



INTERNATIONAL SAFETY PANEL
ENVIRONMENTAL SERIES ES#1

Transboundary Movements of Hazardous Wastes

by

Evert Wijdeveld

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In 1990 he moved to the Rotterdam Port Industries' Association (Deltalinqs) where he is now employed as their specialist in Safety and Environmental affairs.

He joined the ICHCA International Safety Panel in its first year in 1991 and is one of the two Deputy Chairmen. From 2008 -11 he was Chairman of the Environmental Sub Group of the Panel.

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TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES

1. Background

- 1.1 The misadventures of “toxic ships” such as the “Karin B” and the “Pelicano”, sailing from port to port trying to offload their poisonous cargoes made the front-page headlines around the world. These tragic incidents were motivated in good part by tighter environmental regulations in industrialized countries. As the costs of waste disposal skyrocketed, “toxic traders” searching for cheaper solutions started shipping hazardous wastes to Africa, Eastern Europe and other regions. Once on shore, these waste shipments were dumped indiscriminately, spilled accidentally or managed improperly, causing severe health problems –even death- and poisoning the land, water and air for decades or centuries.
- 1.2 To prevent and combat these practices, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal was negotiated under the auspices of the United Nations Environment Programme in the late 1980s. (The Basel Convention was adopted in 1989 and entered into force in 1992.¹) Regional regulatory frameworks complement the Basel Convention, for example in the European Union (Waste Shipment Regulation) or in the framework of the OECD (Council Decision C(2001)107/FINAL).

2. Aim of this Briefing Pamphlet

- 2.1 The aim of this briefing pamphlet is to advise terminal operators of the existing rules and regulation pertaining to transboundary movements of hazardous wastes as embodied in the Basel Convention and how this legal framework may influence their operations if stakeholders fail to comply with the national legal framework implementing the provisions of the Basel Convention².

3. What is waste under the Basel Convention?

- 3.1 Wastes are 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.

¹ In November 2011, the Basel Convention had 176 Parties. Authoritative information on Parties to the Basel Convention can be found on <http://treaties.un.org/home.aspx>.

² Most of the information contained in this leaflet is based on information publicly available on the website of the Convention (www.basel.int). Additional information can be found there and also by contacting the Basel Convention Secretariat (sbc@unep.org).

3.1.1 Annex I of the Basel Convention, as further clarified in Annexes VIII and IX of that Convention, lists those wastes that are classified as hazardous and subject to the control procedures under the Convention.

3.1.2 Annex II of the Basel Convention identifies those wastes that require special consideration (known as “other wastes”, and which primarily refer to household wastes).

3.1.3 Parties may also inform the Convention Secretariat of additional wastes, other than the wastes listed in Annexes I and II of the Convention that are considered or defined as hazardous wastes under their national legislation and of any requirements concerning transboundary movement procedures applicable to such wastes.

3.2 Examples of wastes regulated by the Basel Convention:

- Biomedical and healthcare wastes
- Used oils
- Used lead acid batteries
- Persistent Organic Pollutant wastes (POPs wastes), chemicals and pesticides that persist for many years in the environment. They are transported great distances from their point of release, bioaccumulate (thus threatening humans and animals at the top of the food chain), and cause a range of health effects.
- Polychlorinated Biphenyls (PCBs), compounds used in industry as heat exchange fluids, in electric transformers and capacitors, and as additives in paint, carbonless copy paper, sealants and plastics.
- Chemical wastes generated by industries and other consumers.

3.2.1 Some topical wastes issues handled by the Basel Convention...

- Electronic and electrical waste (“e-waste”) such as mobile phones and computers
- Ships destined for dismantling
- Mercury and asbestos wastes
- Illegal traffic and dumping of hazardous wastes

4. Transboundary movements of hazardous wastes

4.1 Reports submitted by Parties to the Basel Convention to the Secretariat of the Basel Convention for the year 2006 suggest that there are at least 9.3 million tonnes of hazardous waste moving from country to country each year. Of these 9.3 million tonnes of hazardous wastes sent for disposal abroad, much is presumed to be received as a welcome source of business. Many countries do, however, complain that they are receiving shipments which they never agreed to and which they are unable to deal with properly.

- 4.2 Transboundary movements of hazardous wastes are often carried out by ships. Terminal operators in ports and harbours are involved in such movements because they handle wastes as cargo. In addition, hazardous wastes might be classified as dangerous cargoes (according to IMDG Code or IMSBC Code).
- 4.3 In the guiding documents the classification of hazardous wastes itself do have an extra code: the **H-code**. The 'H' is followed by the class number. Exemption is class 9, where the 'H' is not followed by '9' but by number 11, 12 or 13. H11 is for 'Toxic (delayed or chronic)', H12 is for 'Ecotoxic' and H13 is for hazardous wastes 'Capable, by any means, after disposal of yielding another material, e. g., leachate, which possesses any of the characteristics listed above'.

5. Procedures concerning notification and movement

- 5.1 Notification and movement/shipment documents
- 5.2 Information of the Basel Convention rules pertaining to transboundary movements and the four stages involved (notification, consent, and issuance of the movement document, transboundary movement, confirmation of disposal) is in Annex 1.
- 5.2.1 Notification and movement documents, available on the web (www.basel.int) take into account the specific requirements set out in the Basel Convention, the OECD Decision and the European Community Regulation mentioned in sub paragraph 1.2. However, because the documents have been made broad enough to cover all legal instruments, not all blocks in the document will be applicable to all of the instruments and it therefore may not be necessary to complete all of the blocks in a given case. Any specific requirements relating to only one control system have been indicated with the use of footnotes.
- 5.2.2 It is also possible that national implementing legislation may use terminology that differs from that adopted in the Basel Convention and the OECD Decision. For example, the term "**shipment**" is used in the European Community Regulation instead of "**movement**" and the titles of the notification and movement documents therefore reflect this variation by employing the term "**movement/shipment**".
- 5.3 See the Annex 2 for samples of the documentations to be used for notification and movement, abbreviations and codes, used in the notification form. Also in Annex 2 you will find special instructions for the movement form.

6. Disposal and recovery

- 6.1 The documents include both the term “disposal” and “recovery”, because the terms are defined differently in the international instruments. In the OECD Decision and the European Community Regulation the term “disposal” is used to refer to disposal operations listed in Annex IV.A of the Basel Convention (and Appendix 5.A of the OECD Decision) and “recovery” for recovery operations listed in Annex IV.B of the Basel Convention (and Appendix 5.B of the OECD Decision).

In the Basel Convention itself, however, the term “disposal” is used to refer to both disposal and recovery operations.

7. Role of competent national authorities

- 7.1 The competent national authorities in each export State will be responsible for providing and issuing the notification and movement documents (in both paper and electronic versions). When doing so, they will use a numbering system, which allows a particular consignment of waste to be traced. The numbering system should be prefixed with the country code that can be found in the ISO standard 3166 abbreviation list.
- 7.2 Countries may wish to issue the documents in a paper size format that conforms to their national standards (normally ISO A4, as recommended by the United Nations). In order to facilitate their use internationally, however, and to take into account the difference between ISO A4 and the paper size used in North America, the frame size of the forms should not be greater than 183 x 262 mm with margins aligned at the top and the left side of the paper.

8. Purpose of the notification and movement documents

- 8.1 The notification document is intended to provide the competent authorities of countries concerned with the information they need to assess the acceptability of a proposed waste movement. The document includes space for the competent authorities to acknowledge receipt of the notification and, where required, to consent in writing to a proposed movement.
- 8.2 **The movement document is intended to travel with a consignment of waste at all times from the moment it leaves the waste generator to its arrival at a disposal or recovery facility in another country. Each person who takes charge of a transboundary movement is to sign the movement document either upon delivery or receipt of the wastes in question.**

- 8.3 Space is provided in the document for detailed information on all carriers of the consignment. There are also spaces in the movement document for recording passage of the consignment through the customs offices of all countries concerned (while not strictly required by applicable international instruments, national legislation in some countries requires such procedures, as well as information to ensure proper control over movement).
- 8.4 Finally, the document is to be used by the relevant disposal or recovery facility to certify that the waste has been received and that the recovery or disposal operation has been completed.

