



Distr.: General
24 June 2015
Original: English

**Conference of the Parties to the Basel Convention
on the Control of Transboundary Movements of
Hazardous Wastes and Their Disposal
Twelfth meeting**
Geneva, 4–15 May 2015
Agenda item 4 (c) (i)

**Matters related to the implementation of the Convention:
legal, compliance and governance matters:
Committee for Administering the Mechanism for
Promoting Implementation and Compliance of the
Basel Convention**

Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention

Guide to the control system

Note by the Secretariat

At its twelfth meeting, the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal adopted, in decision BC-12/7 on the Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention, the guide to the control system on the basis of the draft guide contained in document UNEP/CHW.12/9/Add.3, which was prepared by the Committee for Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention. The text of the final version of the guide to the control system, as adopted, is set out in the annex to the present note.

Annex

Guide to the control system

Instruction manual for use by those persons involved in transboundary movements of hazardous wastes

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Foreword

The Basel Convention on the control of transboundary movements of hazardous wastes and their disposal was adopted on 22 March 1989 and entered into force on 5 May 1992. As of 15 May 2015, 182 States and the European Union were parties to the Convention.

The Basel Convention establishes an internationally agreed binding mechanism to control transboundary movements of hazardous wastes and other wastes subject to the Convention. The Convention is required to be implemented into the national law of each party. This Guide has been prepared with a view to providing a user-friendly explanation of the Convention and its control system, and facilitating the implementation of that control system. It is intended for use by persons involved in the transboundary movement of hazardous wastes and other wastes, in particular waste generators, collectors, exporters, carriers, importers and disposers. However, it should be noted that this Guide is only provides a supportive explanatory document to the text of the Basel Convention, and does not in any way replace the text of the Basel Convention nor relevant provisions in national legislation. In case of doubt on specific points in the Guide, please refer directly to the text of the Basel Convention, or contact your national Competent Authority, Focal Point, or the Secretariat of the Basel Convention. Users should also ensure that they are familiar with national laws implementing the Basel Convention, as each country's approach can vary slightly and parties have the right under the Convention to supplement the Basel Convention waste lists in their own national legislation. Countries may also impose more stringent measures in addition to their implementation of the Convention.

This Guide has hyperlinks to ensure that users are able to access the most up-to-date materials from the Basel Convention website.

The preparation of the original version of the guide to the control system (instruction manual) adopted at COP4 (decision IV/14) was made possible thanks to the assistance given by the Government of Finland. This Guide was prepared by the Implementation and Compliance Committee pursuant to Decisions BC-10/11 and BC-11/8, with the support of a financial contribution from the European Union, and adopted at COP12 (decision BC-12/7).

This Guide supersedes the guide to the control system (instruction manual) adopted by the Conference of the Parties at its fourth meeting.

1. Introduction

1. The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal was adopted on 22 March 1989, and entered into force on 5 May 1992. The overall goal of the Basel Convention is to establish strict controls over transboundary movements of hazardous wastes and other wastes to protect human health and the environment against the adverse effects which may result from the generation and management of these wastes.

2. The tenth meeting of the Conference of the Parties to the Basel Convention, by its decision BC-10/2,¹ adopted a Strategic Framework for the implementation of the Basel Convention for 2012-2021, setting out the following strategic goals and objectives:

- (a) Goal 1: Effective implementation of parties' obligations on transboundary movements of hazardous and other wastes
- (b) Goal 2: Strengthening the environmentally sound management of hazardous and other wastes
- (c) Goal 3: Promoting the implementation of the environmentally sound management of hazardous and other wastes as an essential contribution to the attainment of sustainable livelihood, the Millennium Development Goals and the protection of human health and the environment.

3. At the time it entered into force in 1992 the Basel Convention represented new norms, rules and procedures in law governing the movements and disposal of hazardous wastes at the national and international level. In this context, the Convention signals the international community's determination to solve this global environmental problem in a collective manner. A regulatory system for the monitoring and control of the transboundary movements of hazardous wastes is reflected in the full text of the Convention.

4. Each State party to the Basel Convention is bound by all the obligations under the Convention. A State that is a party to the Basel Convention is obliged to have national legislation in place to implement the provisions of the Convention. Any person² within the national jurisdiction of a State that is a party to the Basel Convention and involved in transboundary movement of hazardous wastes or other wastes is legally bound to comply with the relevant national laws and regulations governing the transboundary movements of wastes and their disposal.

5. This Instruction Manual is intended to provide practical and workable guidance for all persons involved in the transboundary movements of the wastes subject to the Basel Convention, in particular waste generators, collectors, exporters, carriers, importers and disposers.

2. Wastes controlled under the Basel Convention

2.1 What is waste?

6. The Basel Convention defines waste as "substances or objects which are disposed of or are intended to be disposed of or are required to be disposed of by the provisions of national law" (Article 2 para. 1). A definition of the term "disposal" in the context of the Basel Convention can be found in the glossary in Appendix 1.

7. It is important to note that the Convention acknowledges in Article 1 para. 1 b and Article 3 that additional wastes may be defined as hazardous in national legislation over and above those listed in Annexes I and II. Please refer to section 4.4 for the transboundary movement control procedures to be applied in such cases.

2.2 Which wastes are covered by the Convention?

8. According to Article 1 of the Convention, the following wastes are subject to transboundary movement and covered by the control procedures of the Convention:

- (a) Wastes referred to as "hazardous wastes" for the purposes of this Convention:
 - (i) Wastes that belong to any category contained in Annex I of the Convention, unless they do not possess any of the characteristics contained in Annex III of the Convention (Article 1 para. 1 (a));

¹ This report is available at: <http://archive.basel.int/meetings/cop/cop10/documents/28e.pdf>

² "Person" means a natural or legal person as defined in Article 2 paragraph 14 of the Convention.

- (ii) Wastes other than those referred to above which are defined as, or are considered to be, hazardous wastes by national legislation of the party of export, import or transit (Article 1 para. 1 (b)); and
 - (b) Wastes that belong to any category contained in Annex II, referred to as "*other wastes*" for the purposes of this Convention (Article 1. para. 2).
9. The following wastes are excluded from the scope of the Basel Convention:
- (a) Wastes which, as a result of being radioactive, are subject to other international control systems, including international instruments, applying specifically to radioactive materials (Article 1, para. 3); and
 - (b) Wastes which derive from the normal operations of a ship, the discharge of which is covered by another international instrument (Article 1 para. 4).
10. Annex I to the Convention consists of a list of 45 broad generic categories of wastes, divided into waste streams (Y1 - Y18) and constituents of waste (Y19 - Y45). Annex II consists of two categories of wastes (Y46, Y47), which require special consideration, although they are not normally considered as hazardous wastes. The Y categories of waste are presented in Appendix 2.
11. A waste which falls under any of the categories of waste in Annex I (Y1 - Y45) is considered to be hazardous waste and subject to the Basel Convention unless it can be shown that the waste does not possess or exhibit any of the hazardous characteristics described in Annex III to the Convention (see Appendix 3 of this Manual). Normally, pursuant to national law, it is the duty of the exporter or any other person (e.g. generator) engaged in exporting the waste, to prove, if necessary, that the waste in question does not possess or exhibit any of the hazardous characteristics, so that the waste will not be subject to control under the Convention. For this reason, it is important to be very familiar with relevant provisions in national laws of the States which may be concerned by a proposed transboundary movement of wastes.
12. At its fourth meeting in February 1998, the Conference of the Parties added the two lists of wastes as two new annexes to the Convention, namely Annex VIII (list A) and Annex IX (list B). These were intended to provide greater certainty and clarity to the entries. List A and List B are kept under review by the Conference of the Parties; in addition, a process was established under Decision BC VIII/15 of the Conference of the Parties to the Basel Convention to facilitate the identification and agreement on new entries. However, please note that Annex I and Annex III remain the factors to characterize wastes as hazardous for the purpose of this Convention, and that List A and List B are not intended to be exhaustive.
- (a) List A. Wastes contained in this list are characterized as hazardous under Article 1 para. 1 (a), of the Convention, but their designation on this list does not preclude the use of the Annex III to demonstrate that a waste is not hazardous.
 - (b) List B. Wastes contained in this list are not wastes covered by Article 1 para. 1 (a) of this Convention unless they contain Annex I material to an extent causing them to exhibit an Annex III characteristic.
13. The specific wastes contained on List A of Annex VIII and on List B of Annex IX are an elaboration and clarification of the provisions of Article 1 para. 1 (a) of the Convention by reference to Annexes I and III.
14. Annexes VIII and IX have been amended from time to time through the procedure adopted under Decision BC VIII/15, with up-to-date lists posted on the Basel Convention website at www.basel.int. Again, these lists should be incorporated into the domestic law of jurisdictions under which you operate, but may have been supplemented by additional hazardous wastes as defined by domestic legislation. Being familiar with relevant national laws can help avoid difficulties with a shipment, e.g. a request to take a shipment back because it is not allowed under a particular jurisdiction's laws.

3. Restrictions on transboundary movements of hazardous and other wastes

15. The Basel Convention lays down some restrictions on the transboundary movements of hazardous wastes and other wastes. These restrictions shall always be taken into account when a party is assessing the acceptability of a particular transboundary movement of waste. In the Basel Convention it is provided that:
- (a) Parties shall prohibit the export of hazardous wastes to any party which has used its sovereign right referred to in Article 4 para. 1(a) of the Basel Convention to prohibit the import of hazardous wastes and other wastes into its territory for disposal (Article 4 para. 1-2). It is therefore important for you to know whether a prohibition of this nature exists in the laws of the party to whom you plan to export. Such prohibitions must be notified to the Basel Convention secretariat. Relevant information on this can be found at: <http://www.basel.int/Countries/ImportExportRestrictions/tabid/1481/Default.aspx>.

- (i) Some countries for example, have put in place such prohibitions to implement their obligations under the Bamako Convention, which bans imports of hazardous waste into Africa and addresses the control of transboundary movement and management of hazardous wastes within Africa; and the Waigani Convention, which requires certain parties to ban imports of hazardous and radioactive wastes from countries outside the area covered by the Convention and addresses the control of transboundary movements and management of hazardous wastes within the South Pacific region.
- (ii) In addition, some parties to the Basel Convention, such as the European Union and its member States, have reflected in their national legislation the effect of Decision III/1, referred to as the “ban amendment”, although this amendment has not yet entered into force.

(b) For wastes not specifically prohibited by the importing state, parties shall prohibit the export of hazardous wastes if the importing country has not consented in writing to the specific import (Article 4, para. 1 (c)). If you are an exporter, you should be aware that the transboundary movement is not allowed to depart from the party of export until the written consent of the parties of transit and import are obtained.

(c) Each party shall take appropriate measures to prohibit the export of hazardous wastes if it has reason to believe that the wastes in question will not be managed in an environmentally sound manner (Article 4, para. 2 (e)). Whether you are the exporter or importer you will need to be sure that the facility to which the wastes are being sent for disposal can manage the waste in an environmentally sound manner, or the movement will not be allowed.

(d) Each party shall not permit the export and/or import of hazardous wastes involving a State that is not a party to the Convention (Article 4 para. 5), unless the parties concerned have concluded bilateral, multilateral or regional agreements or arrangements pursuant to Article 11 of the Convention that stipulate provisions which are not less environmentally sound than those provided by the Convention in particular taking into account the interests of developing countries.³ It is possible to determine whether you will be able to export to a particular party by consulting the list of parties and Signatories at: <http://www.basel.int/Countries/StatusofRatifications/partiesSignatories/tabid/1290/Default.aspx>, as well as copies of such agreements or arrangements that have been reported to the Secretariat and available at: <http://www.basel.int/Countries/Agreements/tabid/1482/Default.aspx>. You can also consult the national focal point or competent authority in the party of export if you are an exporter.

16. Exports of hazardous wastes for disposal to the area of 60° South latitude (i.e. Antarctica) (Article 4 para. 6) are prohibited.

4. General description of the control procedure

17. The procedure for the notification of transboundary movements of hazardous wastes or other wastes forms the foundation of the control system of the Basel Convention. A key feature of the Basel Convention is that a transboundary movement of hazardous wastes or other wastes can take place only upon prior written notification (including via email or other electronic correspondence, letter, fax, etc.) by the State of export, generator or exporter to the competent authorities of the States of export, import and transit (if appropriate), and upon receipt by the notifier of the written prior consent from these authorities permitting the transboundary movement of waste to or through their jurisdictions. Furthermore, each shipment of hazardous waste or other waste must be accompanied by a movement document from the point at which a transboundary movement begins to the point of disposal (See Article 6.9, 4.7(c) and Annex VB of the Basel Convention). A certification of completion of disposal is required to be sent by the disposer to the exporter and the competent authority of the State of export. The transboundary movement must be held back from proceeding until the State of export receives written confirmation that the notifier has received the written consent of the State of import and the notifier has received from the State of import confirmation of the existence of a contract between the exporter and the disposer specifying environmentally sound management of the wastes in question (Article 6 para. 3).

18. In 2006, the Conference of the Parties at its eighth meeting adopted new forms for the notification and movement documents, which clarify the information listed in Annex V A and V B. Information on these forms is available at: <http://www.basel.int/Procedures/NotificationMovementDocuments/tabid/1327/Default.aspx>

³ Article 11.1 describes new agreements or arrangements entered into after the Basel Convention entered into force in a country. For pre-existing agreements and arrangements, there is a slightly softer standard in Article 11.2.

4.1 Responsibility to notify

19. In accordance with Article 6, paragraph 1 of the Basel Convention, the State of export shall notify, or shall require the generator or exporter to notify the competent authorities of the States concerned of any transboundary movement of hazardous wastes or other wastes. The notification should be written in a language acceptable to the State of import and must be done using appropriate documentation of the competent authority of the State of export. A definition of generator, exporter and competent authority can be found in the glossary in Appendix 1.

20. If you are the exporter or generator, you need to verify whether the party of export provides the notification or requires you to notify. Please note that “States concerned” is defined as “parties which are States of export or import, or transit States, whether or not parties”.

4.2 Notification and movement documents and prior informed consent (PIC)

21. Specific documents are to be used to notify the competent authorities in the concerned countries of all transboundary movements of hazardous wastes and other wastes and, subsequently, to accompany the movement of waste. Competent authorities will issue these documents (as paper versions or electronically on-line), which consist of two forms: “the notification document and the movement document”. A sample of each document is included in Appendix 6 of this Manual along with instructions for their completion.

22. The notification is designed to provide detailed, accurate and complete information of those involved with the movement(s), on the waste itself, on the type of disposal operation to which the waste is destined, and on other details relating to the proposed movement. This information will allow the competent authorities concerned to be sufficiently informed to make a judgement on whether to object or consent to the movement, in accordance with the Basel Convention and relevant national legislation.

23. A notification may often cover only one type of waste. The notification may cover several shipments of waste over a maximum period of one year, provided the waste in question has the same physical and chemical characteristics, and that it will be regularly shipped to the same disposer through the same Customs entry and exit channels. The term “general notification” is used when referring to such a notification (see Article 6 para. 6). It is worthwhile to check whether this is available under the national law of the jurisdictions under which your transboundary movement will take place.

24. The movement document is intended to accompany the wastes at all times, i.e. from the time of departure from the waste generator to the arrival of the movement at the approved facility in another country; each person taking charge of a transboundary movement must sign the movement document. The movement document provides relevant information on a particular consignment, for example, on the carriers of the consignment, passage through Customs offices, and the receipt and disposal of waste by the disposer. The Convention requires that disposers inform both the exporter and the competent authority of the State of export of receipt by the disposer of the wastes in question and, in due course, of the completion of disposal as specified in the notification. If no such information is received by the State of export, the competent authority of the State of export or the exporter must notify the State of import.

25. The movement document should specify the notification number of the consignment. The Conference of the Parties therefore recommends that the duly completed notification document should always accompany the movement document (Decision III/16). Most countries accept a copy of the duly completed and fully consented notification to be enclosed with the movement document. However, some countries require that an original notification, stamped and signed by the competent authority, shall always accompany the movement document. In the latter case, the exporter/generator will have to provide the competent authority concerned with completed notification documents for each of the persons taking charge of the transboundary movements. The competent authority shall sign and stamp each notification document and return all of them to the exporter/generator.

26. Please note that some parties have developed electronic systems for the notification procedure and tracking transboundary movements.⁴

4.3 Transit issues

27. If a State of transit is not party to the Basel Convention, the competent authority of this State must nevertheless be notified of the proposed transit of waste in the same way as if it were a party to the Convention (Article 7). Although not explicitly required by the Basel Convention, many countries require

⁴ Detailed information on which countries accept/issue electronic notification may be obtained from the relevant competent authorities of the countries concerned.

that the transit of waste shall not be allowed to proceed, until the competent authority of such State of transit has given written consent to the movement.

