



BASEL CONVENTION



20th

anniversary of the adoption of the Basel Convention

Report Card . November 2009

C o n t e n t s

The Basel Convention	1
Tables and accompanying texts for the report card	4
Milestones of 20 years	6
Successes and challenges	8

Basel Convention celebrates its 20th Anniversary

The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal celebrates the 20th Anniversary of its adoption. The treaty, which regulates the transboundary movements of hazardous and other wastes and their disposal, was adopted in Basel, Switzerland, on 22 March 1989 and entered into force in 5 May 1992.

Background

In the 1980s, a few dramatic cases of hazardous waste dumping, mainly in developing countries, highlighted a far more general problem: people everywhere were at risk from the unsound and unregulated management, transport and disposal of hazardous wastes. Accidents, spills and dumping could happen anywhere, releasing unknown quantities of toxic substances into the environment.

In response to this problem, the Basel Convention was negotiated under the auspices of the United Nations Environment Programme. The Convention now has 172 Parties. Its Secretariat is located in Geneva.

Achievements

From its inception, the Basel Convention put in place a regulatory framework to control the transboundary movements of hazardous and other wastes by applying the "Prior Informed Consent" procedure. According to this procedure, only shipments between consenting Parties are legal. All shipments made without or not in accordance with such consent are illegal and considered a crime.

The Convention also adopted measures which require its Parties to ensure that hazardous and other wastes are managed and disposed of in an environmentally sound manner, including within their boundaries. To this end, Parties are required to prevent and minimize the generation of wastes at source, to treat and dispose of wastes as close as possible to their place of generation, to minimize the quantities of waste moved across borders and to ensure the availability of adequate disposal facilities for the environmentally sound management of wastes.



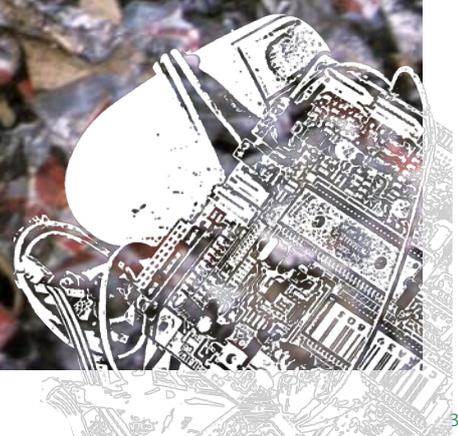
In order to ensure the environmentally sound management of hazardous wastes, the Convention benefits from several tools:

1. Over the years, the Parties to the Convention have developed a series of technical guidelines as well as guidance manuals and training manuals that provide Parties with additional guidance on how to implement the Basel Convention. These tools for instance better define what is meant by the “environmentally sound management” of specific waste streams and how specific types of disposals should take place.
2. The Basel Convention has 14 Regional and Coordinating Centres for Training and Technology Transfer (BCRCs), with one or more operating on every continent. The Centres support developing countries and countries with economies in transition in the implementation of the Convention. The Secretariat of the Convention partners with the Centres and with numerous global and regional organizations in projects supporting countries and regions in the management of particularly problematic waste streams and in the implementation of the Basel Convention. Ongoing efforts include major projects addressing PCBs and electrical and electronic waste (e-waste) in Africa and Asia, and used lead-acid batteries in Latin America.
3. The Mobile Phone Partnership Initiative, a partnership with the major mobile phone companies and service providers concluded its work last year with the production of guidelines for the management of used and obsolete mobile phones. The guidelines are now to be tested through pilot projects in different countries.
4. In 2008, the Convention launched the Partnership for Action on Computing Equipment, a multi-stakeholder partnership that will provide a forum for governments, industry leaders, non-governmental organisations and academia to tackle the environmentally sound management, refurbishment, recycling and disposal of used and end-of-life computing equipment.

But many countries still lack the capacity to implement the Convention. As a result, illegal traffic in hazardous waste is still a reality. This is illustrated by events such as the dumping of hazardous wastes in Côte d'Ivoire in 2006, or the numerous cases of illegally exported e-waste to countries in Africa and Asia.

