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### *3e Restrictions on Imports for IV B*

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

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##### *UN Region:*

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##### **Bhutan**

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

##### *Legislation*

##### *Countries*

**Remarks** Based on the 'Waste Prevention and Management Act of Bhutan, 2009', we will be developing regulation which would clarify question 3e.

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##### *UN Region: Africa*

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##### **Egypt**

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

**Legislation** Importation of HW and other wastes for recovery is prohibited in accordance to Egyptian Environmental Law No. 4/1994 and its Executive Regulations.

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

**Remarks** Importation of hazardous waste and other waste to Egypt and it's national Territories for any purposes is considered as criminal under the Egyptian regulations.

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##### **Guinea-Bissau**

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

##### *Legislation*

##### *Countries*

**Remarks** The chapter of the hazardous wastes is ongoing regulation by the Basic Environmental Law.

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##### **Kenya**

**2009** Kenya restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Environmental Management and Coordination Act, 1999 and Pest Control Products Act.

**Countries** All countries.

##### *Remarks*

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##### **Madagascar**

**2009** Madagascar is in a preparatory process to restrict the import of hazardous wastes and other wastes for recovery.

##### *Legislation*

##### *Countries*

##### *Remarks*

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##### **Mozambique**

**2009** Mozambique restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Under Article 9, Environmental Law 20/97, of 1 October, the importation of toxic residues or wastes is expressly prohibited for final disposal and recovery, except under the terms of that would be established under specific legislation. However, such legislation is not in existence yet.

**Countries**

**Remarks**

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### **Nigeria**

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

**Legislation** Decree No. 42 of 1988 on Harmful Waste restricts the import of hazardous wastes for recovery in Nigeria.

**Countries** The restriction covers all countries.

**Remarks** Recyclable wastes can only be imported with approved permit given by the Federal Ministry of Environment.

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### **Rwanda**

**2009** Rwanda restricts the import 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**

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### **South Africa**

**2009** South Africa restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** South Africa is a signatory to the Basel Convention and uses the provisions in the convention to restrict the import of hazardous waste for final recovery in the country. The country specifically does not support the import of e-waste into the country where the majority of the waste will be required to be disposed of.

The Department of Environmental Affairs is developing a National Policy for the control of exports and imports of waste in line with the requirements of the Basel Convention and the matter of importing e-waste will be considered and managed through this policy.

South Africa has indicated to the European Commission, in relation to Regulation (EC) No. 103/2006 on shipment of non-hazardous waste from OECD countries to non OECD countries that shipments of all wastes listed in the Convention to South Africa should fall under the provisions of the Basel Convention.

**Countries** The restriction covers all EU Commission countries.

**Remarks** South Africa would only import hazardous waste for recovery if the importing company could provide proof that they had a technology which would recover the waste in an environmentally sound manner which is protective of human health and that the technology meets the permit/licensing requirements of the country.

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### **Togo**

**2009** There is no information concerning restrictions on the import of hazardous wastes and other wastes for recovery disposal provided for Togo.

**Legislation** Loi-cadre sur l'environnement du 30/05/2008, article 111  
Est interdit sur toute l'étendue du territoire national, tout acte relatif à l'importation, à l'achat, à la vente, au transport, au transit, au traitement, au dépôt et au stockage de déchets dangereux.

**Countries** Tout pays/région et/ou tout déchet dangereux.

**Remarks** Le pays ne dispose pas de structures appropriées pour le traitement des déchets dangereux.

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## **Tunisia**

**2009** Tunisia restricts the import 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 import of hazardous wastes, as defined by national legislation (Tunisian list of hazardous waste available on request), for final disposal and for recovery, is strictly prohibited.

By law n°96-41, categories of waste, other than those defined as hazardous by national legislation, requiring specific control when imported, can be specified by decree.

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

**Countries** All countries are covered by this restriction.

**Remarks**

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## **Uganda**

**2009** Uganda restricts the import 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 import of hazardous wastes and other wastes is allowed in the country for recovery without possession of adequate and appropriate movement documents issued by this authority in accordance with the Basel Convention.

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

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### **Azerbaijan**

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

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

**Countries**

**Remarks**

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### **Bahrain**

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

*Legislation*

*Countries*

*Remarks*

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**China**

**2009** China restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** China

Decision on Several issues on Environmental Protection (State Council, No 31, 1996) prohibits the import of hazardous waste and Municipal Solid Waste from abroad.

Law of the People's Republic of China on Prevention of Environmental Pollution Caused by Solid Waste, effective on April 1st, 2005; the Interim Regulation on the Administration of Environmental Protection in the Import of Waste Materials, entry into force on April 1st, 1996, which is under amendment; and the Environmental Protection Control Standards for Imported Waste Material, entry into force in 2006.

According to Law of the People's Republic of China on Prevention of Environmental Pollution Caused by Solid Waste, effective on April 1st, 2005, import of solid waste which can not be used as a raw material or can not be used in an environmentally sound manner is prohibited. Up to now, wastes listed in the " Catalogue of Automatic-Licensing Import Solid Wastes that Can Be Used as Raw Materials in China" and the " Catalogue of Restricted Import Solid Wastes that Can Be Used as Raw Materials in China" are permitted to be imported(Annex-2). Solid wastes which are not included in either of the above two Catalogues are forbidden to be imported.