9. Role of the Terminal Operator

- 9.1 Although a terminal operator in a seaport mainly has to load or unload (containerized) cargo on or from a ship, the terminal operator for instance wants to know what type of container, what weight, what class (if dangerous goods are involved) and whether it is a special cargo like refrigerated cargo or other cargo which needs special attention.
- 9.2 Like all other cargoes it is very important that the paperwork or electronic documents for wastes, whether hazardous or not, are in order and state exactly what is in the container. If not the hazardous wastes will be stopped at the terminal concerned.
- 9.3 Circumstances have been known where the owner or the originator of the hazardous wastes cannot be found anymore and the shipper all at a sudden 'has disappeared'. If that is the case the terminal operator will be considered to be the owner of the problem due to the fact that the hazardous wastes are on his premises. Although the terminal operator is not the owner, he may become liable for the hazardous wastes on the terminal at that moment.

10 Conclusions

- 10.1 Strong controls have to be applied from the moment of generation of a hazardous waste to its storage, transport, treatment, reuse, recycling, recovery and final disposal.
- 10.2 There is one example where sixty sea containers holding 1600 tonnes of wastes were seized by the Dutch port authorities. The wastes were officially declared as recovered paper on its way to China from the United Kingdom. However it was found to contain bales of compacted household waste, food packaging and residues, plastic bags, waste wood and textiles. It was discovered that the wastes were first transported to the Dutch ports by lorry and ferry, where the bales were transferred on to sea containers. Neither the Chinese, UK or Dutch authorities had given their consent to the import, export or transit of the waste. The shipment was returned to the country of export. (Source: EUWID RD No. 09 4 May 2005)]

- 10.3 Marine terminals should check very carefully any shipment of wastes, whether hazardous or not, before letting it onto the terminal and before taking into its keeping. It is essential that there is paperwork and that it is in order.
- 10.4 If there is any doubt, the shipment should be rejected until conformation is received from national authorities involved in the transboundary movement of waste. Country contacts are on the web: www.basel.int/contact-info/frsetmain.html .
- 10.5 Annex 3 gives you other quick links to get additional information.

Annex 1:

Controlling transboundary movements of hazardous wastes

The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal is the most comprehensive global environmental agreement on hazardous wastes and other wastes. Among other matters, the convention regulates transboundary movements (TBM) of hazardous wastes and other wastes. Parties to the Basel Convention have the overall obligation to ensure that such TBM are minimized and that any TBM is conducted in a manner which will protect human health and the environment. In addition to these general obligations, the Convention provides that TBM can only take place if certain conditions are met and if they are in accordance with certain procedures. It is the Competent Authorities (CA) designated by Parties that assess whether the Basel Convention requirements for TBM are met.

This leaflet presents an overview of the Basel Convention control system for the TBM of hazardous wastes and other wastes. It sets out the conditions, procedures and special rules for such TBM with the aim of facilitating the effective implementation of the Convention.

1. Conditions for transboundary movements

Under the Basel Convention, a TBM means any movement of hazardous wastes or other wastes:

- from an area under the national jurisdiction of one State
- to or through an area under the national jurisdiction of another State, or to or through an area not under the national jurisdiction of any State,

provided at least two States are involved in the movement.

Parties are under an obligation to take the appropriate measures to ensure that TBM of hazardous wastes and other wastes are only allowed if one of the three following conditions is met:

- the State of export does not have the *technical capacity* and the necessary *facilities, capacity or suitable disposal sites* in order to dispose of the wastes in question in an “environmentally sound manner”; or
- the wastes in question are required as *raw material* for recycling or recovery industries in the State of import; or
- the TBM in question is in accordance with *other criteria* decided by the Parties (such criteria will normally be found in the decisions adopted by the Conference of the Parties).

In all cases, the Convention requires that the standard of “environmentally sound management” (ESM) of hazardous wastes or other wastes is met.

ESM means taking all practicable steps to ensure that hazardous wastes or other wastes are managed in a manner which will protect human health and the environment against the adverse effects which may result from such

Ministries of Environment and Environment Agencies are normally the best sources of scientific and technical information of this nature, and the Secretariat of the Basel Convention also publishes technical guidelines on various waste streams providing guidance on best practices for ESM as defined by the Parties.

In addition to these conditions, the Basel Convention specifies instances in which Parties *may restrict* TBM and instances in which Parties *must restrict* TBM. Such restrictions may apply to the export or to the import of hazardous wastes and other wastes. The Convention further clarifies the consequences of such restrictions. Specifically:

- Parties have the right to prohibit totally or partially the import of hazardous wastes or other wastes into their jurisdiction for disposal. The prohibition of importation can be a unilateral act by a Party, which must be notified to all Parties through the Secretariat, or it can be embedded in an international agreement, for instance the 1991 Bamako Convention on the Ban of the Import Into Africa and the Control of Transboundary Movement and Management of Hazardous Wastes Within Africa which prohibits the import of hazardous wastes into Africa from non-contracting Parties. Notifications of import restrictions and notifications of agreements transmitted by Parties to the Secretariat can be found on the website of the Basel Convention.
- If a Party restricts or prohibits the import of hazardous wastes or other wastes, other Parties must respect this restriction or prohibition. In line with the Convention, Parties must prevent and not allow the export of hazardous wastes or other wastes to a State or group of States belonging to an economic and/or political integration organization that has, by legislation, prohibited all imports, or to a Party that has exercised its right to prohibit totally or partially the import of hazardous wastes or other wastes into its jurisdiction for disposal.
- A Party must not allow exports to a State when it has reason to believe that the wastes in question will not be managed in an environmentally sound manner. For example, if the proposed destination does not have the appropriate technology to recycle electronic equipment in an environmentally sound manner, the State of export must not allow a shipment described as used computers for recycling to be shipped there.
- Parties may decide to limit or ban the export of hazardous wastes or other wastes to other Parties. At its third meeting in 1995, the Conference of the Parties decided to amend the Convention by inserting a new Article 4A commonly referred to as the Ban amendment that prohibits certain TBM under specific conditions.
- Parties are prohibited from exporting wastes falling within the scope of the Convention for disposal within the area south of 60° South latitude, whether or not such wastes are subject to a TBM.
- A TBM should not occur with a non-Party. Parties shall not permit hazardous and other wastes to be exported to a non-Party or to be imported from a non-Party, unless an agreement or arrangement regarding TBM is in place that provides for the ESM requirement to apply.
- TBM can take place through transit States that are not Parties to the Convention. However in that case, some elements of the notification procedure apply *mutatis mutandis* to such TBM: the generator, exporter or State of export is required to notify the competent authority of the State of transit of any proposed TBM.

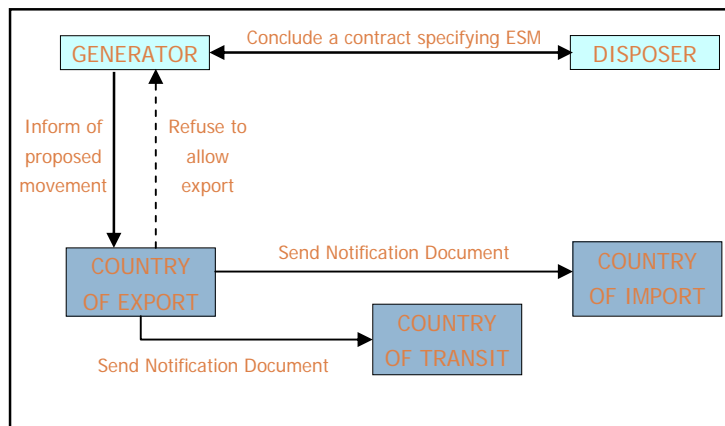
In addition, the Basel Convention requires that only persons authorized or allowed to transport or dispose of wastes undertake such operations, and that wastes subject to a TBM be packaged, labelled and transported in conformity with generally accepted and recognized international rules and standards.

2. Procedures for transboundary movements

The Basel Convention contains a detailed Prior Informed Consent (PIC) procedure with strict requirements for TBM of hazardous wastes and other wastes. The procedures form the heart of the Basel Convention control system and are based on four key stages (1) notification; (2) consent and issuance of movement document; (3) transboundary movement ; and (4) confirmation of disposal.

Stage 1: Notification

The purpose of stage 1 is for the exporter to properly inform the importer of a proposed transboundary movement of hazardous wastes or other wastes.



