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Guide to the Control System (Instruction Manual)

Adopted by the fourth meeting
of the Conference of the Parties, Kuching, Malaysia
February 1998

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A Global Solution for Managing Hazardous Wastes

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Guide to the Control System

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FOREWORD

The Basel Convention on the control of transboundary movements of hazardous wastes and their disposal was adopted by 116 States on 22 March 1989. It entered into force on 5 May 1992 when 20 States had ratified or acceded to the Convention. Since then, the number of Parties has gradually been growing. As of May 1998, 119 States were Parties to the Convention, as well as the European Community.

The Basel Convention establishes an internationally harmonised mechanism to control transboundary movements of hazardous wastes and other wastes subject to the Convention. This Instruction Manual has been prepared with a view to providing a harmonised interpretation of the Convention and its control system, and facilitating the implementation of the control system. It is intended for use by persons involved in the transboundary movement of hazardous wastes and other wastes. However, it should be noted that the Manual is to be considered only as a supportive explanatory document to the text of the Basel Convention. It does not in any way replace either the text of the Basel Convention nor any national legislation. In case of doubt on specific points in the Manual, please refer directly to the text of the Basel Convention, or contact your national Competent Authority or Focal Point or the Secretariat of the Basel Convention.

It should be noted that the Basel Convention is an evolving instrument. Therefore, this Manual may require periodic modification

The preparation of this Manual has been made possible thanks to the assistance given by the Government of Finland and the comments provided by Parties to the Basel Convention.

PART I

DESCRIPTION OF THE CONTROL PROCEDURE

1. INTRODUCTION

The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal was adopted on 22 March 1989 by the 116 States participating in the Conference of Plenipotentiaries on the Global Convention on the Control of Transboundary Movements of Hazardous Wastes, which was convened by the Executive Director of the United Nations Environment Programme (UNEP) and held in Basel at the invitation of the Government of Switzerland. The Basel Convention entered into force on 5 May 1992, when 20 States had ratified or acceded to the Convention. The Conference of the Parties held its first meeting in December 1992 (Piriapolis, Uruguay), the second meeting in March 1994 (Geneva, Switzerland), the third meeting in September 1995 (Geneva, Switzerland) and the fourth meeting in February 1998 (Kuching, Malaysia).

The overall goal of the Basel Convention is to establish strict control 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. The main objectives of the Basel Convention are:

- to reduce transboundary movements of hazardous wastes and other wastes to a minimum consistent with their

environmentally sound management;

- to treat and dispose of hazardous wastes and other wastes as close as possible to their source of generation in an environmentally sound way; and
- to minimize the generation of hazardous wastes and other wastes (in terms of quantity and potential hazard).

The Basel Convention represented new norms, rules and procedures in law governing the movements and disposal of hazardous wastes at international as well as national levels. In this context, this instrument represents the intention of the international community 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 has been set up and is displayed in the full text of the Convention.

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 has to have national legislation implementing the requirements of the Convention. Any person within the national jurisdiction of a State that is a Party to the Basel Convention, who is involved in transboundary movement of hazardous wastes or other wastes, is therefore legally bound to comply with the relevant national laws and regulations governing the transboundary movements of wastes and their disposal.

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.

2. WASTES CONTROLLED UNDER THE BASEL CONVENTION

2.1 What is waste?

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" (Art. 2, par. 1). See glossary in Appendix 1 for the definition of disposal for the purposes of the Basel Convention. It is important to note that national provisions concerning the definition of waste may differ and, therefore, the same material may be regarded as waste in one State but as a commodity or raw material in another State. Please refer to section 6.4 for the procedures to be applied in cases of such differences.

2.2 Which wastes are covered by the Convention?

According to Article 1 of the Convention, the following wastes that are subject to transboundary movement **are covered** by the Convention:

- wastes referred to as "*hazardous wastes*" for the purposes of this Convention:
- 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;
- 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 (Art. 1, para. 1); and
- wastes that belong to any category contained in Annex II, referred to as "*other wastes*" for the purposes of this Convention (Art. 1, para. 2).

The following wastes are **excluded** from the scope of the Basel Convention:

- wastes which, as a result of being radioactive, are subject to other international control systems, including international instruments, applying specifically to radioactive materials (Art. 1, para. 3); and
- wastes which derive from the normal operations of a ship, the discharge of which is covered by another international instrument (Art. 1, para. 4).

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 displayed in Appendix 2 to this Manual.

A waste which falls under any of the categories of waste in Annex I (Y1 - Y45) is considered to be hazardous waste 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, 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.

According to Decision III/1 of the Third Meeting of the Conference of the Parties of the Basel Convention (see section 3), a detailed list of wastes characterised as hazardous, as well as a list of wastes which are not subject to the Convention, unless considered hazardous for the purpose of the Convention, will be submitted for approval of the fourth meeting of the Conference of the Parties to be held in Malaysia in October 1997.

At its fourth meeting in February 1998, the Conference of the Parties decided to add the two lists of wastes prepared by the Technical Working Group as two new annexes to the Convention namely Annex VIII (list A) and Annex IX (list B). The Conference of the Parties also instructed the Technical Working Group to keep the List A and List B of wastes under review.

(a) List A. Wastes contained in this list are characterized as hazardous under Article 1, paragraph 1 (a), of the Convention, and 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 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.

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, paragraph 1(a) of the Convention by reference to the Annexes I and III.

3. RESTRICTIONS ON TRANSBOUNDARY MOVEMENTS OF HAZARDOUS AND OTHER WASTES

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 assessing acceptability of a particular transboundary movement of waste. In the Basel Convention it is provided that:

- Parties shall prohibit the export of hazardous wastes to any such Party which has used its sovereign right referred to in Article 4, paragraph 1(a) of the Basel Convention to prohibit the import of foreign hazardous wastes and other wastes into its territory (Art. 4, para. 1-2),
- 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 (Art. 4, para. 1 c),
- Each Party shall prevent 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 (Art. 4, para. 2 e),
- Any Party shall not permit the export and/or import of hazardous wastes involving a State that is not a Party to the Convention (Art. 4, para. 5), unless the Parties concerned have concluded bilateral, multilateral or regional agreements or arrangements pursuant to Article 11 of the Convention that set forth the conditions under which the transboundary movement is to be carried out. Those conditions shall not be less environmentally sound than those provided by the Convention in particular taking into account the interests of developing countries.
- Exports of hazardous wastes for disposal to the area of 60° South latitude (i.e. Antarctica) (Art. 4, para. 6).

Furthermore, it shall be noted that the Contracting Parties to the Basel Convention decided, through the adoption of Decision II/12 of the Conference of the Parties (March 1994), to "prohibit immediately all transboundary movement of hazardous wastes or other wastes which are destined for final disposal from OECD to non-OECD countries". The Contracting Parties to the Basel Convention also decided to "phase out by 31 December 1997, and prohibit as of that date, all transboundary movements of hazardous wastes or other wastes which are destined for recycling or recovery operations from OECD to non-OECD countries". Final disposal in the text refers to all the disposal operations listed in Annex IV A of the Basel Convention, whereas recycling and recovery operations refer to part B of Annex IV.

At its third meeting in 1995, the Conference of the Parties decided to amend the Convention by inserting a new Article 4A, according to which "Each Party listed in Annex VII shall prohibit all transboundary movements of hazardous wastes which are destined for operations according to Annex IV A, to States not listed in Annex VII. Each Party listed in Annex VII shall phase out by 31 December 1997, and prohibit as of that date, all transboundary movements of hazardous wastes under Article 1, paragraph 1 (a) of the Convention which are destined for operations according to Annex IV B to States not listed in Annex

VII. Such transboundary movement shall not be prohibited unless the wastes in question are characterised as hazardous under the Convention." The States referred to in Annex VII are those which are members of the OECD, EC, Liechtenstein. The amendment of the Convention will enter into force between Parties having accepted it on the ninetieth day after at least two-thirds of the Parties have ratified the amendment. However, Parties have the sovereign right to transpose these decisions into national legislation before entry into force of the export ban amendment.

4. GENERAL DESCRIPTION OF THE CONTROL PROCEDURE

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. One important condition under the Basel Convention is that a transboundary movement of hazardous wastes or other wastes can take place only upon prior written notification to the competent authorities of the States of export, import and transit (if appropriate), and upon consent from these authorities permitting the transboundary movement of waste. Furthermore, each shipment of hazardous waste or other waste shall be accompanied by a movement document from the point at which a transboundary movement begins to the point of disposal (See Annex IV of the Basel Convention).

4.1 Responsibility to notify

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 in writing, using appropriate documentation of the competent authority of the State of export, the competent authorities of the States concerned of any transboundary movement of hazardous wastes or other wastes. See glossary in Appendix 1 for the definition of generator, exporter and competent authority.

4.2 Documentation and general notification

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, which consist of two forms: *the notification and the movement document*. A sample of each document is included in Part II of this Manual along with instructions for their completion.

The notification and its annexes are designed to provide detailed, accurate and complete information of the parties 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.

A notification may usually cover only one type of waste. The notification may cover several shipments of wastes over a maximum period of one year, provided the waste in question has the same physical and chemical characteristics and will be regularly shipped to the same disposer via the same customs offices for entry and exit. The term *general notification* is used when referring to such a notification (ref. Art. 6, para. 6)

The movement document is intended to accompany the consignment at all times from the time of departure from the waste generator to the arrival of the consignment at the disposer in another country. 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 movement document should also provide accurate information on the authorizations by the competent authorities for the proposed movement of waste. It is therefore recommended by the Conference of the Parties that the duly completed notification should always accompany the movement document (Decision III/16). Most of the countries accept a copy of the duly completed and fully authorized notification to be enclosed with the movement document. However, some other 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 as many completed notification documents as intended consignments. The competent authority shall sign and stamp each notification document and return all of them to the exporter/generator.

4.3 Contracts

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 authorization of the transboundary movement of waste (Art. 6 para. 3).

The parties to a contract must ensure that the contract complies with the requirements set in the Basel Convention and in relevant national legislation. The involved parties must be aware that in some countries, competent authorities may impose additional requirements concerning the contracts. For example, the involved parties may be required to submit the contracts (or portions thereof) to the competent authorities for review. It is therefore suggested to attach a copy of the contract to the notification.

In general, contracts should confirm that the carriers, traders, and disposal facilities operate under the legal jurisdiction of the Contracting Parties to the Basel Convention and have appropriate legal status. They must be licensed or otherwise authorized, approved, or "recognized" by the competent authorities of the State of export, State(s) of transit or State of import.

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, in accordance with national and international 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. It should be noted that, according to Article 8 of the Basel Convention, the State of export shall 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.

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

Basic elements for the preparation of contracts for transboundary movement of hazardous wastes or other wastes are included in Appendix 6. However, national legislation may require different or additional requirements with regard to the content of the contract.

4.4 Financial guarantees

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.

4.5 International transport rules and regulations

The Basel Convention requires 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 due account is taken of relevant internationally recognized practices (Art. 4, para. 7(b)). In particular, reference is made to the United Nations Recommendations on the Transport of Dangerous Goods (Eighth revision, 1993).