Announcement 11, 2008, promulgated by State Environmental Protection Administration, Ministry of Commerce of the People's Republic of China, National Development and Reform Commission, General Administration of Customs, General Administration of Quality Supervision, Inspection and Quarantine of the People's Republic of China on January 29, 2008.

In Announcement 11, 2008, it was stipulated that those belong to any one of the following actions shall be managed in accordance with Forbidden Import Solid Wastes in China:

(1) The goods prohibited to be imported in China have lost the original value in use, or not lost the value in use but been discarded or abandoned, or been considered as solid wastes for other reasons.

(2) Those have been recognized as hazardous wastes and other wastes (Waste collected from household) in accordance with "Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal", as well as those have been listed in National Catalogue of Hazardous Waste or been considered as hazardous wastes under Identification Standard for Hazardous Wastes.

Hong Kong Special Administrative Region, China

With effect from 28 December 1998, import of hazardous wastes from states which are OECD members, European Community (EC) and Liechtenstein into HKSAR or through HKSAR to other states has been prohibited. The Waste Disposal Ordinance was amended in 2006 on this control and has been in effect since 7 April 2006.

**Countries**

**Remarks**

Hong Kong Special Administrative Region, China

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

Macao Special Administrative Region, China

The import of waste for the purpose of recovery will be subject to the controls

according to the Basel Convention requirements.

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## **Cyprus**

**2009** Cyprus restricts the import 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** Cyprus follows all the provisions of the Basel convention regarding the import of hazardous wastes and other wastes. As far as the import of wastes for purposes other than disposal (e.g. recycling, recovery) is concerned, these are examined on a case-by-case basis. Permits are issued only for “green wastes”.

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## **Japan**

**2009** Japan restricts the import of hazardous wastes and other wastes for recovery.

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

**Countries** All countries and regions.

**Remarks** Waste Management Law: Without the permission of the Minister of the Environment, any person cannot import wastes for recovery.

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

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## **Kazakhstan**

**2009** There is no information concerning restrictions on the import of hazardous wastes and other wastes for recovery disposal provided for Kazakhstan.

**Legislation** Environmental Code of the Republic of Kazakhstan 2007 year.  
Customs Code of the Republic of Kazakhstan (with alterations and additions as of 05/07/2008

Law of the Republic of Kazakhstan dated April 23, 1998 № 219-I on radiation safety of the population (as amended by the Law of the RK was 2912.06.)

Law of the Republic of Kazakhstan dated September 21, 1994 № 156-XIII on transport in the Republic of Kazakhstan (with alterations and additions as 29.12.2006g.)

Government of the Republic of Kazakhstan from July 11, 2007 № 594 "On approval of rules of import, export and transit of" waste

Code of the Republic of Kazakhstan "On people's health and the health care system", 2009

Law of the Republic of Kazakhstan "On safety of chemical products (as amended from 17.07.2009g)

**Countries** Importation into the Republic of Kazakhstan.

**Remarks** In accordance with the requirements of the Environmental Code of Kazakhstan import for processing, disposal or storage of waste in the Republic of Kazakhstan may be exercised only by the decision of the Government of the Republic of Kazakhstan in the presence of technical (technological) capabilities for dealing with them.

Importation of disposable products can be limited or completely banned if results in the formation of waste disposal which have a high environmental risk, or not economically feasible.

Imports of products resulting from the use of which generate hazardous wastes that do not have technology at their disposal or disposed of in the Republic of Kazakhstan, may be restricted or totally prohibited.

Prohibited from import into the Republic of Kazakhstan to storage or disposal of radioactive waste from other states, except for their own radioactive waste of the Republic of Kazakhstan, exported for processing in other states. Are also prohibited from disposal (placement) of radioactive waste and materials on the surface and inside without taking measures that prevent the release of radioactive substances into the environment.

Importation into the Republic of Kazakhstan of radioactive materials, intermediate products, raw materials, components containing radioactive substances above exemption established norms of radiation safety, carried out on the basis of a Government of the Republic of Kazakhstan in accordance with the prior endorsement of the state ecological expertise.

In addition, import of waste for recycling, disposal or storage can be performed only by a decision of the Government of the Republic of Kazakhstan in the presence of technical (technological) capabilities for dealing with them.

Import of hazardous wastes to the territory of the Republic of Kazakhstan in order to use them (recycling, reprocessing and recycling) and disposal is decided upon by the Government of the Republic of Kazakhstan in the presence of the positive conclusions of the state ecological and sanitary-epidemiological expertise.

List of hazardous waste transboundary movements of which are subject to state regulation, the application provides 6.2 to the decision of the Government of the Republic of Kazakhstan dated November 16, 1999 № 1716 "On approval of the Protocol on common application of technical, medical, pharmaceutical, sanitary,

veterinary, phytosanitary and environmental standards, norms , regulations and requirements in respect of goods imported into the States parties to the Customs Union”

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## **Kyrgyzstan**

**2009** Kyrgyzstan restricts the import 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**

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## **Malaysia**

**2009** Malaysia restricts the import 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** The restriction covers all countries.

**Remarks** Import of hazardous wastes for recovery requires written approval from Director General of Environmental Quality.