28. Some States not party to the Basel Convention have provided the Secretariat of the Basel Convention with information on focal points and/or competent authorities that need to be contacted in case of intended transit of waste through their territory; contact information can be obtained at: <http://www.basel.int/Countries/CountryContacts/tabid/1342/Default.aspx>. In cases where States have not provided a contact point, the relevant government authority to be contacted is normally the Ministry of the Environment of these States or the Ministry of Foreign Affairs.

4.4 Issues where the wastes is considered hazardous by only some of the States involved in the movement

29. Article 6 para. 5 provides for an adaptation of the notification rules when the wastes are legally defined as or considered to be hazardous wastes only by the State of export, the State of import, by the States of import and transit, or by the State of transit. This may be due to a number of reasons, for example:

- (a) A party may, on the basis of Article 1, paragraph 1b of the Convention, also classify other wastes than those listed in Annexes I and II of the Convention as hazardous wastes in accordance with its national legislation;
- (b) Different definitions of waste in the national legislation of the States concerned may result in a certain substance or object not being considered as waste by these States; or
- (c) The competent authorities may disagree on whether a certain waste possesses any of the hazardous characteristics referred to in Annex III of the Convention.

30. Article 6 para. 5 provides:

“5. In the case of a transboundary movement of wastes where the wastes are legally defined as or considered to be hazardous wastes only:

- (a) By the State of export, the requirements of paragraph 9 of this Article that apply to the importer or disposer and the State of import shall apply *mutatis mutandis* to the exporter and State of export, respectively;
- (b) By the State of import, or by the States of import and transit which are parties, the requirements of paragraphs 1, 3, 4 and 6 of this Article that apply to the exporter and State of export shall apply *mutatis mutandis* to the importer or disposer and State of import, respectively; or
- (c) By any State of transit which is a party, the provisions of paragraph 4 shall apply to such State.”

31. Please contact the relevant competent authority of the country concerned for a clarification on the implementation of this provision for specific cases of potential notifications or any other related questions.

32. In the case of a transboundary movement of wastes where the wastes are legally defined as or considered to be hazardous wastes only by the State of export, the requirements of paragraph 9 of Article 6 that apply to the importer or disposer and the State of import shall apply *mutatis mutandis* to the exporter and State of export, respectively. In the context of this guide this means that the exporter, rather than the disposer, must inform the competent authority of the State of export of receipt by the disposer of the wastes in question and, in due course, of the completion of disposal as specified in the notification. Where no such information is received within the State of export (i.e. about the disposal), the competent authority of the State of export or the exporter shall so notify the State of import.

33. In the case of a transboundary movement of wastes where the wastes are legally defined as or considered to be hazardous wastes only by the State of import, or by the States of import and transit which are parties, the requirements of paragraphs 1, 3, 4 and 6 of Article 5 that apply to the exporter and State of export shall apply *mutatis mutandis* to the importer or disposer and State of import, respectively. In the context of this guide, that focuses on the private sector, this has the following implications:

- (a) The importer or disposer shall be required to notify, in writing, the States of transit and of import of the proposed transboundary movement of hazardous wastes or other wastes (paragraph 1 of Article 6 *mutatis mutandis*);
- (b) The movement shall not be allowed to commence until the notifier has received the written consent of the State of import and the notifier has received from the State of import confirmation of the existence of a contract between the exporter and the disposer that provides details on the environmentally sound management of the wastes in question (paragraph 3 of Article 6 *mutatis mutandis*).

4.5 Movements destined for disposal operations D13 - D15 and R12 - R13

34. Annex IV of the Basel Convention contains a list of disposal operations for waste (reproduced in Appendix 5 in this guide). Some of the listed operations are to be considered as "intermediate or temporary operations"; in other words, wastes still need to undergo further treatment before the last disposal operation takes place. These operations involve: blending and mixing prior to submission to any of the disposal operations (D13); repackaging prior to submission to any of the disposal operations (D14); storage pending any of the disposal operations (D15); exchange of wastes for submission to any of the operations numbered R1-R11 (R12); and accumulation of material intended for any recovery operations (R13).

35. In the case where the transboundary movement of hazardous wastes or other wastes takes place in order to undertake disposal operations D13-D15 or R12-R13, the competent authorities may require that the subsequent intended disposal operation(s) should be specified on the notification as additional information. The competent authority may decide not to authorize the proposed movement of waste if it is not convinced that the waste will be disposed of in an environmentally sound manner at its final destination.

4.6 Completion of the movement and certification of disposal

36. National laws governing the implementation of the provisions of the Basel Convention will require that the disposer, in addition to signing the manifest upon receipt of the wastes, also inform both the exporter and the competent authority of the State of export of receipt of the wastes in question, and in due course, of the completion of disposal as specified in the notification. Exporters should be aware that they may be required by national law to notify the State of import if such certification of disposal is not received, if this has not to be done by the party of export. The receipt of certification of disposal closes the loop on the movement and assures the party of export that the movement has been carried out in accordance with relevant approvals. This is important, because the Convention has rules for parties and others to follow when transboundary movements have not, or cannot, be carried out in accordance with the relevant approvals (See section 4.7 below on contracts and section 5.2 below on illegal traffic).

4.7 Contracts

37. The existence of a contract between the exporter and the disposer specifying environmentally sound management of the waste in question is an important precondition for the consent and commencement of the transboundary movement of waste (Article 6 para. 3).

38. The parties to a contract must ensure that the contract complies with the requirements set out in the Basel Convention, as foreseen in the relevant national legislation. The contractual parties must be aware that in some countries, competent authorities may impose additional contractual requirements that are beyond the scope of the Basel Convention. For example, they may be required to submit the contracts (or portions thereof) to the competent authorities for review, and it may therefore be useful to attach a copy of the contract to the notification, even though Annex VA, para. 21 only requires "information concerning" the contract.

39. In general, contracts should confirm that the carriers and disposal facilities operate under the legal jurisdiction of a party to the Basel Convention and have an appropriate legal status. All persons transporting or disposing of hazardous wastes or other wastes must be "authorized or allowed to perform such types of operations" by the competent authorities of the State of export, State(s) of transit or State of import (Article 4 para.7).

40. The assignment of legal responsibility and liability in contracts for any adverse consequences resulting from mishandling, accidents or other unforeseeable events, assists the competent authorities in identifying the responsible parties at any given moment during the movement of the waste(s), in accordance with national rules and regulations. The contract should also specify which party shall assume responsibility for alternative arrangements in cases where the original terms of the contract cannot be fulfilled.

41. It should be noted that, according to Article 8 of the Basel Convention, the State of export must ensure that the wastes are taken back into the State of export, by the exporter, when a transboundary movement of hazardous waste or other waste cannot be completed in accordance with the terms of the contract, and if alternative arrangements cannot be made for the disposal of the waste in an environmentally sound manner.

42. The Convention provides that the movement cannot commence until the State of export receives confirmation that the notifier has received from the State of import confirmation of the existence of a contract between the exporter and the disposer specifying environmentally sound management of the wastes in question. It should be noted that a contract should normally be concluded before the notification is provided and the competent authorities have issued their consents. Therefore, the contract should include the caveat

that it is "subject to consent" to avoid possible practical trade problems which could arise in the event that the proposed movement of waste is not consented to by the competent authorities.

43. Basic elements for the preparation of contracts for transboundary movement of hazardous wastes or other wastes are included in Appendix 4. However, national legislation may require different or additional requirements with regard to the content of the contract, and should always be consulted.

4.8 Financial guarantees

44. The Basel Convention requires that "any transboundary movement of hazardous wastes or other wastes shall be covered by insurance, bond or other guarantee as may be required by the State of import or any State of transit which is a party" (Art. 6, para. 11). These guarantees are intended to provide for immediate funds for alternative management of the waste in cases where shipment and disposal cannot be carried out as originally intended. These guarantees may take the form of an insurance policy, bank letters, bonds or other promise of compensation for damage, depending on the countries concerned. It is recommended that you consult national laws to determine the relevant requirements for your transboundary movement.

4.9 International and national transport rules and regulations

45. The Basel Convention places obligations on parties to require that hazardous wastes and other wastes subject to transboundary movement shall be packaged, labelled, and transported in conformity with generally accepted and recognized international rules and standards in the field of packaging, labelling and transport, and that relevant internationally recognized practices have been given due consideration (Article 4, para. 7(b)). In particular, while national rules and regulations should be consistent to the extent possible with the United Nations Recommendations on the Transport of Dangerous Goods (available at: <http://www.unece.org/?id=3598>) and the most recent revision of the Model Regulations on the Transport of Dangerous Goods contained therein, it is useful to verify the specifics in the national legislation of the parties where you are operating.

4.10 Environmentally sound management of hazardous wastes and other wastes

46. The aim of the regulatory system of the Basel Convention is to ensure that hazardous wastes and other wastes are managed in an environmentally sound manner, regardless of where the disposal operation is to take place.

47. At its eleventh meeting, the Conference of the Parties to the Basel Convention adopted, in decision BC-11/1 (on the follow-up to the Indonesian-Swiss country-led initiative to improve the effectiveness of the Basel Convention), the framework for the environmentally sound management (ESM) of hazardous wastes and other wastes. The ESM framework can be found at: <http://www.basel.int/Implementation/CountryLedInitiative/EnvironmentallySoundManagement/Overview/ta/bid/3615/Default.aspx>.

48. In order to assist relevant authorities and other bodies to assess and improve the standard of waste management, the Conference of the Parties of the Basel Convention has also adopted numerous technical guidelines and guidance documents which provide detailed guidance on ESM for the following waste streams and disposal operations:

- (a) Framework document on the preparation of technical guidelines for the environmentally sound management of wastes subject to the Basel Convention;
- (b) Technical guidelines on hazardous waste from the production and use of organic solvents (Y6);
- (c) Technical guidelines on hazardous waste: waste oils from petroleum origins and sources (Y8);
- (d) Technical guidelines on wastes comprising or containing PCBs, PCTs and PBBs (Y10);
- (e) Technical guidelines on wastes collected from households (Y46);
- (f) Technical guidelines on specially engineered landfills (D5);
- (g) Technical guidelines on incineration on land (D10);
- (h) Technical guidelines on used oil re-refining or other re-uses of previously used oil (R9);
- (i) Technical guidelines on the environmentally sound co-processing of hazardous wastes in cement kilns;
- (j) Technical guidelines on the environmentally sound management of wastes consisting of elemental mercury and wastes containing or contaminated with mercury;

- (k) Technical guidelines on the environmentally sound management of used and waste pneumatic tyres;
- (l) Updated general technical guidelines for the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants (POPs);
- (m) Technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with 1,1,1-trichloro-2,2-bis(4-chlorophenyl)ethane (DDT);
- (n) Technical guidelines on the environmentally sound management of wastes containing or contaminated with unintentionally produced PCDDs, PCDFs, HCB or PCBs;
- (o) Technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with the pesticides aldrin, chlordane, dieldrin, endrin, heptachlor, HCB, mirex or toxaphene or with HCB as an industrial chemical;
- (p) Technical guidelines on the environmentally sound management of plastic wastes and their disposal;
- (q) Technical guidelines on the environmentally sound management of the full and partial dismantling of ships;
- (r) Technical guidelines on hazardous waste physico-chemical treatment (D9) / biological treatment (D8);
- (s) Technical guidelines for the environmentally sound management of waste lead-acid batteries;
- (t) Technical guidelines for the environmentally sound management of biomedical and healthcare wastes (Y1; Y3);
- (u) Technical guidelines on the environmentally sound recycling/reclamation of metals and metal compounds (R4);
- (v) Guidance Document on transboundary movements of hazardous wastes destined for recovery operations.
- (w) Guidance paper on hazardous characteristics H6.2 (Infectious substances);
- (x) Work on hazard characteristics – Approach to Basel Convention hazard characteristic H11: characterization of chronic or delayed toxicity;
- (y) Interim guidelines on the hazardous characteristic H12 – ecotoxic;
- (z) Interim guidelines on hazard characteristic H13 of Annex III to the Basel Convention.

49. These documents and guidelines are available from the Secretariat of the Basel Convention or online at <http://www.basel.int/TheConvention/Publications/TechnicalGuidelines/tabid/2362/Default.aspx>. The Conference of the Parties may at some future date adopt additional technical guidelines on other priority waste streams and disposal operations and updates of existing guidelines. It is useful for all persons involved in transboundary movement of waste to be aware of these guidelines as they can affect the choice of country and facility destination, and the likelihood of obtaining an approval for the proposed movement and disposal.

5. Movements that cannot be completed as intended and illegal traffic

5.1 Movements that cannot be completed in accordance with the contract

50. When a transboundary movement of hazardous wastes or other wastes, to which consent has been given by the States concerned, cannot be completed in accordance with the terms of the contract, the State of export is required to ensure that the wastes are taken back into the State of export by the exporter if alternative arrangements cannot be made for their disposal in an environmentally sound manner (Article 8). This must occur within 90 days from the time that the importing party has notified the party of export and the secretariat, or such other period of time as the States concerned agree. It is advisable for the entity that has possession of the waste to immediately inform the exporter/generator and the competent authorities of the States of export and import of such an occurrence. If the shipment is located in a State of transit, then the competent authority of that country must also be immediately informed.

51. In such cases, alternative management and control arrangements, or return of the wastes to the exporter/generator if necessary, must be arranged.

52. For those involved in the return of such wastes to the party of export, it is to be noted that the State of export and any States of transit shall not oppose, hinder or prevent the return of the shipment to the State of export.

5.2 Illegal traffic

53. According to Article 9 of the Basel Convention, any transboundary movement of wastes or other wastes is deemed to be illegal traffic if:

- (a) It is carried out without notification pursuant to the provisions of the Basel Convention;
- (b) It is carried out without consent in accordance with the Basel Convention;
- (c) The consent for it is obtained from the States concerned through falsification, misinterpretation or fraud;
- (d) It does not conform in a material way with the relevant documents; or
- (e) It results in deliberate disposal (e.g. dumping) of hazardous wastes or other wastes in contravention of the Convention and of general principles of international law.

54. In the case where a transboundary movement is found to constitute an illegal traffic as “the result of conduct on the part of the exporter or generator”, the Basel Convention requires that the State of export shall ensure that the wastes in question are taken back by the exporter or generator or, if necessary, by itself into the State of export; or if this is impracticable, are otherwise disposed of in accordance with the provisions of the Convention, within 30 days from the time the State of export has been informed about the illegal traffic, or such other period of time as the States concerned may agree.

55. If the illegal traffic is “the result of conduct on the part of the importer or disposer”, the State of import, within 30 days from the time the illegal traffic has come to its attention or such other period of time as the States concerned may agree, shall ensure that the wastes in question are disposed of in an environmentally sound manner by the importer or disposer or, if necessary, by itself.

56. In cases where “the responsibility for the illegal traffic cannot be assigned”, the Basel Convention requires that the parties concerned or any other parties cooperate to ensure that the wastes in question are disposed of as soon as possible in an environmentally sound manner.

57. The Basel Convention requires that each party introduce national legislation to prevent and punish illegal traffic.

58. The following guidance material on dealing with illegal traffic is available on the Basel Convention website:

- (a) Guidance Elements for the Detection, Prevention and Control of Illegal Traffic in Hazardous Wastes
- (b) Basel Convention Training Manual on Illegal Traffic for Customs and Enforcement Agencies
- (c) Instruction Manual on the Prosecution of Illegal Traffic of Hazardous and Other Wastes
- (d) Guidance on the implementation of the Basel Convention illegal traffic provisions– paragraphs 2, 3 and 4 of Article 9 – is currently being developed.

59. In addition, parties are encouraged to submit to the Secretariat the Form for Confirmed Cases of Illegal Traffic, which can be found at:
<http://www.basel.int/Portals/4/Basel%20Convention/docs/legalmatters/illetraffic/illetrafform.pdf>.

6. Operational description of the control procedure

6.1 Main stages of the control procedure

60. The main stages of the control procedure of the Basel Convention are shown in figures 1 and 2. The main responsibilities of the different parties involved in the control system are presented in figures 3 and 4. Please note that the following flow charts describe the control system in a simplified manner. The control system is dealt with in more detail in the check lists presented in sections 6.2 – 6.3 of this guide.