4.6 Environmentally sound management of hazardous wastes and other wastes

The aim of the regulatory system of the Basel Convention is to ensure that hazardous wastes and other wastes are disposed of in an environmentally sound manner, regardless where the disposal operation is to take place. In order to assist relevant authorities and other bodies to assess and improve the standard of disposal operations, the Technical Working Group of the Basel Convention has prepared technical guidelines on the following waste streams and disposal operations:

- Framework Document on the preparation of technical guidelines for the environmentally sound management of wastes subject to the Basel Convention;
- Technical Guidelines on hazardous waste from the production and use of organic solvents (Y6);

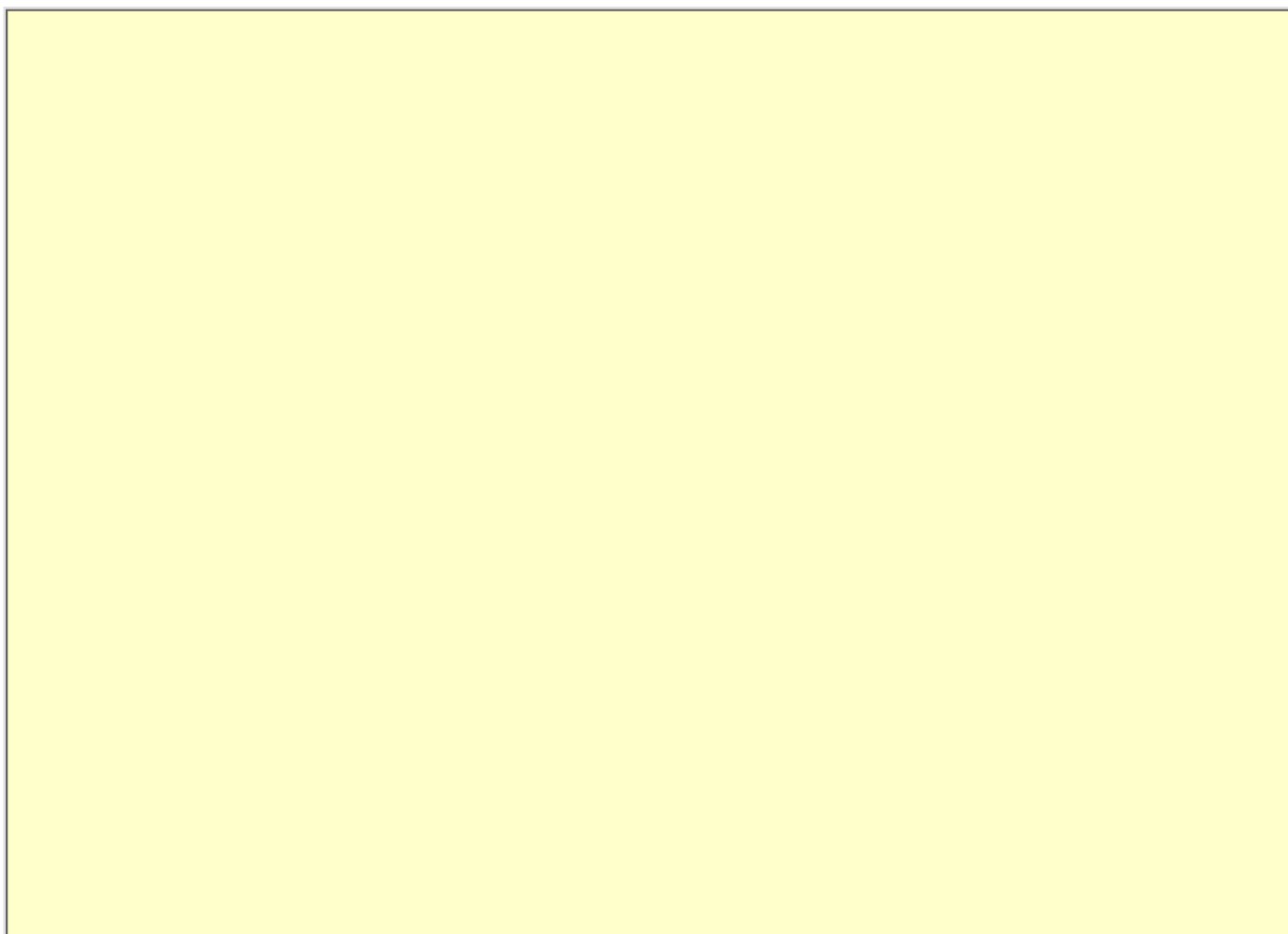
- Technical Guidelines on hazardous waste: waste oils from petroleum origins and sources (Y8);
- Technical Guidelines on wastes comprising or containing PCBs, PCTs and PBBs (Y10);
- Technical Guidelines on wastes collected from households (Y46);
- Technical Guidelines on specially engineered landfills (D5);
- Technical Guidelines on incineration on land (D10);
- Technical Guidelines on used oil re-refining or other re-uses of previously used oil (R9); and
- Guidance Document on transboundary movements of hazardous wastes destined for recovery operations.

These documents and guidelines have been adopted by the Conference of the Parties. They are available from the Secretariat of the Basel Convention. The Technical Working Group continues to prepare additional technical guidelines on other priority waste streams and disposal operations; for example, technical guidelines on physico-chemical and biological treatment, and on clinical waste and waste tyres.

5. DETAILED DESCRIPTION OF THE CONTROL PROCEDURE

5.1 Main stages of the control procedure

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 - 7. Please note that the flow charts describe the control system in a simplified way. The control system is dealt with in more detail in the check lists presented in sections 5.2 - 5.6.



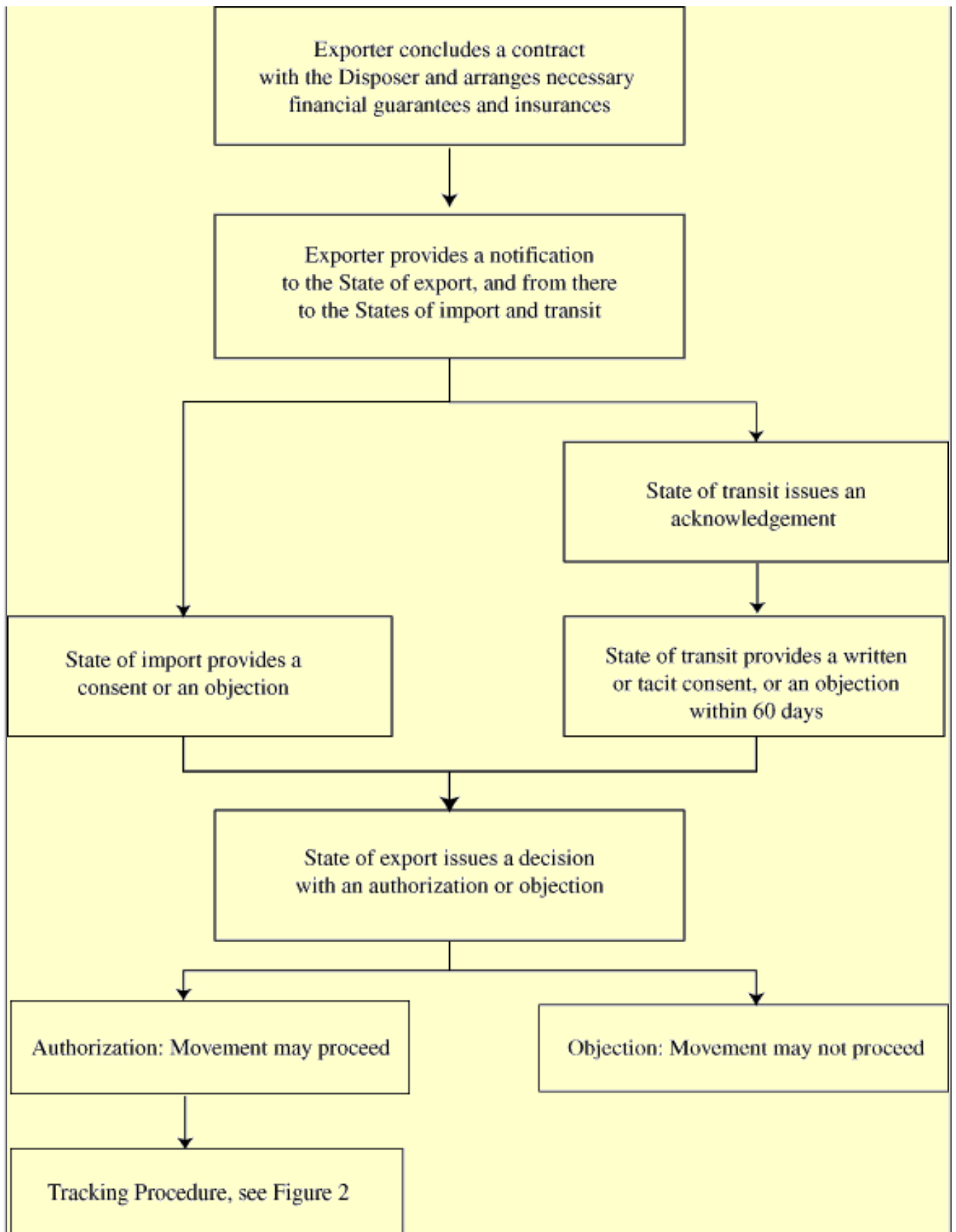
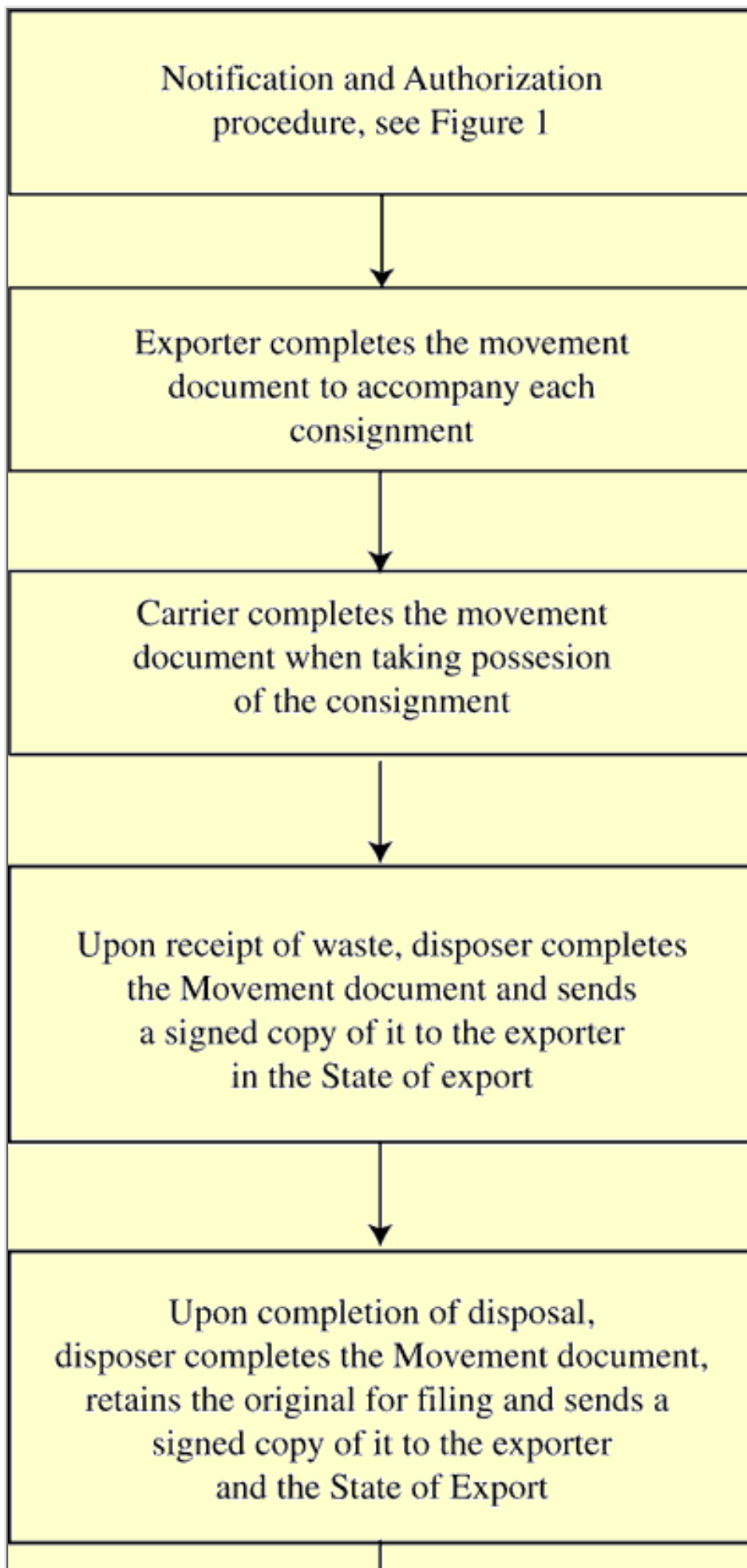