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## **Nepal**

**2009** Nepal restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Environment Protection Act and Regulations have prohibited the import of all kinds of wastes.

**Countries**

**Remarks**

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## **Pakistan**

**2009** Pakistan restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Pakistan Environmental Protection Act 1997  
Import Policy order 2009-10

**Countries** All Countries

**Remarks** 1. According to section 13 (prohibition of import of hazardous waste) of Pakistan Environmental Protection Act 1997, “no person shall import hazardous waste to Pakistan and its territorial waters, exclusive economic zone and historic waters”.  
2. Import, trade and procedure order, 2000, inter-alia, also bans import of hazardous waste as defined and classified in Basel convention except where import is specifically authorized by Federal Government  
3. Pakistan has also prepared a national chemical profile, Capacity Assessment for implementation of SAICM and National Chemicals Management Programme with the cooperation of UNITAR in March, 2010.

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### **Singapore**

**2009** Singapore restricts the import 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 import of hazardous wastes for recovery is granted on a case-by-case basis. The importer needs to obtain a Basel import permit from Pollution Control Department prior to the import.

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### **Sri Lanka**

**2009** Sri Lanka restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Sri Lanka has taken a Cabinet decision to prohibit the importation of hazardous wastes given in List A. Wastes given in List B will be considered on a case by case basis. Legislatures have been prepared for this purpose.

**Countries** The Cabinet decision was to prohibit import of hazardous waste from all countries (not restricting to annex VII countries).

**Remarks**

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### **Thailand**

**2009** Thailand restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Generally, any productions, imports, exports and possessions of the hazardous substances and wastes within the Kingdom of Thailand shall follow the procedures under the Regulation of Ministry of Industry B.E.2537 (1994). In case of import of hazardous wastes and used electrical and electronic equipments, the importer/consignee/factory shall follow procedures under the Notification of the Department of Industrial Works on the Criteria for the approval of the import of chemical wastes into the Kingdom of Thailand, issued on 14 May B.E. 2539 (1996) and the Notification of the Department of Industrial Works on the Criteria for the approval of the import of used electrical and electronic equipments into the Kingdom of Thailand, issued on 26 September B.E. 2546 (2003).

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

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

**Remarks**

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**United Arab Emirates**

**2009** United Arab Emirates restricts the import of hazardous wastes and other wastes for recovery.

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

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

**Remarks**

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**Uzbekistan**

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

**Legislation**

**Countries**

**Remarks**

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

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**Andorra**

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**2009** Andorra restricts the import 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**

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### **Australia**

**2009** Australia restricts the import of hazardous wastes and other wastes for recovery.

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

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

**Remarks**

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### **Austria**

**2009** Austria restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** EU Regulation 1013/2006/EC.

**Countries** Imports of hazardous wastes are allowed only from Countries party to the Basel Convention or Countries applying the OECD Decision C(2001)179 FINAL. Additionally import from non parties is allowed only on basis of a bilateral agreement in accordance with article 11 of the Basel Convention.  
No such agreement beside the OECD-Decision/EU Shipment Regulation is in force in Austria.

**Remarks**

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### **Belgium**

**2009** Belgium restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Council Regulation (EC) N° 1013/2006, Art. 43. The restriction covers non-OECD countries and non-Parties to the Basel Convention.

**Countries**

**Remarks**

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### **Canada**

**2009** Canada restricts the import of hazardous wastes and other wastes for recovery.

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

The following regulations apply restrictions on the import of hazardous recyclable materials only:

Export and Import of Hazardous Waste and Hazardous Recyclable Material Regulations, (EIHWHRMR).

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

**Remarks** Canada meets its international obligations through the legislation listed in 3(e)(i) above. The conditions listed above in 3(d)(iii) for imports for final disposal apply. The conditions of the Canada - USA Agreement also apply to imports for recovery set out under "Export for IV B".

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### **Denmark**

**2009** Denmark restricts the import of hazardous wastes and other wastes for recovery.  
**Legislation** Article 43 in EU Regulation 1013/2006 of June 14 2006 prohibits import except from an OECD Decision country or a country Party to the Basel Convention or with an agreement in place or from other areas during situations of crisis or war.

**Countries**

**Remarks**

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### **Finland**

**2009** Finland has no restrictions on the import of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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### **Germany**

**2009** Germany restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** In Germany the provisions of the Waste Shipment Regulation apply since May 1994, especially referring to Article 43.

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

**Remarks**

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### **Ireland**

**2009** Ireland restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** In accordance with Article 43 of Council Regulation (EC) No. 1013/2006 on the supervision and control of shipments of waste within, into and out of the European Community, the importation of waste for recovery is prohibited except from an OECD Decision country (Decision C(2001) 1007/Final) or a country Party to the Basel Convention or with an agreement in place or from other areas during situations of crisis or war.(

**Countries**

**Remarks**

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### **Israel**

**2009** Israel restricts the import 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 import waste for recovery. The permit may specify requirements and restrictions.

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

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

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### **Italy**

**2009** Italy restricts the import of hazardous wastes and other wastes for recovery.  
**Legislation** Regulation EC 1013/2006 applied from 12 July 2007.  
**Countries** The restriction covers hazardous wastes as per EC1013/2006 from non-OECD countries, from countries that did not ratify the Basel Convention or that do not have bilateral agreement with Italy or EU.

