



**The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal**



**The Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade**



**The Stockholm Convention on Persistent Organic Pollutants (POPs)**

# The Hazardous Chemicals and Wastes Conventions

## ***The Basel Convention***

was adopted in 1989. During its first decade, the Convention's principal focus was the elaboration of controls on the "transboundary" movement of hazardous wastes, that is the movement of such wastes across international frontiers, and the development of criteria for environmentally sound management of the wastes. More recently the work of the Convention has emphasized full implementation of treaty commitments, promotion of the environmentally sound management of hazardous wastes, a lifecycle approach, and minimization of hazardous waste generation. The Convention entered into force 5 May 1992. The Convention website is [www.basel.int](http://www.basel.int)

## ***The Rotterdam Convention***

was adopted in 1998. In the 1980s, UNEP and FAO developed voluntary codes of conduct and information exchange systems, culminating in the Prior Informed Consent (PIC) procedure introduced in 1989. The Convention replaces this arrangement with a mandatory PIC procedure and information exchange mechanism on hazardous chemicals and pesticides. The Convention entered into force 24 February 2004. The Convention website is [www.pic.int](http://www.pic.int)

## ***The Stockholm Convention***

was adopted in 2001. POPs are chemicals that are highly toxic, persistent, bio-accumulate and move long distance in the environment. The Convention seeks the elimination or restriction of production and use of all intentionally produced POPs (i.e. industrial chemicals and pesticides). It also seeks the continuing minimization and, where feasible, ultimate elimination of the releases unintentionally produced POPs such as dioxins and furans. The Convention entered into force 17 May 2004. The Convention website is [www.pops.int](http://www.pops.int)



# A framework for lifecycle management



Together the **Basel, Rotterdam** and **Stockholm Conventions** cover key elements of “cradle-to-grave” management of hazardous chemicals, most comprehensively in the case of POPs, which are covered by all three treaties.

**Existing chemicals.** The **Rotterdam Convention** (Article 5), obliges Parties to notify the secretariat of final regulatory actions taken in respect of banned or severely restricted chemicals, for the information of other Parties and possible listing under the Convention. Developing countries and countries with economies in transition may also propose the listing of severely hazardous pesticide formulations (Article 6). The **Stockholm Convention** (Article 4.4) requires Parties with regulatory and assessment schemes to take into consideration the POPs screening criteria set out in Annex D of the Convention when assessing pesticides or industrial chemicals currently in use. Parties must eliminate, from production and use, certain chemicals listed in the Convention (Article 3).

**New chemicals.** The **Stockholm Convention** (Article 4.3) requires Parties with regulatory and assessment schemes to regulate with the aim of preventing the production and use of new pesticides or industrial chemicals which exhibit the characteristics of POPs.

**Import/export controls.** The **Basel Convention** imposes strict conditions on the transboundary movement of hazardous wastes (Articles 4 and 6). Trade with non-parties is generally not permitted (Article 4.5). The original prior informed consent procedure of the **Basel Convention** (Article 4.1) was strengthened by Parties' subsequent decisions to adopt an amendment which would prohibit the export of hazardous wastes from OECD to non-OECD countries (Decisions II/12 and III/1, as at 10 July 2007, the Amendment has not entered into force). The **Rotterdam Convention** (Articles 10 to 12) establishes a Prior Informed Consent Procedure concerning the future import of certain hazardous chemicals. The **Stockholm Convention** (Article 3.2) restricts the import and export of POPs to cases where, for example, the purpose is environmentally sound disposal. It also requires that POPs not be transported across international boundaries without taking into account relevant international rules, standards and guidelines (Article 6.1).

**Waste management.** The **Basel Convention** (Article 4) requires each Party to minimize waste generation and to ensure, to the extent possible, the availability of disposal facilities within its own territory. The Conference of the Parties at its sixth meeting in December 2002, adopted a Strategic Plan for the implementation of the Basel Declaration to 2010 building on and using the framework of the 1999 Ministerial Basel Declaration on Environmentally Sound Management. The **Stockholm Convention** (Article 6) obliges Parties to develop strategies for identifying POPs wastes, and to manage these in an environmentally sound manner. The POPs content of wastes is generally to be destroyed or irreversibly transformed. The **Basel Convention** Technical Working Group has developed technical guidelines on POPs wastes as part of its work programme.

**Environmental releases.** The **Stockholm Convention** requires Parties to reduce or eliminate releases of POPs from intentional production and use (Article 3), unintentional production (Article 5) and stockpiles and wastes (Article 6). Guidelines on Best Available Techniques (BAT) and Best Environmental Practices (BEP) have been elaborated by the Conference of the Parties.

**Hazard communication.** Provision is made for the obligatory communication of hazard information under the **Basel Convention** (Article 4.2 f), the **Rotterdam Convention** (Article 5.1) and the **Stockholm Convention** (Article 10).