Figure 1. Flow chart of the notification and authorization procedure of the Basel Convention (PDF for printing)



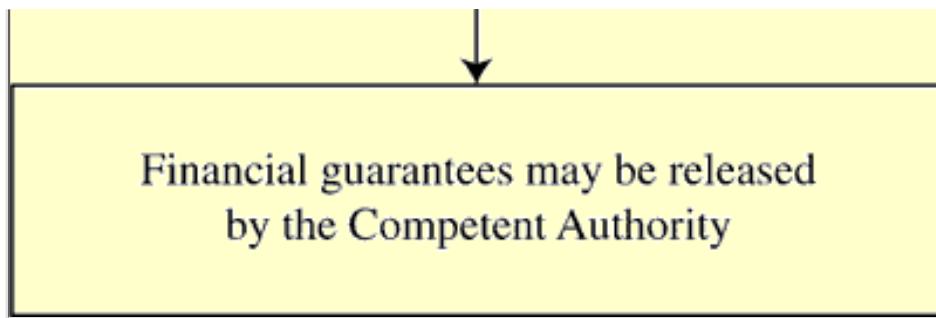
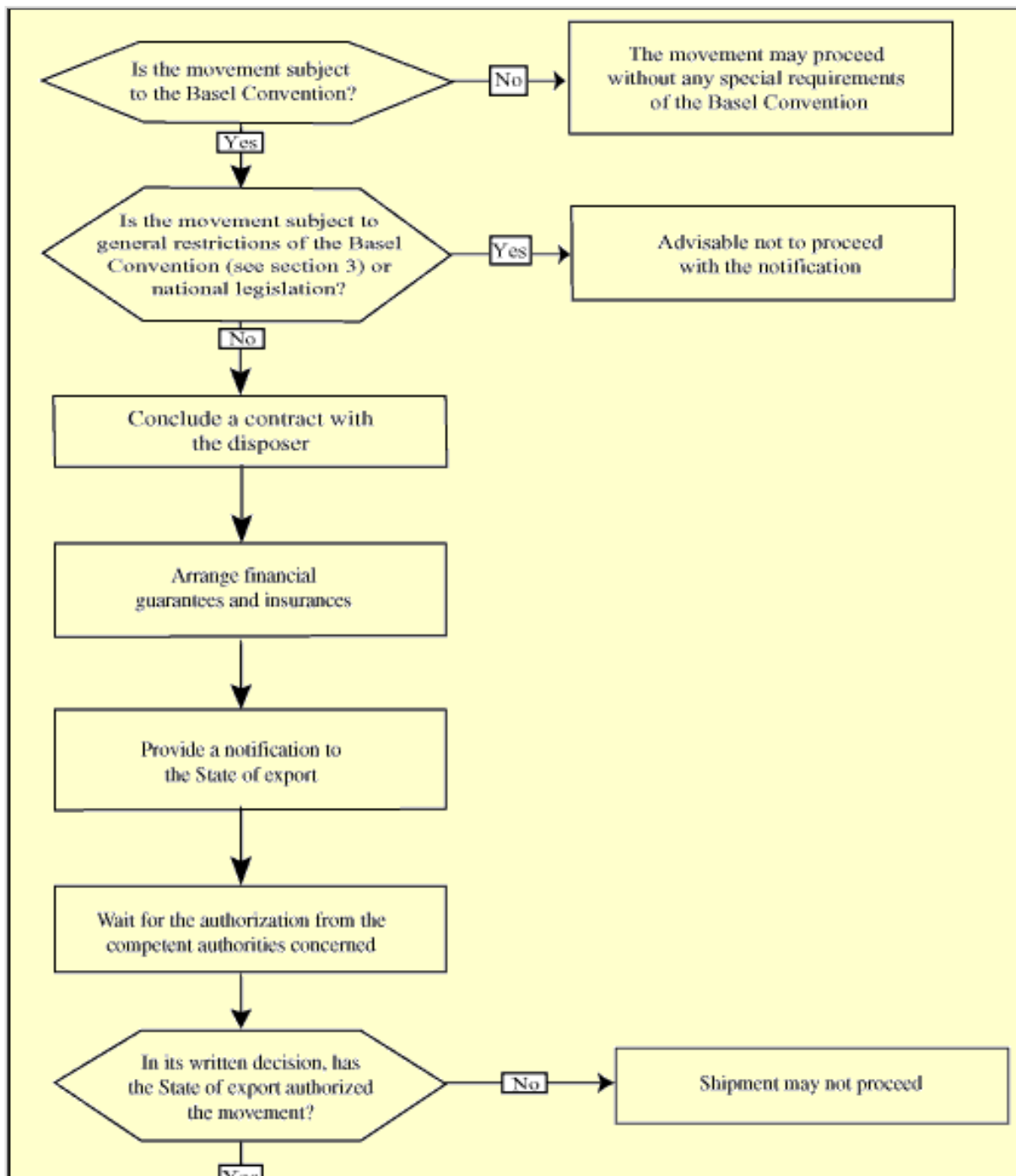


Figure 2. Flow chart of the tracking procedure of the Basel Convention (PDF for printing)

5.2 Check list for the exporter (when acting as a notifier)



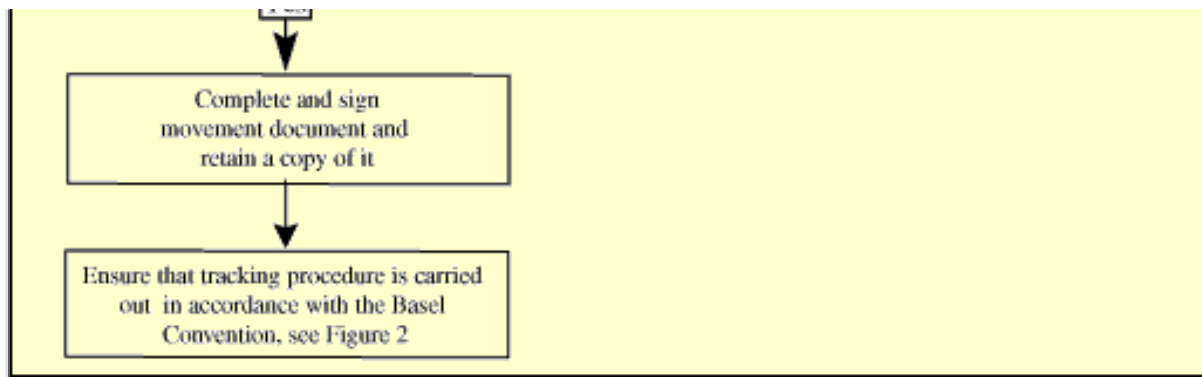


Figure 3. Flow chart of the main responsibilities of the exporter (for details, see the check list below) (PDF for printing)

Step 1 Check if the material intended for transboundary movement is subject to the control procedures under the Basel Convention

- Is the material considered as waste? (ref. section 2.1)
- Is the waste considered to be subject to the control procedures under the Basel Convention? (ref. section 2.2)

Step 2 Check if the intended movement can be carried out in accordance with the Basel Convention and the national legislation of the concerned countries

- Is the State of import a Party to the Basel Convention or has it concluded bilateral, multilateral or regional agreement or arrangement with the State of export? (ref. Art. 11 of the Convention)
- Is the movement subject to the prohibition decided by the Conference of the Parties (ref. Decisions II/12 and III/1, see section 3)?
- Has the State of import generally prohibited the import of such waste? (ref. Art. 4, para. 1 and Art. 13, para. 2(c))
- Can the waste not be disposed of in the State of export, or in case of recovery, is the waste needed as raw material in the State of import?
- Is the disposal facility licensed in accordance with the national legislation of the State of import?
- Will the movement (incl., 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 accordance with the Basel Convention or 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 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. See Appendix 6 for the basic elements to be included in the contract.

Step 5 Arrange the financial guarantees and insurances

Arrange the necessary 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.

Step 7 Complete the notification

Complete the notification carefully in accordance with the instructions (see Part II). The notification may cover several shipments of wastes over a maximum period of one year, if waste having 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 language acceptable to the competent authority of the State of import.

Make the necessary number of copies of the completed notification. Each copy of the notification should be signed by the generator and/or the exporter. It should be noted that in practice a number of countries request, consistent with Article 6(1) of the Basel Convention, only the exporter to sign the notification, because of the practical difficulties that may be encountered in requesting a number of generators to fill in the notification.

Prepare signed copies for:

- the competent authority of the State of export,
- the competent authority of the State of import and
- the competent authority of each State of transit, if any.

For practical reasons, although not required by the Basel Convention, many 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 to acknowledge 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.

N.B. 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.

The exporter is to receive a reply in writing from the competent authorities of the States of import and transit. When having received such replies, it is advisable to check if the competent authority of the State of export has received a copy of the reply. If not, a copy of the reply should be forwarded to the competent authority of the State of export.

Step 10 Wait for the authorizations from the competent authorities

The movement of waste may commence only upon receipt of the authorization by the competent authority of the State of export consenting to the movement. This authorization 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 5.6).

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

Complete the movement document in accordance with the instructions (see part II). A completed movement document shall accompany each shipment. It is also recommended to enclose a copy of the notification 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 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.

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.

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 as set out in 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 such copies to be delivered to the other competent authorities concerned and to be sent out within 180 days of the receipt of waste.