**Remarks**

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**Luxembourg**

**2009** Luxembourg restricts the import of hazardous wastes and other wastes for recovery.  
**Legislation** An import authorization is required by the modified Waste Management Law of 17th June 1994 for waste coming from non-EU countries. The notification procedures for waste transports are applicable.  
**Countries** The restriction is for non-EU countries and all kinds of wastes.

**Remarks**

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**Malta**

**2009** Malta restricts the import of hazardous wastes and other wastes for recovery.  
**Legislation** Environment Protection (Control of Transboundary Movement of Toxic and other Substances) Regulations, 2000 (LN205/00), which entered into force on 17 September 2000.  
**Countries** All countries / regions and all waste covered by the above-mentioned Regulations are covered by this restriction.  
**Remarks** As per Provision 8 to the Environment Protection (Control of Transboundary Movement of Toxic and other Substances) Regulations, 2000 (LN205/00), the Competent Authority may take any action whatsoever in order to ban, restrict and control the management, transit, export and import of hazardous waste or other waste.

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**Monaco**

**2009** Monaco restricts the import of hazardous wastes and other wastes for recovery.  
**Legislation**  
**Countries**  
**Remarks** However, household wastes import is authorized for energy recycling only.

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**Norway**

**2009** Norway restricts the import of hazardous wastes and other wastes for recovery.  
**Legislation** The Norwegian regulation on waste, chap 13, implements EU Regulation no. 259/93.  
**Countries** The restrictions apply to all states except members of OECD, EC and Liechtenstein, see annex VII of the Basel Convention.  
**Remarks**

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**Portugal**

**2009** Portugal restricts the import of hazardous wastes and other wastes for recovery.  
**Legislation** Regulation (EC) No 1013/2006 of the European Parliament and the Council entered into to force in 12 July 2007.  
**Countries** It is prohibited to import wastes for recovery from non-Parties to the Basel Convention, except from OECD countries and countries which bilateral agreements exist.  
**Remarks**

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**Sweden**

**2009** Sweden restricts the import of hazardous wastes and other wastes for recovery.

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

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

**Remarks**

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

**2009** United Kingdom of Great Britain and Northern Ireland has no restrictions on the import of hazardous wastes and other wastes for recovery.

**Legislation****Countries****Remarks**

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**UN Region:** *Central and Eastern Europe*

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**Armenia**

**2009** There is no information concerning restrictions on the import of hazardous wastes and other wastes for recovery disposal provided for Armenia.

**Legislation** “The order of regulating import, export and transit transportation of hazardous and other wastes over the territory of the Republic of Armenia” was approved by the Governmental Decision (No. 97 dated December 8, 1995). This Decision states the following:

- the import of all types of wastes for purpose of storage and disposal (burial) is banned to the Republic of Armenia, as well as import of wastes with hazardous properties is banned disregards to the goal of their application/use;
- the import of wastes and raw materials for the purpose of their application/use is allowed to the Republic of Armenia only in case of their direct use or after processing;
- the obligatory prior notification is required for import and/or export of hazardous and other wastes to the Republic of Armenia, as well as for transboundary movement thereof through the territory of the Republic of Armenia and should be implemented by the 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.

In 2000, the Governmental Decision No. 902 was adopted according to which the import of all kinds of wastes without the special permission of the Ministry of Nature Protection and the Ministry of Industry and Trade is prohibited.

In order to regulate the issues on hazardous wastes management and in accordance with the Basel Convention requirements the following documents were adopted:

- the Governmental Decision of the Republic of Armenia No. 874-N “Approval of the List of Hazardous Wastes of the Republic of Armenia” (May 8, 2004);
- the Governmental Decision No. 1093-N on “Amendment to the Governmental Decision of the Republic of Armenia No. 97 on December 8, 1995 and approval of the List of Banned Hazardous Wastes of the Republic of Armenia” (July 8, 2004).

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

**Remarks** The import of hazardous wastes to the territory of the Republic of Armenia is prohibited irrespective of their disposal type.

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### **Bosnia & Herzegovina**

**2009** Bosnia & Herzegovina restricts the import of hazardous wastes and other wastes for recovery.

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

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

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

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### **Bulgaria**

**2009** There is no information concerning restrictions on the import of hazardous wastes and other wastes for recovery disposal provided for Bulgaria.

**Legislation** - Waste Management Act (Promulgated, State Gazette No. 86/30.09.2003, as amended SG 95/1.12.2009)  
- 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. 73 of the Bulgarian Waste Management Act, imports of waste for recovery shall be prohibited for waste:

- with unclear chemical composition as well as such for which there are no methods for analysis, applicable in the Republic of Bulgaria;
- in case the person – operator of the installation, where is provided to be implemented the utilisation, does not have the respective permission or IPPC permission;
- if during the previous calendar year the operator has recovered smaller quantity waste from Bulgarian origin in comparison with the quantity of imported waste for recovery in the same installation.

