

2009 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

2009 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

2009 Germany restricts the export of hazardous wastes and other wastes for recovery.
Legislation In Germany the provisions of the Waste Shipment Regulation apply since May 1994 (amended in January 1998 (Implementation of decision III/1)), especially referring to Article 36.

Countries

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

Remarks

Ireland

2009 Ireland restricts the export of hazardous wastes and other wastes for recovery.
Legislation As a member of the European Community (EC) Ireland is bound by Council Regulation (EC) No. 1013/2006, on the supervision and control of shipments of waste within, into and out of the European Community. Article 36 of the regulation deals with the exports of hazardous waste for recovery.

Countries

Remarks

Israel

2009 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 EC or OECD countries that are parties to the convention. Approval is given through a special permit certificate.

Remarks

Italy

2009 Italy restricts the export of hazardous wastes and other wastes for recovery.
Legislation Council Regulation EC 1013/2006 applied from 12 July 2007.
Countries The restriction covers all dangerous wastes listed in the Annex V of the Regulation EC 1013/2006, outside the OECD countries.

Remarks

Luxembourg

2009 Luxembourg restricts the export of hazardous wastes and other wastes for recovery.

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

Countries

Remarks

Malta

2009 Malta restricts the export of hazardous wastes and other wastes for recovery.

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

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

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

Monaco

2009 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.

Norway

2009 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. We do not allow the export of mercury and waste with the following brominated flame retardants, pentabromdifenyleter, oktabromdifenyleter, dekabromdifenyleter, tetrabrombisfenol A, heksabromsyklododekan, export for recovery is not usually accepted.

Countries EU and non-OECD countries.

Remarks

Portugal

2009 Portugal restricts the export of hazardous wastes and other wastes for recovery.

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

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

Remarks

Sweden

2009 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

United Kingdom of Great Britain and Northern Ireland

2009 United Kingdom of Great Britain and Northern Ireland restricts the export of hazardous wastes and other wastes for recovery.

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

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

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

Remarks None.

UN Region: *Central and Eastern Europe*

Armenia

2009 Armenia restricts the export of hazardous wastes and other wastes for recovery.

Legislation 'The order of regulating import, export and transit transportation of hazardous and other wastes over the territory of the Republic of Armenia' approved by the Governmental Decision (No. 97 dated December 8, 1995) regulates all the issues, concerning transboundary movement of hazardous wastes and other wastes, and their disposal. In accordance with the above-mentioned Governmental Decision the obligatory prior notification is required for import and/or export of hazardous and other wastes to the Republic of Armenia and transboundary movement thereof through the territory of the Republic of Armenia, which is implemented on permission of the Ministry of Nature Protection.

The import, export of non-hazardous wastes and transboundary movement thereof through the territory of the Republic of Armenia is implemented on general basis without the prior notification.

The 'List of regulated and non-regulated wastes, their hazardous properties, documents on declaration, notification and disposal actions' (hereinafter: the List) agreed with the Ministry of Economy and Finance, the Custom State Committee was approved by the Decree of the Ministry of Nature Protection (No. 97 dated August 10, 1999). The List contains the following:

- lists of regulated and non-regulated wastes;
- lists of hazardous properties of wastes according to UN classification, which corresponds to hazardous goods classification system of UN Recommendations on the transport of dangerous goods;
- information related to operations on disposal which are encountered in practice;
- the information, required for inclusion in documents on transportation (general characteristics of waste, data on amounts and weight of the waste, the name of exporter, the name of the owner of wastes, the place of waste generation, the date of transportation start, period, etc.);
- blank forms of applications for export of hazardous and other wastes, forms notifying the start, completion of waste transportation, as well as notification forms for waste receipt (import) or disposal.

The List was prepared in accordance with the Governmental Decision “The order of adjustment of hazardous wastes and other wastes import, export and transit over the territory of the Republic of Armenia”, which regulates all the issues, concerning transboundary movement of hazardous wastes and other wastes, and the disposal thereof.

The Governmental Decision of the Republic of Armenia “On approval of the “Republic of Armenia List of hazardous wastes” (No. 874-N dated May 20, 2004). The Governmental Decision of the Republic of Armenia “On applying changes to the Decision of the Republic of Armenia No. 97 of December 8, 1995 and on approval of the Republic of Armenia “List of prohibited hazardous wastes” (No.1093-N dated July 8, 2004).