N. B. For general notifications, Steps 11-14 are to be followed for each shipment of waste.

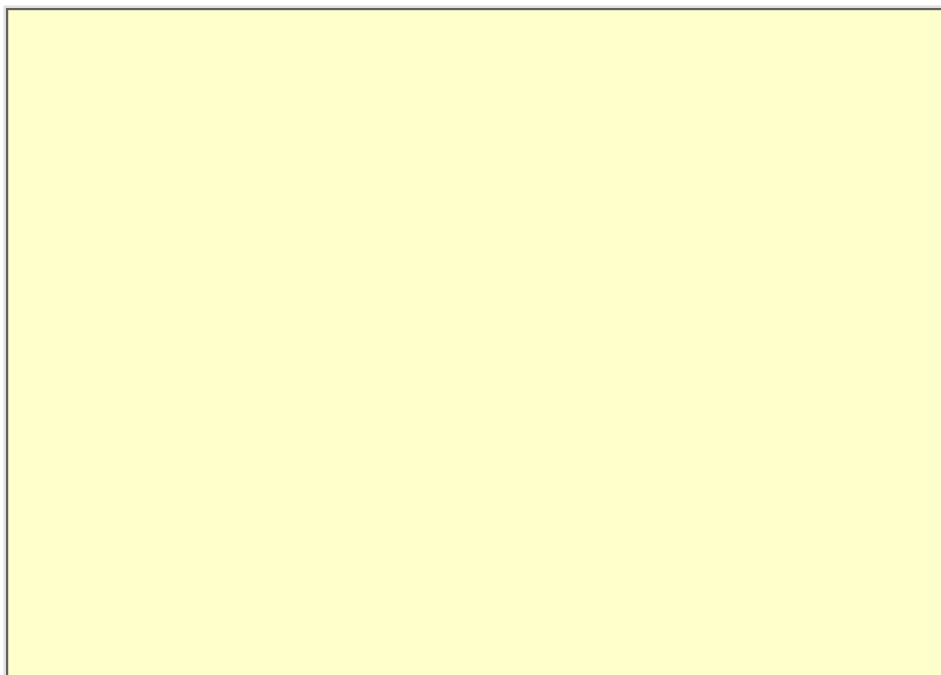
Step 15 Release of financial guarantees

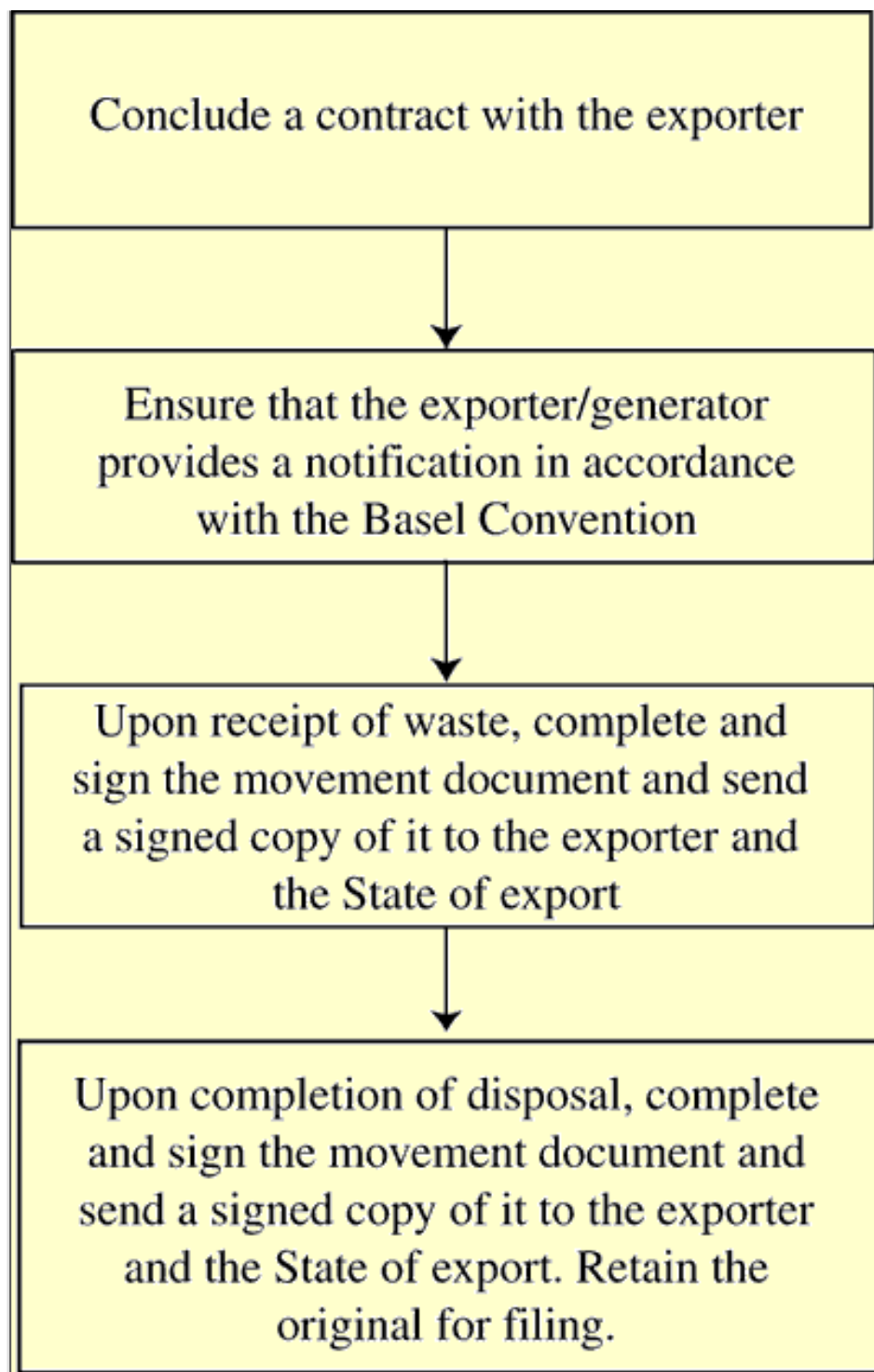
Ensure that the competent authority returns the financial guarantees arranged for the movement after all the certifications of disposal have been given by the disposer, indicating that the consignments of waste have been disposed of in an environmentally sound way.

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

Normally it is the exporter or generator of the waste who is responsible for notifying the competent authorities of the intended movement of waste. Consequently, the disposer does not have to provide a separate notification to the competent authorities. 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 (ref. section 6.4).

The flow chart and check list below describe the obligations of the disposer when the notification responsibilities are carried out by the exporter/generator.





[Figure 4. Flow chart of the main responsibilities of the disposer \(for details, see the check list below\) \(PDF for printing\).](#)

Step 1 Conclude a contract

Conclude a contract with the exporter. See Appendix 6 for the basic elements to be included in the contract.

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

Ensure 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 Basel Convention. The notification may cover several shipments of wastes over a maximum period of one year, if waste having 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

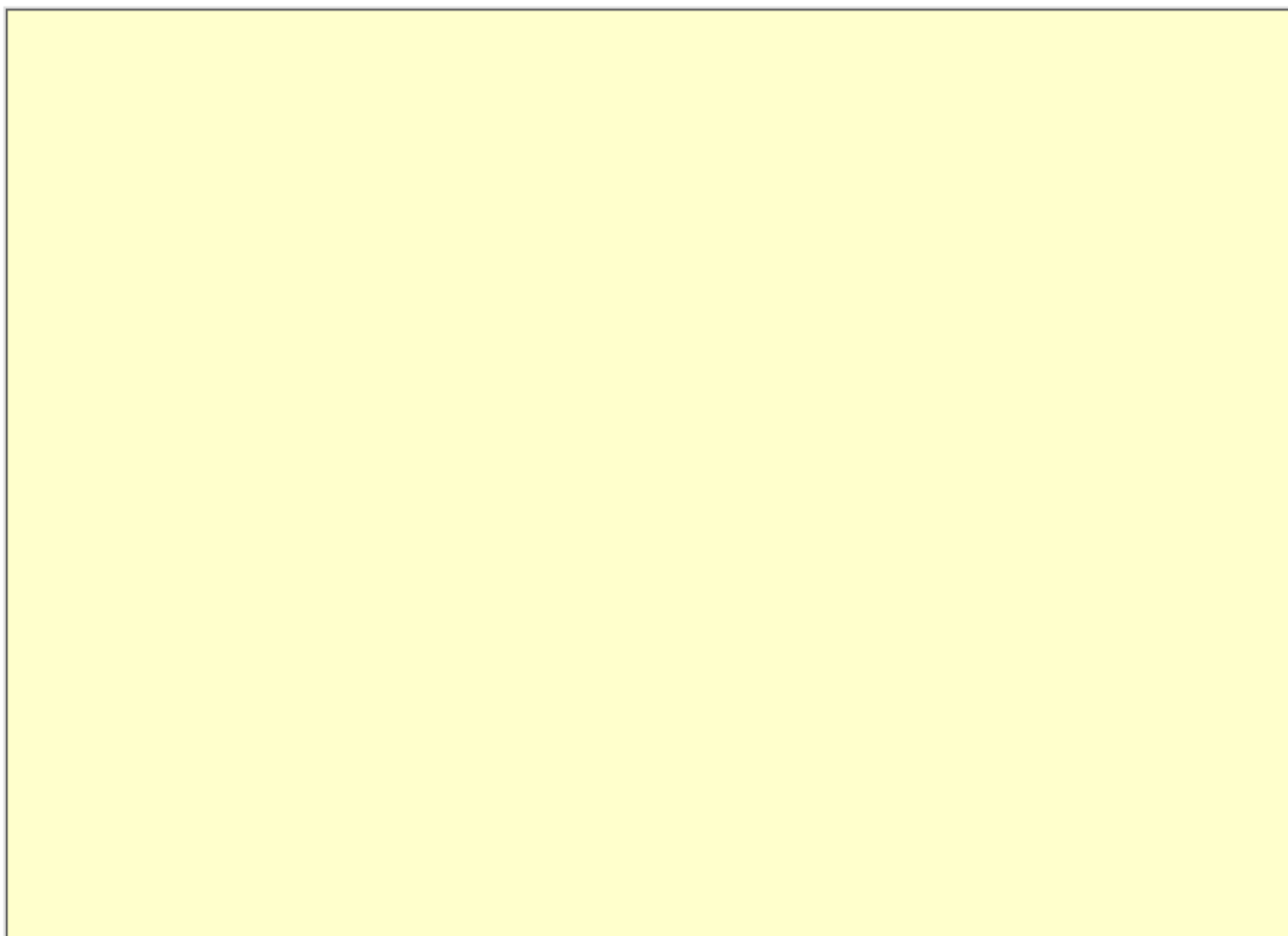
Upon receipt of waste, weigh the amount of waste and check, if necessary by testing and sampling, whether the consignment complies with the notification and contract. Complete the movement document (block 24) and give a copy of it to the last carrier. Send signed copies of the completed movement document 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.

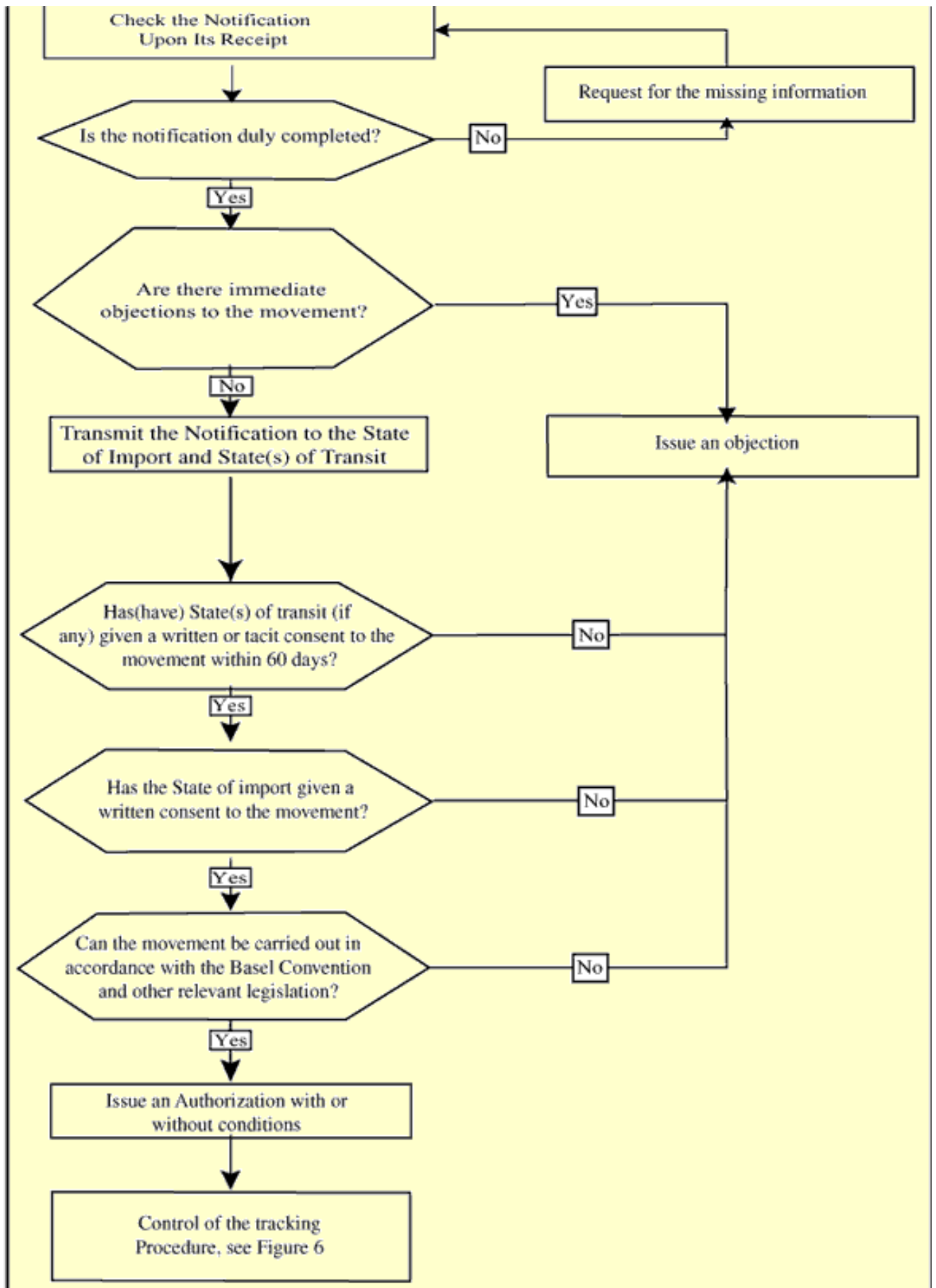
Step 5 Certification of disposal

After the consignment of waste has been disposed of in an environmentally sound manner, complete the movement document (block 25) 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 180 days of the receipt of waste.