Furthermore, according Title V, Art. 43 of Regulation (EC) No 1013/2006 imports into the Community of waste destined for recovery shall be prohibited except those from:

- (a) countries to which the OECD Decision applies; or
- (b) other countries which are Parties to the Basel Convention; or
- (c) other countries with which the Community, or the Community and its Member States, have concluded bilateral or multilateral agreements or arrangements compatible with Community legislation and in accordance with Article 11 of the Basel Convention; or
- (d) other countries with which individual Member States have concluded bilateral agreements or arrangements in accordance with paragraph 2; or
- (e) other areas in cases where, on exceptional grounds during situations of crisis, peacemaking, peacekeeping or war, no bilateral agreements or arrangements pursuant to points (b) or (c) can be concluded or where a competent authority in the country of dispatch has either not been designated or is unable to act.

**Remarks**

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### **Croatia**

2009

Croatia restricts the import 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, regulates restrictions on transboundary movement of waste.

Special requirements for the import of hazardous wastes and other wastes are prescribed by Articles 47., 48. and 49. of the Waste Act, Official Gazette, No. 178/04, 111/06, 80/06, 87/09 as follows:

Article 47

- (1) Import of waste for the purpose of disposal and use for energy purpose shall be prohibited.
- (2) Import of hazardous waste shall be prohibited, except in case of recovery when material recovery is used to create a new product or raw material which ceases to be waste after recovery.
- (3) Import of waste which is materially recovered in the Republic of Croatia in accordance with this Act and special regulations adopted on the basis thereof shall be permitted.
- (4) Supervision of the transboundary transport of waste, the method and procedure of border control at the borders and border crossings as well as the authorities of environmental protection inspectors shall be prescribed by a special regulation passed by the Croatian Government.

Article 48

- (1) For the import of waste referred to in Article 47 paragraph 2 of this Act, the person importing the waste must obtain the decision prescribed by this Act.
- (2) Import as referred to in paragraph 1 of this Article shall be permitted to the person registered for import activities (hereinafter referred to as: the importer) at the person's request, if the following requirements are met:
  1. a contract is concluded between the waste importer and the person exporting waste (hereinafter referred to as: the exporter),
  2. a contract is concluded between the waste importer and the person who is performing recovery of waste (hereinafter referred to as: the the recoverer), unless the importer is also the recoverer,
  3. evidence is submitted that the waste recoverer has an available technological plant for the recovery of the imported waste without any hazard to the environment (possesses a licence in accordance with Article 41 paragraph 1 of this Act),
  4. a statement of the waste recovery is enclosed concerning the type and estimated quantity of waste that is to be produced by means of recovery of the imported waste and on the planned method of its recovery and/or disposal,
  5. data is provided on the waste quantity, the waste key number, the waste identification mark, the waste tariff number, the recovery process (R code), the mode of transport and the border crossing for import,
  6. the exporter via the competent authority of the State of dispatch encloses a document notifying the intended transport of waste – Notification and Movement Document of the State of dispatch, in accordance with the Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, in case related to hazardous waste,
  7. an appropriate insurance policy or bank guarantee is enclosed for the amount necessary to cover the costs of recovery and/or disposal of waste without posing a risk to the environment, in cases related to hazardous waste,
  8. an appropriate insurance policy or bank guarantee is enclosed for the amount necessary to cover the environmental remediation costs in the event of an accident, in

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cases related to hazardous waste.

#### Article 49

(1) Request for the import of waste referred to in Article 47 paragraph 2 of this Act shall be submitted for the import of waste for a period of one year.

(2) The Ministry shall decide on the request referred to in paragraph 1 of this Article. The decision shall also determine the time period for which the decision is valid.

(3) The importer shall submit to the Ministry a report on imported amounts and types of waste by 1 February of the current year for the previous year.

(4) An appeal shall not be permitted against the decision referred to in paragraph 2 of this Article, but an administrative dispute may be instituted.

**Countries** All country.

#### **Remarks**

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#### **Czech Republic**

**2009** There is no information concerning restrictions on the import of hazardous wastes and other wastes for recovery disposal provided for Czech Republic.

**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).

Government Decree No. 197/2003 Coll. as last amended by Decree No. 473/2009 Coll. (in force from December 2009).

**Countries** All imports of hazardous waste for recovery are prohibited except those from EU and OECD countries, other countries which are Parties to the Basel Convention and other countries with which bilateral or multilateral agreements or arrangements in accordance with Article 11 of the Basel Convention have been concluded as well as from other areas in cases where, on exceptional grounds during situations of crisis, peacemaking, peacekeeping or war, no bilateral agreements or arrangements can be concluded or where a competent authority in the country of dispatch has either not been designated or is unable to act.

Import of waste to the Czech Republic for the purpose of energy recovery in municipal waste incinerators shall not be allowed provided that it results in final disposal of waste generated in the Czech Republic.

Import of waste to the Czech Republic for the purpose of energy recovery shall not be allowed provided that it results in treatment of waste generated in the Czech Republic in a way which is not in accordance with the Waste Management Plan of the Czech Republic or the Regional Waste Management Plans.

#### **Remarks**

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#### **Estonia**

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

#### **Legislation**

#### **Countries**

#### **Remarks**

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#### **Georgia**

**2009** Georgia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Law of Georgia on Transit and Import of Waste into and out of the Territory of Georgia (16th of October 1997).

**Countries** Law of Georgia on Transit and Import of Waste into and out of the Territory of Georgia (16th of October 1997).

Article 2. Type of Wastes, those transit and import is restricted.

Restriction applies to all countries.