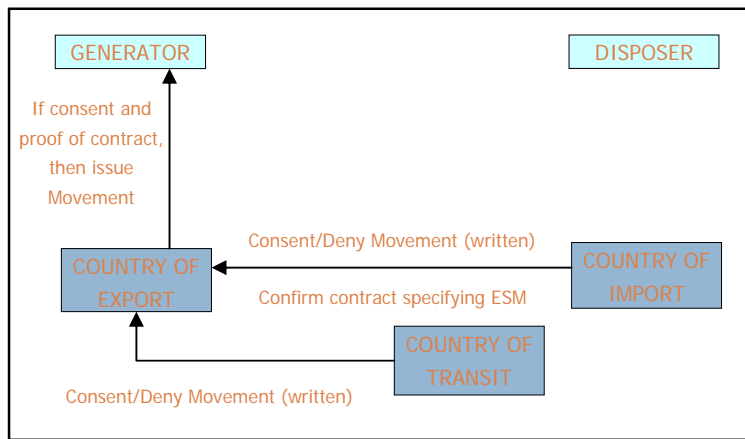
The exporter/generator of the wastes must inform the Competent Authority (CA) of the State of export of a proposed shipment of hazardous or other wastes. Before the shipment can be allowed to start the generator and the disposer conclude a contract for the disposal of the waste. Under the Convention this contract must ensure that the disposal is conducted in an environmentally sound manner.

The CA of the State of export assesses the information received from the exporter/generator and may refuse to allow the export. Such a decision is perfectly in order with the spirit of the Convention.

If the CA of the State of export has no objection to the export, it informs - or requires the generator/exporter to inform - the CA of the States concerned (State of import and State(s) of transit) of the proposed movement of hazardous wastes or other wastes by means of a "*notification document*". The purpose of the notification is to provide the CA of the countries concerned with detailed, accurate and complete information on the waste itself, on the proposed disposal operation and other details relating to the proposed shipment. This document must contain the information specified in Annex V A of the Convention, and must be in a language that is acceptable to the State of import and State(s) of transit.

Stage 2: Consent & Issuance of Movement Document

The purpose of stage 2 is to ensure that the importer agrees to the proposed transboundary movement and that the appropriate documentation accompanies the shipment of hazardous wastes or other wastes.



On receipt of the notification document, the CA of the country of import must provide its *written consent* (with or without conditions) or *denial* (can ask for further clarification).

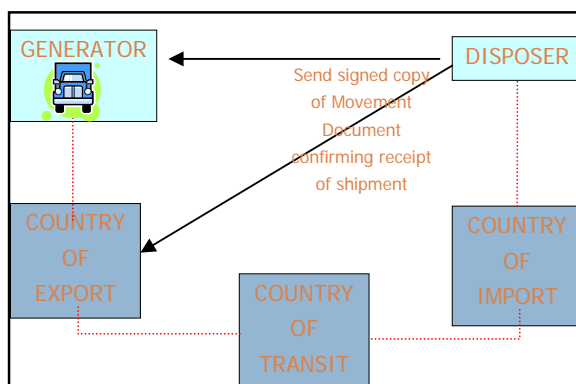
The CA of the country of import must also confirm to the notifier the existence of a *contract between the exporter and the disposer*. One of the most important conditions of the notification procedure is the verification of the existence of a legally binding contract between the generator and the disposer, specifying ESM of the wastes in question.

The CA of any country of transit must acknowledge promptly receipt and may provide its written consent to the country of export (with or without conditions) or denial within 60 days. Countries of transit may decide not to require prior written consent, in which case the country of export may allow the export to proceed if it does not receive any response from that state of transit after 60 days.

Once the relevant CAs have established that all the requirements of the Convention have been met and have agreed to the movement, the CA of the country of export can proceed with the *issuance of the movement document* and authorize the shipment to start. The movement document contains detailed information about the shipment and must accompany the consignment at all times at the time of departure to the arrival of the consignment at the disposer.

Stage 3: Transboundary Movement

Stage 3 illustrates the various steps that need to be followed once the transboundary movement has been initiated and until the wastes have been received by the disposer.



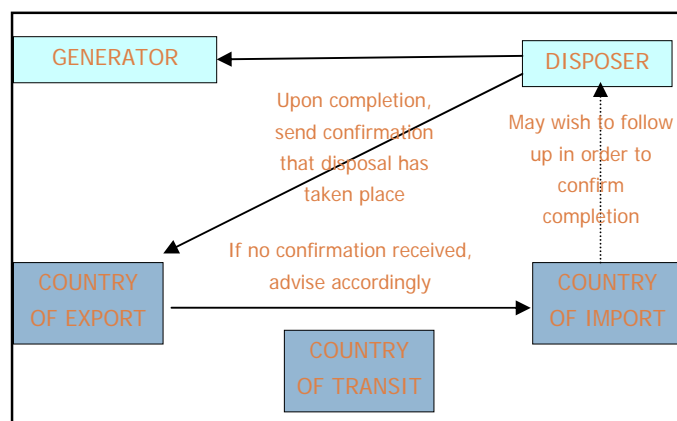
The movement document provides relevant information on a particular consignment, for example, on all carriers of the consignment, which customs officers it has to pass through, the type of waste and how it is packaged. It should also provide accurate information on the authorizations by the CAs for the proposed movements of wastes.

The Conference of the Parties has recommended that the duly completed notification should always accompany the movement document.

Most countries accept a copy of the duly completed and fully authorized notification to be enclosed with the movement document. However, some countries require than an original notification, stamped and signed by the CA, shall always accompany the movement document.

Stage 4: Confirmation of disposal

The purpose of stage 4, the final stage in the TBM procedure, is for the generator and country of export to receive confirmation that the wastes moved across borders have been disposed of by the disposer as planned and in an environmentally sound manner.



The Convention requires a *confirmation* from the disposer when the disposal has taken place, according to the terms of the contract, as specified in the notification document. If the CA of the country of export has not received the confirmation that disposal has been completed, it must inform the CA of the country of import accordingly.

3. Special rules: application of the *mutatis mutandis* principle

In some instances, Parties may have different views as to whether the control procedure should apply to a particular TBM. This may result of different legal frameworks between countries, or of a different appreciation between countries as to whether the object of a TBM is a “waste” that is “hazardous” in nature. The following scenarios, *inter alia*, may occur:

- *Differing definitions of “hazardous wastes” under national legislation:* Under paragraph 1 (b) of Article 1 of the Convention, Parties have the right to define as “hazardous wastes” wastes other than those listed in the Annexes of the Convention. In doing so, Parties extend the scope of application of the Convention. The consequence is that some wastes are legally defined as hazardous in one jurisdiction but not in another.

- *Differing consideration of the “hazardous” characteristic of a waste:* Notwithstanding variations between the applicable legal frameworks, it may also happen that Parties have a different appreciation of the hazardous characteristic of a specific waste that is the object of a TBM, with one Party considering that the waste in question is not “hazardous” while another considers that it is.
- *Differing legal and/or factual appreciation of the object of the TBM: is it waste or non-waste?* Because the definition of “waste” may vary from one country’s national legislation to another, a certain substance or object may not be defined as waste by all the States concerned by a TBM. In addition, it may also happen that Parties have a different factual appreciation of the nature of the object of a TBM, with one Party considering that it amounts to “waste” while another will consider that it is a good or a product.

Article 6, paragraph 5 of the Convention aims at providing legal clarity in such circumstances.

In the case of a TBM of wastes where the wastes are legally defined as or considered to be hazardous wastes only:

- By the *State of export*, the requirements of paragraph 9 of Article 6 that apply to the importer or disposer and the State of import shall apply *mutatis mutandis* to the exporter and State of export, respectively. This means that 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.
- By the *State of import, or by the States of import and transit which are Parties*, the requirements of paragraphs 1, 3, 4 and 6 of Article 6 that apply to the exporter and State of export shall apply *mutatis mutandis* to the importer or disposer and State of import, respectively. This means that the disposer or the competent authority of the State of import shall provide the notification to the competent authorities concerned. Similarly, the competent authority of the State of import shall assume the responsibilities of the competent authority of the State of export.
- By any *State of transit which is a Party*, the provisions of paragraph 4 of Article 6 shall apply to such State. The Convention does not clearly define the procedures to be applied in cases where 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.

Detailed flow charts on the steps that must be followed by the various entities concerned by a TBM (generator or exporter, State of export, transit State, disposer and any person taking charge of a TBM) can be found in the Convention’s Guide for the Control System.