Figure 1: Flow chart of the notification and consent procedure of the Basel Convention

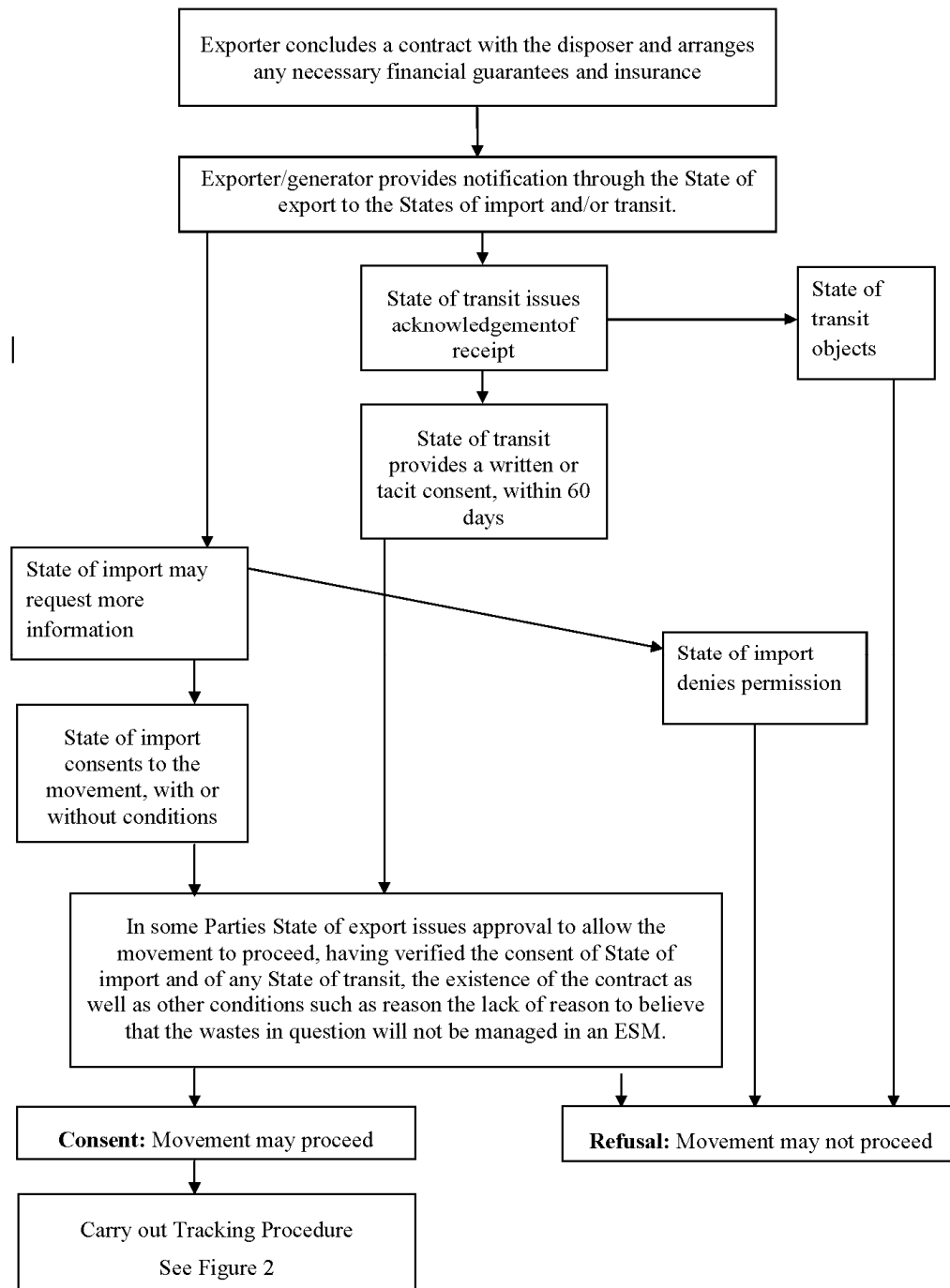
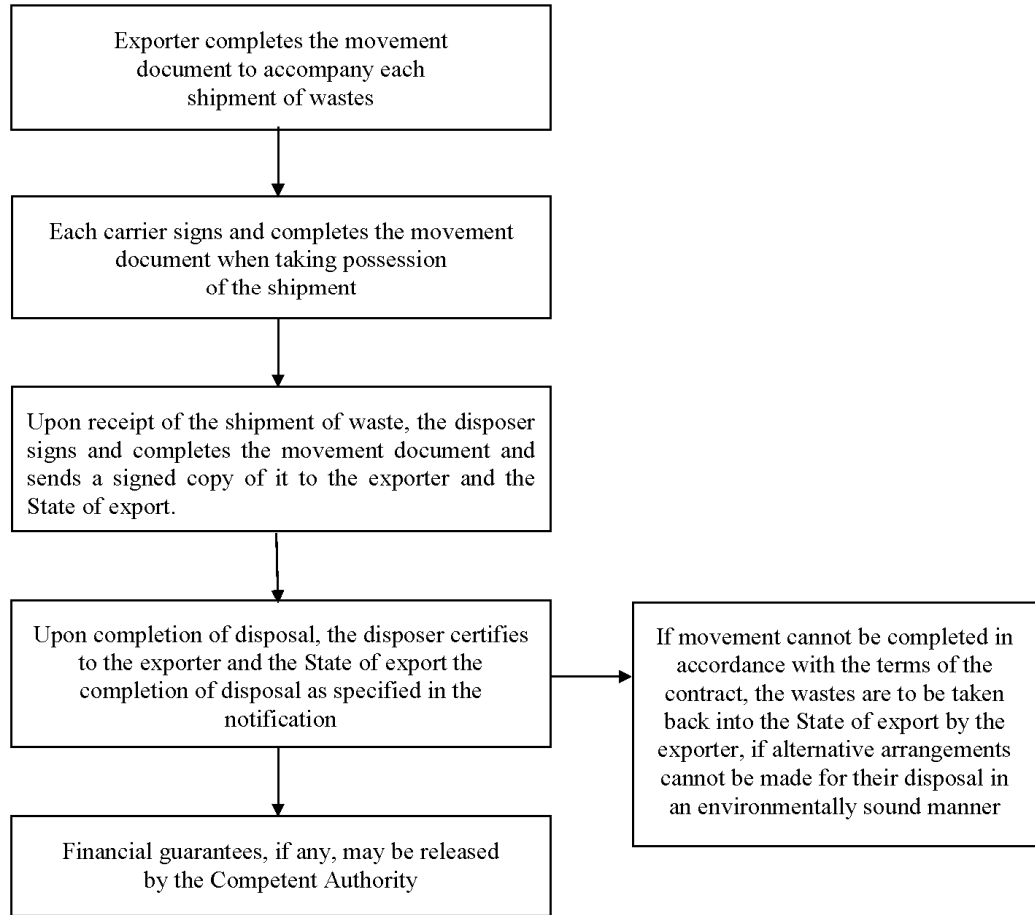
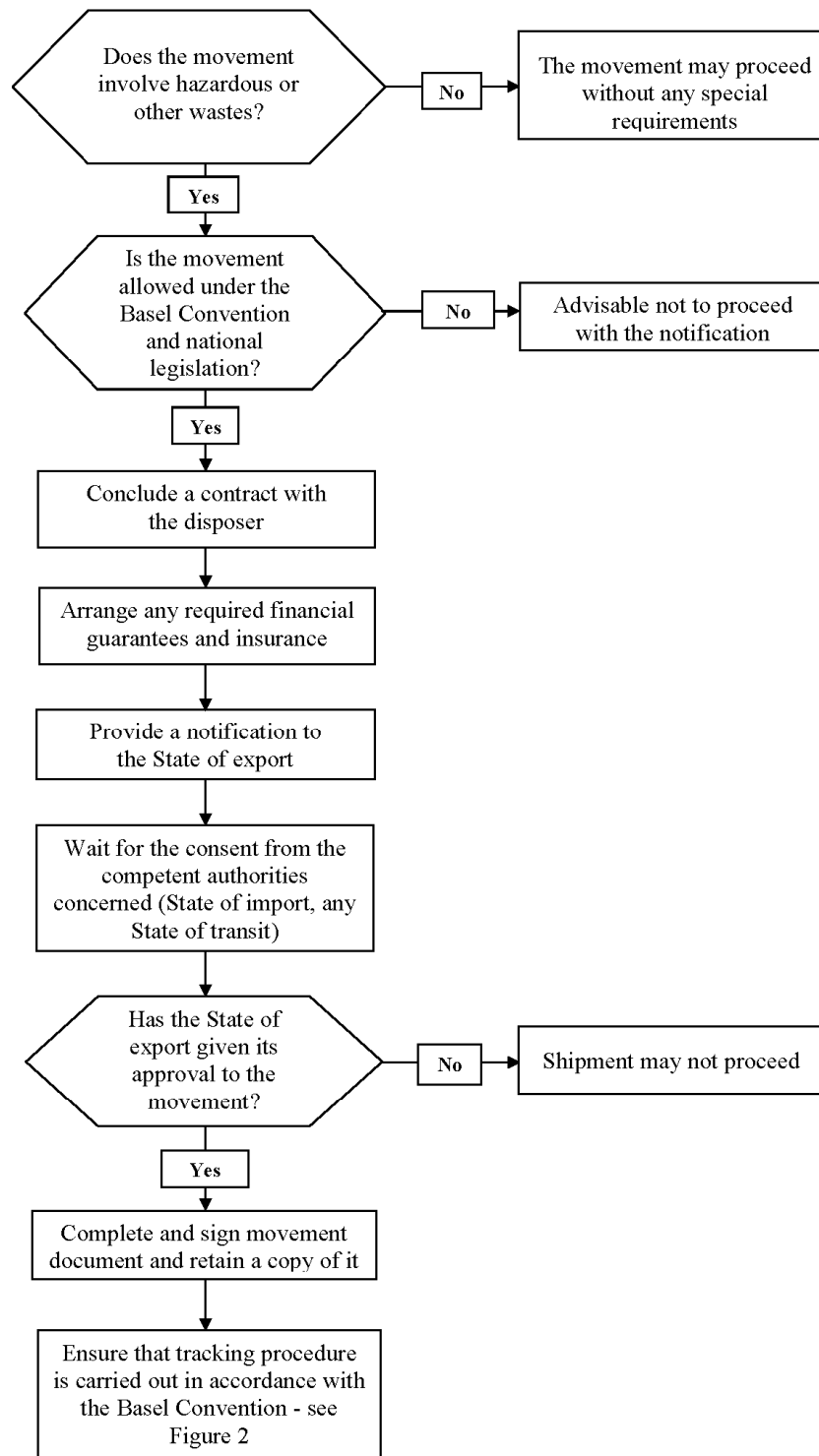


Figure 2: Flow chart of the tracking procedure of the Basel Convention



6.2 Check list for the exporter or generator (when acting as a notifier)

Figure 3: Flow chart of the main responsibilities of the exporter (for details, see the check list below)



Step 1. Check if the material intended for transboundary movement is subject to the control procedures under relevant national law implementing the Basel Convention.

- (a) Is the material considered as waste? (ref. section 2.1)
- (b) Is the material hazardous or other waste? (ref. section 2.2)

Step 2. If yes, determine whether the intended movement can be carried out in accordance with the national legislation of the countries concerned.

- (a) Is the State of import a party to the Basel Convention or if not, has it concluded a bilateral, multilateral or regional agreement or arrangement with the State of export? (ref. Article 11 of the Convention).
- (b) Is the movement subject to any prohibitions under the Basel Convention or prohibition by the party of import or export? Has the State of import notified a prohibition of the import of such waste? (ref. Article 4, para. 1 and Article 13, para. 2(c)).
- (c) Does the transboundary movement meet one of these three criteria: a) the waste cannot be disposed of in the State of export; b) or in case of recovery, the waste is needed as raw material in the State of import; or c) the transboundary movement in question is in accordance with other criteria to be decided by the parties, provided those criteria do not differ from the objectives of the Basel Convention?
- (d) Is the disposal facility licensed, authorized or allowed to perform such types of operations in accordance with the national legislation of the State of import?
- (e) Will the movement (e.g. transport, disposal and possible storage) be carried out in an environmentally sound manner?

If it is evident to the exporter that the intended movement of waste cannot be carried out in an environmentally sound manner or in accordance with the national legislation of the concerned countries, it is advisable not to proceed with the notification procedure.

Step 3. Contact the competent authority of the State of export

Contact the competent authority of the State of export or search their website in order to get the notification and movement document and all the relevant information concerning the notification and tracking procedures.

Step 4. Conclude a contract

Conclude a contract with the disposer, as required by the Convention and national law implementing the Convention. See Appendix 4 for the basic elements to be included in the contract. At this time you should, as appropriate, also conclude a contract with a carrier.

Step 5. Arrange the financial guarantees and insurances

Arrange any financial guarantees and insurances for the movement of waste required by the national legislation of the countries concerned. Some countries may require the financial guarantee to cover the cost of any necessary re-import and alternative disposal operations should the need arise, including cases referred to in Articles 8 and 9 of the Basel Convention. Additionally, they may require separate insurance against damage to third parties, held as appropriate by the exporter, carrier and the disposer.

Step 6. Acquire all necessary information

Acquire all the necessary information in accordance with Annexes V A and V B of the Basel Convention and the relevant national legislation of the countries concerned.

Step 7. Complete the notification

Complete the notification in accordance with the instructions contained in Appendix 6 of this Guide or the information on the following website:

<http://www.basel.int/Procedures/NotificationMovementDocuments/tabid/1327/Default.aspx>, as well as the relevant national legislation of the countries concerned. The notification may cover several shipments of wastes over a maximum period of one year, if waste with the same physical and chemical characteristics is intended to be regularly shipped to the same disposer via the same Customs offices for entry and exit (general notification), the notification shall be completed in a language that is acceptable to the competent authority of the State of import.

Ensure that the necessary number of copies of the completed notification are available and that each copy of the notification is signed by the notifier, who can be either the generator or the exporter (if not done by the State of export). It should be noted that a number of countries request, in line with Article 6(1) of the Basel Convention, that only the exporter is required to sign the notification because of the practical difficulties that may be encountered in requesting a number of generators to fill in the notification. You should verify this with the national law under the party of export.

Prepare signed copies for:

- (a) The competent authority of the State of export;
- (b) The competent authority of the State of import;
- (c) The competent authority of each State of transit, if any.

For practical reasons, although not required by the Basel Convention, some competent authorities prefer to receive two signed copies of the notification, in order to send one copy back to the country of export and to keep one in their own file. In case the authority is responsible for acknowledging the receipt of the notification, the authority may wish to have a third copy for issuing an acknowledgement.

Some authorities may also wish to check the contents of the movement document in advance. In such a case, a movement document, completed as far as possible at the time of notification, shall be provided to the competent authority along with the notification.

Note: Many countries require that an identifying number be preprinted on the notification form. In the case of preprinted notification forms, each original notification shall have the same form number.

Step 8. Send the copies of the notification to the competent authority of the State of export

Provide all copies of the notification to the competent authority of the State of export, at least 2 months before the intended date of the first movement of waste. The competent authority of the State of export will forward the notifications to the other competent authorities concerned.

Step 9. Provide additional data and information

Provide any additional data requested by the competent authorities.

Step 10. Wait for the consents from the competent authorities

The movement of waste may commence only upon receipt of consent from the competent authority of the State of export. This consent can be given only if the competent authority of the State of import has issued its written consent to the movement and the competent authorities of transit, if any, have consented to the movement in accordance with Article 6(4) of the Basel Convention (see section 4), and there is written confirmation that a contract exists between the exporter and disposer specifying environmentally sound management of the wastes in question.

Step 11. Complete a movement document to accompany each movement of waste

Complete the movement document in accordance with the instructions in Appendix 6 and with the relevant national legislation of the countries concerned. A completed movement document shall accompany each shipment. It is also recommended to enclose a copy of the notification document with the movement document.

Step 12. Signing of the movement document by the carriers

Ensure that the carriers are aware of their duty to sign the movement document upon receipt of the waste. Retain a copy of the movement document signed by the first carrier. At each successive transfer of the consignment to another carrier, a copy of the signed document is to be retained by the previous carrier. Additionally, the carriers should inform the exporter and the competent authority of the State of transit if an incident occurs to the shipment that results in the wastes needing to be returned to the State of export or to be otherwise disposed of.

Step 13. Certification of receipt of waste

Ensure that the disposer is aware of his duty to complete and sign the movement document and to send the copies of the document to the exporter and the competent authority of the State of export. It should be noted that many countries also require such copies to be delivered to the other competent authorities concerned and to be sent out within three working days following the receipt of waste. Additionally, ensure that the disposer is aware of his duty to inform the exporter and the competent authority of the state of import if it cannot receive or dispose of the wastes as intended.

Step 14. Certification of disposal

Ensure that the disposer is aware of his/her duty to complete the movement document by certifying that the waste has been disposed of in accordance with the notification, and to send the certification to the exporter and the competent authority of the State of export. It should be noted that many countries also require that copies of the certification are delivered to the other competent authorities concerned and sent out within specified time periods of the receipt of waste.

Note: If consent is obtained for a general notification for multiple shipments for up to one year, Steps 11-14 are to be followed for each shipment of waste.