20 years after its adoption, the Basel Convention has lost none of its relevance. The need for better implementing capacity at country level is more than topical. Recognizing this, Ministers expressed their commitment to better implementation of the Convention at the ninth meeting of the Conference of the Parties in Bali in 2008, by adopting the Bali Declaration on Waste Management for Human Health and Livelihood. The Declaration specifically recognizes the implementation of the Basel Convention as an essential component of attaining the United Nations Millennium Development Goals.





Some facts about transboundary movements



Waste exported	2004		2005		2006	
	Amount	%	Amount	%	Amount	%
Disposal methods	1.865.793	19	1.835.439	20	2.151.969	19
Recovery methods	7.922.209	81	7.515.493	80	9.100.413	81
Total waste exported	9.788.002	100	9.350.932	100	11.252.382	100

Table 1: Trends in transboundary movement of hazardous and other wastes and their treatment in the period 2004 – 2006. Amounts in metric tons.

Source: National reporting under the Basel Convention; combined data of reported imports and exports.

Number of countries	2004	2005	2006
Exporting waste	63	97	101
Importing waste	35	54	51

Table 2: Number of countries importing and exporting hazardous and other wastes in the period 2004 – 2006.

Source: National reporting under the Basel Convention; combined data of reported imports and exports.

Waste	Ycode	Amount	percentage
hazardous wastes according to national legislation	1.1.b*	4.299.953	38%
waste from industrial waste treatment	Y18	1.663.524	15%
lead and lead compounds	Y31	916.347	8%
oily wastes	Y9	735.754	7%
zinc compounds	Y23	652.395	6%
municipal waste	Y46	471.981	4%
waste from incineration of municipal waste	Y47	399.732	4%
acids	Y34	208.392	2%
waste oils	Y8	207.276	2%
waste from surface treatment of metals and plastics	Y17	164.964	1%
non halogenated solvents	Y42	160.069	1%
other		1.371.997	12%
Total		11.252.383	100%

* Article 1.1.b of the Basel Convention indicates that waste that is defined as or considered to be hazardous according to national legislation is also hazardous waste for the purposes of the Convention. The waste covered by this 'national' part of the definition of hazardous waste may contain a wide variety of (mainly) industrial hazardous wastes.

Table 3: Most important exported types of waste in 2006. Amounts in metric tons.

Source: National reporting under the Basel Convention; combined data of reported imports and exports.



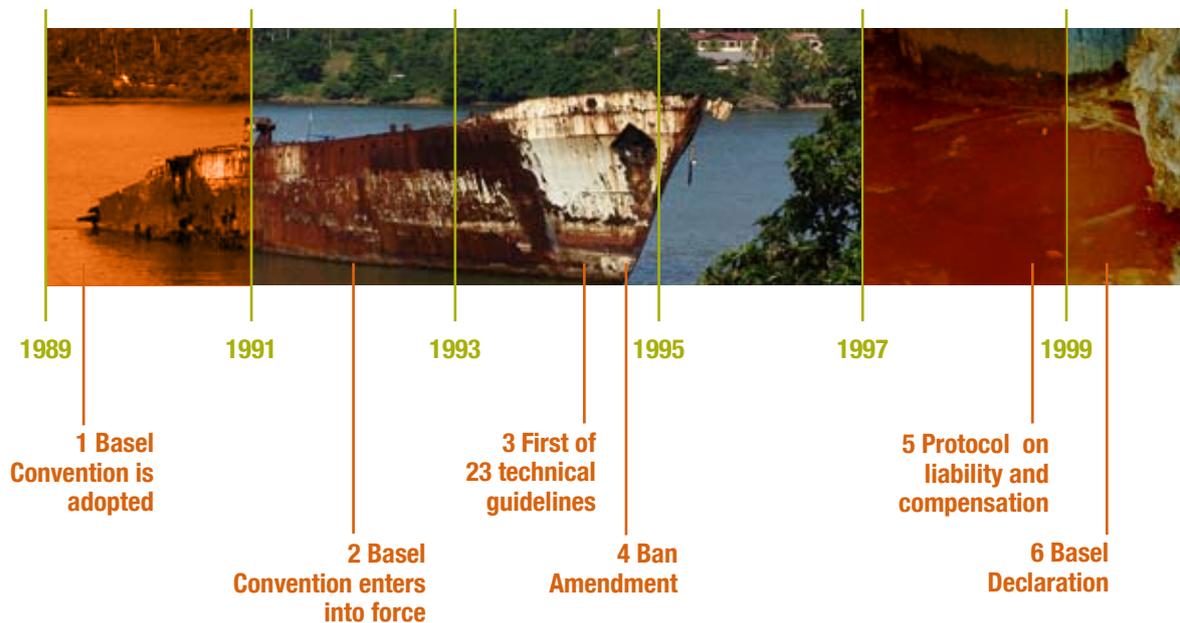
Not all Parties have reported on the transboundary movements they were involved in. Moreover, the reported amounts are not always comparable between countries. Therefore, the data collected by the Secretariat have to be interpreted with caution. However, the following main observations can be made:

- Transboundary movements of hazardous wastes and other wastes are still increasing. These are estimated to have amounted to more than 11 million tons in 2006.
- Over 100 countries are exporting hazardous and other wastes to over 50 countries where these wastes are being treated. 80% of this treatment is recycling or other forms of recovery of the wastes.
- The highest percentage of exported waste streams are:
 - Hazardous wastes according to national legislation;
 - Hazardous wastes from industrial waste treatment operations;
 - Waste lead or lead compounds.
- The fact that the highest percentage of exported waste stream is “nationally defined” hazardous wastes shows two things:
 - Countries control more types of hazardous wastes than what the Basel Convention requires at a minimum;
 - The data on “nationally defined” hazardous wastes reported by countries cannot be compared between countries because they reflect differences between national legal systems.

- The fact that wastes from industrial waste treatment are exported in large quantities is a signal that hazardous waste management is getting more complex. Industrial wastes undergo pre-treatment in one country and the wastes resulting from these operations will undergo a subsequent treatment in other countries. Such specialized treatments may be necessary to treat the waste in an environmentally sound manner, but also makes supervision of the waste streams more complicated.
- The fact that lead and lead compounds are exported in large quantities reflects the growing use of lead-acid batteries and the growing demand for secondary lead as raw material.

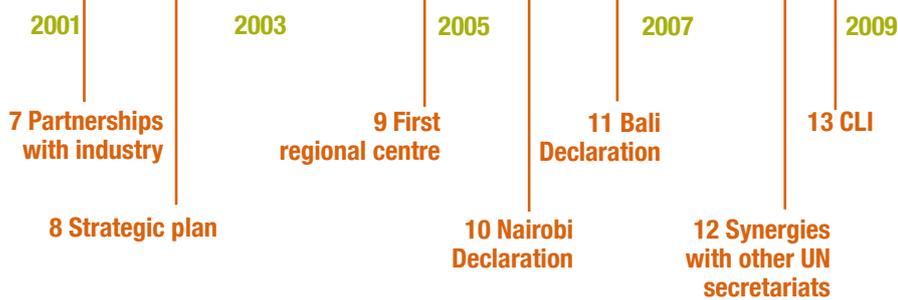


Milestones of 20 years of the Basel Convention



Milestones explained

1. Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal is adopted.
2. Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal enters into force.
3. Model national legislation is approved by the Conference of the Parties for immediate use to assist Parties in developing their national legislation to implement the Basel Convention.
4. Ban Amendment to the Basel Convention on the Control of transboundary Movements of hazardous wastes and their Disposal is adopted.
5. Basel Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and their Disposal is adopted.
6. Basel Declaration on Environmentally Sound Management is adopted, setting out the agenda for the next decade to achieve the objectives of environmentally sound management of hazardous and other wastes, with a special emphasis on minimizing hazardous waste.
7. Ministerial Statement on Partnerships for Meeting the Global Waste Challenge is adopted - recognising environmentally sound management of hazardous wastes as part of the wider issues of water protection, improved sanitation, solid waste management and economic and social development. It calls for the reduction of the impacts of hazardous wastes on human health and the environment; promotes a fundamental shift from remedial measures to preventive measures (reduction at source, reuse, recycling and recovery); recognises the importance of mobilising new and additional financial resources to build partnerships to meet the global waste challenge worldwide.