This Annex 1 is part of the 2009-2011 work programme of the Basel Convention Committee for Administering the Mechanism for promoting Implementation and Compliance with the Basel Convention whereby the Committee was requested, *inter alia*, to provide general information and guidance on the Basel Convention website, or through publications, to facilitate, promote, and aim to secure the implementation of Parties’ obligations under articles 3, 4, 5 and 6 of the Convention. The content of this Annex 1 is a leaflet based, *inter alia*, on the Convention’s Guide for the Control System and the Basel Convention Training Manual on Illegal Traffic for Customs and Enforcement Agencies (<http://www.basel.int/pub/instruct.doc>).

Annex 2:

Revised notification and movement documents for the control of transboundary movement of hazardous wastes and instructions for completing these documents

Notification document for transboundary movements/shipments of waste

1. Exporter - notifier Registration No: Name: Address: Contact person: Tel: Fax: E-mail:	3. Notification No: Notification concerning A.(i) Individual shipment: <input type="checkbox"/> (ii) Multiple shipments: <input type="checkbox"/> B.(i) Disposal (1): <input type="checkbox"/> (ii) Recovery: <input type="checkbox"/> C. Pre-consented recovery facility (2:3) Yes <input type="checkbox"/> No <input type="checkbox"/>
2. Importer - consignee Registration No: Name: Address: Contact person: Tel: Fax: E-mail:	4. Total intended number of shipments: 5. Total intended quantity (4): Tonnes (Mg): m ³ :
8. Intended carrier(s) Registration No: Name(7): Address: Contact person: Tel: Fax: E-mail: Means of transport (5):	6. Intended period of time for shipment(s) (4): First departure: Last departure: 7. Packaging type(s) (5): Special handling requirements (6): Yes: <input type="checkbox"/> No: <input type="checkbox"/>
9. Waste generator(s) - producer(s) (1;7;8) Registration No: Name: Address: Contact person: Tel: Fax: E-mail: Site and process of generation (6)	11. Disposal / recovery operation(s) (2) D-code / R-code (5): Technology employed (6): Reason for export (1:6):
10. Disposal facility (2): <input type="checkbox"/> or recovery facility (2): <input type="checkbox"/> Registration No: Name: Address: Contact person: Tel: Fax: E-mail: Actual site of disposal/recovery:	12. Designation and composition of the waste (6): 13. Physical characteristics (5): 14. Waste identification (fill in relevant codes) (i) Basel Annex VIII (or IX if applicable): (ii) OECD code (if different from (i)): (iii) EC list of wastes: (iv) National code in country of export: (v) National code in country of import: (vi) Other (specify): (vii) Y-code: (viii) H-code (5): (ix) UN class (5): (x) UN Number: (xi) UN Shipping name: (xii) Customs code(s) (HS):
15. (a) Countries/States concerned, (b) Code no. of competent authorities where applicable, (c) Specific points of exit or entry (border crossing or port)	
State of export - dispatch	State(s) of transit (entry and exit)
(a)	State of import - destination
(b)	
(c)	
16. Customs offices of entry and/or exit and/or export (European Community): Entry: Exit: Export:	
17. Exporter's - notifier's / generator's - producer's (1) declaration: I certify that the information is complete and correct to my best knowledge. I also certify that legally enforceable written contractual obligations have been entered into and that any applicable insurance or other financial guarantee is or shall be in force covering the transboundary movement.	
Exporter's - notifier's name: Date: Signature: Generator's - producer's name: Date: Signature:	18. Number of annexes attached
FOR USE BY COMPETENT AUTHORITIES	
19. Acknowledgement from the relevant competent authority of countries of import - destination / transit (1) / export - dispatch (9): Country: Notification received on: Acknowledgement sent on: Name of competent authority: Stamp and/or signature:	20. Written consent (1:8) to the movement provided by the competent authority of (country): Consent given on: Consent valid from: until: Specific conditions: No: <input type="checkbox"/> If Yes, see block 21 (6): <input type="checkbox"/> Name of competent authority: Stamp and/or signature:

21. Specific conditions on consenting to the movement document or reasons for objecting

(1) Required by the Basel Convention

(2) In the case of an R12/R13 or D13-D15 operation, also attach corresponding information on any subsequent R12/R13 or D13-D15 facilities and on the subsequent R1-R11 or D1-D12 facility(ies) when required

(3) To be completed for movements within the OECD area and only if B(ii) applies

(4) Attach detailed list if multiple shipments

(5) See list of abbreviations and codes on the next page

(6) Attach details if necessary

(7) Attach list if more than one

(8) If required by national legislation

(9) If applicable under the OECD Decision

List of abbreviations and codes used in the notification document

DISPOSAL OPERATIONS (block 11)			
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 list which results in final compounds or mixtures which are discarded by means of any of the operations in this list		
D9	Physico-chemical treatment not specified elsewhere in this list which results in final compounds or mixtures which are discarded by means of any of the operations in this list (e.g., evaporation, drying, calcination, 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 this list		
D14	Repackaging prior to submission to any of the operations in this list		
D15	Storage pending any of the operations in this list		
RECOVERY OPERATIONS (block 11)			
R1	Use as a fuel (other than in direct incineration) or other means to generate energy (Basel/OECD) - Use principally as a fuel or other means to generate energy (EU)		
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 this list.		
PACKAGING TYPES (block 7)		H-CODE AND UN CLASS (block 14)	
1. Drum		UN Class	H-code Characteristics
2. Wooden barrel			
3. Jerrican			
4. Box		1	H1 Explosive
5. Bag		3	H3 Flammable liquids
6. Composite packaging		4.1	H4.1 Flammable solids
7. Pressure receptacle		4.2	H4.2 Substances or wastes liable to spontaneous combustion
8. Bulk		4.3	H4.3 Substances or wastes which, in contact with water, emit flammable gases
9. Other (specify)		5.1	H5.1 Oxidizing
		5.2	H5.2 Organic peroxides
		6.1	H6.1 Poisonous (acute)
		6.2	H6.2 Infectious substances
		8	H8 Corrosives
		9	H10 Liberation of toxic gases in contact with air or water
		9	H11 Toxic (delayed or chronic)
		9	H12 Ecotoxic
		9	H13 Capable, by any means, after disposal of yielding another material, e. g., leachate, which possesses any of the characteristics listed above
MEANS OF TRANSPORT (block 8)			
R = Road			
T = Train/rail			
S = Sea			
A = Air			
W = Inland waterways			
PHYSICAL CHARACTERISTICS (block 13)			
1. Powdery/powder			
2. Solid			
3. Viscous/paste			
4. Sludgy			
5. Liquid			
6. Gaseous			
7. Other (specify)			

Further information, in particular related to waste identification (block 14), i.e. on Basel Annexes VIII and IX codes, OECD codes and Y-codes, can be found in a Guidance/Instruction Manual available from the OECD and the Secretariat of the Basel Convention.

Movement document for transboundary movements/shipments of waste

1. Corresponding to notification No:		2. Serial/total number of shipments: /	
3. Exporter - notifier Registration No: Name: Address: Contact person: Tel: Fax: E-mail:		4. Importer - consignee Registration No: Name: Address: Contact person: Tel: Fax: E-mail:	
5. Actual quantity: Tonnes (Mg): m ³ :		6. Actual date of shipment:	
7. Packaging Type(s) (1): Number of packages: Special handling requirements: (2) Yes: <input type="checkbox"/> No: <input type="checkbox"/>			
8.(a) 1st Carrier (3): Registration No: Name: Address: Tel: Fax: E-mail:		8.(b) 2nd Carrier: Registration No: Name: Address: Tel: Fax: E-mail:	
8.(c) Last Carrier: Registration No: Name: Address: Tel: Fax: E-mail:		----- <i>To be completed by carrier's representative</i> ----- <i>More than 3 carriers (2)</i> <input type="checkbox"/>	
9. Waste generator(s) - producer(s) (4,5,6): Registration No: Name: Address: Contact person: Tel: Fax: E-mail: Site of generation (2):		12. Designation and composition of the waste (2): 13. Physical characteristics (1): 14. Waste identification (fill in relevant codes) (i) Basel Annex VIII (or IX if applicable): (ii) OECD code (if different from (i)): (iii) EC list of wastes: (iv) National code in country of export: (v) National code in country of import: (vi) Other (specify): (vii) Y-code: (viii) H-code (1): (ix) UN class (1): (x) UN Number: (xi) UN Shipping name: (xii) Customs code(s) (HS):	
10. Disposal facility <input type="checkbox"/> or recovery facility <input type="checkbox"/> Registration No: Name: Address: Contact person: Tel: Fax: E-mail: Actual site of disposal/recovery (2)		11. Disposal/recovery operation(s) D-code / R-code (1):	
15. Exporter's - notifier's / generator's - producer's (4) declaration: I certify that the above information is complete and correct to my best knowledge. I also certify that legally enforceable written contractual obligations have been entered into, that any applicable insurance or other financial guarantee is in force covering the transboundary movement and that all necessary consents have been received from the competent authorities of the countries concerned. Name: Date: Signature:			
16. For use by any person involved in the transboundary movement in case additional information is required			
17. Shipment received by importer - consignee (if not facility): Date: Name: Signature:			
TO BE COMPLETED BY DISPOSAL / RECOVERY FACILITY			
18. Shipment received at disposal facility <input type="checkbox"/> or recovery facility <input type="checkbox"/> Date of reception: Accepted: <input type="checkbox"/> Rejected*: <input type="checkbox"/> Quantity received: Tonnes (Mg): m ³ : Approximate date of disposal/recovery: Disposal/recovery operation (1): Name: Date: Signature:		19. I certify that the disposal/recovery of the waste described above has been completed. Name: Date: Signature and stamp:	