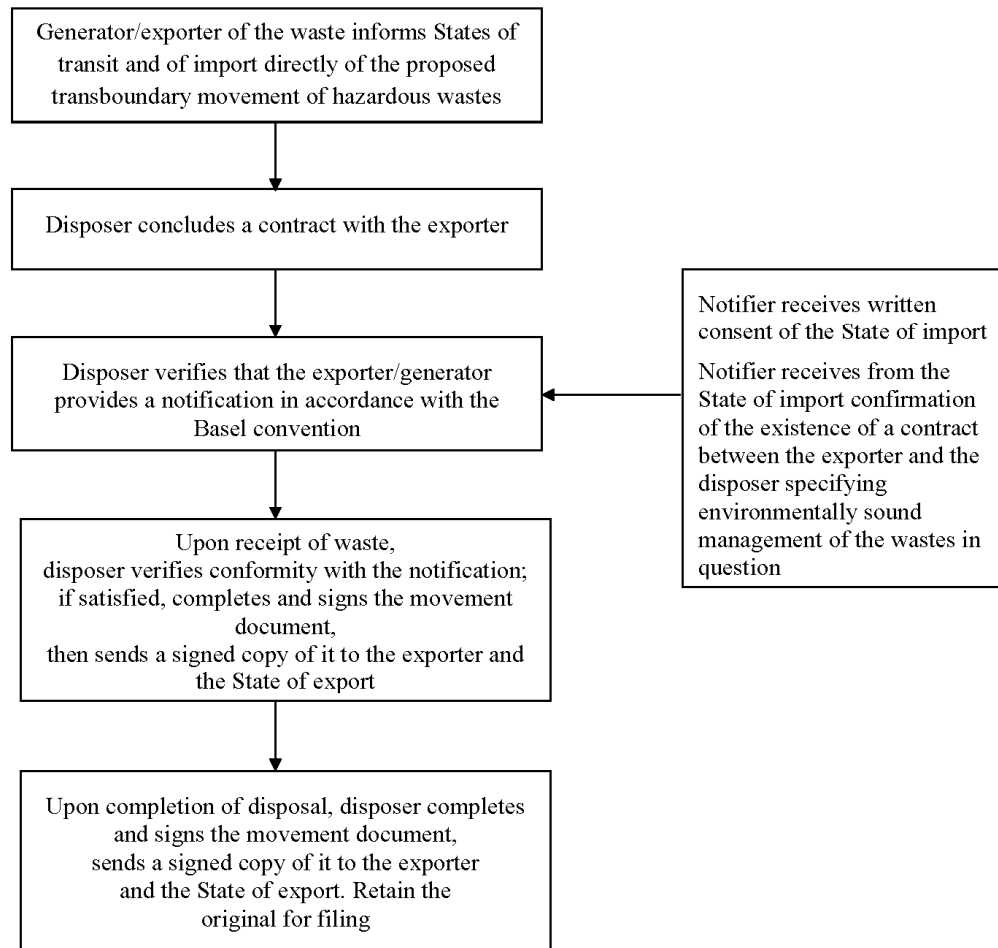
Step 15. Release of financial guarantees

Ensure that the competent authority returns the financial guarantees arranged for the movement following the certifications of disposal have been submitted by the disposer, indicating that the consignments of waste have been disposed of in an environmentally sound manner.

6.3 Check List for the disposer (disposal/recovery facility)

61. Normally, it is the exporter or generator of the waste who is responsible for notifying the competent authorities of the intended movement of hazardous waste. However, in the case of a transboundary movement of waste where the waste is legally defined or considered to be hazardous waste only by the State of import, or by the States of import and transit, the disposer shall usually assume the responsibilities of the exporter/generator as set out in Article 6 para. 5(b). The flow chart and check list below describe the obligations of the disposer when the notification responsibilities are also undertaken by the disposer.

Figure 4: Flow chart of the main responsibilities of the disposer (for details, see the check list below)



Step 1. Conclude a contract

Conclude a contract with the exporter. The basic elements to be included in a contract are to be found in Appendix 4.

Step 2. Provide the necessary information

Provide the necessary information, for example, on the disposal processes, to the exporter/generator in order to facilitate the completion of the notification and movement document.

Step 3. Notification

Verify that the exporter/generator notifies the competent authorities of the State of export and State of import and each State of transit, if any, of the intended movement of waste, in accordance with the provisions of the Basel Convention. The notification may cover several shipments of waste over a maximum period of one year; if waste with the same physical and chemical characteristics is intended to be regularly shipped to the same disposer via the same Customs offices for entry and exit (general notification).

Step 4. Certification of receipt of waste

Upon receipt of waste, weigh the amount of waste and check, if necessary by testing and sampling, whether the consignment complies with the notification and contract. Complete the movement document (block 18) and give a copy of it to the last carrier. Send signed copies of the completed movement document to the exporter and the competent authority of the State of export, and retain the original for filing. It should be noted that many countries also require such copies to be delivered to the other competent authorities concerned and to be sent out within three working days following the receipt of waste. If the waste does not conform to the information provided in the notification and contract, or the waste cannot be disposed for any other reason, inform the exporter and the competent authority of the State of import of the need to make alternate disposal arrangements or to return the waste to the country of export.

Step 5. Certification of disposal

After the consignment of waste has been disposed of in an environmentally sound manner, complete the movement document (block 19) by certifying that the disposal of waste has been completed. Send signed copies of the movement document to the exporter and the competent authority of the State of export, and retain the original for filing. It should be noted that many countries also require such copies to be delivered to the other competent authorities concerned and to be sent out within specified time periods of the receipt of waste.

Note: For general notifications, Steps 4-5 are to be followed for each shipment of the waste.

Appendix 1: Glossary

The following explanations are meant to clarify the terms used in this Guide and in the Basel Convention. However, it should be noted that they do not replace the "Definitions" in Article 2 of the Basel Convention, or any definitions adopted by national legislation. The instructions for filling in the notification and movement documents also provide definitions that may be referred to. In addition, a glossary of terms is being compiled for future adoption by the Conference of the Parties. The current version of the glossary may be consulted at: <http://www.basel.int/Implementation/LegalMatters/LegalClarity/Glossaryofterms/tabid/3623/Default.aspx>.

Competent Authority: In accordance with Art. 2(6), a competent authority means one governmental authority designated by a party to the Basel Convention to be responsible, within such geographical areas as the party may think fit, for receiving the notification of a transboundary movement of hazardous wastes or other wastes, and any information related to it, and for responding to such a notification, as provided in Article 6. It should be noted that some parties have designated more than one authority for notifications on exports and imports. A list of the competent authorities of parties to the Basel Convention is available at:

<http://www.basel.int/Countries/CountryContacts/tabid/1342/Default.aspx>. In addition, a list of parties to the Convention can be consulted at:

<http://www.basel.int/Countries/StatusofRatifications/partiesSignatories/tabid/1290/Default.aspx>.

Disposal: In accordance with Art. 2(4), disposal means any operation specified in Annex IV to the Convention. In the context of the Basel Convention, this term comprises both final disposal (Annex IV A) and recovery operations (Annex IVB). However, it should be noted that in some countries, disposal only refers to the operations specified in Annex IV A of the Convention, that is, to such operations which do not lead to any form of recovery.

Disposer: In accordance with Art. 2(19), exporter means any person to whom hazardous wastes or other wastes are shipped and who carries out the disposal of such wastes. The person may be a natural or legal person. Under the control system of the Basel Convention, the disposer is, for example, responsible for issuing the certifications of receipt and disposal of wastes, in accordance with Article 6, paragraph 9 of the Convention.

Exporter: In accordance with Art. 2(15), exporter means any person under the jurisdiction of the State of export who arranges for hazardous wastes or other wastes to be exported. The person may be a natural or legal person. The exporter may be a generator, a holder of waste, or a broker or a dealer recognized in accordance with national legislation. Normally, it is the duty of the exporter to provide a notification to the competent authority of the State of export, but this depends on the national legislation of the party concerned.

General notification: A notification which covers multiple shipments of hazardous wastes or other wastes having the same physical and chemical characteristics and shipped regularly to the same disposer via the same customs office exit and entry, respectively, within a maximum period of one year. The use of such notifications is subject to the written consent of the States concerned (import and transit), who may make their consent subject to the supply of certain information.

Generator: In accordance with Art. 2(18), generator means any person whose activity produces hazardous wastes or other wastes or, if that person is not known, the person who is in possession and/or control of those wastes. The person may be a natural or legal person.

Importer: In accordance with Art. 2(16), importer means any person under the jurisdiction of the State of import who arranges for hazardous wastes or other wastes to be imported. The person may be a natural or legal person. The importer may be the same as the disposer, or may be a broker.

Movement document: A document required to accompany the hazardous wastes or other wastes from the point at which a transboundary movement commences to the point of disposal. Each person who takes charge of a transboundary movement of hazardous wastes and other wastes must sign the movement document. The movement document shall include all the information referred to in Annex VB of the Convention. A sample form of the movement document and the instructions for its completion are presented in Appendix 6 of this Manual.

Notification document: A document used to transmit to the competent authorities of the States concerned all the required information concerning any proposed transboundary movement of hazardous wastes and other wastes. The notification shall include all the information referred to in Annex VA of the Convention. A sample form of the notification document and the instructions for its completion are presented in Appendix 6 of this Manual.

State of export: In accordance with Art. 2(10), State of export means a party from which the transboundary movement of hazardous wastes or other wastes is planned to be initiated or is initiated.

State of import: In accordance with Art. 2(11), State of import means a party to which a transboundary movement of hazardous wastes or other wastes is planned or takes place for the purpose of disposal therein or for the purpose of loading prior to disposal in an area not under the national jurisdiction of any State.

State of transit: In accordance with Art. 2(12), State of transit means any State, other than the State of export or import, through which a transboundary movement of hazardous wastes or other wastes is planned or takes place.

Transboundary movement: In accordance with Art. 2(3), transboundary movement means any movement of hazardous wastes or other wastes from an area under the national jurisdiction of one State to or through an area under the jurisdiction of another State or to or through an area not under the national jurisdiction of any State, provided at least two States are involved in the movement.

Transit: the carriage of waste through a State which is neither the State of export or import.

Appendix 2: Annexes I and II to the Basel Convention on categories of wastes to be controlled and of wastes requiring special consideration and Annexes VIII and IX to the Basel Convention containing the lists A and B of wastes respectively

Annex I to the Basel Convention

Categories of wastes to be controlled

Waste Streams

- Y1** Clinical wastes from medical care in hospitals, medical centers and clinics
- Y2** Wastes from the production and preparation of pharmaceutical products
- Y3** Waste pharmaceuticals, drugs and medicines
- Y4** Wastes from the production, formulation and use of biocides and phytopharmaceuticals
- Y5** Wastes from the manufacture, formulation and use of wood preserving chemicals
- Y6** Wastes from the production, formulation and use of organic solvents
- Y7** Wastes from heat treatment and tempering operations containing cyanides
- Y8** Waste mineral oils unfit for their originally intended use
- Y9** Waste oils/water, hydrocarbons/water mixtures, emulsions
- Y10** Waste substances and articles containing or contaminated with polychlorinated biphenyls (PCBs) and/or polychlorinated terphenyls (PCTs) and/or polychlorinated biphenyls (PBBs)
- Y11** Waste tarry residues arising from refining, distillation and any pyrolytic treatment
- Y12** Wastes from production, formulation and use of inks, dyes, pigments, paints, lacquers, varnish
- Y13** Wastes from production, formulation and use of resins, latex, plasticizers, glues/adhesives
- Y14** Waste chemical substances arising from research and development or teaching activities which are not identified and/or are new and whose effects on man and/or the environment are not known
- Y15** Wastes of an explosive nature not subject to other legislation
- Y16** Wastes from production, formulation and use of photographic chemicals and processing materials
- Y17** Wastes resulting from surface treatment of metals and plastics
- Y18** Residues arising from industrial waste disposal operations

Wastes having as constituents:

- Y19** Metal carbonyls
- Y20** Beryllium; beryllium compounds
- Y21** Hexavalent chromium compounds
- Y22** Copper compounds
- Y23** Zinc compounds
- Y24** Arsenic; arsenic compounds
- Y25** Selenium; selenium compounds
- Y26** Cadmium; cadmium compounds
- Y27** Antimony; antimony compounds
- Y28** Tellurium; tellurium compounds
- Y29** Mercury; mercury compounds
- Y30** Thallium; thallium compounds
- Y31** Lead; lead compounds
- Y32** Inorganic fluorine compounds excluding calcium fluoride
- Y33** Inorganic cyanides
- Y34** Acidic solutions or acids in solid form
- Y35** Basic solutions or bases in solid form
- Y36** Asbestos (dust and fibres)
- Y37** Organic phosphorus compounds
- Y38** Organic cyanides
- Y39** Phenols; phenol compound including chlorophenols
- Y40** Ethers
- Y41** Halogenated organic solvents
- Y42** Organic solvents excluding halogenated solvents
- Y43** Any congener of polychlorinated dibenzo-furan
- Y44** Any congener of polychlorinated dibenzo-p-dioxin
- Y45** Organohalogen compounds other than substances referred to in this Annex (e.g. Y39, Y41, Y42, Y43, Y44)

- (a) To facilitate the application of this Convention, and subject to paragraphs (b), (c) and (d), wastes listed in Annex VIII are characterized as hazardous pursuant to Article 1, paragraph 1 (a), of this Convention, and wastes listed in Annex IX are not covered by Article 1, paragraph 1 (a), of this Convention.
- (b) Designation of a waste on Annex VIII does not preclude, in a particular case, the use of Annex III to demonstrate that a waste is not hazardous pursuant to Article 1, paragraph 1 (a), of this Convention.
- (c) Designation of a waste on Annex IX does not preclude, in a particular case, characterization of such a waste as hazardous pursuant to Article 1, paragraph 1 (a), of this Convention if it contains Annex I material to an extent causing it to exhibit an Annex III characteristic.
- (d) Annexes VIII and IX do not affect the application of Article 1, paragraph 1 (a), of this Convention for the purpose of characterization of wastes.¹

Annex II to the Basel Convention

Categories of wastes requiring special consideration

Y46 Wastes collected from households

Y47 Residues arising from the incineration of household wastes

Annex VIII to the Basel Convention

Annex VIII²

List A

Wastes contained in this Annex are characterized as hazardous under Article 1, paragraph 1 (a), of this Convention, and their designation on this Annex does not preclude the use of Annex III to demonstrate that a waste is not hazardous.

A1 Metal and metal-bearing wastes

- | | |
|-------|--|
| A1010 | Metal wastes and waste consisting of alloys of any of the following: <ul style="list-style-type: none"> • Antimony • Arsenic • Beryllium • Cadmium • Lead |
|-------|--|

¹ The amendment whereby paragraphs (a), (b), (c) and (d) were added to at the end of Annex I entered into force on 6 November 1998, six months following the issuance of depositary notification C.N.77.1998 of 6 May 1998 (reflecting Decision IV/9, adopted by the Conference of the Parties at its fourth meeting).

² The amendment whereby Annex VIII was added to the Convention entered into force on 6 November 1998, six months following the issuance of depositary notification C.N.77.1998 of 6 May 1998 (reflecting Decision IV/9 adopted by the Conference of the Parties at its fourth meeting). The amendment to Annex VIII whereby new entries were added entered into force on 20 November 2003 (depositary notification C.N.1314.2003), six months following the issuance of depositary notification C.N.399.2003 of 20 May 2003 (reflecting Decision VI/35 adopted by the Conference of the Parties at its sixth meeting). The amendment to Annex VIII whereby one new entry was added entered into force on 8 October 2005 (depositary notification C.N.1044.2005), six months following the issuance of depositary notification C.N.263.2005 of 8 April 2005 (re-issued on 13 June 2005, reflecting Decision VII/19 adopted by the Conference of the Parties at its seventh meeting). The present text includes all amendments.

- Mercury
 - Selenium
 - Tellurium
 - Thallium
- but excluding such wastes specifically listed on list B.
- A1020 Waste having as constituents or contaminants, excluding metal waste in massive form, any of the following:
- Antimony; antimony compounds
 - Beryllium; beryllium compounds
 - Cadmium; cadmium compounds
 - Lead; lead compounds
 - Selenium; selenium compounds
 - Tellurium; tellurium compounds
- A1030 Wastes having as constituents or contaminants any of the following:
- Arsenic; arsenic compounds
 - Mercury; mercury compounds
 - Thallium; thallium compounds
- A1040 Wastes having as constituents any of the following:
- Metal carbonyls
 - Hexavalent chromium compounds
- A1050 Galvanic sludges
- A1060 Waste liquors from the pickling of metals
- A1070 Leaching residues from zinc processing, dust and sludges such as jarosite, hematite, etc.
- A1080 Waste zinc residues not included on list B, containing lead and cadmium in concentrations sufficient to exhibit Annex III characteristics
- A1090 Ashes from the incineration of insulated copper wire
- A1100 Dusts and residues from gas cleaning systems of copper smelters
- A1110 Spent electrolytic solutions from copper electrorefining and electrowinning operations
- A1120 Waste sludges, excluding anode slimes, from electrolyte purification systems in copper electrorefining and electrowinning operations
- A1130 Spent etching solutions containing dissolved copper
- A1140 Waste cupric chloride and copper cyanide catalysts
- A1150 Precious metal ash from incineration of printed circuit boards not included on list B³
- A1160 Waste lead-acid batteries, whole or crushed
- A1170 Unsorted waste batteries excluding mixtures of only list B batteries. Waste batteries not specified on list B containing Annex I constituents to an extent to render them hazardous

³ Note that mirror entry on list B (B1160) does not specify exceptions.

