

HOW TO PROSECUTE ILLEGAL WASTE SHIPMENTS:



The Basel Convention



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Overview of the Basel Convention



- Adopted on 22 March 1989
- Entered into force on 5 May 1992
- 179 Parties



Objective is to protect human health and the environment by:

- **Minimizing** generation of hazardous wastes
- **Treating and disposing** hazardous wastes and other wastes as close as possible to their source of generation in an **environmentally sound manner (ESM)**
- **Reducing transboundary movements (TBM)** of hazardous wastes and other wastes to a minimum consistent with their environmentally sound management **and controlling such movements**

Cornerstones of the TBM control procedure:

- 1. Right to restrict/prohibit TBM**
- 2. Conditions on TBM**
- 3. Prior Informed Consent (PIC)**
- 4. Environmentally Sound Management (ESM)**
- 5. Illegal traffic and 'take-back' obligation**

General rights and obligations of Parties of relevance to the control of TBM (Article 4 of the Convention):

Obligation to take appropriate **legal, administrative and other measures** to implement and enforce the requirements of the Convention, including measures to prevent and punish conduct in contravention to the Convention

Overview of the Basel Convention



- Right of Parties **to restrict/prohibit the import** of hazardous or other wastes for disposal
- Obligation **to inform** other Parties of their decision to restrict/prohibit import of hazardous or other wastes
- Obligation by other Parties **to respect** such restrictions/prohibitions
- List of the restrictions/prohibitions imposed under national law in individual Parties:
<http://www.basel.int/Countries/ImportExportRestrictions/tabid/1481/Default.aspx>

https://www.yunbaogao.cn/report/index/report?reportId=5_6694

预览已结束，完整报告链接和二维码如下：



the Basel Convention



not allow exports when it has reason to
the wastes in question will **not be managed
in an environmentally sound manner**

prohibited from exporting wastes falling within
the Convention for disposal within the area
South latitude

and not occur with a **non-Party**

is authorized or allowed to transport or
wastes undertake such operations, and wastes
must be packaged, labeled and transported in
in accordance with generally accepted and recognized
rules and standards.