(1) See list of abbreviations and codes on the next page

(2) Attach details if necessary

(3) If more than 3 carriers, attach information as required in blocks 8 (a,b,c).

(4) Required by the Basel Convention

(5) Attach list if more than one

(6) If required by national legislation

FOR USE BY CUSTOMS OFFICES (if required by national legislation)			
20. Country of export - dispatch or customs office of exit The waste described in this movement document left the country on: Signature: _____ Stamp: _____		21. Country of import - destination or customs office of entry The waste described in this movement document entered the country on: Signature: _____ Stamp: _____	
22. Stamps of customs offices of transit countries			
Name of country: Entry: _____ Exit: _____		Name of country: Entry: _____ Exit: _____	
Name of country: Entry: _____ Exit: _____		Name of country: Entry: _____ Exit: _____	

List of Abbreviations and Codes Used in the Movement Document

DISPOSAL OPERATIONS (block 11)			RECOVERY OPERATIONS (block 11)		
D1	Deposit into or onto land, (e.g., landfill, etc.)		R1	Use as a fuel (other than in direct incineration) or other means to generate energy (Basel/OECD) - Use principally as a fuel or other means to generate energy (EU)	
D2	Land treatment, (e.g. biodegradation of liquid or sludgy discards in soils, etc.)		R2	Solvent reclamation/regeneration	
D3	Deep injection, (e.g., injection of pumpable discards into wells, salt domes or naturally occurring repositories, etc.)		R3	Recycling/reclamation of organic substances which are not used as solvents	
D4	Surface impoundment, (e.g., placement of liquid or sludge discards into pits, ponds or lagoons, etc.)		R4	Recycling/reclamation of metals and metal compounds	
D5	Specially engineered landfill, (e.g., placement into lined discrete cells which are capped and isolated from one another and the environment), etc.		R5	Recycling/reclamation of other inorganic materials	
D6	Release into a water body except seas/oceans		R6	Regeneration of acids or bases	
D7	Release into seas/oceans including sea-bed insertion		R7	Recovery of components used for pollution abatement	
D8	Biological treatment not specified elsewhere in this list which results in final compounds or mixtures which are discarded by means of any of the operations in this list		R8	Recovery of components from catalysts	
D9	Physico-chemical treatment not specified elsewhere in this list which results in final compounds or mixtures which are discarded by means of any of the operations in this list (e.g., evaporation, drying, calcination, etc.)		R9	Used oil re-refining or other reuses of previously used oil	
D10	Incineration on land		R10	Land treatment resulting in benefit to agriculture or ecological improvement	
D11	Incineration at sea		R11	Uses of residual materials obtained from any of the operations numbered R1-R10	
D12	Permanent storage, (e.g., emplacement of containers in a mine, etc.)		R12	Exchange of wastes for submission to any of the operations numbered R1-R11	
D13	Blending or mixing prior to submission to any of the operations in this list		R13	Accumulation of material intended for any operation in this list	
D14	Repackaging prior to submission to any of the operations in this list				
D15	Storage pending any of the operations in this list				

PACKAGING TYPES (block 7)		H-CODE AND UN CLASS (block 14)		
1.	Drum	UN class	H-code	Characteristics
2.	Wooden barrel	1	H1	Explosive
3.	Jerrican	3	H3	Flammable liquids
4.	Box	4.1	H4.1	Flammable solids
5.	Bag	4.2	H4.2	Substances or wastes liable to spontaneous combustion
6.	Composite packaging	4.3	H4.3	Substances or wastes which, in contact with water, emit flammable gases
7.	Pressure receptacle	5.1	H5.1	Oxidizing
8.	Bulk	5.2	H5.2	Organic peroxides
9.	Other (specify)	6.1	H6.1	Poisonous (acute)
		6.2	H6.2	Infectious substances
		8	H8	Corrosives
		9	H10	Liberation of toxic gases in contact with air or water
		9	H11	Toxic (delayed or chronic)
		9	H12	Ecotoxic
		9	H13	Capable, by any means, after disposal of yielding another material, e. g., leachate, which possesses any of the characteristics listed above

MEANS OF TRANSPORT (block 8)	
R = Road	A = Air
T = Train/rail	W = Inland waterways
S = Sea	

PHYSICAL CHARACTERISTICS (block 13)	
1. Powdery / powder	5. Liquid
2. Solid	6. Gaseous
3. Viscous / paste (specify)	7. Other
4. Sludgy	

Further information, in particular related to waste identification (block 14), i.e. on Basel Annexes VIII and IX codes, OECD codes and Y-codes, can be found in a Guidance/Instruction Manual available from the OECD and the Secretariat of the Basel Convention.

Instructions for completing the notification and movement documents

Introduction

1. International instruments have been established to control export and import of wastes which may pose a risk or a hazard to human health and the environment. The two such instruments with the greatest influence are the Basel Convention,³ whose secretariat is administered by the United Nations Environment Programme (UNEP), and the Organisation for Economic Co-operation and Development (OECD) Council Decision C(2001)107/FINAL (hereinafter “the OECD Decision”).⁴ Member States of the European Union are also obliged to comply with a European Community Regulation.⁵ The Basel Convention and the European Community Regulation concern international movements of waste, whether destined for disposal or recovery, whereas the OECD Decision only concerns movements of wastes destined for recovery operations within the OECD area. All of the instruments operate subject to a range of administrative controls by the Parties implementing them.

2. The present instructions provide the necessary explanations for completing the notification and movement documents. Both documents are compatible with the three instruments mentioned above, since they take into account the specific requirements set out in the Basel Convention, the OECD Decision and the European Community Regulation. Because the documents have been made broad enough to cover all three instruments, however, not all blocks in the document will be applicable to all of the instruments and it therefore may not be necessary to complete all of the blocks in a given case. Any specific requirements relating to only one control system have been indicated with the use of footnotes. It is also possible that national implementing legislation may use terminology that differs from that adopted in the Basel Convention and the OECD Decision. For example, the term “shipment” is used in the European Community Regulation instead of “movement” and the titles of the notification and movement documents therefore reflect this variation by employing the term “movement/shipment”.

3. The documents include both the term “disposal” and “recovery”, because the terms are defined differently in the three instruments. The European Community Regulation and the OECD Decision use the term “disposal” to refer to disposal operations listed in Annex IV.A of the Basel Convention and Appendix 5.A of the OECD Decision and “recovery” for recovery operations listed in Annex IV.B of the Basel Convention and Appendix 5.B of the OECD Decision. In the Basel Convention itself, however, the term “disposal” is used to refer to both disposal and recovery operations.

4. The competent national authorities in each state of export will be responsible for providing and issuing the notification and movement documents (in both paper and electronic versions). When doing so, they will use a numbering system, which allows a particular consignment of waste to be traced. The numbering system should be prefixed with the country code that can be found in the ISO standard 3166 abbreviation list.