**Replacement.** The **Stockholm Convention** requires information exchange and research on POPs alternatives (Articles 9 and 11). It obliges each Party using DDT to develop an Action plan, including for implementation of alternative products (Annex B).

The three Conventions together provide an international framework governing the env

# Substances covered by the Conventions

The **Basel Convention** covers wastes that are listed in Annex I, if they display the hazardous characteristics listed in Annex III. Hazardous wastes are those wastes that are: *explosive, flammable, poisonous, infectious, corrosive, toxic, or ecotoxic*. Further clarification of the wastes subject to the Convention's controls is contained in Annexes VIII and IX.



The information exchange provisions of the **Rotterdam Convention** apply to any chemical that is banned or severely restricted by a Party. The Prior Informed Consent procedure applies to the following 28 hazardous pesticides: *2,4,5-T, aldrin, binapacryl, captafol, chlordane, chlordimeform, chlorobenzilate, DDT, 1,2-dibromoethane (EDB), dieldrin, dinoseb, DNOC and its salts, ethylene dichloride, ethylene oxide, fluoroacetamide, HCH, heptachlor, hexachlorobenzene, lindane, mercury compounds, monocrotophos, parathion, pentachlorophenol and toxaphene, plus certain formulations of methamidophos, methyl-parathion, monocrotophos, parathion, phosphamidon and a combination of benomyl, carbofuran and thiram*. It also covers 11 industrial chemicals: *asbestos (actinolite, anthophyllite, amosite, crocidolite, tremolite), polybrominated biphenyls (PBBs), polychlorinated biphenyls (PCBs), polychlorinated terphenyls (PCTs), tris (2,3 dibromopropyl) phosphate and tetraethyl lead (TEL) and tetramethyl lead (TML)*. A subsidiary body, the Chemical Review Committee (CRC), is responsible for assessing whether additional banned or severely restricted chemicals or severely hazardous pesticide formulations should be made subject to the PIC procedure. The CRC makes recommendations to the Conference of the Parties.



There are 12 chemicals subject to the **Stockholm Convention**. The pesticides *aldrin, chlordane, dieldrin, endrin, heptachlor, heptachlorobenzene (HCB), mirex and toxaphene*, as well as the industrial chemical *polychlorinated biphenyls (PCBs)* are slated for elimination. Continued use of the pesticide *DDT* is allowed for disease vector control until safe, affordable and effective alternatives are in place. Countries must make determined efforts to identify, label and remove *PCB containing equipment* from use by 2025 with disposal no later than 2028. The Convention also seeks the continuing minimization and, where feasible, elimination of the releases of unintentionally produced POPs such as the industrial byproducts: *dioxins and furans*. A subsidiary body, the Persistent Organic Pollutants Review Committee (POPRC), is responsible for assessing whether additional POPs should be made subject to the Convention. The POPRC makes recommendations to the Conference of the Parties.

# Future development of the Conventions

The three Conventions provide for amendments in the usual manner of international treaties. Furthermore, the Conventions' provisions may be supplemented by decisions of the Conference of the Parties.

In the case of the **Basel Convention**, the so-called "Ban Amendment" was adopted in 1995 under Decision III/1 and will, upon entry into force, prohibit the export of hazardous wastes, for any purpose, from countries listed in a proposed new annex ("Parties and other States which are members of OECD, EC, Liechtenstein"), to States not listed in the annex. In 1998, the Conference of the Parties adopted lists of specific wastes characterized as hazardous or non-hazardous, thereby clarifying the scope of the Convention. In 1999, pursuant to Article 12 of the Convention, a Protocol on Liability and Compensation was adopted and it will enter into force after 20 ratifications. In 2002, the Conference of the Parties established a mechanism for promoting implementation and compliance.

The **Rotterdam Convention (Article 17)** and the **Stockholm Convention (Article 17)** provide for the establishment of procedures and institutional mechanisms for determining non-compliance with the provisions of the Conventions and for treatment of Parties found to be in non-compliance.

# Technical assistance & regional centres

All three Conventions address the technical assistance needs of developing countries. The **Basel Convention** (Article 14) and the **Stockholm Convention** (Article 12) provide for regional centres for training and technology transfer. There are 14 Basel Convention Regional and Coordinating Centres. The **Basel Convention** has a Technical Cooperation Trust Fund to provide assistance to developing countries and countries with economies in transition, while **Stockholm** (Articles 13 & 14) establishes a "financial mechanism", the principal entity of which is the Global Environment Facility. The **Rotterdam Convention** (Article 16) provides for technical assistance between Parties for the development of infrastructure and the capacity to manage chemicals. The first meeting of the Conference of the Parties to the **Rotterdam Convention** adopted a decision on the regional delivery of technical assistance.



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