- A1180 Waste electrical and electronic assemblies or scrap⁴ containing components such as accumulators and other batteries included on list A, mercury-switches, glass from cathode-ray tubes and other activated glass and PCB-capacitors, or contaminated with Annex I constituents (e.g., cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they possess any of the characteristics contained in Annex III (note the related entry on list B B1110)⁵
- A1190 Waste metal cables coated or insulated with plastics containing or contaminated with coal tar, PCB,⁶ lead, cadmium, other organohalogen compounds or other Annex I constituents to an extent that they exhibit Annex III characteristics.

A2 Wastes containing principally inorganic constituents, which may contain metals and organic materials

- A2010 Glass waste from cathode-ray tubes and other activated glasses
- A2020 Waste inorganic fluorine compounds in the form of liquids or sludges but excluding such wastes specified on list B
- A2030 Waste catalysts but excluding such wastes specified on list B
- A2040 Waste gypsum arising from chemical industry processes, when containing Annex I constituents to the extent that it exhibits an Annex III hazardous characteristic (note the related entry on list B B2080)
- A2050 Waste asbestos (dusts and fibres)
- A2060 Coal-fired power plant fly-ash containing Annex I substances in concentrations sufficient to exhibit Annex III characteristics (note the related entry on list B B2050)

A3 Wastes containing principally organic constituents, which may contain metals and inorganic materials

- A3010 Waste from the production or processing of petroleum coke and bitumen
- A3020 Waste mineral oils unfit for their originally intended use
- A3030 Wastes that contain, consist of or are contaminated with leaded anti-knock compound sludges
- A3040 Waste thermal (heat transfer) fluids
- A3050 Wastes from production, formulation and use of resins, latex, plasticizers, glues/adhesives excluding such wastes specified on list B (note the related entry on list B B4020)
- A3060 Waste nitrocellulose
- A3070 Waste phenols, phenol compounds including chlorophenol in the form of liquids or sludges
- A3080 Waste ethers not including those specified on list B

⁴ This entry does not include scrap assemblies from electric power generation.

⁵ PCBs are at a concentration level of 50 mg/kg or more.

⁶ PCBs are at a concentration level of 50 mg/kg or more.

A3090	Waste leather dust, ash, sludges and flours when containing hexavalent chromium compounds or biocides (note the related entry on list B B3100)
A3100	Waste paring and other waste of leather or of composition leather not suitable for the manufacture of leather articles containing hexavalent chromium compounds or biocides (note the related entry on list B B3090)
A3110	Fellmongery wastes containing hexavalent chromium compounds or biocides or infectious substances (note the related entry on list B B3110)
A3120	Fluff - light fraction from shredding
A3130	Waste organic phosphorous compounds
A3140	Waste non-halogenated organic solvents but excluding such wastes specified on list B
A3150	Waste halogenated organic solvents
A3160	Waste halogenated or unhalogenated non-aqueous distillation residues arising from organic solvent recovery operations
A3170	Wastes arising from the production of aliphatic halogenated hydrocarbons (such as chloromethane, dichloro-ethane, vinyl chloride, vinylidene chloride, allyl chloride and epichlorhydrin)
A3180	Wastes, substances and articles containing, consisting of or contaminated with polychlorinated biphenyl (PCB), polychlorinated terphenyl (PCT), polychlorinated naphthalene (PCN) or polybrominated biphenyl (PBB), or any other polybrominated analogues of these compounds, at a concentration level of 50 mg/kg or more ⁷
A3190	Waste tarry residues (excluding asphalt cements) arising from refining, distillation and any pyrolytic treatment of organic materials
A3200	Bituminous material (asphalt waste) from road construction and maintenance, containing tar (note the related entry on list B, B2130)

A4 Wastes which may contain either inorganic or organic constituents

A4010	Wastes from the production, preparation and use of pharmaceutical products but excluding such wastes specified on list B
A4020	Clinical and related wastes; that is wastes arising from medical, nursing, dental, veterinary, or similar practices, and wastes generated in hospitals or other facilities during the investigation or treatment of patients, or research projects
A4030	Wastes from the production, formulation and use of biocides

⁷ The 50 mg/kg level is considered to be an internationally practical level for all wastes. However, many individual countries have established lower regulatory levels (e.g. 20 mg/kg) for specific wastes.

- and phytopharmaceuticals, including waste pesticides and herbicides which are off-specification, outdated,⁸ or unfit for their originally intended use
- A4040 Wastes from the manufacture, formulation and use of wood-preserving chemicals⁹
- A4050 Wastes that contain, consist of or are contaminated with any of the following:
- Inorganic cyanides, excepting precious-metal-bearing residues in solid form containing traces of inorganic cyanides
 - Organic cyanides
- A4060 Waste oils/water, hydrocarbons/water mixtures, emulsions
- A4070 Wastes from the production, formulation and use of inks, dyes, pigments, paints, lacquers, varnish excluding any such waste specified on list B (note the related entry on list B B4010)
- A4080 Wastes of an explosive nature (but excluding such wastes specified on list B)
- A4090 Waste acidic or basic solutions, other than those specified in the corresponding entry on list B (note the related entry on list B B2120)
- A4100 Wastes from industrial pollution control devices for cleaning of industrial off-gases but excluding such wastes specified on list B
- A4110 Wastes that contain, consist of or are contaminated with any of the following:
- Any congener of polychlorinated dibenzo-furan
 - Any congener of polychlorinated dibenzo-P-dioxin
- A4120 Wastes that contain, consist of or are contaminated with peroxides
- A4130 Waste packages and containers containing Annex I substances in concentrations sufficient to exhibit Annex III hazard characteristics
- A4140 Waste consisting of or containing off specification or outdated¹⁰ chemicals corresponding to Annex I categories and exhibiting Annex III hazard characteristics
- A4150 Waste chemical substances arising from research and development or teaching activities which are not identified and/or are new and whose effects on human health and/or the environment are not known
- A4160 Spent activated carbon not included on list B (note the related entry on list B B2060)

⁸ “Outdated” means unused within the period recommended by the manufacturer.

⁹ This entry does not include wood treated with wood preserving chemicals.

¹⁰ “Outdated” means unused within the period recommended by the manufacturer.

Annex IX to the Basel Convention

Annex IX¹¹

List B

Wastes contained in the Annex will not be wastes covered by Article 1, paragraph 1 (a), of this Convention unless they contain Annex I material to an extent causing them to exhibit an Annex III characteristic.

B1 Metal and metal-bearing wastes

- | | |
|-------|--|
| B1010 | <p>Metal and metal-alloy wastes in metallic, non-dispersible form:</p> <ul style="list-style-type: none"> • Precious metals (gold, silver, the platinum group, but not mercury) • Iron and steel scrap • Copper scrap • Nickel scrap • Aluminium scrap • Zinc scrap • Tin scrap • Tungsten scrap • Molybdenum scrap • Tantalum scrap • Magnesium scrap • Cobalt scrap • Bismuth scrap • Titanium scrap • Zirconium scrap • Manganese scrap • Germanium scrap • Vanadium scrap • Scrap of hafnium, indium, niobium, rhenium and allium • Thorium scrap • Rare earths scrap • Chromium scrap |
| B1020 | <p>Clean, uncontaminated metal scrap, including alloys, in bulk finished form (sheet, plate, beams, rods, etc), of:</p> <ul style="list-style-type: none"> • Antimony scrap • Beryllium scrap • Cadmium scrap • Lead scrap (but excluding lead-acid batteries) • Selenium scrap • Tellurium scrap |
| B1030 | Refractory metals containing residues |
| B1031 | Molybdenum, tungsten, titanium, tantalum, niobium and rhenium metal and metal alloy wastes in metallic |

¹¹ The amendment whereby Annex IX was added to the Convention entered into force on 6 November 1998, six months following the issuance of depositary notification C.N.77.1998 (reflecting Decision IV/9 adopted by the Conference of the Parties at its fourth meeting). The amendment to Annex IX whereby new entries were added entered into force on 20 November 2003 (depositary notification C.N.1314.2003), six months following the issuance of depositary notification C.N.399.2003 of 20 May 2003 (reflecting Decision VI/35 adopted by the Conference of the Parties at its sixth meeting). The amendment to Annex IX whereby one entry was added entered into force on 8 October 2005 (depositary notification C.N.1044.2005) six months following the issuance of depositary notification C.N.263.2005 of 8 April 2005 (re-issued on 13 June 2005, reflecting Decision VII/19 adopted by the Conference of the Parties at its seventh meeting). The amendments to Annex IX whereby two entries were added entered into force on 27 May 2014 (depositary notification C.N.304.2014) six months following the issuance of depositary notification C.N.965.2013 of 26 November 2013 reflecting Decision BC-11/6 adopted by the Conference of the Parties at its eleventh meeting). The present text includes all amendments.

	dispersible form (metal powder), excluding such wastes as specified in list A under entry A1050, Galvanic sludges
B1040	Scrap assemblies from electrical power generation not contaminated with lubricating oil, PCB or PCT to an extent to render them hazardous
B1050	Mixed non-ferrous metal, heavy fraction scrap, not containing Annex I materials in concentrations sufficient to exhibit Annex III characteristics ¹²
B1060	Waste selenium and tellurium in metallic elemental form including powder
B1070	Waste of copper and copper alloys in dispersible form, unless they contain Annex I constituents to an extent that they exhibit Annex III characteristics
B1080	Zinc ash and residues including zinc alloys residues in dispersible form unless containing Annex I constituents in concentration such as to exhibit Annex III characteristics ¹³
B1090	Waste batteries conforming to a specification, excluding those made with lead, cadmium or mercury
B1100	<p>Metal-bearing wastes arising from melting, smelting and refining of metals:</p> <ul style="list-style-type: none"> • Hard zinc spelter • Zinc-containing drosses: <ul style="list-style-type: none"> - Galvanizing slab zinc top dross (>90% Zn) - Galvanizing slab zinc bottom dross (>92% Zn) - Zinc die casting dross (>85% Zn) - Hot dip galvanizers slab zinc dross (batch)(>92% Zn) - Zinc skimmings • Aluminium skimmings (or skims) excluding salt slag • Slags from copper processing for further processing or refining not containing arsenic, lead or cadmium to an extent that they exhibit Annex III hazard characteristics • Wastes of refractory linings, including crucibles, originating from copper smelting • Slags from precious metals processing for further refining • Tantalum-bearing tin slags with less than 0.5% tin
B1110	<p>Electrical and electronic assemblies:</p> <ul style="list-style-type: none"> • Electronic assemblies consisting only of metals or alloys • Waste electrical and electronic assemblies or scrap¹⁴(including printed circuit boards) not containing components such as accumulators and other batteries included on list A, mercury-switches, glass from cathode-ray tubes and other activated glass and PCB-capacitors, or not contaminated with Annex I constituents (e.g.,

¹² Note that even where low level contamination with Annex I materials initially exists, subsequent processes, including recycling processes, may result in separated fractions containing significantly enhanced concentrations of those Annex I materials.

¹³ The status of zinc ash is currently under review and there is a recommendation with the United Nations Conference on Trade and Development (UNCTAD) that zinc ashes should not be dangerous goods.

¹⁴ This entry does not include scrap from electrical power generation.

cadmium, mercury, lead, polychlorinated biphenyl) or from which these have been removed, to an extent that they do not possess any of the characteristics contained in Annex III (note the related entry on list A A1180)

- Electrical and electronic assemblies (including printed circuit boards, electronic components and wires) destined for direct reuse,¹⁵ and not for recycling or final disposal¹⁶

B1115 Waste metal cables coated or insulated with plastics, not included in list A A1190, excluding those destined for Annex IVA operations or any other disposal operations involving, at any stage, uncontrolled thermal processes, such as open-burning.

B1120 Spent catalysts excluding liquids used as catalysts, containing any of:

Transition metals, excluding waste catalysts (spent catalysts, liquid used catalysts or other catalysts) on list A:	Scandium Vanadium Manganese Cobalt Copper Yttrium Niobium Hafnium Tungsten	Titanium Chromium Iron Nickel Zinc Zirconium Molybdenum Tantalum Rhenium
Lanthanides (rare earth metals):	Lanthanum Praseodymium Samarium Gadolinium Dysprosium Erbium Ytterbium	Cerium Neodymium Europium Terbium Holmium Thulium Lutetium

B1130 Cleaned spent precious-metal-bearing catalysts

B1140 Precious-metal-bearing residues in solid form which contain traces of inorganic cyanides

B1150 Precious metals and alloy wastes (gold, silver, the platinum group, but not mercury) in a dispersible, non-liquid form with appropriate packaging and labelling

B1160 Precious-metal ash from the incineration of printed circuit boards (note the related entry on list A A1150)

B1170 Precious-metal ash from the incineration of photographic film

B1180 Waste photographic film containing silver halides and metallic silver

B1190 Waste photographic paper containing silver halides and metallic silver

B1200 Granulated slag arising from the manufacture of iron and steel

B1210 Slag arising from the manufacture of iron and steel including slags as a source of TiO₂ and vanadium

¹⁵ Re-use can include repair, refurbishment or upgrading, but not major reassembly.

¹⁶ In some countries materials destined for direct re-use are not considered wastes.

B1220	Slag from zinc production, chemically stabilized, having a high iron content (above 20%) and processed according to industrial specifications (e.g., DIN 4301) mainly for construction
B1230	Mill scaling arising from the manufacture of iron and steel
B1240	Copper oxide mill-scale
B1250	Waste end-of-life motor vehicles, containing neither liquids nor other hazardous components

B2 Wastes containing principally inorganic constituents, which may contain metals and organic materials

B2010	Wastes from mining operations in non-dispersible form: <ul style="list-style-type: none"> • Natural graphite waste • Slate waste, whether or not roughly trimmed or merely cut, by sawing or otherwise • Mica waste • Leucite, nepheline and nephelinesyenite waste • Feldspar waste • Fluorspar waste • Silica wastes in solid form excluding those used in foundry operations
B2020	Glass waste in non-dispersible form: <ul style="list-style-type: none"> • Cullet and other waste and scrap of glass except for glass from cathode-ray tubes and other activated glasses
B2030	Ceramic wastes in non-dispersible form: <ul style="list-style-type: none"> • Cermet wastes and scrap (metal ceramic composites) • Ceramic based fibres not elsewhere specified or included
B2040	Other wastes containing principally inorganic constituents: <ul style="list-style-type: none"> • Partially refined calcium sulphate produced from flue-gas desulphurization (FGD) • Waste gypsum wallboard or plasterboard arising from the demolition of buildings • Slag from copper production, chemically stabilized, having a high iron content (above 20%) and processed according to industrial specifications (e.g., DIN 4301 and DIN 8201) mainly for construction and abrasive applications • Sulphur in solid form • Limestone from the production of calcium cyanamide (having a pH less than 9) • Sodium, potassium, calcium chlorides • Carborundum (silicon carbide) • Broken concrete • Lithium-tantalum and lithium-niobium containing glass scraps
B2050	Coal-fired power plant fly-ash, not included on list A (note the related entry on list A A2060)
B2060	Spent activated carbon not containing any Annex I constituents to the extent they exhibit Annex III characteristics, for example, carbon resulting from the treatment of potable water and processes of the food industry and vitamin production (note the related entry on list A A4160)
B2070	Calcium fluoride sludge

B2080	Waste gypsum arising from chemical industry processes not included on list A (note the related entry on list A A2040)
B2090	Waste anode butts from steel or aluminium production made of petroleum coke or bitumen and cleaned to normal industry specifications (excluding anode butts from chlor alkali electrolyses and from metallurgical industry)
B2100	Waste hydrates of aluminium and waste alumina and residues from alumina production excluding such materials used for gas cleaning, flocculation or filtration processes
B2110	Bauxite residue ("red mud") (pH moderated to less than 11.5)
B2120	Waste acidic or basic solutions with a pH greater than 2 and less than 11.5, which are not corrosive or otherwise hazardous (note the related entry on list A A4090)
B2130	Bituminous material (asphalt waste) from road construction and maintenance, not containing tar ¹⁷ (note the related entry on list A, A3200)

B3 Wastes containing principally organic constituents, which may contain metals and inorganic materials

B3010	<p>Solid plastic waste: The following plastic or mixed plastic materials, provided they are not mixed with other wastes and are prepared to a specification:</p> <ul style="list-style-type: none"> • Scrap plastic of non-halogenated polymers and co-polymers, including but not limited to the following¹⁸ <ul style="list-style-type: none"> - ethylene - styrene - polypropylene - polyethylene terephthalate - acrylonitrile - butadiene - polyacetals - polyamides - polybutylene terephthalate - polycarbonates - polyethers - polyphenylene sulphides - acrylic polymers - alkanes C10-C13 (plasticiser) - polyurethane (not containing CFCs) - polysiloxanes - polymethyl methacrylate - polyvinyl alcohol - polyvinyl butyral - polyvinyl acetate • Cured waste resins or condensation products including the following: <ul style="list-style-type: none"> - ureaformaldehyderesins - phenolformaldehyderesins - melamineformaldehyderesins - epoxy resins - alkyd resins - polyamides
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¹⁷The concentration level of Benzol (a) pyrene should not be 50mg/kg or more.