5. Countries may wish to issue the documents in a paper size format that conforms to their national standards (normally ISO A4, as recommended by the United Nations). In order to facilitate their use internationally, however, and to take into account the difference between ISO

³ Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, 22 March 1989. See www.basel.int.

⁴ Decision C(2001)107/FINAL of the OECD Council, concerning the revision of Decision C(92)39/FINAL on the control of transboundary movements of waste destined for recovery operations; the former decision is a consolidation of texts adopted by the Council on 14 June 2001 and on 28 February 2002 (with amendments). See http://www.oecd.org/departement/0,2688,en_2649_34397_1_1_1_1_1,00.html

⁵ Currently in force is Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community (Official Journal of the European Communities No. L30, 6.2.1993 (with amendments)). It will be repealed with effect from 12 July 2007, when Regulation (EC) No 1013/2006 on shipments of waste (Official Journal No. L190, 12.7.2006), will apply. See <http://europa.eu.int/comm/environment/waste/shipments/index.htm>.

A4 and the paper size used in North America, the frame size of the forms should not be greater than 183 x 262 mm with margins aligned at the top and the left side of the paper.

Purpose of the notification and movement documents

6. The notification document is intended to provide the competent authorities of countries concerned with the information they need to assess the acceptability of proposed waste movements. The document includes space for the competent authorities to acknowledge receipt of the notification and, where required, to consent in writing to a proposed movement.

7. The movement document is intended to travel with a consignment of waste at all times from the moment it leaves the waste generator to its arrival at a disposal or recovery facility in another country. Each person who takes charge of a transboundary movement is to sign the movement document either upon delivery or receipt of the wastes in question. Space is provided in the document for detailed information on all carriers of the consignment. There are also spaces in the movement document for recording passage of the consignment through the customs offices of all countries concerned (while not strictly required by applicable international instruments, national legislation in some countries requires such procedures, as well as information to ensure proper control over movement). Finally, the document is to be used by the relevant disposal or recovery facility to certify that the waste has been received and that the recovery or disposal operation has been completed.

General requirements

8. Those filling out printed copies of the documents should use typescript or block capitals in permanent ink throughout. Signatures should always be written in permanent ink and the name of the authorized representative should accompany the signature in capital letters. In the event of a minor mistake, for example the use of the wrong code for a waste, a correction can be made with the approval of the competent authorities. The new text must be marked and signed or stamped, and the date of the modification must be noted. For major changes or corrections, a new form must be completed.

9. The forms have also been designed to be easily completed electronically. Where this is done, appropriate security measures should be taken against any misuse of the forms. Any changes made to a completed form with the approval of the competent authorities should be visible. When using electronic forms transmitted by e-mail, a digital signature is necessary.

10. To simplify translation, the documents require a code, rather than text, for the completion of several blocks. Where text is required, however, it must be in a language acceptable to the competent authorities in the country of import and, where required, to the other concerned authorities.

11. A six digit format should be used to indicate the date. For example, 29 January 2006 should be shown as 29.01.06 (Day.Month.Year).

12. Where it is necessary to add annexes or attachments to the documents providing additional information, each attachment should include the reference number of the relevant document and cite the block to which it relates.

Specific instructions for completing the notification document

13. The exporter or the competent authority of the State of export, as appropriate, is to complete blocks 1–18 (except the notification number in block 3). The waste generator, where practicable, should also sign in block 17.

14. **Blocks 1 and 2:** Provide the registration number (where applicable), full name, address (including the name of the country), telephone and fax numbers (including the country code) and e-mail address of the exporter or the competent authority of the State of export, as appropriate, and importer,⁶ and also the name of a contact person responsible for the shipment. The phone and fax numbers and the e-mail address should facilitate contact of all relevant persons at any time regarding an incident during shipment.

⁶ In the European Community, the terms notifier and consignee are used instead of exporter and importer.

15. Normally, the importer would be the disposal or recovery facility given in block 10. In some cases, however, the importer may be another person, for example a recognized trader, a dealer, a broker, or a corporate body, such as the headquarters or mailing address of the receiving disposal or recovery facility in block 10. In order to act as an importer, a recognized trader, dealer, broker or corporate body must be under the jurisdiction of the country of import and possess or have some other form of legal control over the waste at the moment the shipment arrives in the country of import. In such cases, information relating to the recognized trader, dealer, broker or corporate body should be completed in block 2.

16. **Block 3:** When issuing a notification document, a competent authority will, according to its own system, provide an identification number which will be printed in this block (see paragraph 4 above). The appropriate boxes should be ticked to indicate:

I. Whether the notification covers one shipment (single notification) or multiple shipments (general notification);

II. Whether the waste being shipped is destined for disposal (which, as noted in paragraphs 1 and 3 above, is possible in the case of a shipment falling within the ambit of the Basel Convention or the European Community Regulation but not one within the ambit of the OECD Decision) or for recovery; and

III. Whether the waste being shipped is destined for a facility which has been granted a pre-consent for receiving certain wastes subject to the Amber control procedure in accordance with case 2 of the “Functioning of the Amber Control Procedure” (see chapter II, section D of the OECD Decision).

17. **Blocks 4, 5 and 6:** For single or multiple shipments, give the number of shipments in block 4 and the intended date of a single shipment or, for multiple shipments, the dates of the first and last shipments, in block 6. In block 5, give the weight in tonnes (1 megagram (Mg) or 1,000 kg) or volume in cubic metres (1,000 litres) of the waste. Other units of the metric system, such as kilograms or litres, are also acceptable; when used, the unit of measure should be indicated and the unit in the document should be crossed out. Some countries may always require the weight to be quoted. For multiple shipments, the total quantity shipped must not exceed the quantity declared in block 5. The intended period of time for movements in block 6 may not exceed one year, with the exception of multiple shipments to pre-consented recovery facilities that fall under the OECD Decision (see paragraph 16 (c)), for which the intended period of time may not exceed three years. In the case of multiple shipments, the Basel Convention requires the expected dates or the expected frequency and the estimated quantity of each shipment to be quoted in blocks 5 and 6 or attached in an annex. Where a competent authority issues a written consent to the movement and the validity period of that consent in block 20 differs from the period indicated in block 6, the decision of the competent authority overrides the information in block 6.

18. **Block 7:** Types of packaging should be indicated using the codes provided in the list of abbreviations and codes attached to the notification document. If special handling precautions are required, such as those required by producers’ handling instructions for employees, health and safety information, including information on dealing with spillage, and transport emergency cards, tick the appropriate box and attach the information in an annex.

19. **Block 8:** Provide the following necessary information on the carrier or carriers involved in the shipment: registration number (where applicable), full name, address (including the name of the country), telephone and fax numbers (including the country code), e-mail address and the name of a contact person responsible for the shipment. If more than one carrier is involved, append to the notification document a complete list giving the required information for each carrier. Where the transport is organized by a forwarding agent, the agent’s details should be given in block 8 and the respective information on actual carriers should be provided in an annex. Means of transport should be indicated using the abbreviations provided in the list of abbreviations and codes attached to the notification document.

20. **Block 9:** Provide the required information on the generator of the waste. This information is required under the Basel Convention and many countries may require it under

their national legislation.⁷ Such information is not required, however, for movements of wastes destined for recovery under the OECD Decision. The registration number of the generator should be given where applicable. If the exporter is the generator of the waste then write “Same as block 1”. If the waste has been produced by more than one generator, write “See attached list” and append a list providing the requested information for each generator. Where the generator is not known, give the name of the person in possession or control of such wastes. The definition of “generator” used in the Basel Convention provides that in instances where the true generator of the waste is not known, the generator is deemed to be the person who is in possession or control of the waste. Also provide information on the process by which the waste was generated and the site of generation. Some countries may accept that information on the generator be given in a separate annex which would only be available to the competent authorities.

21. **Block 10:** Give the required information on the destination of the shipment by first ticking the appropriate type of facility: either disposal or recovery. The registration number should be given where applicable. If the disposer or recoverer is also the importer, state here “Same as block 2”. If the disposal or recovery operation is a D13–D15 or R12 or R13 operation (according to the definitions of operations set out in the list of abbreviations and codes attached to the notification document), the facility performing the operation should be mentioned in block 10, as well as the location where the operation will be performed. In such a case, corresponding information on the subsequent facility or facilities, where any subsequent R12/R13 or D13–D15 operation and the D1–D12 or R1–R11 operation or operations takes or take place or may take place should be provided in an annex. Provide the information on the actual site of disposal or recovery if it is different from the address of the facility.