Countries The above-mentioned prohibition/restrictions are applied for the Republic of Armenia.

Remarks The export of hazardous waste is implemented if country has no technical capacity, facility or appropriate sites for such wastes disposal in environmentally sound way. The export of hazardous waste should be provided with the permission granted by the state competent authority.

Bosnia & Herzegovina

2009 Bosnia & Herzegovina has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Bulgaria

2009 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 According to Art. 36 of Regulation (EC) 1013/2006:
Exports from the Community of the following wastes destined for recovery in countries to which the OECD Decision does not apply are prohibited:

- (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, as referred to in Article 49, in the country of destination concerned.

Furthermore Annex V to Regulation (EC) No 1013/2006, which concerns wastes, subject to the export prohibition in Art. 36, is to be applied as follows:

If a waste is listed in Part 1 of Annex V, a check must be made to ascertain whether it is listed in List A or in List B. Only if a waste is not listed in either List A or List B of Part 1, must a check be made to ascertain whether it is listed either among the hazardous waste listed in Part 2 (i.e. types of waste marked with an asterisk) or in Part 3, and if this is the case, it is covered by the export prohibition.

List A lists wastes which are classified as hazardous by Article 1(1)(a) of the Basel Convention, and therefore covered by the export prohibition, and List B lists wastes which are not covered by Article 1(1)(a) of the Basel Convention, and therefore not covered by the export prohibition.

Furthermore, wastes listed in List B of Part 1 or which are among the non-hazardous waste listed in Part 2 (i.e. wastes not marked with an asterisk) are covered by the export prohibition if they are contaminated by other materials to an extent which:

- (a) increases the risks associated with the waste sufficiently to render it appropriate for submission to the procedure of prior written notification and consent, when taking into account the hazardous characteristics listed in Annex III to Directive 91/689/EEC; or
- (b) prevents the recovery of the waste in an environmentally sound manner.

Remarks The restrictions on the export of hazardous wastes for recovery according to Regulation (EC) 1013/2006 are based on the amendment to the Basel Convention (Decision III/1) "ban amendment". Exports of hazardous wastes for recovery to non OECD members is prohibited. The restrictions cover all countries not listed in Annex VII to the Basel Convention.

Croatia

2009

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

Legislation

Regulation on supervision of transboundary movement of waste, OG No 69/06, 17/07, 39/09 which came into force on 1st September 2006, dictates restrictions on transboundary movement of waste.

Croatia restricts the export of hazardous wastes and other wastes for final disposal and for recovery by the orders of Articles 50., 51., (for hazardous waste) and 53. (for non-hazardous waste) of the Waste Act, Official Gazette, No. 178/04, 111/06, 80/06, 87/09 as follows:

Article 50

(1) For the export of hazardous and non-hazardous waste for the purpose of disposal, 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 waste management activities or a mediator (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 waste,

2. a contract is concluded between the exporter and importer of waste,

3. authorisation is issued by the states through which the waste will transit on its way to the final destination a document notifying the intended transboundary transport of waste is enclosed – Notification and Movement Document in accordance with the Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal,

4. the exporter has an appropriate insurance policy or bank guarantee for the amount necessary to cover the costs of the waste recovery and/or disposal without posing a risk to the environment,

5. the exporter has an appropriate insurance policy or bank guarantee for the amount necessary to cover the environmental remediation costs in case of an accident.

Article 51

(1) The Ministry shall decide on the request to export hazardous waste and non-hazardous waste for the purpose of disposal. 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 and non-hazardous waste for the purpose of disposal by 31 March of the current year, for the previous year.

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

Article 53

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

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

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

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

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

(6) The Minister shall prescribe by a special regulation the content and method for keeping the Register referred to in paragraph 1 of this Article, content and method for applying for registration into the Register, as well as waste lists.

Countries All country.

Remarks

Czech Republic

2009 Czech Republic restricts the export of hazardous wastes and other wastes for recovery.

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

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

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

Remarks

Estonia

2009 Estonia has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Georgia

2009 Georgia has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Hungary

2009 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 July 2006.

