

BASEL BAN AMENDMENT - BACKGROUND NOTES

Kathleen Ruff, July 17, 2019

*** PREAMBLE OF THE BASEL CONVENTION:**

- Recognizing also the increasing desire for the prohibition of transboundary movements of hazardous wastes and their disposal in other States, especially developing countries
- Convinced that hazardous wastes and other wastes should, as far as is compatible with environmentally sound and efficient management, be disposed of in the State where they were generated

*** BACKGROUND INFORMATION ON BASEL BAN AMENDMENT**

The Basel Ban Amendment, once in legal force will add a new Article to the Convention which will ban the export of hazardous wastes from developed countries (listed in Annex VII: OECD, EU, Liechtenstein) to developing countries (non-Annex VII) for any reason.

95 countries have ratified the Basel Ban Amendment, but for the Amendment to go into force it must be ratified by 75% of the 90 Parties that were present and voting at COP3 in 1995 when the Ban Amendment was adopted (i.e. 68 of those 90 countries).

Currently 66 countries from this group of 90 countries have ratified the amendment.

Thus only two more countries are needed to ratify the amendment in order for it to come into effect.

The following 95 countries have ratified the Basel Ban Amendment:

Albania, Algeria, Andorra, Antigua and Barbuda, Argentina, Austria, Bahrain, Belgium, Benin, Bolivia, Botswana, Brunei Darussalam, Bulgaria, Chile, China, Colombia, Congo, Cook Islands, Cote d'Ivoire, Cyprus, Czechia, Denmark, Ecuador, Egypt, El Salvador, Estonia, Ethiopia, European Union, Finland, France, Gambia, Germany, Ghana, Greece, Guatemala, Guinea, Hungary, Iceland, Indonesia, Iran, Ireland, Italy, Jamaica, Jordan, Kenya, Kuwait, Latvia, Lebanon, Lesotho, Liberia, Liechtenstein, Lithuania, Luxembourg, Malawi, Malaysia, Maldives, Malta, Mauritius, Monaco, Montenegro, Morocco, Namibia, Netherlands, Niger, Nigeria, North Macedonia, Norway, Oman, Panama, Paraguay, Peru, Poland, Portugal, Qatar, Republic of Moldova, Romania, Saint Lucia, Saudi Arabia, Serbia, Seychelles, Slovakia, South Africa, Spain, Sri Lanka, Sweden, Switzerland, Syria, Trinidad and Tobago, Tunisia, Turkey, UK, United Republic of Tanzania, Uruguay, and Zambia.

The following 23 countries that were present at COP3 in 1995 and have not yet ratified the Basel Ban Amendment are: Australia, Bahamas, Bangladesh, Brazil,

Canada, Comoros, Costa Rica, Croatia, Cuba, DR Congo, India, Israel, Japan, Mexico, New Zealand, Pakistan, Philippines, Republic of Korea, Russia, Senegal, St. Kitts and Nevis, United Arab Emirates, Vietnam.

*** DECISION ON BASEL BAN AMENDMENT AT UN CONFERENCE OF THE PARTIES IN GENEVA IN MAY 2019:**

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Addressing the entry into force of the Ban Amendment: On Friday, 3 May, the Secretariat introduced the document (UNEP/CHW.14/4).

Several, including the African Group, Colombia, Malaysia, and Indonesia, lauded those countries that have ratified since COP13, and called on others to do so. The EU noted that Croatia is in the process of ratifying the amendment.

On Monday, 6 May, COP14 President Matiza invited further statements on this issue. Noting that only two additional instruments of ratification are needed for the entry into force of the Ban Amendment, Indonesia encouraged parties to continue working toward this goal. Delegates adopted the draft decision.

Final Decision:

In the decision (UNEP/CHW.14/4), the COP, inter alia:

- calls on parties to ratify the Ban Amendment;
- invites them to continue to encourage and assist other parties to ratify it; and
- requests the Secretariat to continue to assist those having ratification difficulties.