22. **Block 11:** Indicate the type of recovery or disposal operation by the using R-codes or D-codes provided in the list of abbreviations and codes attached to the notification document.⁸ The OECD Decision only covers transboundary movements of wastes destined for recovery operations (R-codes) within the OECD area. If the disposal or recovery operation is a D13–D15 or R12 or R13 operation, corresponding information on the subsequent operations (any R12/R13 or D13–D15 as well as D1–D12 or R1–R11) should be provided in an annex. Also indicate the technology to be employed. Specify also the reason for export (this is not required, however, by the OECD Decision).

23. **Block 12:** Give the name or names by which the material is commonly known or the commercial name and the names of its major constituents (in terms of quantity and/or hazard) and their relative concentrations (expressed as a percentage), if known. In the case of a mixture of wastes, provide the same information for the different fractions and indicate which fractions are destined for recovery. A chemical analysis of the composition of the waste may be required in accordance with national legislation. Attach further information in an annex if necessary.

24. **Block 13:** Indicate physical characteristics of the waste at normal temperatures and pressures by using the codes provided in the list of abbreviations and codes attached to the notification document.

25. **Block 14:** State the code that identifies the waste according to the system adopted under the Basel Convention (under subheading (i) in block 14) and, where applicable, the systems adopted in the OECD Decision (under subheading (ii)) and other accepted classification systems (under subheadings (iii) to (xii)). According to the OECD Decision, only one waste code (from either the Basel or OECD systems) should be given, except in the case of mixtures of wastes for which no individual entry exists. In such a case, the code of each fraction of the waste should be provided in order of importance (in an annex if necessary).

(a) **Subheading (i):** Basel Convention Annex VIII codes should be used for wastes that are subject to control under the Basel Convention and the OECD Decision (see Part I of Appendix 4 in the OECD Decision); Basel Annex IX codes should be used for wastes that are not usually subject to control under the Basel Convention and the OECD Decision but which, for a specific reason such as contamination by hazardous substances or different classification

⁷ In the European Community, the term “producer” is used instead of “generator”.

⁸ In the European Community Regulation, the definition of operation R1 in the list of abbreviations is different from that used in the Basel Convention and the OECD Decision; both wordings are therefore provided. There are other editorial differences between the terminology used in the European Community and that used in the Basel Convention and the OECD Decision, which are not contained in the list of abbreviations.

according to national regulations, are subject to such control (see Part I of Appendix 3 in the OECD Decision). Basel Annexes VIII and IX can be found in the text of the Basel Convention as well as in the Instruction Manual available from the Secretariat of the Basel Convention. If a waste is not listed in Annexes VIII or IX of the Basel Convention, insert “not listed”.

1. (b) **Subheading (ii):** OECD member countries should use OECD codes for wastes listed in Part II of Appendices 3 and 4 of the OECD Decision, i.e., wastes that have no equivalent listing in the Basel Convention or that have a different level of control under the OECD Decision from the one required by the Basel Convention. If a waste is not listed in Part II of Appendices 3 and 4 of the OECD Decision, insert “not listed”.

2. (c) **Subheading (iii):** European Union Member States should use the codes included in the European Community list of wastes (see Commission Decision 2000/532/EC as amended).⁹

3. (d) **Subheadings (iv) and (v):** Where applicable, national identification codes used in the country of export and, if known, in the country of import should be used.

4. (e) **Subheading (vi):** If useful or required by the relevant competent authorities, add here any other code or additional information that would facilitate the identification of the waste.

5. (f) **Subheading (vii):** State the appropriate Y-code or Y-codes according to the “Categories of wastes to be controlled” (see Annex I of the Basel Convention and Appendix 1 of the OECD Decision), or according to the “Categories of wastes requiring special consideration” given in Annex II of the Basel Convention (see Appendix 2 of the Basel Instruction Manual), if it or they exist(s). Y-codes are not required by the OECD Decision except where the waste shipment falls under one of the two “Categories requiring special consideration” under the Basel Convention (Y46 and Y47 or Annex II wastes), in which case the Basel Y-code should be indicated.

6. (g) **Subheading (viii):** If applicable, state here the appropriate H-code or H-codes, i.e., the codes indicating the hazardous characteristics exhibited by the waste (see the list of abbreviations and codes attached to the notification document).

7. (h) **Subheading (ix):** If applicable, state here the United Nations class or classes which indicate the hazardous characteristics of the waste according to the United Nations classification (see the list of abbreviations and codes attached to the notification document) and are required to comply with international rules for the transport of hazardous materials (see the United Nations Recommendations on the Transport of Dangerous Goods. Model Regulations (Orange Book), latest edition).¹⁰

8. (i) **Subheadings (x and xi):** If applicable, state here the appropriate United Nations number or numbers and United Nations shipping name or names. These are used to identify the waste according to the United Nations classification system and are required to comply with international rules for transport of hazardous materials (see the United Nations Recommendations on the Transport of Dangerous Goods. Model Regulations (Orange Book), latest edition).⁸

9. (j) **Subheading (xii):** If applicable, state here customs code or codes, which allow identification of the waste by customs offices (see the list of codes and commodities in the “Harmonized commodity description and coding system” produced by the World Customs Organization).

26. **Block 15:** The Basel Convention uses the term “States”, whereas the OECD Decision uses “Member countries” and the European Community Regulation uses “Member States”. On line (a) of block 15, provide the name of the countries or States of export, transit and import or the codes for each country or State by using the ISO standard 3166 abbreviations.¹¹ On line (b), provide the code number of the respective competent authority for each country if required by the national legislation of that country and on line (c) insert the name of the border crossing or port

⁹ See http://europa.eu.int/eur-lex/en/consleg/main/2000/en_2000D0532_index.html.

¹⁰ See <http://www.unece.org/trans/danger/danger.htm>.

¹¹ In the European Community, the terms “dispatch” and “destination” are used instead of “export” and “import”.

and, where applicable, the customs office code number as the point of entry to or exit from a particular country. For transit countries give the information in line (c) for points of entry and exit. If more than three transit countries are involved in a particular movement, attach the appropriate information in an annex.

27. **Block 16:** This block should be completed for movements involving entering, passing through or leaving Member States of the European Union.

28. **Block 17:** Each copy of the notification document is to be signed and dated by the exporter (or by the recognized trader, dealer or broker if acting as an exporter) or the competent authority of the State of export, as appropriate, before being forwarded to the competent authorities of the countries concerned. Under the Basel Convention, the waste generator is also required to sign the declaration; it is noted that this may not be practicable in cases where there are several generators (definitions regarding practicability may be contained in national legislation). Further, where the generator is not known, the person in possession or control of the waste should sign. Some countries may require that the declaration also certify the existence of insurance against liability for damage to third parties. Some countries may require proof of insurance or other financial guarantees and a contract to accompany the notification document.

29. **Block 18:** Indicate the number of annexes containing any additional information supplied with the notification document (see blocks 5, 6, 7, 8, 9, 10, 11, 12, 14, 15, 20 or 21). Each annex must include a reference to the notification number to which it relates, which is indicated in the corner of block 3.

30. **Block 19:** This block is for use by the competent authority to acknowledge receipt of the notification. Under the Basel Convention, the competent authority or authorities of the country or countries of import (where applicable) and transit issue such an acknowledgement. Under the OECD Decision, the competent authority of the country of import issues the acknowledgement. Some countries may, according to their national legislation, require that the competent authority of the country of export also issues an acknowledgement.

31. **Blocks 20 and 21:** Block 20 is for use by competent authorities of any country concerned when providing a written consent to a transboundary movement of waste. The Basel Convention (except if a country has decided not to require written consent with regard to transit and has informed the other Parties thereof in accordance with Article 6(4)) of the Basel Convention) and certain countries always require a written consent whereas the OECD Decision does not require a written consent. Indicate the name of the country (or its code by using the ISO standard 3166 abbreviations), the date on which the consent is provided and the date on which it expires. If the movement is subject to specific conditions, the competent authority in question should tick the appropriate box and specify the conditions in block 21 or in an annex to the notification document. If a competent authority wishes to object to the movement it should do so by writing "OBJECTION" in block 20. Block 21, or a separate letter, may then be used to explain the reasons for the objection.