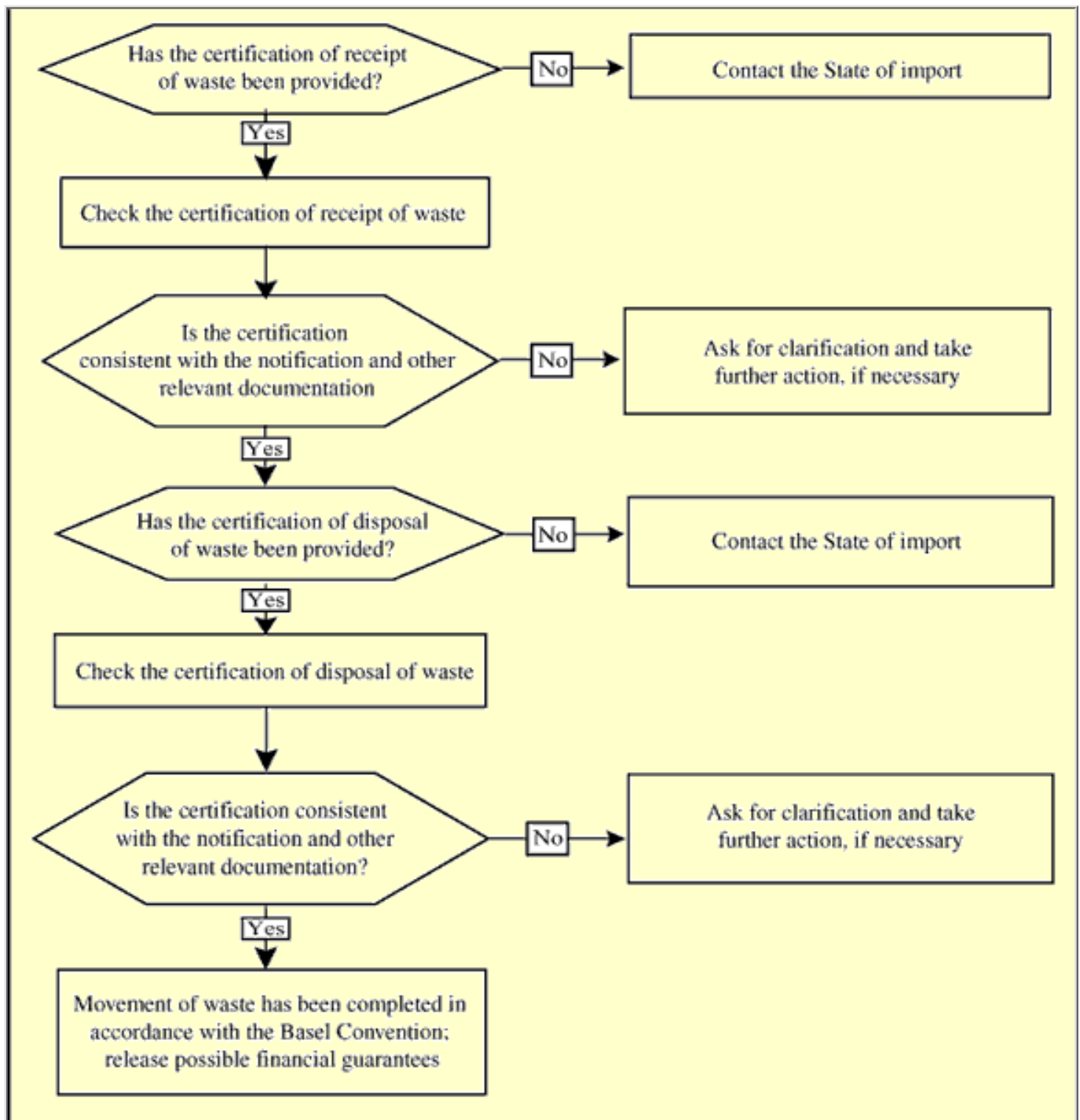
N. B. For general notifications, Steps 4-5 are to be followed for each shipment of waste.

5.4 Check List for the competent authority of the State of export





[Figure 5. Flow chart of the main responsibilities of the competent authority of the State of export in the notification and authorization procedure of the Basel Convention \(for details, see the check list below\).](#)



[Figure 6. Flow chart of the main responsibilities of the competent authority of the State of export under the tracking procedure of the Basel Convention \(for details, see the check list below\) \(PDF for printing\).](#)

Step 1 Assist the exporter, if necessary, to determine whether the waste is subject to control under the Basel Convention:

- Is the material considered as waste (ref. section 2.1)?
- Is the waste considered to be subject to the control procedures under the Basel Convention (ref. section 2.2)?

Step 2 Distribute forms and all necessary information to exporter/generator

Send notification and movement document forms and other relevant information on the notification and movement procedure to the exporter/generator.

Step 3 Check the notification

Upon receipt of the notification, check if the notification is duly completed. If not, return the notification to the exporter/generator and ask that the missing information be provided. Check also if the exporter/generator has provided a sufficient number of the notification documents (see Step 4 below). Ask for additional documents, if necessary.

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 by the exporter/generator to the competent authority along with the notification.

The competent authority may decide not to proceed with the notification if it has immediate objections, for example, for any of the reasons specified in Step 5, against the shipment. In this case, immediately inform the exporter/generator of these objections.

Step 4 Transmit the notification to other competent authorities

If the notification has been duly completed and there are no immediate objections to the movement, transmit copies of the notification to

- the competent authority of the State of import, and
- each competent authority of the State of transit, if any.

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

N.B. For administrative purposes, in order to avoid double numbering or misprints, it is advisable that an identifying number be preprinted on the form. In the case of preprinted notification forms, each original notification shall have the same form number.

Step 5 Assess if the proposed movement is in accordance with the Basel Convention and national legislation

On the basis of the information given in the notification, assess if the proposed movement of waste complies with the requirements of the Basel Convention and national legislation. Special attention should be given to the following questions:

- Is the State of import a Party to the Basel Convention or has it concluded bilateral, multilateral or regional agreements or arrangements with the State of export (ref. Article 11 of the Basel Convention)?
- Is the movement subject to the prohibition decided by the Conference of the Parties (ref. Decisions II/12 and III/1, see section 3)?
- Has the State of import generally prohibited the import of such waste (ref. Art. 4, para. 1 and Art. 13, para 2(c) of the Basel Convention)?
- Can the waste not be disposed of in the State of export, or in case of recovery, is the waste needed as raw material in the State of import?
- Is the disposer licensed in accordance with the national legislation of the State of import?
- Will the movement (incl., e.g. transport, disposal and possible storage) be carried out in an environmentally sound manner?
- Request additional information, if necessary.

Step 6 Ensure that the movement is allowed by the competent authorities of the States of transit

The competent authority(ies) of the State(s) of transit shall promptly acknowledge receipt of the notification to the exporter. For practical reasons, many countries may require the acknowledgement to be sent within three working days of receipt of the notification. The Basel Convention does not require a copy of the acknowledgement to be sent directly to the competent authority of the State of export. If necessary, ask the exporter to send a copy of the response.

Find out whether the State of transit has decided not to require prior written consent for transit of the waste concerned (see check list for the competent authority of the State of transit, section 5.6). If not required, the competent authority of the State of transit shall have 60 days after receipt of the notification to object to the proposed transit of waste. If no objection has been

lodged, the State of export may allow the movement to proceed through the State of transit after the 60-day period has passed.

In case prior written consent is required, the competent authority of the State of transit shall issue a written response to the notifier within 60 days following receipt of the notification.

N.B. See section 6.1 for procedures to be followed in case the State of transit is not Party to the Basel Convention.

Step 7 Ensure that the movement is allowed by the Competent Authority of the State of import

Ensure that the competent authority of the State of import has issued its written response and has confirmed the existence of a contract between the exporter and the disposer. However, it should be noted that, in practice, this confirmation may rarely be necessary, because information concerning the contract is to be given by the exporter in the notification.

Step 8 Issue a decision in writing

Issue a decision consenting to the movement with or without conditions, denying permission for the movement or requesting additional information. The proposed movement can be authorized only in the absence of objections from the competent authority of the State of export and on the part of the other competent authorities concerned. In the case of a general notification, authorization can be given for a maximum period of one year.

Step 9 Check the certifications of receipt of waste

Check the certifications of receipt of the waste sent by the disposer (and by the importer, if not the disposer). In case of inconsistencies with the notification, ask for explanations from the exporter/generator or the disposer (or the importer) or contact the competent authority of the State of import and, if necessary, take further action in accordance with national legislation.

Contact the competent authority of the State of import if the certifications have not been provided. It should be noted that many countries require this certification to be given within three working days of receipt of the waste.

Step 10 Check the certifications of disposal

Check the certifications of disposal sent by the disposer. In case of inconsistencies with the notification, ask for explanations from the exporter/generator or the disposer or contact the competent authority of the State of import and, if necessary, take further action in accordance with national legislation.

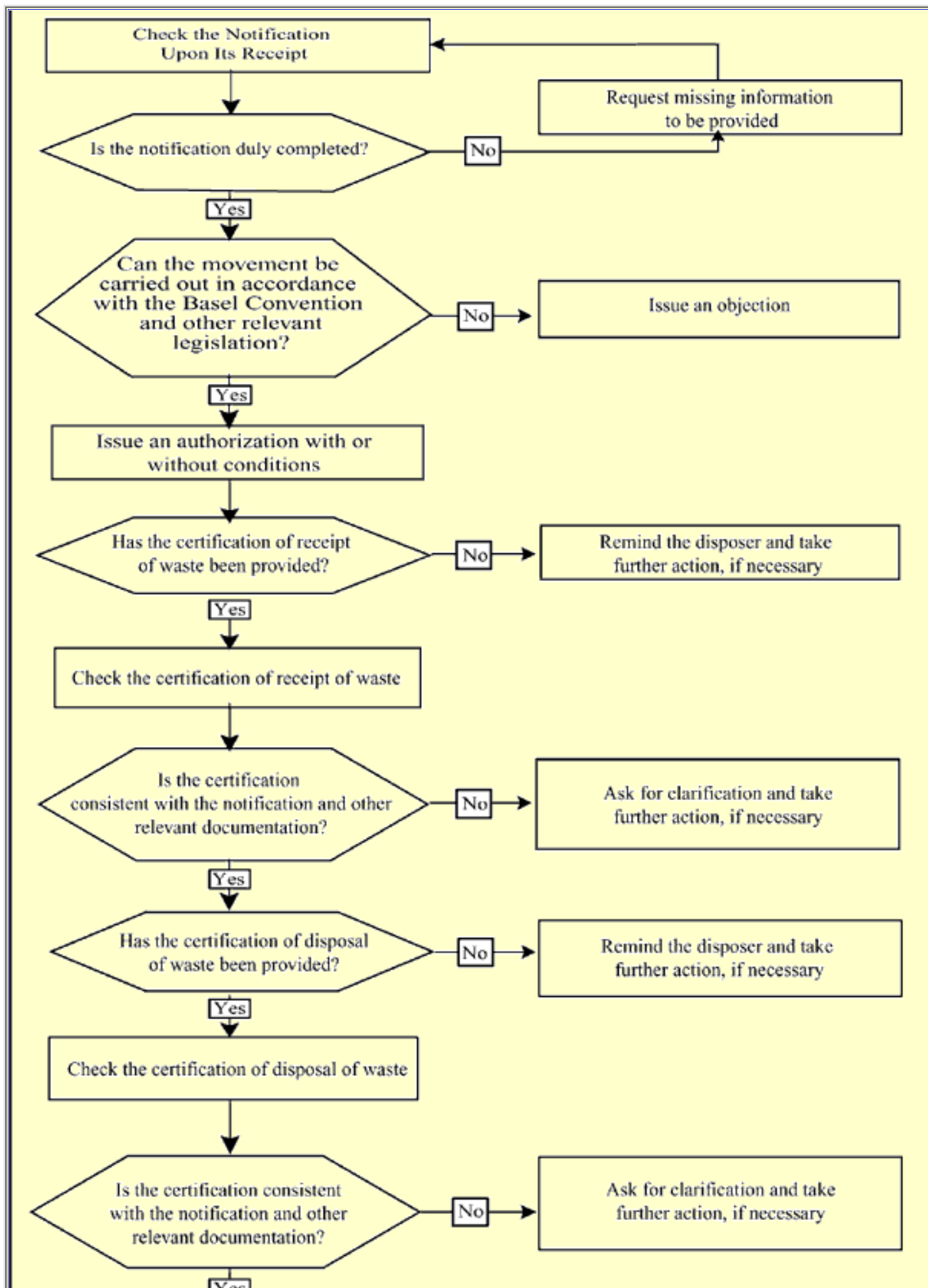
Contact the competent authority of the State of import if the certifications have not been provided. It should be noted that many countries require this certification to be given within 180 days of receipt of the waste.