Countries Art. 36. Export from the Community of hazardous or other wastes and mixtures of hazardous wastes and mixtures of hazardous wastes with non-hazardous wastes not classified under one single entry destined for recovery in countries to which the OECD Decision does not apply is prohibited.

Remarks The regulation shall apply from 12 July 2007.

Latvia

2009 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

Montenegro

2009 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 Exports for final recovery are allowed only to BC member countries.

Remarks The export can be allowed only if there is no adequate recovery option in Montenegro. No capacity within the country for recovery or disposal of hazardous wastes.

Poland

2009 Poland restricts the export of hazardous wastes and other wastes for recovery.

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

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

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

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

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

- Shipments outside the EU:

All exports of hazardous waste:

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

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

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

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

Republic of Moldova

2009 Republic of Moldova has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Romania

2009 Romania has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Serbia

2009 Serbia restricts the export of hazardous wastes and other wastes for recovery.

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

Countries The restriction covers all countries.

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

Slovakia

2009 Slovakia restricts the export of hazardous wastes and other wastes for recovery.

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

Export of hazardous wastes destined for recovery except for export to member states of the European Free Trade Association (EFTA) is prohibited. A provision of the Article No 23, paragraph 4 of the Act No 223/2001 on waste, which provides for that the hazardous waste originated in Slovak Republic shall be preferentially recovered in Slovak Republic. If it is not possible it shall be preferentially recovered in European Union.

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

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

Remarks

Slovenia

2009 There is no information concerning restrictions on the import of hazardous wastes and other wastes for final disposal provided for Slovenia.

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

2009 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

2009 Argentina has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Barbados

2009 Barbados has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Bolivia

2009 Bolivia is in a preparatory process to restrict the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

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

Brazil

2009 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.

Costa Rica

2009 Costa Rica has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Cuba

2009 Cuba restricts the export of hazardous wastes and other wastes for recovery.

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

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

Remarks None

Ecuador

2009 Ecuador restricts the export of hazardous wastes and other wastes for recovery.

Legislation Such as in point 3b1, there is not an specific legislation for the export related to recovery, however there is restrictions related to the export in general way and the following rules:

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

1. If the waste can be recycled or reused within the country in safe environmental conditions for these cases.
2. If the dangerous waste can have a technically suitable final disposition in the country
3. When it tried to make the export to places beyond the sixty degrees south latitude
4. For the states that within legislation have prohibited the import of dangerous waste
5. When the export is made to state 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.

Environmental Law United Text of Ecuadorian Environmental Ministry published in the official Registration No. 2 of March, 2003.

Book VI of the Environmental Quality, Title V Regulation for prevention and control of the contamination by dangerous waste”.

Countries To national level.

Remarks The Ministry of Environment is the National Environmental Authority.

Guatemala

2009 Guatemala has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Honduras

2009 Honduras has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Mexico

2009 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

Nicaragua

2009 Nicaragua restricts the export of hazardous wastes and other wastes for recovery.

Legislation •Artículo 133: el Ministerio del Ambiente y los Recursos Naturales, podrá autorizar la exportación de residuos tóxicos cuando no existiese procedimiento adecuado en Nicaragua para la desactivación o eliminación de los mismos, para ello se requerirá de previo el consentimiento expreso del país receptor para eliminarlos en su territorio. La Ley 217 General del Medio Ambiente y los Recursos Naturales fue publicada en la Gaceta Diario Oficial N°. 105 del 6 de junio de 1996 y ratificado en la Ley de Reformas y Adiciones a la Ley N°. 217, Ley General del Medio Ambiente y los Recursos Naturales, publicada en la Gaceta Diario Oficial N°. 62 del 3 de abril de 2008.

Countries •No hay restricción, aplica para todos los países hacia donde se haya trazado el destino final o dirigir la exportación y todos los desechos peligrosos que se pudieran generar.
El artículo no especifica la categoría del desecho peligroso. Por tanto, se puede entender que se puede aplicar a todos los desecho objeto de exportación. Así como, la restricción está dirigida a todos los países, hacia donde se haya trazado su destino final o dirigir la exportación.

Remarks Se necesita la No Objeción del país destino

Saint Lucia

2009 Saint Lucia has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks

Venezuela

2009 Venezuela has no restrictions on the export of hazardous wastes and other wastes for recovery.

Legislation

Countries

Remarks