1. It is restricted to transit and import any kind of waste all over the territory of Georgia including (its territorial waters, air space, continental shelves, and economically mostly important zones), if the present law does not contradict it; and

2. All over the territory of Georgia including (its territorial waters, air space, continental shelves, and economically mostly important zones) is restricted:

a) transit and import of dangerous waste (among them toxic) and radioactive residue of the production, household, and other types of waste their utilization, neutralization, treatment, landfilling or any other purposes are restricted (including established disposal operations of Annex IV of the Basel Convention).

b) import of non – dangerous (among them non toxic) and non – radioactive residue of the production, household, and other types of waste their utilization, neutralization, treatment, landfilling or any other purposes are restricted which is envisaged in Section A of Annex IV on (Waste Disposal Operations) of "Basel Convention."

**Remarks** Law of Georgia on Transit and Import of Waste into and out of the Territory of Georgia (16th of October 1997).

Article 3 Type of Wastes, those transit and import is permitted.

Import of non-hazardous, (among them non toxic) and non- radioactive waste all over the territory of Georgia (including its territorial waters, air space, continental shelves, and economically mostly important zones) is permitted only for the purposes of their further recovering , re-exporting or other kind of operations envisaged in "Section B" contained in Annex IV (Disposal operations) of Basel Convention. Those waste are:

Scrub of ferrous and non-ferrous metals, all type of paper waste, plastics (in case the availability of their recovery in Georgia), waste from textile, pulp processing (sawdust, shaving) and glass. These wastes according to defined waste categories of the "Green list of wastes" developed by the European counsel regulation # 259/93 of 1993, belong to:

a) Category "GA" (Wastes in non-dispersible form, contained of metal and their alloys; wastes in the form of dust, powder or slag, also subjects containing hazardous wastes in liquid form does not belong to waste in non- dispersible form);

b) Category "GH" (solid plastic wastes);

c) Category "GI" (papers paperboard and paper product wastes);

d) Category "GJ" (textile wastes);

e) "GN010/ex 050200" of category "GN";

f) Category "GL"(untreated cork and wood wastes); and

h) Category "GE" (glass waste in non-dispersible form).

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## Hungary

**2009** Hungary has no restrictions on the import of hazardous wastes and other wastes for recovery.

**Legislation**

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

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

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**Latvia**

**2009** Latvia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Waste Management Law, 01.03.2001.

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

**Countries** In accordance with Waste Management Law, it is permitted to import hazardous waste for recovery only if there are hazardous waste recovery facilities in operation in the territory of the Republic of Latvia, the owner of which has obtained a permit for the recovery of the relevant hazardous waste, and which have the necessary capacity.

In accordance with provisions of Article 63.(1) of the Regulation (EC) No 1013/2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste:

1. Until 31 December 2010, all shipments to Latvia of waste for recovery listed in Annexes III and IV and shipments of waste for recovery not listed in those Annexes shall be subject to the procedure of prior written notification and consent in accordance with Title II.

By way of derogation from Article 12, the competent authorities shall object to shipments of waste for recovery listed in Annexes III and IV and shipments of waste for recovery not listed in those Annexes destined for a facility benefiting from a temporary derogation from certain provisions of Directive 96/61/EC during the period in which the temporary derogation is applied to the facility of destination. This restriction applies to EU.

**Remarks**

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**Montenegro**

**2009** Montenegro restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** The Waste Management Law ("Off. Gazette Montenegro", No.80/05 and 78/08).

**Countries** The restriction covers all countries.

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

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**Poland**

- 2009** Poland restricts the import 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, OECD and Basel Convention 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 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 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 into the EU  
In general all imports of waste for recovery are prohibited except for OECD countries, Basel Convention countries and from countries which have an agreement signed with an EU country according to the procedures stipulated in art. 43 - 45 of Regulation No. 1013/2006.
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## **Republic of Moldova**

**2009** Republic of Moldova restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Law on Environmental Protection, which prohibits the introduction of all kinds of waste. The Framework of the Law on Environmental Protection, art. 73 "There are prohibited the introduction of waste and the residuals of any nature, crude or in processing state, due to temporary stoke, deposit, processing, spreading on ground, water or their destruction. Customs authorities are obliged to control and to be responsible for applying of present article concerning import and transportation of waste and the residuals of any nature on the territory of the Republic of Moldova." A similar article is included in the range of other laws concerning wastes.

New amendments for the Environmental Protection Law, nr 1515 – XII from 16 June 1993. According to new amendment of the article 73, it is allowed to import the paper waste, mentioned in the annex, for utilization at the existing factory in the country. Therefore it is allowed to import paper waste for recovery. The following categories of paper are included in the annex to the Low on Environmental Protection:

Cod Name of the goods

4707- Waste and scrap of paper or paperboard

4707 10 000- of unbleached kraft paper or paperboard or corrugated paper or paperboard

4707 20 000- of other papers or paperboard, made mainly of bleached chemical pulp, not colored in the mass

4707 30- of papers or paperboard made mainly of mechanical pulp (for example, newspaper, journals and similar printed matter)

4707 30 100--obtained from old or unsold newspapers, magazines, phone books, and other newsprint.