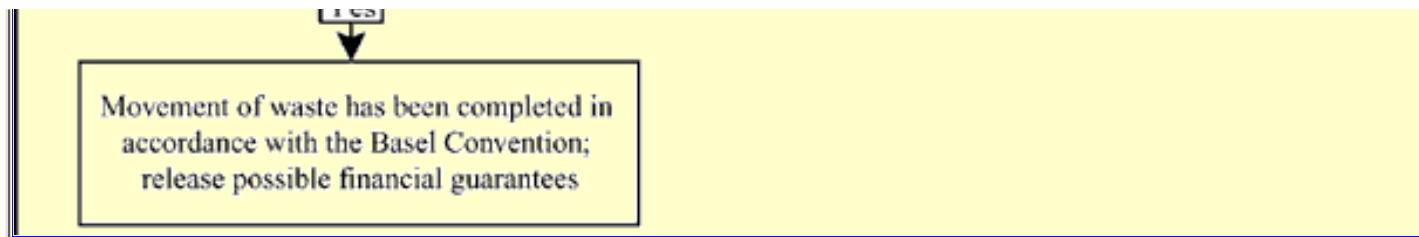
N. B. For general notifications, Steps 9-10 are to be followed for each shipment of waste.

Step 11 Release of financial guarantees

When all the certifications of disposal have been given by the disposer indicating that all the consignments of waste have been disposed of in an environmentally sound way, the pre-arranged financial guarantees for the movement of waste may be released.

5.5 Check List for the competent authority of the State of import





[Figure 7. Flow chart of the main responsibilities of the competent authority of the State of import \(for details, see the check list below\) \(PDF for printing\).](#)

Step 1 Assess if the proposed movement is in accordance with the Basel Convention and the national legislation

Upon receipt of the notification from the exporter/generator via the competent authority of the State of export, assess if the proposed movement of waste complies with the requirements of the Basel Convention and the national legislation. Special attention should be given to the following questions:

- Is the State of export a Party to the Basel Convention or has it concluded bilateral, multilateral or regional agreements or arrangements with the State of import (ref. Article 11 of the Basel Convention)?
- Is the movement subject to the prohibition decided by the Conference of the Parties (ref. Decisions II/12 and III/1, see section 3)?
- Is the import of such waste prohibited by national legislation (ref. Art. 4, para. 1 and Art 13, para. 2(c) of the Basel Convention)?
- Is the disposer licensed in accordance with the national legislation of the State of import?
- Will the movement (incl., e.g. transport, disposal and possible storage) be carried out in an environmentally sound manner?
- In case of recovery, is the waste needed as raw material in the State of import?
- Request additional information, if necessary.

Step 2 Issue a reply in writing

Issue a reply in writing consenting to the movement with or without conditions, denying permission for the movement or requesting additional information. Confirm also the existence of a contract between the exporter and the disposer. However, it should be noted that, in practice, this confirmation may rarely be necessary, because information concerning the contract is to be given by the exporter in the notification. In the case of a general notification, authorization can be given for a maximum period of one year.

Step 3 Check the certifications of receipt of waste

Check the certification of receipt of the waste sent by the disposer (and by the importer, if not the disposer). In case of inconsistencies with the notification, ask for explanations from the disposer (or importer) and, if necessary, take further action in accordance with national legislation.

In case the certification has not been provided, remind the disposer (or importer) of his duty and, if necessary, take further action in accordance with the national legislation. It should be noted that many countries require this certification to be given within three working days of receipt of the waste.

Step 4 Check the certifications of disposal

Check the certifications of disposal. In case of inconsistencies with the notification, ask for explanations from the disposer and, if necessary, take further action in accordance with national legislation.

In case the certification has not been provided, remind the disposer of his duty and, if necessary, take further action in accordance with national legislation. It should be noted that many countries require this certification to be given within 180 days of receipt of the waste.

N. B. For general notifications, Steps 3-4 are to be followed for each shipment of waste.

Step 5 Release of financial guarantees

When all the certifications of disposal have been given by the disposer, indicating that all the consignments of waste have been disposed of in an environmentally sound way, the pre-arranged financial guarantees for the movement of the waste may be released.

5.6 Check List for the competent authority of the State of transit

Step 1 Issue the acknowledgement

Acknowledge receipt of the notification promptly to the exporter, preferably within three working days of receipt of the notification. Although not specifically required by the Basel Convention, for practical reasons it is recommended to send copies of the acknowledgement to the other competent authorities concerned, especially to the competent authority of the State of export.

Step 2 Decide whether the proposed movement can be accepted or not

There are alternative procedures to be followed by the competent authority of the State of transit, depending on whether the State of transit has informed, in accordance with Article 6, paragraph 4 of the Basel Convention, the other Parties of its decision not to require prior written consent, either generally or under specific conditions, for transboundary movement of the waste concerned through its territory.

i) In case prior written consent is required, issue a written response to the exporter within 60 days of receipt of the notification. It is also recommended to send copies of the reply to the other competent authorities concerned, especially to the competent authority of the State of export. In the case of a general notification, authorization can be given for a maximum period of one year.

ii) In case prior written consent is not required, a written response is necessary only in case the competent authority of the State of transit will raise objections to the proposed movement or will lay down special conditions for the approval. The objection or any other form of written response shall be provided within 60 days of receipt of the notification. Send the written response to the exporter and other competent authorities concerned.

If no objection has been lodged during the 60-day period, the proposed movement is deemed to have been accepted by the State of transit. Consequently, the competent authority of the State of export may allow the movement to proceed through the State of transit.

6. OTHER ISSUES OF IMPORTANCE

6.1 Transit through a State not Party to the Basel Convention

If a State of transit is not Party to the Basel Convention, the competent authority of such State shall be notified on the transit of waste in the same way as if the State was a Party to the Convention (Art. 7). Although not explicitly required by the Basel Convention, many countries require 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.

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 who should be contacted in case of intended transit of waste through their territory. The available information on such contact points is included in Appendix 5. With regard to other States, a relevant government authority to be contacted is normally the Ministry of the Environment of these States or the Ministry of Foreign Affairs.

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

Annex IV of the Basel Convention contains a list of disposal operations for waste. Some of the listed operations are to be considered as "intermediate or temporary operations", that is, after these operations wastes still need to undergo further treatment before being finally disposed of. These operations are: 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).

In case the transboundary movements of hazardous wastes or other wastes take place in order to undertake disposal operations D13-D15 or R12-R13, the competent authorities may require that the subsequent intended disposal operations 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 way at its final destination.

6.3 Cases when the notification is to be sent to the Secretariat of the Basel Convention

According to Article 13, paragraph 4 of the Convention, all Parties, consistent with their national legislation, shall ensure that copies of each notification concerning any given transboundary movement of hazardous wastes or other wastes, and the response to it, are sent to the Secretariat of the Basel Convention "when a Party (which) considers that its environment may be affected by that transboundary movement has requested that this should be done".

6.4 Dealing with interpretation differences and the "*mutatis mutandis*" principle

In some cases, certain wastes may not be legally defined or considered as hazardous waste by all the countries involved in transboundary movement of such wastes. This may be due to, for example, the following reasons:

- 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;
- because of differences in national legislation of the States, as regards the definition of waste, a certain substance or object may not be considered as waste by all the States concerned; or
- the competent authorities may disagree on whether a certain waste possesses any of the hazardous characteristics referred to in Annex III of the Convention.

According to Article 6, paragraph 5 of the Convention, the situations described above shall be dealt with according to the *mutatis mutandis* principle. The following examples show how this principle may be interpreted under the Basel Convention. If the waste is legally defined as or considered to be hazardous waste *only by the State of import, or by the States of import and transit*, the notification duties are to be undertaken by the State of import. This means that the disposer or the competent authority of the State of import shall provide the notification to the competent authorities concerned (see check list for the exporter, section 5.2). Similarly, the competent authority of the State of import shall assume the responsibilities of the competent authority of the State of export (see check list for the competent authority of the State of export, section 5.4).

In case the wastes are legally defined as or considered to be hazardous wastes *only by the State of export*, the State of export shall ensure that the disposer issues a certification of receipt of the waste and a certification of the completion of disposal as required by the Convention. This may be done, for example, by requiring these obligations to be included in the contract between the exporter and the disposer.

The Convention does not clearly define the procedures to be applied in cases when the waste is legally defined as or considered to be hazardous wastes *only by the State of transit*. For practical reasons, it is recommended that the exporter or the State of export, through negotiations or by some other means, makes arrangements for the notification to be provided to the competent authority of the State of transit in accordance with the Basel Convention.

7. MOVEMENTS THAT CANNOT BE COMPLETED AS INTENDED AND ILLEGAL TRAFFIC

7.1 Movements that cannot be completed as intended

When a transboundary movement of hazardous wastes or other wastes cannot be completed as intended, that is, in accordance with the notification, authorizations of the competent authorities and the terms of the contract, the Party that has possession of the waste must immediately inform the exporter/generator and the competent authorities of the States of export and import of such incident. If the consignment is located in a State of transit, then the competent authority of that country must also be

immediately informed.

In such cases, alternative management and control arrangements, or return of the wastes to the exporter/generator if necessary, must be arranged. According to Article 8 of the Basel Convention, the State of export shall ensure that the exporter takes the wastes back into the State of export, if alternative arrangements cannot be made for their disposal in an environmentally sound manner.

On a case-by-case basis, the competent authorities of the concerned States shall cooperate to ensure that all necessary arrangements are made and documents obtained, and action taken within a limited time period (90 days or any other period of time as the States concerned agree), in order to ensure the best alternative management of waste. To this end, the State of export and any States of transit shall not oppose, hinder or prevent the return of the consignment to the State of export.

7.2 Illegal traffic

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

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

In case a transboundary movement is deemed to be 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 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 States concerned may agree.

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.

In cases where *the responsibility for the illegal traffic cannot be assigned*, the Basel Convention requires that the Parties concerned or other Parties, as appropriate, ensure, through cooperation, that the wastes in question are disposed of as soon as possible in an environmentally sound manner.

Confirmed cases of illegal traffic means cases dealt with in accordance with the relevant national legislation and criminal law, as provided for in Article 9, paragraph 5 of the Basel Convention.

PART II

[Notification](#)

Instructions for completing the notification

[Movement document](#)

Instructions for completing the movement document

INSTRUCTIONS FOR COMPLETING THE NOTIFICATION

Who must provide the information?

The exporter or other body taking care of the duty to notify (generator/State of export) is to complete blocks 1-23.

The competent authority of the State of transit is to complete block 24 (under the OECD and the EC System, the competent authority of the State of import is to complete block 24).

