

Illegal traffic in hazardous wastes  
and other wastes

The Conference,

Expressing its concern at the problems of illegal traffic in hazardous wastes and other wastes, in particular to developing countries and to the countries in transition,

Recalling decision I/15 of the First Meeting of the Conference of the Parties,

Having considered the report of the Secretariat contained in document UNEP/CHW.2/8,

Having further considered the Open-ended Ad Hoc Committee recommendations contained in its decision I/6 on "Illegal Traffic in Hazardous Wastes and other Wastes,"

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1. Requests the Parties to promulgate or develop stringent national legislation on the control of transboundary movements of hazardous wastes taking into account the elements contained in document UNEP/CHW/C.1/1/7;

2. Further requests the Parties to incorporate in their legal systems, appropriate sanctions or penalties for the illegal traffic in hazardous wastes and other wastes;

3. Requests the regional commissions and secretariats of regional conventions and protocols to take an effective role in the monitoring and prevention of illegal traffic in hazardous wastes and other wastes and to coordinate their efforts and activities in this regard with the Secretariat of the Basel Convention;

4. Requests all Governments to promote interministerial coordination within their respective Governments to prevent and penalize illegal traffic in hazardous wastes and other wastes;

5. Requests the Secretariat of the Basel Convention:

(a) To assist Parties in developing national legislation to deal with illegal traffic and hazardous wastes and other wastes;

(b) To assist Parties in capacity-building including the development of an appropriate infrastructure, with a view to the prevention and penalization of illegal traffic in hazardous wastes and other wastes and to ensure the involvement of national authorities and focal points for the Basel Convention in the prevention and monitoring of illegal traffic in hazardous wastes and other wastes;

(c) To liaise with the various regional commissions and secretariats of regional conventions and protocols with a view to promoting the development of compatible regional mechanisms and systems;

(d) To promote the implementation of the appropriate parts of chapter 20 of Agenda 21 related to the illegal traffic in hazardous wastes, in particular its section D. In this regard a report should be presented to the relevant substantive session of the United Nations Commission on Sustainable Development;

(e) To continue its cooperation with the Customs Co-operation Council Secretariat, with a view to ensuring better control of the import and export of hazardous wastes and other wastes and, in particular, identifying hazardous wastes and other wastes subjected to the Basel Convention in the Harmonized System;

(f) To include, in cooperation with the Governments concerned, the Customs Co-operation Council and the International Maritime Organization, the training of customs and ports officers in relation to the import and export of hazardous wastes and other wastes in its programme of training activities;

(g) To receive, collate and disseminate information on illegal traffic in hazardous wastes and other wastes promptly and systematically with a view to ensuring that hazardous waste detected and rejected by one country is not dumped in another;

(h) To explore the possibility of cooperation with Interpol in cases of illegal traffic in hazardous wastes and other wastes;

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(i) To establish a well-defined reporting system on cases of illegal traffic in hazardous wastes and other wastes, which would:

- (i) Request Parties to report to the Secretariat on any cases of illegal traffic in hazardous wastes and other wastes as defined by the Basel Convention and the actions taken to monitor and prevent such cases;
- (ii) Include a submission by the Secretariat to the Conference of the Parties to the Basel Convention of reports, based on information received from the Parties, on cases of illegal traffic in hazardous wastes and other wastes and the publication of these reports;

(j) To enhance its cooperation in the prevention and monitoring of illegal traffic in hazardous wastes and other wastes with non-governmental organizations, industry and the private sector;

(k) To submit a report on the above-mentioned activities to the third meeting of the Conference of the Parties to the Basel Convention.