



Third meeting of the Environmental Network for Optimizing Regulatory Compliance on Illegal Traffic (ENFORCE)

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1. Gabon's status towards Basel Convention

- Gabon became Party to the Basel Convention on June 2008. This treaty entered into force for Gabon in September 2008.
- Gabon participates, at the regional level, in the activities of the Regional Center of the Basel Convention of Francophone African Countries based in Dakar, Senegal.
- Gabon has not yet ratified the Prohibition Amendment. On the other hand, initiatives are under way to achieve this in the 2018 budget year.

- As part of the development of synergies between the Basel, Rotterdam and Stockholm Conventions, the Government of Gabon has entrusted the monitoring of these three Conventions to one public institution: Le Centre National Antipollution (CNAP).
- In the context of compliance, particularly with regard reports submission to the Secretariat, Gabon are facing some difficulties (lack of systematic mechanism to collect data from production hazardous wastes).
- In accordance with Decision BC-13/24 of the Thirteenth Conference of the Parties to the Basel Convention, the Government has included in the 2018 Finance Act the payment of arrears of contributions to the Trust Fund.

2. National legal framework to manage hazardous wastes

- **Notice: The national legal framework to combat illegal traffic is not explicit. However, the provisions exist in the Basic Law for the environment protection. Other provisions are in the Sustainable Development Orientation's Law.**

2.1 SUSTAINABLE DEVELOPMENT ORIENTATION'S LAW

- This law (promulgation, August 2014) translates into national law numerous aspects that can be linked to the fight against illegal traffic of the wastes. This is the case in particular:
 - All persons present on the national territory respect national regulations;
 - The polluter assumes the costs resulting from his action.

2.2 BASIC LAW ON THE ENVIRONMENT PROTECTION

- also enacted in August 2014, this law provides in subsection 3, Article 102 that: *the production, transit, transport, import or export of hazardous waste complies with the specific requirements set by the Government.*
- In these Articles 139 and 140 this law also states that *the civil liability of the producer, the carrier, the forwarder or the user of a dangerous substance even in the absence of misconduct is engaged.*

Notice: The violation of provisions for the rational management of dangerous products expose the violators to the fines provided by this law. Example: two years' imprisonment with fines of up to 500 million CFA francs (approximately 909,000 US dollars).

3. Activities against illegal traffic

Some actions have been carried out at the local level to fight illegal traffic

3.1 General actions:

- ✓ Making a regulatory provision that led to the identification of ferrous and non-ferrous scrap collectors;
- ✓ Issuance of capacity certificates to local operators who collect hazardous waste, in particular E-Wastes;
- ✓ Information exchange with the countries of the subregion when processing the notification files (export and transit);
- ✓ Enhanced cooperation with the competent authorities of the States Parties to the Basel Convention.

3.2 Participation in the revitalization of the Bamako Convention:

- ✓ Decision of the African Ministers inviting the States Parties to strengthen cooperation with the BRS Conventions and other relevant agreements;
- ✓ Reaffirm the need to make focal points of the Basel Convention focal points of the Bamako Convention

3.3 Establishment of recovery unit for certain categories of hazardous waste (lead-contaminated waste, used oil) with traceability mechanism (Economic Special Zone-Libreville).

3.4 Application of the regulations

- ✓ Local cooperation with stakeholders: Customs;
- ✓ Obligation on local operators to collect the export agreement from the competent authorities,

3.5 some weaknesses in the approach to combating illegal traffic at national level

- ✓ Insufficient of operational capacity at exit and entry points in the national territory,

4. Few activities to strengthen the fight against illicit trafficking

- ✓ Subregional cooperation with a view to achieving an early warning system;
- ✓ Harmonize sub-regional regulations to better penalize illegal traffic;
- ✓ Sensitize border authorities on the scourge of illegal traffic,

Thank you for your cooperation.