Blocks 25 and 26 are for use by the competent authorities of the States of export, import and transit when issuing decisions on the proposed transboundary movement of waste.

Recommendation on the circulation of the notification

In the following, a recommendation is presented on how the notification should be circulated in order to appropriately enforce the Basel Convention (although all of the actions are not explicitly required by the Convention).

Notification is normally issued by the competent authority of the State of export. The competent authority may print a code number on the notification form which is unique to the proposed movement of waste. The use of a unique preprinted form number is advisable for administrative purposes, in order to avoid double numbering or misprints.

On completion of blocks 1-23, the exporter makes the necessary number of photocopies of the notification, each of which is signed individually. Although the Basel Convention requires only one form to be sent to the States concerned, for practical reasons it is recommended that the exporter prepares:

- two signed copies for the competent authority of the State of export;
- two signed copies for the competent authority of the State of import;
- three signed copies for the competent authority of each State of transit, if any.

The exporter sends all the signed copies to the competent authority of the State of export, who transmits the notifications to the other competent authorities concerned. It is also recommended that the exporter sends a copy of the notification to the disposer for information.

The competent authorities of the State of export and the State of import use

- one copy to provide the consent for the proposed movement of waste (original with block 25 completed, to be sent to the exporter/generator and a copy of it to the competent authorities of other States concerned), and
- one copy for filing.

The competent authority of the State of transit uses

- one copy for providing an acknowledgement (original with block 24 completed, to be sent to the exporter/generator and a copy of it to the competent authorities of other States concerned),
- one copy to provide the consent for the proposed movement of waste (original with Block 25 completed, to be sent to the exporter/generator and a copy of it to the competent authorities of other States concerned), and
- one copy for filing.

It should be noted that some countries 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.

Specific Instructions

The Basel Convention does not explicitly require the blocks that are shaded grey to be completed. This information is required under the OECD or EC system^{1, 2}, or may otherwise be considered valuable information by the competent authorities.

The notification number on the top right of the form may be provided by the competent authority when issuing a notification according to its own system. This number will be preprinted on the form.

The notification shall be completed in language acceptable to the competent authority of the State of import.

Block 1: Provide the full name and address, telephone and telex or telefax number of the exporter, and the name, address, telephone, telex or telefax number of the person who can be contacted at any time in relation to any incident during movement of the consignment. In this block, the reasons for export of the waste are also given.

Block 2: Provide the full name and address, telephone and telex or telefax number of the importer concerned with the proposed movement, and the name, address, telephone, telex or telefax number of the person who can be contacted at any time in relation to any incident during movement of the consignment. Normally, the importer would be the disposer identified in block 8. In this case enter the words "Same as block 8". Where this is not so, both blocks 2 and 8 need to be completed.

Block 3: This block indicates the type of notification in question. Provide

A) whether the notification is intended to cover one shipment (single movement) or several shipments (general notification), and

B) whether the waste is destined (i) for a disposal operation without recovery (Annex IV A of the Convention), or (ii) for a recovery operation (Annex IVB of the Convention).

The information required by point C) concerning the pre-authorized facility, although useful, is not required under the Basel Convention. It is to be completed as part of the OECD System¹.

Block 4: Provide the total intended number of shipments for the period of time over which waste is to be exported.

Block 5: Provide the estimated total quantity and the estimated quantities for each individual shipment, preferably in kilogrammes or, if not otherwise possible, in litres. Some countries may always require the weight to be given. It should be noted that, because of practical difficulties in estimating quantities or the expected dates of each shipment at the time of notification, a number of countries do not, in practise, require those quantities or dates to be indicated on the notification.

Block 6: Provide either the expected date(s) of each shipment or, if this is not known, the period of time over which the waste is to be exported.

Block 7: Provide the full name and address, telephone and telex or telefax number of the carrier and the name, address, telephone, telex or telefax of the person to be contacted at any time in relation to any incident during movement of the consignment. If more than one carrier is involved, enter the words "See attached list" and append a list giving the information required for each carrier.

Block 8: Provide the full name, address, telephone and telefax or telex number of the disposer and the name, address, telex or telefax number of the person to be contacted. Provide the information on the actual site of disposal, if it is different from the location of the disposer.

Block 9: Provide the method(s) of disposal (see the reverse side for codes) and also a description of the technology employed and the soundness, from an environmental point of view, of the method(s) followed. Attach additional information if necessary.

Block 10: Provide the full name and address, telephone and telex or telefax number of the generator of the waste and the name, address, telephone, telex or telefax of the person to be contacted at any time in relation to any incident during movement of the consignment. Additionally, provide information on the process by which the waste was generated and the site of generation. If the generator is the exporter, write in the block

"Same as block 1". When the waste is produced by more than one generator, enter words "See attached list" and append a list providing the information required for each generator. Some countries may accept that the information concerning a generator of the waste is given in a separate Annex, which would be available to Competent authorities only.

Block 11: Provide the proposed mean(s) of transport (see the reverse side for codes).

Block 12: Provide the proposed packaging type(s) (see the reverse side for codes).

Block 13: In block 13(I), provide the names by which the waste is commonly called, the chemical names of the constituents and their concentration.

In block 13(ii), indicate any special precautions concerning the consignment, for example, producers handling instructions for employees, health and safety information, including, among other things, information on dealing with spillages, and transport emergency cards. Annexes should be used if necessary.

Block 14: Indicate the physical characteristics of the waste at normal temperature and pressure (see the reverse side for codes).

Block 15: Provide the waste identification code by which the material is designated in the country of export and, if known, in the country of import. If appropriate, provide the designation of the waste according to an adopted uniform classification code such as the International Waste Identification Code (IWIC), the European Waste Catalogue (EWC) code, the Harmonized System (HS) code or any other code (to be specified). It should be noted that the use of these codes is not specifically required by the Basel Convention. However, many countries require some of the codes to be used.

Block 16: Refers to OECD classification, which is required to be checked only for wastes going to recovery facilities under the OECD system¹. This is not required under the Basel Convention. However, competent authorities of OECD Member Countries may require the classification to be used also in the case of movement from or to a non-OECD country.

Block 17: Provide the Y number(s), which accord(s) with "Categories of wastes to be controlled", and "Categories of wastes requiring special consideration" given in Annexes I and II of the Basel Convention (See Appendix 2 of this Instruction Manual).

Block 18: For wastes listed in Annex I of the Convention, provide the H number(s) (see the reverse side for codes), which corresponds to the "List of hazardous characteristics" given in Annex III of the Basel Convention (See Appendix 3 of this Instruction Manual).

Block 19: Provide the UN identification number (i.e. 4 digit numbers), including proper shipping name, and, for wastes listed in Annex I of the Convention (Y1 - Y45), UN class (see the reverse side for codes). These codes are given in the UN Recommendations on the Transport of Dangerous Goods. The UN Recommendations provide conditions under which wastes are suitable for transportation internationally.

Block 20: In the left-hand block, provide the name of the State of export, or the code for the country by using the OECD code and ISO Standard 3166 abbreviations (see Instruction Manual for the codes). Provide also the name, address, telephone and telefax/telex number of the competent authority of the State of export, the name of the border crossing or port and the customs office as the point of entry to or exit from a particular country.

In the three middle blocks, provide the corresponding information on the States of transit in the order of transport. If more than three States of transit are involved, provide the required information on those States in an annex to the notification.

In the right-hand block, provide the corresponding information on the State of import.

Block 21: Completion required for consignments entering, passing through or leaving Member States of the European Community. Not required under the Basel Convention.

Block 22: Specify the number of annexes attached. Annexes may refer to, for example, the list of several carriers (block 7) or generators of waste (block 10), as well as information on the method of disposal, the contract between the exporter and disposer and on the financial guarantees or insurances provided for the transboundary movement of waste.

Block 23: Both the generator and exporter of the waste shall sign and date each copy of the notification before it is forwarded to the competent authority of the State of export. The name of the authorized representative of both the generator and the exporter should also appear in capital letters to accompany the signature. It should be noted that in practice a number of countries request only the exporter to fill in the declaration, because of the practical difficulties they may encounter in requesting a number of generators to fill in the declaration.

It should be noted that by signing the declaration, the exporter and/or generator certifies that the information is complete and correct and that there is a valid written contract between the exporter and the disposer, and that the required financial guarantees are or shall be in force covering the transfrontier movement. The proof of insurance and information concerning the contract between the exporter and disposer and, if requested by the competent authorities, proof of other financial guarantees shall accompany the notification.

Block 24: For use by the competent authority that is to acknowledge receipt of the notification. Under the Basel Convention, it is the responsibility of the competent authority of transit to issue an acknowledgement. Under the OECD System¹, as well as normally under the EC System², the competent authority of the State of import is to issue an acknowledgement.

Block 25: For use by the competent authority of any concerned country when providing written consent to a transboundary movement of hazardous wastes. Indicate the name of the country, the date of consent and the date on which it expires. If the movement is subject to specific conditions, place an (X) in the appropriate box and complete Block 26 on the reverse side of the form, or use a separate sheet of paper.

When objecting to a movement, the competent authority may wish to write "OBJECTION" in block 25. Block 26, or a separate sheet of paper, may be used to explain the objection.

Block 26 (Reverse side of the form):

This block can be used by competent authorities, instead of a separate sheet of paper, when providing specific conditions for their written consent to the movement or to explain their objection to the movement.

INSTRUCTIONS FOR COMPLETING THE MOVEMENT DOCUMENT

Who must provide the information?

The exporter/generator is to complete blocks 1-9 and 13-22.

Carriers of waste are to complete blocks 10-12 (the first carrier completes block 10, the second block 11 and the last carrier block 12, for details see the instructions below).

The importer (if not the disposer) is to complete block 23.

The disposer is to complete blocks 24 and 25.

Blocks 26-28 are for use by customs offices.

Circulation of the movement document

A movement document must accompany each consignment. In the case of a general notification, a separate movement document will be required for each consignment. It is recommended to enclose a copy of the fully authorized notification with the movement document.

At the time of shipment, the exporter/generator completes the movement document. The first carrier completes and signs block 10. A copy is left with the exporter/generator for filing.

Each successive carrier does the same as the first carrier by completing block 11 or block 12 at the time of transfer. A copy of the signed document is left with the previous carrier for filing. If more than three carriers are involved in a particular movement of waste, an attachment giving the appropriate information shall be annexed to the document.

When the waste has been received by the disposer, an authorized representative of the disposer completes block 24 and gives a copy to the last carrier. The disposer shall send a signed copy of the document to the exporter and the competent authority of the State of export and preferably (although not specifically required by the Basel Convention) also to other competent authorities concerned.

When the disposal of waste has been completed, the disposer completes block 25 of the document and sends signed copies of it to the exporter and the competent authority of the State of export and preferably (although not specifically required by the Basel Convention) also to other competent authorities concerned. The original movement document is retained by the disposer for filing.

Specific instructions

The Basel Convention does not explicitly require the blocks that are shaded grey to be completed. This information is required under the OECD or EC system^{1, 2}, or may otherwise be considered valuable information by the competent authorities.

Block 1: Provide the same information as given for blocks 1 and 10 in the notification.

Block 2: Provide the same information as given for block 2 in the notification.

Block 3: Enter the notification NE to which the particular consignment refers. This is copied from the top right of the notification. Indicate whether this particular movement is subject to a single notification or a general notification for multiple movements.

Block 4: For multiple movements enter the serial number of the shipment in relation to the total number of intended shipments shown in block 4 on the notification, for example, enter the words "4 out of 11" for the fourth shipment of eleven intended shipments under a general notification.

Blocks 5-7: Enter the full name and address, telephone and telefax or telex number of each actual carrier and the name, address, telephone, telefax of the person to be contacted in case of emergency. Indicate the information on the first carrier in block 5, for the second carrier in block 6, and for the last carrier in block 7. When more than three carriers are involved, appropriate information on each should be appended to the form.

Blocks 8-9: Provide the same information as given for blocks 8 and 9 in the notification.

