



**United Nations  
Environment  
Programme**



Distr.  
GENERAL

UNEP/CHW.3/35  
28 November 1995

ORIGINAL: ENGLISH

**THIRD MEETING OF THE CONFERENCE OF THE  
PARTIES TO THE BASEL CONVENTION ON THE  
CONTROL OF TRANSBOUNDARY MOVEMENTS OF  
HAZARDOUS WASTES AND THEIR DISPOSAL**

Geneva, 18-22 September 1995

**DECISIONS ADOPTED BY THE THIRD MEETING OF THE CONFERENCE  
OF THE PARTIES TO THE BASEL CONVENTION**

**Decision III/1  
Amendment to the Basel Convention**

The Conference,

Recalling that at the first meeting of the Conference of the Parties to the Basel Convention, a request was made for the prohibition of hazardous waste shipments from industrialized countries to developing countries;

Recalling decision II/12 of the Conference;

Noting that:

- the Technical Working Group is instructed by this Conference to continue its work on hazard characterization of wastes subject to the Basel Convention (decision III/12);
- the Technical Working Group has already commenced its work on the development of lists of wastes which are hazardous and wastes which are not subject to the Convention;
- those lists (document UNEP/CHW.3/Inf.4) already offer useful guidance but are not yet complete or fully accepted;

- the Technical Working Group will develop technical guidelines to assist any Party or State that has sovereign right to conclude agreements or arrangements including those under Article 11 concerning the transboundary movement of hazardous wastes.
- 1. Instructs the Technical Working Group to give full priority to completing the work on hazard characterization and the development of lists and technical guidelines in order to submit them for approval to the fourth meeting of the Conference of the Parties;
- 2. Decides that the Conference of the Parties shall make a decision on a list(s) at its fourth meeting;
- 3. Decides to adopt the following amendment to the Convention:

“Insert new preambular paragraph 7 bis:

Recognizing that transboundary movements of hazardous wastes, especially to developing countries, have a high risk of not constituting an environmentally sound management of hazardous wastes as required by this Convention;  
Insert new Article 4A:

1. Each Party listed in Annex VII shall prohibit all transboundary movements of hazardous wastes which are destined for operations according to Annex IV A, to States not listed in Annex VII.
2. Each Party listed in Annex VII shall phase out by 31 December 1997, and prohibit as of that date, all transboundary movements of hazardous wastes under Article 1(i)(a) of the Convention which are destined for operations according to Annex IV B to States not listed in Annex VII. Such transboundary movement shall not be prohibited unless the wastes in question are characterised as hazardous under the Convention.

#### **Annex VII**

Parties and other States which are members of OECD, EC, Liechtenstein.”

#### **Decision III/2 Liability and Compensation**

The Conference,

Recalling decision II/1 of the second meeting of the Conference of the Parties:

/...