¹⁸ It is understood that such scraps are completely polymerized.

- The following fluorinated polymer wastes¹⁹
 - perfluoroethylene/propylene (FEP)
 - perfluoroalkoxyl alkane
 - tetrafluoroethylene/per fluoro vinyl ether (PFA)
 - tetrafluoroethylene/per fluoro methylvinyl ether (MFA)
 - polyvinylfluoride (PVF)
 - polyvinylidene fluoride (PVDF)
- B3020 Paper, paperboard and paper product wastes
The following materials, provided they are not mixed with hazardous wastes:
Waste and scrap of paper or paperboard of:
- unbleached paper or paperboard or of corrugated paper or paperboard
 - other paper or paperboard, made mainly of bleached chemical pulp, not coloured in the mass
 - paper or paperboard made mainly of mechanical pulp (for example, newspapers, journals and similar printed matter)
 - other, including but not limited to 1) laminated paperboard 2) unsorted scrap
- B3026 The following waste from the pre-treatment of composite packaging for liquids, not containing Annex I materials in concentrations sufficient to exhibit Annex III characteristics:
- Non-separable plastic fraction
 - Non-separable plastic-aluminium fraction
- B3027 Self-adhesive label laminate waste containing raw materials used in label material production
- B3030 Textile wastes
The following materials, provided they are not mixed with other wastes and are prepared to a specification:
- Silk waste (including cocoons unsuitable for reeling, yarn waste and garnetted stock)
 - not carded or combed
 - other
 - Waste of wool or of fine or coarse animal hair, including yarn waste but excluding garnetted stock
 - noils of wool or of fine animal hair
 - other waste of wool or of fine animal hair
 - waste of coarse animal hair
 - Cotton waste (including yarn waste and garnetted stock)
 - yarn waste (including thread waste)
 - garnetted stock
 - other
 - Flax tow and waste
 - Tow and waste (including yarn waste and garnetted stock) of true hemp (*Cannabis sativa* L.)
 - Tow and waste (including yarn waste and garnetted stock) of jute and other textile bast fibres (excluding flax, true hemp and ramie)
 - Tow and waste (including yarn waste and garnetted stock) of sisal and other textile fibres of the genus *Agave*
 - Tow, noils and waste (including yarn waste and garnetted stock) of coconut

¹⁹ Post-consumer wastes are excluded from this entry:

- Wastes shall not be mixed
- Problems arising from open-burning practices to be considered

- Tow, noils and waste (including yarn waste and garnetted stock) of abaca (Manila hemp or *Musa textilis* Nee)
 - Tow, noils and waste (including yarn waste and garnetted stock) of ramie and other vegetable textile fibres, not elsewhere specified or included
 - Waste (including noils, yarn waste and garnetted stock) of man-made fibres
 - of synthetic fibres
 - of artificial fibres
 - Worn clothing and other worn textile articles
 - Used rags, scrap twine, cordage, rope and cables and worn out articles of twine, cordage, rope or cables of textile materials
 - sorted
 - other
- B3035 Waste textile floor coverings, carpets
- B3040 Rubber wastes
The following materials, provided they are not mixed with other wastes:
- Waste and scrap of hard rubber (e.g., ebonite)
 - Other rubber wastes (excluding such wastes specified elsewhere)
- B3050 Untreated cork and wood waste:
- Wood waste and scrap, whether or not agglomerated in logs, briquettes, pellets or similar forms
 - Cork waste: crushed, granulated or ground cork
- B3060 Wastes arising from agro-food industries provided it is not infectious:
- Wine lees
 - Dried and sterilized vegetable waste, residues and byproducts, whether or not in the form of pellets, of a kind used in animal feeding, not elsewhere specified or included
 - Degras: residues resulting from the treatment of fatty substances or animal or vegetable waxes
 - Waste of bones and horn-cores, unworked, defatted, simply prepared (but not cut to shape), treated with acid or degelatinised
 - Fish waste
 - Cocoa shells, husks, skins and other cocoa waste
 - Other wastes from the agro-food industry excluding by-products which meet national and international requirements and standards for human or animal consumption
- B3065 Waste edible fats and oils of animal or vegetable origin (e.g. frying oils), provided they do not exhibit an Annex III characteristic
- B3070 The following wastes:
- Waste of human hair
 - Waste straw
 - Deactivated fungus mycelium from penicillin production to be used as animal feed
- B3080 Waste parings and scrap of rubber
- B3090 Paring and other wastes of leather or of composition leather not suitable for the manufacture of leather articles, excluding leather sludges, not containing hexavalent chromium compounds and biocides (note the related entry on list A

	A3100)
B3100	Leather dust, ash, sludges or flours not containing hexavalent chromium compounds or biocides (note the related entry on list A A3090)
B3110	Fellmongery wastes not containing hexavalent chromium compounds or biocides or infectious substances (note the related entry on list A A3110)
B3120	Wastes consisting of food dyes
B3130	Waste polymer ethers and waste non-hazardous monomer ethers incapable of forming peroxides
B3140	Waste pneumatic tyres, excluding those destined for Annex IVA operations

B4 Wastes which may contain either inorganic or organic constituents

B4010	Wastes consisting mainly of water-based/latex paints, inks and hardened varnishes not containing organic solvents, heavy metals or biocides to an extent to render them hazardous (note the related entry on list A A4070)
B4020	Wastes from production, formulation and use of resins, latex, plasticizers, glues/adhesives, not listed on list A, free of solvents and other contaminants to an extent that they do not exhibit Annex III characteristics, e.g., water-based, or glues based on casein, starch, dextrin, cellulose ethers, polyvinyl alcohols (note the related entry on list A A3050)
B4030	Used single-use cameras, with batteries not included on list A

Appendix 3: Annex III to the Basel Convention on List of Hazardous Characteristics

<u>UN Class</u> ¹	Code	<u>Characteristics</u>
1	H1	Explosive
		An explosive substance or waste is a solid or liquid substance or waste (or mixture of substances or wastes) which is in itself capable by chemical reaction of producing gas at such a temperature and pressure and at such a speed as to cause damage to the surroundings.
3	H3	Flammable liquids
		The word "flammable" has the same meaning as "inflammable". Flammable liquids are liquids, or mixtures of liquids, or liquids containing solids in solution or suspension (for example, paints, varnishes, lacquers, etc., but not including substances or wastes otherwise classified on account of their dangerous characteristics) which give off a flammable vapour at temperatures of not more than 60.5 deg. C, closed-cup test, or not more than 65.6 deg C, open-cup test. (Since the results of open-cup tests and of closed-cup tests are not strictly comparable and even individual results by the same test are often variable, regulations varying from the above figures to make allowance for such differences would be within the spirit of this definition).
4.1	H4.1	Flammable solids
		Solids, or waste solids, other than those classed as explosives, which under conditions encountered in transport are readily combustible, or may cause or contribute to fire through friction.
4.2	H4.2	Substances or wastes liable to spontaneous combustion
		Substances or wastes which are liable to spontaneous heating under normal conditions encountered in transport, or to heating up on contact with air, and being then liable to catch fire.
4.3	H4.3	Substances or wastes which, in contact with water emit flammable gases
		Substances or wastes which, by interaction with water, are liable to become spontaneously flammable or to give off flammable gases in dangerous quantities.
5.1	H5.1	Oxidizing
		Substances or wastes which, while in themselves not necessarily combustible, may, generally by yielding oxygen cause, or contribute to, the combustion of other materials.
5.2	H5.2	Organic Peroxides
		Organic substances or wastes which contain the bivalent-o-o-structure are thermally unstable substances which may undergo exothermic self-accelerating decomposition.
6.1	H6.1	Poisonous (Acute)
		Substances or wastes liable either to cause death or serious injury or to harm human health if swallowed or inhaled or by skin contact.
6.2	H6.2	Infectious substances
		Substances or wastes containing viable micro organisms or their toxins which are known or suspected to cause disease in animals or humans.
		Corrosives

¹ Corresponds to the hazard classification system included in the United Nations Recommendations on the Transport of Dangerous Goods (ST/SG/AC.10/1Rev.5, United Nations, New York, 1988).

8	H8	Substances or wastes which, by chemical action, will cause severe damage when in contact with living tissue, or, in the case of leakage, will materially damage, or even destroy, other goods or the means of transport; they may also cause other hazards.
9	H10	Liberation of toxic gases in contact with air or water
		Substances or wastes which, by interaction with air or water, are liable to give off toxic gases in dangerous quantities.
9	H11	Toxic (Delayed or chronic).
		Substances or wastes which, if they are inhaled or ingested or if they penetrate the skin, may involve delayed or chronic effects, including carcinogenicity
9	H12	Ecotoxic
		Substances or wastes which if released present or may present immediate or delayed adverse impacts to the environment by means of bioaccumulation and/or toxic effects upon biotic systems.
9	H13	Capable, by any means, after disposal, of yielding another material, e.g. leachate, which possesses any of the characteristics listed above.

Tests

The potential hazards posed by certain types of wastes are not yet fully documented; tests to define quantitatively these hazards do not exist. Further research is necessary in order to develop means to characterize potential hazards posed to man and/or the environment by these wastes. Standardized tests have been derived with respect to pure substances and materials. Many countries have developed national tests which can be applied to materials listed in Annex 1, in order to decide if these materials exhibit any of the characteristics listed in this Annex.

Appendix 4: Basic elements to be included in the contract or contracts between the exporter and the importer or disposer

Contracts for the shipment of waste destined for disposal operations should clearly set out the rights and obligations of each party to the contract and demonstrate a positive and mutually responsible approach in compliance with the national law of relevant jurisdictions. There may also be a contract between the exporter and the importer and the importer and disposer.

It should be noted that a contract shall normally be concluded before the notification is provided and the competent authorities have issued their consents to the movement of waste. Therefore, the contract concluded at that stage should include a caveat stating that it is "subject to consent" in order to avoid possible practical trade problems in case the proposed movement of waste is not permitted by the competent authorities.

The following elements should be considered for inclusion in the contract.

NOTE: National regulations may lead to different requirements with regard to the contents of the contract. Please check the national law of the relevant jurisdictions: export, transit and import.

1. SCOPE OF DISPOSER'S SERVICES

Specify that the disposer will accept the waste in question, providing that the transboundary movement meets certain agreed quality requirements (within agreed levels of tolerance), as described in section 4 (below). Specify that a waste disposal facility is authorized or permitted to handle the waste and agrees to dispose of these wastes in accordance with the consents of the States concerned and the disposal operation set out therein.

2. SCOPE OF EXPORTER'S RESPONSIBILITIES

The contract could also provide that the exporter will also comply with his obligations under the PIC procedure (the check list for the exporter or generator (when acting as a notifier) can be found in section 4.2).

3. DURATION OF CONTRACT

Specify the time period of the contract and, if appropriate, the frequency of shipments.

4. WASTE MATERIAL AND METHOD OF DISPOSAL

Provide a description of the hazardous waste or other waste and the disposal operation for which it is destined. Provide a description of the intended use of the reclaimed material (or product). Specify the environmentally sound management of the wastes in question.

5. QUANTITY

Specify the quantity of hazardous waste or other waste that the disposer agrees to receive.

6. DELIVERY

Specify the type of packaging that will be used in transport.

Specify that the exporter will inform the disposer of the date of any shipment pursuant to the contract; the expected date of arrival to the disposer's premises and the expected completion of the disposal operations.

Require the importer/disposer to complete the movement document when the hazardous or other wastes are received, to complete the disposal of the hazardous or other wastes and to provide written confirmation within 30 days that the wastes have been disposed of.

The importer is to take all practicable measures to assist the exporter in fulfilling the terms of the exporter's obligations under the national law of the party of export if the delivery is not accepted by the authorized facility named in the consents of the States concerned or if the authorized facility cannot, or has refused to, dispose of the hazardous or other waste in accordance with the consents of the States concerned.

7. TITLE

Specify the conditions for transfer of ownership and of liability, clearly defining the areas covered, for example, loss, theft, damage (clarify what is meant by "damage").

8. INSPECTION AND ACCEPTANCE

Specify which party shall be responsible for ensuring the inspection, sampling and analysis of the hazardous or other waste, as well as the procedures to follow in case of non-conformity of the sample and/or rejection of the shipment. Specify which party shall bear the cost of each of these items. Specify alternative management and the chain of responsible parties, in cases where the disposer cannot accept the wastes in question. Remember that the Basel Convention contains provisions for the Duty to Re-import from the State of export (Article 8).

9. REPRESENTATIONS AND WARRANTIES OF EXPORTER AND/OR DISPOSER

Specify the representations and warranties of each company, for example, concerning the competence of each party and his licence/authorization to operate.

10. LIABILITY

Clearly delineate the responsibility for third-party property damage and any other specific damages (e.g. damage to environment, trading loss, loss of profit, etc.)

11. INSURANCE

Specify that the companies carry the insurance required by law, or other insurance that has been mutually agreed upon.

12. LAW AND ARBITRATION

Specify the procedures and time frame to be followed in the event of a dispute arising from the contract (e.g. agreement to pursue a non-legal resolution to the dispute or to refer the dispute to an arbitration tribunal such as the International Chamber of Commerce International Court of Arbitration).

13. FINANCIAL ARRANGEMENTS

Specify the compensation.

Specify the terms and conditions for adjustment of the compensation.

Appendix 5: Annex IV to the Basel Convention on Disposal Operations

A. OPERATIONS WHICH DO NOT LEAD TO THE POSSIBILITY OF RESOURCE RECOVERY, RECYCLING, RECLAMATION, DIRECT RE USE OR ALTERNATIVE USES

Section A encompasses all such disposal operations which occur in practice

D1 Deposit into or onto land, (e.g., landfill, etc.)

D2 Land treatment, (e.g., biodegradation of liquid or sludgy discards in soils, etc.)

D3 Deep injection, (e.g., injection of pumpable discards into wells, salt domes or naturally occurring repositories, etc.)

D4 Surface impoundment, (e.g., placement of liquid or sludge discards into pits, ponds or lagoons, etc.)

D5 Specially engineered landfill, (e.g., placement into lined discrete cells which are capped and isolated from one another and the environment, etc.)

D6 Release into a water body except seas/oceans

D7 Release into seas/oceans including seabed insertion

D8 Biological treatment not specified elsewhere in this Annex which results in final compounds or mixtures which are discarded by means of any of the operations in Section A

D9 Physicochemical treatment not specified elsewhere in this Annex which results in final compounds or mixtures which are discarded by means of any of the operations in Section A, (e.g., evaporation, drying, calcination, neutralisation, precipitation, etc.)

D10 Incineration on land

D11 Incineration at sea

D12 Permanent storage (e.g., emplacement of containers in a mine, etc.)