Blocks 10-12:

Provide the means of transport being used (see reverse side of the form for codes), and if appropriate, the license or registration number of the means of transport. Each subsequent carrier or his representative is to sign the document when taking possession of the consignment. The first carrier is to complete block 10, the second carrier block 11, and the last carrier block 12. When more than three carriers are involved, appropriate information on each should be appended to the form.

A copy of the signed form is to be retained by the exporter. At each successive transfer of the consignment to another carrier, a copy of the signed form is to be retained by the previous carrier. The first date of transfer should correspond to the date when the transboundary movement actually started.

Blocks 13-16:

Provide the information given in corresponding blocks in the notification.

Block 17: Enter the actual weight (in kg) or the actual volume (in litres) of the consignment being transported and, wherever possible, attach copies of weighbridge tickets. Some countries may always require the weight to be given.

Block 18: Enter the type of packaging (see the reverse side of the form for codes), and the number of packages making up the consignment.

Block 19: Provide the same information as given for blocks 17, 18, and 19 in the notification.

Block 20: Indicate any special precautions concerning the consignment, for example, producers handling instructions for employees, health and safety information, including, among other things, information on dealing with spillages, and transport emergency cards. Annexes should be used if necessary.

Block 21: Enter the date when the shipment actually starts. This date should correspond to the first date of transfer indicated in block 10.

Block 22: At the time of shipment, the authorized representative of the exporter/generator shall sign and date the movement document. The name of the authorized representative of the exporter/generator should also appear in capital letters to accompany the signature.

It should be noted that by signing the declaration, the exporter and/or generator certifies the completeness and correctness of information as well as the existence of the contract and the necessary financial guarantees and insurances. He also certifies that all necessary authorizations have been received from the competent authorities concerned. Some countries may require a copy or an original authorization from the competent authorities to be enclosed with the movement document.

Block 23: To be completed by the importer if not the disposer. Enter the amount of waste received in kilogrammes and/or in litres, date of receipt, the name of the importer, and the signature of his authorized representative. The name of the authorized representative of the importer should also appear in capital letters to accompany the signature. Indicate also whether the waste has been accepted or rejected by ticking the appropriate box. If the shipment is rejected, for any reason, the importer must immediately contact his competent authority(ies).

Upon receipt of waste, the importer shall give a signed copy of the movement document to the carrier. The importer shall also send signed copies to the exporter and the competent authority of the State of export. Some countries require this certification to be given within three working days and to be delivered also to other competent authorities concerned. The original movement document shall accompany the waste and be completed and signed by the carrier(s) when it is delivered from the importer to the disposer.

Block 24: To be completed by the authorized representative of the disposer on receipt of a transboundary consignment of the waste. Enter the amount of waste received in kilogrammes and/or in litres, date of receipt, the name of the disposer, and the signature of his authorized representative. The name of the authorized representative of the disposer should also appear in capital letters to accompany the signature. Indicate also whether the waste has been accepted or rejected by ticking the appropriate box. If the shipment is rejected, for any reason, the disposer must immediately contact his competent authority(ies). Indicate also the date by which the disposal of waste will be completed, and the method of disposal.

Upon receipt of waste, the disposer shall give a signed copy of the movement document to the carrier. The disposer shall also send signed copies to the exporter and the competent authority of the State of export. Some countries require this certification to be given within three working days and to be delivered also to other competent authorities concerned. The original movement document normally is to be retained by the disposer.

Block 25: To be completed by the disposer to certify the completion of disposal of the waste. Enter the date of disposal, the name of the disposer and the signature of the authorized representative of the disposer. The name of the authorized representative of the disposer should also appear in capital letters to accompany the signature.

Signed copies of the form with block 25 completed shall be sent to the exporter and to the competent authority of the State of export. Some countries require this certification to be given within 180 days of receipt of the waste and to be sent also to the other competent authorities concerned. The original movement document normally is to be retained by the disposer.

Blocks 26 - 28 (Reverse side of the form):

Not specifically required by the Basel Convention. These are for control by customs offices at the borders of country of export, transit and import. Some countries may require the customs office at the border where waste leaves the territory to send a copy of the movement document to the competent authority(ies) which issued the authorization for transboundary movement of waste.

APPENDIXES

1. Glossary
2. Categories of wastes to be controlled and of wastes requiring special consideration (Annexes I and II of the Basel Convention) and Annexes VIII and IX containing the lists A and B of wastes respectively
3. List of hazardous characteristics (Annex III to the Convention)
4. List of competent authorities and focal points of Contracting Parties
5. List of government authorities of non-Contracting Parties
6. Basic elements to be included in the contract between the exporter and the disposer
7. Annex IV of the Convention (Disposal Operations)

APPENDIX 1

GLOSSARY

The following explanations are meant clarify the terms used in this Manual 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.

Transboundary movement:

Any movement of hazardous waste or other waste from an area under the national jurisdiction of one State to, or through an area under the jurisdiction of another State, or through an area not under the national jurisdiction of any State, provided at least two States are involved in the movement.

Transit of waste: (to be specified by the Conference of the Parties)

Disposal: 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.

State of export: State from which the transboundary movement of hazardous wastes or other wastes is planned to be initiated or is initiated.

State of import: State 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: Any State, other than the State of import or export, through which a transboundary movement of hazardous wastes or other wastes is planned or takes place.

Competent Authority:

The governmental authority designated by the State which is Party to the Basel Convention, within such geographical areas 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 of the Convention. See Appendix 4 of this manual for the list of the competent authorities of Parties to the Basel Convention.

Generator: Any natural or legal person whose activity produces hazardous waste or other waste or, if that person is not known, the person who is in possession and/or control of those wastes. If two or more batches of wastes are mixed before being moved and disposed of, and/or otherwise subjected to physical or chemical operations which render the original wastes indistinguishable or inseparable in the resulting mixture, the party or parties who perform(s) these operations is (are) considered to be the generator of the new wastes resulting from these operations.

Exporter: Any natural or legal person under the jurisdiction of the State of export who arranges for hazardous wastes or other wastes to be exported. 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, in accordance with Article 6 of the Basel Convention.

Disposer: Any natural or legal person to whom hazardous wastes or other wastes are shipped and who carries out the disposal of such wastes. 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.

Importer: Any natural or legal person under the jurisdiction of the State of import who arranges for hazardous wastes or other wastes to be imported. Normally, the importer is the same as the disposer.

Notification: 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 and the instructions for its completion are presented in Part II of this Manual.

General notification:

A notification which covers several 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 for entry and exit, to be carried out during a maximum period of one year.

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 Part II of this Manual.

APPENDIX 2

CATEGORIES OF WASTES TO BE CONTROLLED AND OF WASTES REQUIRING SPECIAL CONSIDERATION (ANNEX I AND II OF THE BASEL CONVENTION)

CATEGORIES OF WASTES TO BE CONTROLLED (ANNEX I)

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)

CATEGORIES OF WASTES REQUIRING SPECIAL CONSIDERATION (ANNEX II)

- Y46** Wastes collected from households
- Y47** Residues arising from the incineration of household wastes

Annex VIII

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:

- Antimony
- Arsenic
- Beryllium
- Cadmium
- Lead
- 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 B

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.

A1180 Waste electrical and electronic assemblies or scrap 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)

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

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 Fellingmongery 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

A3190 Waste tarry residues (excluding asphalt cements) arising from refining, distillation and any pyrolytic treatment of organic materials

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 and phytopharmaceuticals, including waste pesticides and herbicides which are off-specification, outdated, or unfit for their originally intended use

A4040 Wastes from the manufacture, formulation and use of wood-preserving chemicals

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-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 outdated 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)

Annex IX

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 Metal and metal-alloy wastes in metallic, non-dispersible form:

- 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 gallium
- Thorium scrap
- Rare earths scrap

B1020 Clean, uncontaminated metal scrap, including alloys, in bulk finished form (sheet, plate, beams, rods, etc), of:

- Antimony scrap
- Beryllium scrap
- Cadmium scrap
- Lead scrap (but excluding lead-acid batteries)
- Selenium scrap
- Tellurium scrap

B1030 Refractory metals containing residues

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

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 or exhibiting hazard characteristic H4.3

B1090 Waste batteries conforming to a specification, excluding those made with lead, cadmium or mercury

B1100 Metal-bearing wastes arising from melting, smelting and refining of metals:

- Hard zinc spelter
- Zinc-containing drosses:
 - 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 Electrical and electronic assemblies:

- Electronic assemblies consisting only of metals or alloys
- Waste electrical and electronic assemblies or scrap (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., 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, and not for recycling or final disposal

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

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

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

B2010 Wastes from mining operations in non-dispersible form:

- Natural graphite waste
- Slate waste, whether or not roughly trimmed or merely cut, by sawing or otherwise
- Mica waste
- Leucite, nepheline and nepheline syenite waste
- Feldspar waste

- Fluorspar waste
- Silica wastes in solid form excluding those used in foundry operations

B2020 Glass waste in non-dispersible form:

- 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:

- Cermet wastes and scrap (metal ceramic composites)
- Ceramic based fibres not elsewhere specified or included

B2040 Other wastes containing principally inorganic constituents:

- 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 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)

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

B3010 Solid plastic waste:

The following plastic or mixed plastic materials, provided they are not mixed with other wastes and are prepared to a specification:

- Scrap plastic of non-halogenated polymers and co-polymers, including but not limited to the following:
- 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:
- urea formaldehyde resins
 - phenol formaldehyde resins
 - melamine formaldehyde resins
 - epoxy resins
 - alkyd resins
 - polyamides
- The following fluorinated polymer wastes
- perfluoroethylene/propylene (FEP)
 - perfluoroalkoxy alkane (PFA)
 - perfluoroalkoxy alkane (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.

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
- 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

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

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

LIST OF HAZARDOUS CHARACTERISTICS (ANNEX III TO THE CONVENTION)

<u>UN Class</u>	<u>Code</u>	<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.
8	H8	Corrosives 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

The lists of the Focal Points and Competent Authorities have been removed from this document. For updated lists, please see [Focal Points](#) and [Competent Authorities](#).

APPENDIX 5

The list of non-contracting Parties has been removed from this document. Please see the [Status of Ratifications](#) to see a current list both contracting and non-contracting Parties.

APPENDIX 6

BASIC ELEMENTS TO BE INCLUDED IN THE CONTRACT BETWEEN THE EXPORTER AND THE DISPOSER

Contracts for the shipment of waste destined for disposal operations should clearly set out the rights and obligations of each party and demonstrate a positive and mutually responsible approach. The objective is to have a contract that is acceptable, clear, workable and fair to both parties.

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

1. SCOPE OF DISPOSER'S SERVICES

Specify that the disposer will accept the waste in question, providing that the transboundary movement meets certain agreed on quality requirements (within agreed levels of tolerance) described in section 4. Specify that waste disposal facility is authorized or permitted to handle waste.

2. TERM OF CONTRACT

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

3. WASTE MATERIAL AND METHOD OF DISPOSAL

Provide a description of the hazardous waste or other waste and the disposal process for which it is destined, as well as the nature and quantity of wastes arising from the recovery operations and their destination. Provide a description of the intended use of the reclaimed material (or product). Specify the environmentally sound management of the wastes in question.

Specify the mutually agreed acceptance criteria.

4. QUANTITY

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

5. 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 and the expected date of arrival to the disposer's premises and completion of the disposal operations.

6. 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").

7. INSPECTION AND ACCEPTANCE

Specify which party shall be responsible for ensuring the inspection, sampling, and analysis, 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 the Duty to Re-import from the State of export (Article 8).

8. REPRESENTATIONS AND WARRANTS OF EXPORTER AND/OR DISPOSER

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

9. 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.)

10. INSURANCE

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

11. 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 ICC Court of Arbitration).

NOTE: The following section should be separated from the standard terms and conditions of the contract before the contract can become a public document.

12. FINANCIAL ARRANGEMENTS

Specify the compensation.

Specify the terms and conditions for adjustment of the compensation.

APPENDIX 7

ANNEX IV OF THE CONVENTION (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 sea-bed 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 Physico chemical 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 RE-USE 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

