



United Nations  
Environment  
Programme



UNEP(OCA)/MED WG.3/Inf.7  
14 June 1989

Original: ENGLISH

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MEDITERRANEAN ACTION PLAN

Joint Meeting of the Scientific and Technical  
Committee and the Socio-Economic Committee

Athens, 26-30 June 1989

Transboundary Movements and Disposal of  
Hazardous Wastes in the Mediterranean

Paper by the Secretariat

### Background

1. The Conference of Plenipotentiaries on the global convention on the control of transboundary movements of hazardous wastes was convened by the Executive Director of the United Nations Environment Programme (UNEP) pursuant to decision 14/30 adopted by the Governing Council of UNEP on 17 June 1987.
2. The Conference met at Basel, Switzerland from 20 to 22 March 1989. All states were invited to participate. Seventeen Mediterranean coastal states accepted the invitation and participated in the Conference: Albania, Algeria, Cyprus, Egypt, France, Greece, Israel, Italy, Lebanon, Libyan Arab Jamahiriya, Malta, Morocco, Spain, Syrian Arab Republic, Tunisia, Turkey and Yugoslavia.
3. The European Economic Community also participated.
4. The Conference adopted, on 22 March 1989, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.
5. Thirty-five states signed the Convention, including the following Mediterranean coastal states: Cyprus, France, Greece, Israel, Italy, Lebanon, Spain, Turkey. The European Economic Community also signed.
6. The treaty requires only twenty ratifications to enter into force.
7. Several Mediterranean coastal states made declarations at the time of adoption of the Basel Convention.

### Bilateral, multilateral and regional agreements or arrangements

8. Article 11 of the Basel convention is reproduced below:

#### Article 11

##### Bilateral, Multilateral and Regional Agreements

1. Notwithstanding the provisions of Article 4 paragraph 5, Parties may enter into bilateral, multilateral, or regional agreements or arrangements regarding transboundary movement of hazardous or other wastes with Parties or non-Parties provided that such agreements or arrangements do not derogate from the environmentally sound management of hazardous wastes and other wastes as required by this Convention. These agreements or arrangements shall stipulate provisions which are not less environmentally sound than those provided for by this Convention in particular taking into account the interests of developing countries.

2. Parties shall notify the Secretariat of any bilateral, multilateral or regional agreements or arrangements referred to in paragraph 1 and those which they have entered into prior to

the entry into force of this Convention for them, for the purpose of controlling transboundary movements of hazardous wastes and other wastes which take place entirely among the Parties to such agreements. The provisions of this Convention shall not affect transboundary movements which take place pursuant to such agreements provided that such agreements are compatible with the environmentally sound management of hazardous wastes and other wastes as required by this Convention.

9. The agreements or arrangements referred to in Art. 11 may cover any of the obligations in Article 10 of the Basel Convention, namely:
  - (a) exchange of information on the environmentally sound management of hazardous wastes and other wastes;
  - (b) co-operation in monitoring;
  - (c) co-operation in development of new technologies;
  - (d) transfer of technology;
  - (e) development of appropriate technical guidelines and/or codes of practice.
10. The Convention (Art. 10.3) commits the Parties to employ appropriate means to co-operate in order to assist developing countries in the implementation of the sub-paragraphs a),b),c) and d) above.
11. The coastal states participating in the Abidjan Convention for the West and Central African Region have requested UNEP to develop a protocol based on the Basel Convention. Similar proposals will be proposed by the Lima Convention (South-East Pacific), Cartagena Convention (Wider Caribbean Area) and Noumea Convention (South Pacific Region).

#### Recommendations

12. For the Mediterranean, in view of its special vulnerability, extensive transboundary movements of hazardous wastes that have come to light in recent times, and the concern expressed by several coastal states, the Secretariat seeks the views of the Joint Meeting on the need to develop a Mediterranean protocol on the subject, in the framework of the Barcelona Convention. The Committees' views will be reflected in the meeting's report transmitted to the Contracting Parties in the form of a Recommendation. A draft Recommendation appears in document UNEP(OCA)/MED WG.3/3 (II - 3.4.).
13. Any decision on this matter will be taken by the Sixth Meeting of the Contracting Parties in October 1989.