D13 Blending or mixing prior to submission to any of the operations in Section A

D14 Repackaging prior to submission to any of the operations in Section A

D15 Storage pending any of the operations in Section A

B. OPERATIONS WHICH MAY LEAD TO RESOURCE RECOVERY, RECYCLING, RECLAMATION, DIRECT REUSE OR ALTERNATIVE USES

Section B encompasses all such operations with respect to materials legally defined as or considered to be hazardous wastes and which otherwise would have been destined for operations included in Section A

R1 Use as a fuel (other than in direct incineration) or other means to generate energy

R2 Solvent reclamation/regeneration

R3 Recycling/reclamation of organic substances which are not used as solvents

R4 Recycling/reclamation of metals and metal compounds

R5 Recycling/reclamation of other inorganic materials

R6 Regeneration of acids or bases

R7 Recovery of components used for pollution abatement

R8 Recovery of components from catalysts

R9 Used oil re-refining or other reuses of previously used oil

R10 Land treatment resulting in benefit to agriculture or ecological improvement

R11 Uses of residual materials obtained from any of the operations numbered R1- R10

R12 Exchange of wastes for submission to any of the operations numbered R1- R11

R13 Accumulation of material intended for any operation in Section B

Appendix 6: Revised notification and movement documents for the control of transboundary movement of hazardous wastes and instructions for completing these documents

Notification document for transboundary movements/shipments of waste

<p>1. Exporter – notifier Registration No: Name: Address: Contact person: Tel: Fax: E-mail:</p>	<p>3. Notification No: Notification concerning A.(i) Individual shipment: <input type="checkbox"/> (ii) Multiple shipments: <input type="checkbox"/> B.(i) Disposal (1): <input type="checkbox"/> (ii) Recovery: <input type="checkbox"/> C. Pre-consented recovery facility (2:3) Yes <input type="checkbox"/> No <input type="checkbox"/></p>												
<p>2. Importer - consignee Registration No: Name: Address: Contact person: Tel: Fax: E-mail:</p>	<p>4. Total intended number of shipments: 5. Total intended quantity(4): Tonnes (Mg): m³:</p>												
<p>8. Intended carrier(s) Registration No: Name(7): Address: Contact person: Tel: Fax: E-mail: Means of transport(5):</p>	<p>6. Intended period of time for shipment(s) (4): First departure: Last departure:</p>												
<p>9. Waste generator(s) - producer(s)(1:7:8) Registration No: Name: Address: Contact person: Tel: Fax: E-mail: Site and process of generation (6)</p>	<p>7. Packaging type(s) (5): Special handling requirements (6): Yes: <input type="checkbox"/> No: <input type="checkbox"/></p>												
<p>10. Disposal facility (2): <input type="checkbox"/> or recovery facility (2): <input type="checkbox"/> Registration No: Name: Address: Contact person: Tel: Fax: E-mail: Actual site of disposal/recovery:</p>	<p>11. Disposal / recovery operation(s) (2) D-code / R-code (5): Technology employed (6): Reason for export (1:6):</p>												
<p>12. Designation and composition of the waste(6):</p>													
<p>13. Physical characteristics(5):</p>													
<p>14. Waste identification (fill in relevant codes) (i) Basel Annex VIII (or IX if applicable): (ii) OECD code (if different from (i)): (iii) EC list of wastes: (iv) National code in country of export: (v) National code in country of import: (vi) Other (specify): (vii) Y-code: (viii) H-code (5): (ix) UN class (5): (x) UN Number: (xi) UN Shipping name: (xii) Customs code(s) (HS):</p>													
<p>15. (a) Countries/States concerned, (b) Code no. of competent authorities where applicable, (c) Specific points of exit or entry (border crossing or port)</p> <table border="1" style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="width: 25%;">State of export - dispatch</th> <th style="width: 50%;">State(s) of transit (entry and exit)</th> <th style="width: 25%;">State of import - destination</th> </tr> </thead> <tbody> <tr> <td>(a)</td> <td></td> <td></td> </tr> <tr> <td>(b)</td> <td></td> <td></td> </tr> <tr> <td>(c)</td> <td></td> <td></td> </tr> </tbody> </table>		State of export - dispatch	State(s) of transit (entry and exit)	State of import - destination	(a)			(b)			(c)		
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<p>16. Customs offices of entry and/or exit and/or export (European Community): Entry: Exit: Export:</p>													
<p>17. Exporter's - notifier's / generator's - producer's (1) declaration: I certify that the information is complete and correct to my best knowledge. I also certify that legally enforceable written contractual obligations have been entered into and that any applicable insurance or other financial guarantee is or shall be in force covering the transboundary movement. Exporter's - notifier's name: Date: Signature: Generator's - producer's name: Date: Signature:</p>													
<p>FOR USE BY COMPETENT AUTHORITIES</p>													
<p>19. Acknowledgement from the relevant competent authority of countries of import - destination / transit (1) export - dispatch(9): Country: Notification received on: Acknowledgement sent on: Name of competent authority: Stamp and/or signature:</p>	<p>18. Number of annexes attached</p> <p>20. Written consent (1:8) to the movement provided by the competent authority of (country): Consent given on: Consent valid from: until: Specific conditions: No: <input type="checkbox"/> If Yes, see block 21 (6): <input type="checkbox"/> Name of competent authority: Stamp and/or signature:</p>												
<p>21. Specific conditions on consenting to the movement document or reasons for objecting</p>													

(1) Required by the Basel Convention

(2) In the case of an R12/R13 or D13-D15 operation, also attach corresponding information on any subsequent R12/R13 or D13-D15 facilities and on the subsequent R1-R11 or D1-D12 facility(ies) when required

(3) To be completed for movements within the OECD area and only if B(ii) applies

(4) Attach detailed list if multiple shipments

(5) See list of abbreviations and codes on the next page

(6) Attach details if necessary

(7) Attach list if more than one

(8) If required by national legislation

(9) If applicable under the OECD Decision

List of abbreviations and codes used in the notification document

<p>DISPOSAL OPERATIONS (block 11)</p> <p>D1 Deposit into or onto land, (e.g., landfill, etc.) D2 Land treatment, (e.g., biodegradation of liquid or sludgy discards in soils, etc.) D3 Deep injection, (e.g., injection of pump able discards into wells, salt domes or naturally occurring repositories, etc.) D4 Surface impoundment, (e.g., placement of liquid or sludge discards into pits, ponds or lagoons, etc.) D5 Specially engineered landfill, (e.g., placement into lined discrete cells which are capped and isolated from one another and the environment, etc.) D6 Release into a water body except seas/oceans D7 Release into seas/oceans including sea-bed insertion D8 Biological treatment not specified elsewhere in this list which results in final compounds or mixtures which are discarded by means of any of the operations in this list D9 Physico-chemical treatment not specified elsewhere in this list which results in final compounds or mixtures which are discarded by means of any of the operations in this list (e.g., evaporation, drying, calcination, etc.) D10 Incineration on land D11 Incineration at sea D12 Permanent storage, (e.g., emplacement of containers in a mine, etc.) D13 Blending or mixing prior to submission to any of the operations in this list D14 Repackaging prior to submission to any of the operations in this list D15 Storage pending any of the operations in this list</p>																																															
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Further information, in particular related to waste identification (block 14), i.e. on Basel Annexes VIII and IX codes, OECD codes and Y-codes, can be found in a Guidance/Instruction Manual available from the OECD and the Secretariat of the Basel Convention.

Movement document for transboundary movements/shipments of waste

1. Corresponding to notification No:		2. Serial/total number of shipments: /	
3. Exporter- notifier Registration No: Name: Address: Contact person: Tel: Fax: E-mail:		4. Importer- consignee Registration No: Name: Address: Contact person: Tel: Fax: E-mail:	
5. Actual quantity: Tonnes (Mg): m ³ :		6. Actual date of shipment:	
7. Packaging Type(s) (1): Number of packages: Special handling requirements: (2) Yes: <input type="checkbox"/> No: <input type="checkbox"/>			
8. (a) 1 st Carrier (3): Registration No: Name: Address: Tel: Fax: E-mail:		8. (b) 2 nd Carrier: Registration No: Name: Address: Tel: Fax: E-mail:	
		8. (c) Last Carrier: Registration No: Name: Address: Tel: Fax: E-mail:	
----- To be completed by carrier's representative -----			
Means of transport (1): Date of transfer: Signature:		Means of transport (1): Date of transfer: Signature:	
9. Waste generator(s)- producer(s) (4,5,6): Registration No: Name: Address: Contact person: Tel: Fax: E-mail: Site of generation (2):		12. Designation and composition of the waste(2):	
10. Disposal facility <input type="checkbox"/> or recovery facility <input type="checkbox"/> Registration No: Name: Address: Contact person: Te Fax: I: E-mail: Actual site of disposal/recovery (2)		13. Physical characteristics (1):	
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15. Exporter's - notifier's / generator's - producer's (4) declaration: I certify that the above information is complete and correct to my best knowledge. I also certify that legally enforceable written contractual obligations have been entered into, that any applicable insurance or other financial guarantee is in force covering the transboundary movement and that all necessary consents have been received from the competent authorities of the countries concerned. Name: Date: Signature:			
16. For use by any person involved in the transboundary movement in case additional information is required			
17. Shipment received by importer - consignee (if not facility): Date: Name: Signature:			
TO BE COMPLETED BY DISPOSAL / RECOVERY FACILITY			
18. Shipment received at disposal facility <input type="checkbox"/> or recovery facility <input type="checkbox"/> Date of reception: Accepted: <input type="checkbox"/> Rejected*: <input type="checkbox"/> Quantity received: Tonnes (Mg): m ³ : Approximate date of disposal/recovery: Disposal/recovery operation (1): Name: Date: Signature:		19. I certify that the disposal/recovery of the waste described above has been completed. Name: Date: Signature and stamp:	

(1) See list of abbreviations and codes on the next page

(2) Attach details if necessary

(3) If more than 3 carriers, attach information as required in blocks 8 (a,b,c).

(4) Required by the Basel Convention

(5) Attach list if more than one

(6) If required by national legislation

FOR USE BY CUSTOMS OFFICES (if required by national legislation)			
20. Country of export - dispatch or customs office of exit The waste described in this movement document left the country on: Signature: Stamp:	21. Country of import - destination or customs office of entry The waste described in this movement document entered the country on: Signature: Stamp:		
22. Stamps of customs offices of transit countries			
Name of country: Entry:	Exit:	Name of country: Entry:	Exit:
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Instructions for completing the notification and movement documents

Introduction

1. International instruments have been established to control export and import of wastes which may pose a risk or a hazard to human health and the environment. The two such instruments with the greatest influence are the Basel Convention,¹ whose secretariat is administered by the United Nations Environment Programme (UNEP), and the Organisation for Economic Co-operation and Development (OECD) Council Decision C(2001)107/FINAL (hereinafter “the OECD Decision”).² Member States of the European Union are also obliged to comply with a European Community Regulation.³ The Basel Convention and the European Community Regulation concern international movements of waste, whether destined for disposal or recovery, whereas the OECD Decision only concerns movements of wastes destined for recovery operations within the OECD area. All of the instruments operate subject to a range of administrative controls by the parties implementing them.
2. The present instructions provide the necessary explanations for completing the notification and movement documents. Both documents are compatible with the three instruments mentioned above, since they take into account the specific requirements set out in the Basel Convention, the OECD Decision and the European Community Regulation. Because the documents have been made broad enough to cover all three instruments, however, not all blocks in the document will be applicable to all of the instruments and it therefore may not be necessary to complete all of the blocks in a given case. Any specific requirements relating to only one control system have been indicated with the use of footnotes. It is also possible that national implementing legislation may use terminology that differs from that adopted in the Basel Convention and the OECD Decision. For example, the term “shipment” is used in the European Community Regulation instead of “movement” and the titles of the notification and movement documents therefore reflect this variation by employing the term “movement/shipment”.
3. The documents include both the term “disposal” and “recovery”, because the terms are defined differently in the three instruments. The European Community Regulation and the OECD Decision use the term “disposal” to refer to disposal operations listed in Annex IV.A of the Basel Convention and Appendix 5.A of the OECD Decision and “recovery” for recovery operations listed in Annex IV.B of the Basel Convention and Appendix 5.B of the OECD Decision. In the Basel Convention itself, however, the term “disposal” is used to refer to both disposal and recovery operations.
4. The competent national authorities in each state of export will be responsible for providing and issuing the notification and movement documents (in both paper and electronic versions). When doing so, they will use a numbering system, which allows a particular consignment of waste to be traced. The numbering system should be prefixed with the country code that can be found in the ISO standard 3166 abbreviation list.
5. Countries may wish to issue the documents in a paper size format that conforms to their national standards (normally ISO A4, as recommended by the United Nations). In order to facilitate their use internationally, however, and to take into account the difference between ISO A4 and the paper size used in North America, the frame size of the forms should not be greater than 183 x 262 mm with margins aligned at the top and the left side of the paper.

¹ Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, 22 March 1989. See www.basel.int.

² Decision C(2001)107/FINAL of the OECD Council, concerning the revision of Decision C(92)39/FINAL on the control of transboundary movements of waste destined for recovery operations; the former decision is a consolidation of texts adopted by the Council on 14 June 2001 and on 28 February 2002 (with amendments). See <http://acts.oecd.org/Instruments/ShowInstrumentView.aspx?InstrumentID=221&InstrumentPID=217&Lang=en&Book=False>

³ Currently in force is Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community (Official Journal of the European Communities No. L30, 6.2.1993 (with amendments)). It will be repealed with effect from 12 July 2007, when Regulation (EC) No 1013/2006 on shipments of waste (Official Journal No. L190, 12.7.2006), will apply. See <http://ec.europa.eu/environment/waste/shipments/>

Purpose of the notification and movement documents

6. The notification document is intended to provide the competent authorities of countries concerned with the information they need to assess the acceptability of proposed waste movements. The document includes space for the competent authorities to acknowledge receipt of the notification and, where required, to consent in writing to a proposed movement.
7. The movement document is intended to travel with a consignment of waste at all times from the moment it leaves the waste generator to its arrival at a disposal or recovery facility in another country. Each person who takes charge of a transboundary movement is to sign the movement document either upon delivery or receipt of the wastes in question. Space is provided in the document for detailed information on all carriers of the consignment. There are also spaces in the movement document for recording passage of the consignment through the customs offices of all countries concerned (while not strictly required by applicable international instruments, national legislation in some countries requires such procedures, as well as information to ensure proper control over movement). Finally, the document is to be used by the relevant disposal or recovery facility to certify that the waste has been received and that the recovery or disposal operation has been completed.

General requirements

8. Those filling out printed copies of the documents should use typescript or block capitals in permanent ink throughout. Signatures should always be written in permanent ink and the name of the authorized representative should accompany the signature in capital letters. In the event of a minor mistake, for example the use of the wrong code for a waste, a correction can be made with the approval of the competent authorities. The new text must be marked and signed or stamped, and the date of the modification must be noted. For major changes or corrections, a new form must be completed.
9. The forms have also been designed to be easily completed electronically. Where this is done, appropriate security measures should be taken against any misuse of the forms. Any changes made to a completed form with the approval of the competent authorities should be visible. When using electronic forms transmitted by e-mail, a digital signature is necessary.
10. To simplify translation, the documents require a code, rather than text, for the completion of several blocks. Where text is required, however, it must be in a language acceptable to the competent authorities in the country of import and, where required, to the other concerned authorities.
11. A six digit format should be used to indicate the date. For example, 29 January 2006 should be shown as 29.01.06 (Day.Month.Year).
12. Where it is necessary to add annexes or attachments to the documents providing additional information, each attachment should include the reference number of the relevant document and cite the block to which it relates.

Specific instructions for completing the notification document

13. The exporter or the competent authority of the State of export, as appropriate, is to complete blocks 1–18 (except the notification number in block 3). The waste generator, where practicable, should also sign in block 17.
14. **Blocks 1 and 2:** Provide the registration number (where applicable), full name, address (including the name of the country), telephone and fax numbers (including the country code) and e-mail address of the exporter or the competent authority of the State of export, as appropriate, and importer,⁴ and also the name of a contact person responsible for the shipment. The phone and fax numbers and the e-mail address should facilitate contact of all relevant persons at any time regarding an incident during shipment.
15. Normally, the importer would be the disposal or recovery facility given in block 10. In some cases, however, the importer may be another person, for example a recognized trader, a dealer, a broker, or a corporate body, such as the headquarters or mailing address of the receiving disposal or recovery facility in block 10. In order to act as an importer, a recognized trader, dealer, broker or corporate body must be under the jurisdiction of the country of import and possess or have some other form of legal control over the waste at the moment the shipment arrives in the country of import. In

⁴ In the European Community, the terms notifier and consignee are used instead of exporter and importer.

such cases, information relating to the recognized trader, dealer, broker or corporate body should be completed in block 2.

16. **Block 3:** When issuing a notification document, a competent authority will, according to its own system, provide an identification number which will be printed in this block (see paragraph 4 above). The appropriate boxes should be ticked to indicate:

Whether the notification covers one shipment (single notification) or multiple shipments (general notification);

Whether the waste being shipped is destined for disposal (which, as noted in paragraphs 1 and 3 above, is possible in the case of a shipment falling within the ambit of the Basel Convention or the European Community Regulation but not one within the ambit of the OECD Decision) or for recovery; and

Whether the waste being shipped is destined for a facility which has been granted a pre-consent for receiving certain wastes subject to the Amber control procedure in accordance with case 2 of the "Functioning of the Amber Control Procedure" (see chapter II, section D of the OECD Decision).

17. **Blocks 4, 5 and 6:** For single or multiple shipments, give the number of shipments in block 4 and the intended date of a single shipment or, for multiple shipments, the dates of the first and last shipments, in block 6. In block 5, give the weight in tonnes (1 megagram (Mg) or 1,000 kg) or volume in cubic metres (1,000 litres) of the waste. Other units of the metric system, such as kilograms or litres, are also acceptable; when used, the unit of measure should be indicated and the unit in the document should be crossed out. Some countries may always require the weight to be quoted. For multiple shipments, the total quantity shipped must not exceed the quantity declared in block 5. The intended period of time for movements in block 6 may not exceed one year, with the exception of multiple shipments to pre-consented recovery facilities that fall under the OECD Decision (see paragraph 16 (c)), for which the intended period of time may not exceed three years. In the case of multiple shipments, the Basel Convention requires the expected dates or the expected frequency and the estimated quantity of each shipment to be quoted in blocks 5 and 6 or attached in an annex. Where a competent authority issues a written consent to the movement and the validity period of that consent in block 20 differs from the period indicated in block 6, the decision of the competent authority overrides the information in block 6.

18. **Block 7:** Types of packaging should be indicated using the codes provided in the list of abbreviations and codes attached to the notification document. If special handling precautions are required, such as those required by producers' handling instructions for employees, health and safety information, including information on dealing with spillage, and transport emergency cards, tick the appropriate box and attach the information in an annex.