#### **Countries**

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

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#### **Romania**

**2009** Romania restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** According to art. 32 (2) from the Emergency Ordinance no.195/2005 on Environmental Protection approved by Law no. 265/2006, the import of waste for recovery shall be realized by respecting the specific legal acts approved by the Government, in compliance with the Romania's Accession Treaty.

#### **Countries**

**Remarks** Romania has obtained transition periods for implementation of Waste Shipment Regulation:

According to art. 63 (5) from the Regulation (EC) no. 1013/2006, Romania will apply the procedure mentioned at article 18 (3) from Directive 2006/12/EC in order to prolong, till 31 December 2015, the time period for raising objections to shipments to Romania for recovery.

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#### **Serbia**

**2009** Serbia restricts the import of hazardous wastes and other wastes for recovery.  
**Legislation** Serbia restricts the import of hazardous wastes and other wastes for recovery. Bylaw on documentation which is to be submitted along with the application for permit for import, export and transit of waste ("Official Gazette of the RS" no 60/09,) and Law on Waste Management (Off. Gaz. RS No. 36/09, add. 88/2010). With the new regulations and bylaws which closely determinate transboundary movement of waste  
Law on Environmental Protection ("Off. Herald RS", No. 135/04) enter into force on 29. december 2004. These legislations regulate the transboundary movements of hazardous wastes and other wastes (import of non-hazardous wastes for recovery). Each case of import is subject to the approval and issuance of permits by the competent authority. Environmentally sound waste disposal is the condition required for issuance of the permit.

**Countries** The restriction covers all countries.

**Remarks**

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**Slovakia**

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

**Legislation** Since 12 July 2007 the imports of hazardous waste and other wastes for recovery is regulated by relevant articles of the Regulation (EC) No 1013/2006. Pursuant to Article 63 (3) of the Regulation (EC) No 1013/2006, by derogation from Article 12 of this Regulation, the competent authority of the Slovak Republic shall object to shipments of waste for recovery listed in Annexes III and IV and shipments of waste for recovery not listed in those Annexes destined for a facility benefiting from a temporary derogation from certain provisions of Directives 94/67/EC and 96/61/EC, Directive 2000/80/EC of the European Parliament and of the Council and Directive 2001/80/EC of the European Parliament and of the Council during the period in which the temporary derogation is applied to the facility of destination.

This provision is applied to the following nine facilities:

Slovensky hodvab, corp., Senica until 31.12.2011

Istrochem, corp., Bratislava until 31.12.2011

NCHZ, corp., Novaky until 31.12.2011

SLZ Chemia, corp., Hnusta until 31.12.2011

Duslo, corp., Sala until 31.12.2010

ZOS Trnava, corp., Trnava until 31.12.2010

Bukocel, corp., Hencovce until 31.12.2009 (expired date)

U.S. Steel, corp., Kosice (coking plant) until 31.12.2010

Matador, corp., Puchov until 31.12.2011

**Countries** Imports prohibited except from an OECD Decision country or a country Party to the Basel Convention or with an agreement in place or from other areas during situations of crisis or war (Article 43 and Article 63 (3) of the Regulation (EC) No 1013/2006).

**Remarks**

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**Slovenia**

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

**Legislation** Regulation (EC) 1013/2006, especially art. 43. Entry into force : July 2006.

Regulation on implementation of Regulation (EC) No. 1013/2006 on shipments of wastes (O.J. of RS No. 71/07) - national legislation. Entry into force: August 2007

**Countries** According to Regulation (EC) 1013/2006 import of hazardous wastes from non-Parties of Basel Convention, except from OECD-countries or from countries with agreement in place or from other areas during situations of crisis or war, is prohibited.

According to national legislation - Regulation on implementation of Regulation (EC) No. 1013/2006 on shipments of wastes (O.J. of RS No. 71/07) - competent authority will object to the shipments of wastes intended to R1 operation if the waste generated in Slovenia will have to go to disposal operations or their management will not be in accordance with national operation plans for management of wastes. It will object also to shipments intended to facilities without sufficient capacities. This is valid for all countries and regions.

**Remarks**

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**Ukraine**

**2009** Ukraine has no restrictions on the import of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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

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**Argentina**

**2009** Argentina restricts the import of hazardous wastes and other wastes for recovery.

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

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

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

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

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**Barbados**

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

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

**Countries**

**Remarks**

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**Bolivia**

**2009** Bolivia restricts the import of hazardous wastes and other wastes for recovery.

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

**Countries**

**Remarks**

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**Brazil**

**2009** Brazil restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** National Law nº 12.305 from 02/08/2010 – National Policy on Solid Waste – Article 49. Prohibits the importation of hazardous solid waste and solid wastes that present significant risk to the environment, the public health and the animal and plant health, even for treatment, reform, reuse, reuse or recovery.  
National Environmental Council (CONAMA) Resolutions Nr. 23 (December, 1996) and Nr. 235 (January 7, 1998). The legislation defines which wastes are forbidden from being imported and which are just controlled by IBAMA.

**Countries** All transboundary movements are subject to the restrictions imposed by the Resolution no 23/96 that lists wastes which are forbidden from being imported or controlled by IBAMA.