8. Strategic Plan (2000-2010) for the Implementation of the Basel Convention is adopted, becoming the major instrument to give effect to the environmentally sound management of hazardous and other wastes until 2010.
9. The first BCRC to become operational was the Basel Convention Coordinating Centre for the Africa region located in Ibadan, Nigeria.
10. Nairobi Declaration on the Environmentally Sound Management of Electrical and Electronic Waste is adopted.
11. Bali Declaration on Waste Management for Human Health and Livelihood is adopted (COP9).
12. Cooperation and coordination among the Basel, Rotterdam and Stockholm conventions is initiated to provide synergies.
13. Swiss-Indonesian Country Led Initiative (CLI) to improve the effectiveness of the Basel Convention launched, with the first meeting held in Bali, Indonesia to analyse possible reasons for transboundary movement of hazardous wastes where environmentally sound management cannot be ensured.



Successes and challenges

Successes

- The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal is the world's environmental agreement on wastes. **Its importance is widely recognised in that its membership is nearly universal:** There are 172 Parties to the Convention.
- From its inception, the Basel Convention has successfully put in place a regulatory framework to control the transboundary movement of hazardous and other wastes based on the **"Prior Informed Consent" procedure.**
- The Technical guidelines and legal tools of the Basel Convention have set **global norms for the environmentally sound management of wastes.** The technical guidelines provide the foundation upon which countries can operate at a standard that is not less environmentally sound than that required by the Basel Convention.
- So far, fourteen **Basel Convention Regional and Coordinating centres for Capacity Building and Technology Transfer (BCRCs)** have been established under the Basel Convention to deliver training, technology transfer, information, consulting and awareness raising activities on matters relevant to the implementation of the Basel Convention in the countries they serve. These important progressive centres are located in Argentina, China, Egypt, El Salvador, Indonesia, Islamic Republic of Iran, Nigeria, Russian Federation, Senegal, Slovak Republic, South Pacific Regional Environment Programme (Samoa), South Africa, Trinidad and Tobago, and Uruguay.
- The Basel Convention **Partnerships Programme** has established an innovative and exciting collaborative mechanism to deliver environmentally sound management activities under the Basel Convention. The Mobile Phone Partnership Initiative (MPPI) and the Partnership for Action on Computing Equipment (PACE), as well as other regional partnerships, have paved the way, showing how governments, industry and other organizations can work constructively together to achieve common objectives and tangible results.

Challenges

- The fundamental aims of the Basel Convention are to reduce transboundary movements of hazardous wastes, to treat and dispose of wastes as close as possible to their place of generation, to prevent or minimize the generation of hazardous and other wastes at source and to manage such wastes in an environmentally sound manner. Still, each year the **generation and transboundary movements of hazardous wastes are on rise and mismanagement of wastes remains a problem.**
- Though two decades have passed since the adoption of the Basel Convention the amount of **illegal traffic** in hazardous waste remains to be a serious concern.
- **Electrical and electronic waste is emerging as a major problem.** Right now, more than one in three people worldwide – 2.5 billion in total – use a mobile phone. That figure is expected to rise by up to 400 million new subscribers each year. While this trend is responsible for immeasurable advances worldwide, discarded mobile phones are posing a growing and potentially alarming environmental threat.
- **Indicators to assess the implementation and overall effectiveness of the Convention are lacking.** The principal source of such handicap emanates from the data collection and reporting shortcomings.
- Although improper waste management affects the life and health of millions of poor people world-wide, it is an issue that remains at the **bottom of the political agenda.** Accordingly, funding to address it remains largely insufficient.
- There is an **insufficient knowledge, awareness and interest at all levels** about the Basel Convention and the measures required for its effective implementation.
- **Lack of a sustainable financial mechanism** is one of the key obstacles for the effective implementation of the Convention.