19. **Block 8:** Provide the following necessary information on the carrier or carriers involved in the shipment: registration number (where applicable), full name, address (including the name of the country), telephone and fax numbers (including the country code), e-mail address and the name of a contact person responsible for the shipment. If more than one carrier is involved, append to the notification document a complete list giving the required information for each carrier. Where the transport is organized by a forwarding agent, the agent's details should be given in block 8 and the respective information on actual carriers should be provided in an annex. Means of transport should be indicated using the abbreviations provided in the list of abbreviations and codes attached to the notification document.

20. **Block 9:** Provide the required information on the generator of the waste. This information is required under the Basel Convention and many countries may require it under their national legislation.⁵ Such information is not required, however, for movements of wastes destined for recovery under the OECD Decision. The registration number of the generator should be given where applicable. If the exporter is the generator of the waste then write "Same as block 1". If the waste has been produced by more than one generator, write "See attached list" and append a list providing the requested information for each generator. Where the generator is not known, give the name of the person in possession or control of such wastes. The definition of "generator" used in the Basel Convention provides that in instances where the true generator of the waste is not known, the generator is deemed to be the person who is in possession or control of the waste. Also provide information on the process by which the waste was generated and the site of generation. Some countries may accept that information on the generator be given in a separate annex which would only be available to the competent authorities.

⁵ In the European Community, the term "producer" is used instead of "generator".

21. **Block 10:** Give the required information on the destination of the shipment by first ticking the appropriate type of facility: either disposal or recovery. The registration number should be given where applicable. If the disposer or recoverer is also the importer, state here "Same as block 2". If the disposal or recovery operation is a D13–D15 or R12 or R13 operation (according to the definitions of operations set out in the list of abbreviations and codes attached to the notification document), the facility performing the operation should be mentioned in block 10, as well as the location where the operation will be performed. In such a case, corresponding information on the subsequent facility or facilities, where any subsequent R12/R13 or D13–D15 operation and the D1–D12 or R1–R11 operation or operations takes or take place or may take place should be provided in an annex. Provide the information on the actual site of disposal or recovery if it is different from the address of the facility.

22. **Block 11:** Indicate the type of recovery or disposal operation by the using R-codes or D-codes provided in the list of abbreviations and codes attached to the notification document.⁶ The OECD Decision only covers transboundary movements of wastes destined for recovery operations (R-codes) within the OECD area. If the disposal or recovery operation is a D13–D15 or R12 or R13 operation, corresponding information on the subsequent operations (any R12/R13 or D13–D15 as well as D1–D12 or R1–R11) should be provided in an annex. Also indicate the technology to be employed. Specify also the reason for export (this is not required, however, by the OECD Decision).

23. **Block 12:** Give the name or names by which the material is commonly known or the commercial name and the names of its major constituents (in terms of quantity and/or hazard) and their relative concentrations (expressed as a percentage), if known. In the case of a mixture of wastes, provide the same information for the different fractions and indicate which fractions are destined for recovery. A chemical analysis of the composition of the waste may be required in accordance with national legislation. Attach further information in an annex if necessary.

24. **Block 13:** Indicate physical characteristics of the waste at normal temperatures and pressures by using the codes provided in the list of abbreviations and codes attached to the notification document.

25. **Block 14:** State the code that identifies the waste according to the system adopted under the Basel Convention (under subheading (i) in block 14) and, where applicable, the systems adopted in the OECD Decision (under subheading (ii)) and other accepted classification systems (under subheadings (iii) to (xii)). According to the OECD Decision, only one waste code (from either the Basel or OECD systems) should be given, except in the case of mixtures of wastes for which no individual entry exists. In such a case, the code of each fraction of the waste should be provided in order of importance (in an annex if necessary).

(a) **Subheading (i):** Basel Convention Annex VIII codes should be used for wastes that are subject to control under the Basel Convention and the OECD Decision (see Part I of Appendix 4 in the OECD Decision); Basel Annex IX codes should be used for wastes that are not usually subject to control under the Basel Convention and the OECD Decision but which, for a specific reason such as contamination by hazardous substances or different classification according to national regulations, are subject to such control (see Part I of Appendix 3 in the OECD Decision). Basel Annexes VIII and IX can be found in the text of the Basel Convention as well as in the Instruction Manual available from the Secretariat of the Basel Convention. If a waste is not listed in Annexes VIII or IX of the Basel Convention, insert "not listed".

(b) **Subheading (ii):** OECD member countries should use OECD codes for wastes listed in Part II of Appendices 3 and 4 of the OECD Decision, i.e., wastes that have no equivalent listing in the Basel Convention or that have a different level of control under the OECD Decision from the one required by the Basel Convention. If a waste is not listed in Part II of Appendices 3 and 4 of the OECD Decision, insert "not listed".

(c) **Subheading (iii):** European Union Member States should use the codes included in the European Community list of wastes (see Commission Decision 2000/532/EC as amended).⁷

(d) **Subheadings (iv) and (v):** Where applicable, national identification codes used in the country of export and, if known, in the country of import should be used.

⁶ In the European Community Regulation, the definition of operation R1 in the list of abbreviations is different from that used in the Basel Convention and the OECD Decision; both wordings are therefore provided. There are other editorial differences between the terminology used in the European Community and that used in the Basel Convention and the OECD Decision, which are not contained in the list of abbreviations.

⁷ See <http://ec.europa.eu/environment/waste/framework/list.htm>.

(e) **Subheading (vi):** If useful or required by the relevant competent authorities, add here any other code or additional information that would facilitate the identification of the waste.

(f) **Subheading (vii):** State the appropriate Y-code or Y-codes according to the “Categories of wastes to be controlled” (see Annex I of the Basel Convention and Appendix 1 of the OECD Decision), or according to the “Categories of wastes requiring special consideration” given in Annex II of the Basel Convention (see Appendix 2 of the Basel Instruction Manual), if it or they exist(s). Y-codes are not required by the OECD Decision except where the waste shipment falls under one of the two “Categories requiring special consideration” under the Basel Convention (Y46 and Y47 or Annex II wastes), in which case the Basel Y-code should be indicated.

(g) **Subheading (viii):** If applicable, state here the appropriate H-code or H-codes, i.e., the codes indicating the hazardous characteristics exhibited by the waste (see the list of abbreviations and codes attached to the notification document).

(h) **Subheading (ix):** If applicable, state here the United Nations class or classes which indicate the hazardous characteristics of the waste according to the United Nations classification (see the list of abbreviations and codes attached to the notification document) and are required to comply with international rules for the transport of hazardous materials (see the United Nations Recommendations on the Transport of Dangerous Goods. Model Regulations (Orange Book), latest edition).⁸

(i) **Subheadings (x and xi):** If applicable, state here the appropriate United Nations number or numbers and United Nations shipping name or names. These are used to identify the waste according to the United Nations classification system and are required to comply with international rules for transport of hazardous materials (see the United Nations Recommendations on the Transport of Dangerous Goods. Model Regulations (Orange Book), latest edition).

(j) **Subheading (xii):** If applicable, state here customs code or codes, which allow identification of the waste by customs offices (see the list of codes and commodities in the “Harmonized commodity description and coding system” produced by the World Customs Organization).

26. **Block 15:** The Basel Convention uses the term “States”, whereas the OECD Decision uses “Member countries” and the European Community Regulation uses “Member States”. On line (a) of block 15, provide the name of the countries or States of export, transit and import or the codes for each country or State by using the ISO standard 3166 abbreviations.⁹ On line (b), provide the code number of the respective competent authority for each country if required by the national legislation of that country and on line (c) insert the name of the border crossing or port and, where applicable, the customs office code number as the point of entry to or exit from a particular country. For transit countries give the information in line (c) for points of entry and exit. If more than three transit countries are involved in a particular movement, attach the appropriate information in an annex.

27. **Block 16:** This block should be completed for movements involving entering, passing through or leaving Member States of the European Union.

28. **Block 17:** Each copy of the notification document is to be signed and dated by the exporter (or by the recognized trader, dealer or broker if acting as an exporter) or the competent authority of the State of export, as appropriate, before being forwarded to the competent authorities of the countries concerned. Under the Basel Convention, the waste generator is also required to sign the declaration; it is noted that this may not be practicable in cases where there are several generators (definitions regarding practicability may be contained in national legislation). Further, where the generator is not known, the person in possession or control of the waste should sign. Some countries may require that the declaration also certify the existence of insurance against liability for damage to third parties. Some countries may require proof of insurance or other financial guarantees and a contract to accompany the notification document.

29. **Block 18:** Indicate the number of annexes containing any additional information supplied with the notification document (see blocks 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 20 or 21). Each annex must include a reference to the notification number to which it relates, which is indicated in the corner of block 3.

30. **Block 19:** This block is for use by the competent authority to acknowledge receipt of the notification. Under the Basel Convention, the competent authority or authorities of the country or

⁸ See <http://www.unece.org/trans/danger/danger.htm>.

⁹ In the European Community, the terms “dispatch” and “destination” are used instead of “export” and “import”.

countries of import (where applicable) and transit issue such an acknowledgement. Under the OECD Decision, the competent authority of the country of import issues the acknowledgement. Some countries may, according to their national legislation, require that the competent authority of the country of export also issues an acknowledgement.

31. **Blocks 20 and 21:** Block 20 is for use by competent authorities of any country concerned when providing a written consent to a transboundary movement of waste. The Basel Convention (except if a country has decided not to require written consent with regard to transit and has informed the other parties thereof in accordance with Article 6(4)) of the Basel Convention) and certain countries always require a written consent whereas the OECD Decision does not require a written consent. Indicate the name of the country (or its code by using the ISO standard 3166 abbreviations), the date on which the consent is provided and the date on which it expires. If the movement is subject to specific conditions, the competent authority in question should tick the appropriate box and specify the conditions in block 21 or in an annex to the notification document. If a competent authority wishes to object to the movement it should do so by writing "OBJECTION" in block 20. Block 21, or a separate letter, may then be used to explain the reasons for the objection.

Specific instructions for completing the movement document

32. The exporter or the competent authority of the State of export, as appropriate, is to complete blocks 2–16, except the means of transport, the date of transfer and the signature, which appear in blocks 8 (a) to 8 (c) and which are to be completed by the carrier or its representative. The importer is to complete block 17 in the event that it is not the disposer or recoverer and it takes charge of a shipment of waste after it arrives in the country of import.

33. **Block 1:** Enter the notification number of the consignment. This is copied from block 3 in the notification document.

34. **Block 2:** For a general notification for multiple shipments, enter the serial number of the shipment and the total intended number of shipments indicated in block 4 in the notification document. (for example, write "4" and "11" for the fourth shipment out of eleven intended shipments under the general notification in question). In the case of a single notification, enter 1/1.

35. **Blocks 3 and 4:** Reproduce the same information on the exporter or the competent authority of the State of export, as appropriate, and importer as given in blocks 1 and 2 in the notification document.

36. **Block 5:** Give the actual weight in tonnes (1 megagram (Mg) or 1,000 kg) or volume in cubic metres (1,000 litres) of the waste. Other units of the metric system, such as kilograms or litres, are also acceptable; when used, the unit of measure should be indicated and the unit in the form should be crossed out. Some countries may always require the weight to be quoted. Attach, wherever possible, copies of weighbridge tickets.

37. **Block 6:** Enter the date when the shipment actually starts. The starting dates of all shipments should be within the validity period issued by the competent authorities. Where the different competent authorities involved have granted different validity periods, the shipment or shipments may only take place in the time period during which the consents of all competent authorities are simultaneously valid.

38. **Block 7:** Types of packaging should be indicated using the codes provided in the list of abbreviations and codes attached to the movement document. If special handling precautions are required, such as those prescribed by producers' handling instructions for employees, health and safety information, including information on dealing with spillage, and transport emergency cards, tick the appropriate box and attach the information in an annex. Also enter the number of packages making up the consignment.

39. **Blocks 8 (a), (b) and (c):** Enter the registration number (where applicable), name, address (including the name of the country), telephone and fax numbers (including the country code) and e-mail address of each actual carrier. When more than three carriers are involved, appropriate information on each carrier should be attached to the movement document. When transport is organized by a forwarding agent, the agent's details should be given in block 8 and the information on each carrier should be provided in an annex. The means of transport, the date of transfer and a signature should be provided by the carrier or carrier's representative taking possession of the consignment. A copy of the signed movement document is to be retained by the exporter. Upon each successive transfer of the consignment, the new carrier or carrier's representative taking possession of

the consignment will have to comply with the same request and also sign the document. A copy of the signed document is to be retained by the previous carrier.

40. **Block 9:** Reproduce the information given in block 9 of the notification document.
41. **Blocks 10 and 11:** Reproduce the information given in blocks 10 and 11 in the notification document. If the disposer or recoverer is also the importer, write in block 10: "Same as block 4". If the disposal or recovery operation is a D13–D15 or R12 or R13 operation (according to the definitions of operations set out in the list of abbreviations and codes attached to the movement document), the information on the facility performing the operation provided in block 10 is sufficient. No further information on any subsequent facilities performing R12/R13 or D13–D15 operations and the subsequent facility(ies) performing the D1–D12 or R1–R11 operation(s) needs to be included in the movement document.
42. **Blocks 12, 13 and 14:** Reproduce the information given in blocks 12, 13 and 14 in the notification document.
43. **Block 15:** At the time of shipment, the exporter (or the recognized trader or dealer or broker if acting as an exporter) or the competent authority of the State of export, as appropriate, or the generator of the waste according to the Basel Convention, shall sign and date the movement document. Some countries may require copies or originals of the notification document containing the written consent, including any conditions, of the competent authorities concerned to be enclosed with the movement document.
44. **Block 16:** This block can be used by any person involved in a transboundary movement (exporter or the competent authority of the State of export, as appropriate, importer, any competent authority, carrier) in specific cases where more detailed information is required by national legislation concerning a particular item (for instance information on the port where a transfer to another transport mode occurs, the number of containers and their identification number, or additional proof or stamps indicating that the movement has been approved by the competent authorities).
45. **Block 17:** This block is to be completed by the importer in the event that it is not the disposer or recoverer and in case the importer takes charge of the waste after the shipment arrives in the country of import.
46. **Block 18:** This block is to be completed by the authorized representative of the disposal or recovery facility upon receipt of the waste consignment. Tick the box of the appropriate type of facility. With regard to the quantity received, please refer to the specific instructions on block 5 (paragraph 36). A signed copy of the movement document is given to the last carrier. If the shipment is rejected for any reason, the representative of the disposal or recovery facility must immediately contact his or her competent authority. Under the OECD Decision, signed copies of the movement document must be sent within three working days to the exporter and the competent authority in the countries concerned (with the exception of those OECD transit countries which have informed the OECD Secretariat that they do not wish to receive such copies of the movement document). The original movement document shall be retained by the disposal or recovery facility.
47. Receipt of the waste consignment must be certified by any facility performing any disposal or recovery operation, including any D13–D15 or R12 or R13 operation. A facility performing any D13–D15 or R12/R13 operation or a D1–D12 or R1–R11 operation subsequent to a D13–D15 or R12 or R13 operation in the same country, is not, however, required to certify receipt of the consignment from the D13–D15 or R12 or R13 facility. Thus, block 18 does not need to be used for the final receipt of the consignment in such a case. Indicate also the type of disposal or recovery operation by using the list of abbreviations and codes attached to the movement document and the approximate date by which the disposal or recovery of waste will be completed (this is not required by the OECD Decision).
48. **Block 19:** This block is to be completed by the disposer or recoverer to certify the completion of the disposal or recovery of the waste. Under the Basel Convention, signed copies of the document with block 19 completed should be sent to the exporter and competent authorities of the country of export. Under the OECD Decision, signed copies of the movement document with block 19 completed should be sent to the exporter and competent authorities of the countries of export and import as soon as possible, but no later than 30 days after the completion of the recovery and no later than one calendar year following the receipt of the waste. For disposal or recovery operations D13–D15 or R12 or R13, the information on the facility performing such an operation provided in block 10 is sufficient, and no further information on any subsequent facilities performing R12/R13 or D13–D15 operations and the subsequent facility(ies) performing the D1–D12 or R1–R11 operation(s) need be included in the movement document.

49. The disposal or recovery of waste must be certified by any facility performing any disposal or recovery operation, including a D13–D15 or R12 or R13 operation. Therefore, a facility performing any D13–D15 or R12/R13 operation or a D1–D12 or R1–R11 operation, subsequent to a D13–D15 or R12 or R13 operation in the same country, should not use block 19 to certify the recovery or disposal of the waste, since this block will already have been completed by the D13–D15 or R12 or R13 facility. The means of certifying disposal or recovery in this particular case must be ascertained by each country.

50. **Blocks 20, 21 and 22:** Not required by the Basel Convention or by the OECD Decision. The blocks may be used for control by customs offices at the borders of country of export, transit and import if so required by national legislation.