**Remarks**

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**Costa Rica**

**2009** Costa Rica restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Law Nº 8839

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

**Remarks** The import for recycling is allowed.

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**Cuba**

**2009** Cuba has no restrictions on the import of hazardous wastes and other wastes for recovery.

**Legislation**

**Countries**

**Remarks**

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**Ecuador**

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

**Legislation** Such as point 3di:

(...) The country doesn't allow development, production, possession, marketing, importation, transportation, storage and use of chemical, biological and nuclear weapons, persistent organic pollutants, international prohibited agrochemical and technologies and experimental biological agents which are harmful, modified genetically organisms which are harmful for human health or those which are against food sovereignty or ecosystems, as well as importation of toxic and nuclear waste in to national territory.

The Ecuadorian Republic Constitution, 2008. Article 15.

**Countries** To national level.

**Remarks** Ecuador doesn't allow introduction of hazardous waste to national territory for any propose.

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### **Guatemala**

**2009** Guatemala restricts the import of hazardous wastes and other wastes for recovery.

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

**Countries** Applicable to the entire country.

**Remarks** Sin embargo existen capacidades nacionales para operación R4 (en caso de plomo).

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### **Honduras**

**2009** Honduras restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** - General Environmental Law- Ley General del Ambiente. Vigente desde 1993  
- General Environmental Law Regulation-Reglamento de la Ley General del Ambiente. Vigente desde 1993.  
- Health Code-Código de Salud. Vigente desde 1991.

**Countries** All the countries of the world. All hazardous wastes.

**Remarks**

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### **Mexico**

**2009** Mexico restricts the import 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.

Additionally, the article 86 of the LGPGIR resolve that

“In the import of hazardous wastes the following dispositions will be due to observe:

- I.It will be only allowed with the purpose of reusing or recycle hazardous wastes,
- II.In no case the import of hazardous wastes will be authorized that are or are constituted by persistent organic compounds, and
- III.The Secretariat will be able to impose limitations to the import of remainders when disincentive or constitutes an obstacle for the reusability or recycling of the remainders generated in national territory.”

Also, in accordance with Article 50 of the LGPGIR determines that the following activities of hazardous wastes handling requires authorization of the Secretariat:

- I.The benefit of services of handling of hazardous wastes,
- II.The use of hazardous wastes in productive processes, in accordance with the arranged thing in Article 63 of the Law,
- III.... .
- IV.The accomplishment of anyone of the activities related to the handling of originating hazardous wastes of third part
- V.The incineration of hazardous wastes
- VI.The transport of hazardous wastes
- VII.... ,
- VIII.... ,
- IX.... ,
- X.... ,
- XI.The others that establish the Law and the Mexican Official Norms.

Because of this, the enterprises that import hazardous wastes have to sees authorized for by SEMARNAT recycling of then.

**Countries** The restriction covers all countries.

**Remarks**

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**Nicaragua**

**2009** Nicaragua restricts the import of hazardous wastes and other wastes for recovery.  
**Legislation** El artículo 112 refiere que serán objeto de normación y control por las Autoridades Competentes, todos los procesos, maquinaria y equipos, insumos, productos y desechos, cuya importación, exportación, uso o manejo pueda deteriorar el ambiente o los recursos naturales o afectar la salud humana.

Por otra parte, el artículo 118 refiere que no podrán introducirse en el territorio nacional, aquellos sistemas, procedimientos, materiales y productos contaminantes cuyo uso está prohibido en el país de origen.

•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 se especifican los desechos a importar ni de donde puedan recibirse. De igual forma, se aplica lo establecido en el numeral 3d (ii).

**Remarks** La importación a Nicaragua de desechos peligrosos y no peligrosos debe ser objeto de notificación al Ministerio del Ambiente y los Recursos Naturales, así como es soberano de autorizar o no dicha importación.

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### **Saint Lucia**

**2009** Saint Lucia restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Waste Management Act No. 8 of 2004. Entry into force 2009.

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

**Remarks**

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### **Venezuela**

**2009** Venezuela restricts the import of hazardous wastes and other wastes for recovery.

**Legislation** Según la Ley Sobre Sustancias, Materiales y Desechos Peligrosos, aquellos desechos que puedan ser recuperados son denominados materiales peligrosos recuperables según los artículos de dicha ley:

- Artículo 68. Los interesados en importar sustancias o materiales peligrosos recuperables deberán solicitar la autorización del Ministerio del Ambiente y de los Recursos Naturales antes de ingresar la mercancía al país, anexando toda la información relativa a la sustancia o al material, de conformidad con la reglamentación técnica vigente. En los casos de materiales peligrosos recuperables debe garantizarse que no se trata de desechos peligrosos y que efectivamente será convertido en un producto de consumo o de uso en el país, indicando los beneficios de su importación.
- Artículo 69. El Ministerio del Ambiente y de los Recursos Naturales deberá solicitar información y consentimiento al gobierno del país de procedencia, antes de otorgar la autorización para importar materiales peligrosos recuperables. Si el material está sujeto a otros controles por razones sanitarias y de seguridad y defensa, el interesado deberá tramitar la autorización correspondiente ante las autoridades competentes.
- Artículo 70. Si el importador no cuenta con la autorización del Ministerio del Ambiente, el material será considerado como desecho peligroso y deberá ser devuelto de inmediato al país de origen. Todos los gastos serán por cuenta del importador, sin menoscabo de la aplicación de las sanciones establecidas en esta Ley.

**Countries**

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

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