Specific instructions for completing the movement document

32. The exporter or the competent authority of the State of export, as appropriate, is to complete blocks 2–16, except the means of transport, the date of transfer and the signature, which appear in blocks 8 (a) to 8 (c) and which are to be completed by the carrier or its representative. The importer is to complete block 17 in the event that it is not the disposer or recoverer and it takes charge of a shipment of waste after it arrives in the country of import.

33. **Block 1:** Enter the notification number of the consignment. This is copied from block 3 in the notification document.

34. **Block 2:** For a general notification for multiple shipments, enter the serial number of the shipment and the total intended number of shipments indicated in block 4 in the notification document. (for example, write "4" and "11" for the fourth shipment out of eleven intended shipments under the general notification in question). In the case of a single notification, enter 1/1.

35. **Blocks 3 and 4:** Reproduce the same information on the exporter or the competent authority of the State of export, as appropriate, and importer as given in blocks 1 and 2 in the notification document.

36. **Block 5:** Give the actual weight in tonnes (1 megagram (Mg) or 1,000 kg) or volume in cubic metres (1,000 litres) of the waste. Other units of the metric system, such as kilograms or litres, are also acceptable; when used, the unit of measure should be indicated and the unit in the form should be crossed out. Some countries may always require the weight to be quoted. Attach, wherever possible, copies of weighbridge tickets.

37. **Block 6:** Enter the date when the shipment actually starts. The starting dates of all shipments should be within the validity period issued by the competent authorities. Where the different competent authorities involved have granted different validity periods, the shipment or shipments may only take place in the time period during which the consents of all competent authorities are simultaneously valid.

38. **Block 7:** Types of packaging should be indicated using the codes provided in the list of abbreviations and codes attached to the movement document. If special handling precautions are required, such as those prescribed by producers' handling instructions for employees, health and safety information, including information on dealing with spillage, and transport emergency cards, tick the appropriate box and attach the information in an annex. Also enter the number of packages making up the consignment.

39. **Blocks 8 (a), (b) and (c):** Enter the registration number (where applicable), name, address (including the name of the country), telephone and fax numbers (including the country code) and e-mail address of each actual carrier. When more than three carriers are involved, appropriate information on each carrier should be attached to the movement document. When transport is organized by a forwarding agent, the agent's details should be given in block 8 and the information on each carrier should be provided in an annex. The means of transport, the date of transfer and a signature should be provided by the carrier or carrier's representative taking possession of the consignment. A copy of the signed movement document is to be retained by the exporter. Upon each successive transfer of the consignment, the new carrier or carrier's representative taking possession of the consignment will have to comply with the same request and also sign the document. A copy of the signed document is to be retained by the previous carrier.

40. **Block 9:** Reproduce the information given in block 9 of the notification document.

41. **Blocks 10 and 11:** Reproduce the information given in blocks 10 and 11 in the notification document. If the disposer or recoverer is also the importer, write in block 10: "Same as block 4". If the disposal or recovery operation is a D13–D15 or R12 or R13 operation (according to the definitions of operations set out in the list of abbreviations and codes attached to the movement document), the information on the facility performing the operation provided in block 10 is sufficient. No further information on any subsequent facilities performing R12/R13 or D13–D15 operations and the subsequent facility(ies) performing the D1–D12 or R1–R11 operation(s) needs to be included in the movement document.

42. **Blocks 12, 13 and 14:** Reproduce the information given in blocks 12, 13 and 14 in the notification document.

43. **Block 15:** At the time of shipment, the exporter (or the recognized trader or dealer or broker if acting as an exporter) or the competent authority of the State of export, as appropriate, or the generator of the waste according to the Basel Convention, shall sign and date the movement document. Some countries may require copies or originals of the notification document containing the written consent, including any conditions, of the competent authorities concerned to be enclosed with the movement document.

44. **Block 16:** This block can be used by any person involved in a transboundary movement (exporter or the competent authority of the State of export, as appropriate, importer, any competent authority, carrier) in specific cases where more detailed information is required by national legislation concerning a particular item (for instance information on the port where a transfer to another transport mode occurs, the number of containers and their identification number, or additional proof or stamps indicating that the movement has been approved by the competent authorities).

45. **Block 17:** This block is to be completed by the importer in the event that it is not the disposer or recoverer and in case the importer takes charge of the waste after the shipment arrives in the country of import.

46. **Block 18:** This block is to be completed by the authorized representative of the disposal or recovery facility upon receipt of the waste consignment. Tick the box of the appropriate type of facility. With regard to the quantity received, please refer to the specific instructions on block 5 (paragraph 36). A signed copy of the movement document is given to the last carrier. If the shipment is rejected for any reason, the representative of the disposal or recovery facility must immediately contact his or her competent authority. Under the OECD Decision, signed copies of the movement document must be sent within three working days to the exporter and the competent authority in the countries concerned (with the exception of those OECD transit countries which have informed the OECD Secretariat that they do not wish to receive such copies of the movement document). The original movement document shall be retained by the disposal or recovery facility.

47. Receipt of the waste consignment must be certified by any facility performing any disposal or recovery operation, including any D13–D15 or R12 or R13 operation. A facility performing any D13–D15 or R12/R13 operation or a D1–D12 or R1–R11 operation subsequent to a D13–D15 or R12 or R13 operation in the same country, is not, however, required to certify receipt of the consignment from the D13–D15 or R12 or R13 facility. Thus, block 18 does not need to be used for the final receipt of the consignment in such a case. Indicate also the type of disposal or recovery operation by using the list of abbreviations and codes attached to the movement document and the approximate date by which the disposal or recovery of waste will be completed (this is not required by the OECD Decision).

48. **Block 19:** This block is to be completed by the disposer or recoverer to certify the completion of the disposal or recovery of the waste. Under the Basel Convention, signed copies of the document with block 19 completed should be sent to the exporter and competent authorities of the country of export. Under the OECD Decision, signed copies of the movement document with block 19 completed should be sent to the exporter and competent authorities of the countries of export and import as soon as possible, but no later than 30 days after the completion of the recovery and no later than one calendar year following the receipt of the waste. For disposal or recovery operations D13–D15 or R12 or R13, the information on the facility performing such an operation provided in block 10 is sufficient, and no further information on any subsequent facilities performing R12/R13 or D13–D15 operations and the subsequent facility(ies) performing the D1–D12 or R1–R11 operation(s) need be included in the movement document.

49. The disposal or recovery of waste must be certified by any facility performing any disposal or recovery operation, including a D13–D15 or R12 or R13 operation. Therefore, a facility performing any D13–D15 or R12/R13 operation or a D1–D12 or R1–R11 operation, subsequent to a D13–D15 or R12 or R13 operation in the same country, should not use block 19 to certify the recovery or disposal of the waste, since this block will already have been completed by the D13–D15 or R12 or R13 facility. The means of certifying disposal or recovery in this particular case must be ascertained by each country.

50. **Blocks 20, 21 and 22:** Not required by the Basel Convention or by the OECD Decision. The blocks may be used for control by customs offices at the borders of country of export, transit and import if so required by national legislation.

Annex 3:

Quick links to get additional information:

Text of the Basel Convention:

<http://www.basel.int/TheConvention/Overview/TextoftheConvention/tabid/1275/Default.aspx>

Notification and Movement documents:

<http://www.basel.int/Procedures/NotificationMovementDocuments/tabid/1327/Default.aspx>

List of Competent Authorities:

<http://www.basel.int/Countries/CountryContacts/tabid/1342/Default.aspx>

Import and export prohibitions:

<http://www.basel.int/Countries/NationalDefinitions/tabid/1480/Default.aspx>

The ban amendment:

<http://www.basel.int/Implementation/LegalMatters/BanAmendment/tabid/1484/Default.aspx>

Agreements additional to the Basel Convention:

<http://www.basel.int/Countries/Agreements/tabid/1482/Default.aspx>

Technical guidelines on the environmentally sound management of wastes:

<http://www.basel.int/Implementation/TechnicalMatters/DevelopmentofTechnicalGuidelines/tabid/2374/Default.aspx>

The control system for transboundary movements of hazardous and other wastes:

<http://www.basel.int/TheConvention/Publications/GuidanceManuals/tabid/2364/Default.aspx?overlayId=ArtId-165>

Preventing and combating illegal traffic in hazardous and other wastes:

<http://www.basel.int/Implementation/LegalMatters/IllegalTraffic/tabid/2395/Default.aspx>