



COMPENDIUM OF CANADA'S ENGAGEMENT IN INTERNATIONAL ENVIRONMENTAL AGREEMENTS AND INSTRUMENTS

Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal

SUBJECT CATEGORY:

Chemicals & Wastes

TYPE OF AGREEMENT / INSTRUMENT:

Multilateral

FORM:

Legally-binding treaty

STATUS:

- Signed by Canada March, 22, 1989
- Ratified by Canada August 28, 1992
- In force in Canada May 5, 1992
- In force internationally May 5, 1992

LEAD & PARTNER DEPARTMENTS:

Lead: Environment and Climate Change Canada

Partners: Health Canada, Natural Resources Canada, Transport Canada, Canada Border Services Agency, Global Affairs Canada

FOR FURTHER INFORMATION:**Web Links:**

- [Basel Convention](#) internet site
- [Environment and Climate Change Canada's Managing and Reducing Waste](#) internet site

Contacts:

[ECCC Inquiry Centre](#)

COMPENDIUM EDITION:

February 2022

PLAIN LANGUAGE SUMMARY

Every year, a large amount of hazardous waste moves between countries. The Basel Convention is a convention between 189 countries. It is under the United Nations and has been active since 1992. This convention controls the movement of hazardous wastes and other wastes (such as wastes collected from households and certain plastic wastes) between these countries. The goal is to protect the environment and human health. It is important because it also allows Canada to better manage its wastes. The countries meet every year and discuss environmental issues such as marine litter, management of electronic waste, and waste containing dangerous chemical substances. Canada is actively engaged in the work of this convention.

OBJECTIVE

The overall goal of the Basel Convention is to protect human health and the environment against adverse effects from the generation, transboundary movements, and management of hazardous wastes and other wastes. The Convention seeks to minimize the generation of hazardous waste and other waste, and to ensure they are disposed of in an environmentally sound manner and as close as possible to the source.

KEY ELEMENTS

The Convention establishes a core list of hazardous wastes in Annex I that are controlled unless they do not exhibit any of the hazard characteristics set out in Annex III. Other wastes (e.g. wastes collected from households and certain plastic wastes) listed under Annex II of the Convention are always controlled. The Convention also allows Parties to control wastes beyond those listed in the Convention. The Convention requires Parties to establish a system to manage the transboundary movement and disposal of hazardous wastes and other wastes.

Parties may not carry out or authorize transboundary movements (imports, exports or transits) of hazardous wastes or other wastes:

- to States that are not Parties to the Convention unless they have a bilateral agreement under Article 11 (such as the Canada - US Agreement on the Transboundary Movement of Hazardous Wastes);
- to Antarctica;
- if the State of import does not consent in writing to the specific import;
- if the prospective State of destination (State of import) has prohibited such imports;
- if appropriate disposal or recycling facilities are available in the State of origin (State of export) unless the waste is needed as a raw material for recycling or recovery industries in the State of import; and
- if there is reason to believe that environmentally sound management/disposal options are not available in the prospective State of destination (State of import).

Parties are required to report annually on the movements they control and cases of illegal traffic.

EXPECTED RESULTS

Under the Basel Convention, key results expected include:

- Development of technical guidelines related to environmentally sound management (ESM) practices;
- Effectiveness evaluation of the Basel Convention;
- Partnership on plastic waste;
- Review of some annexes to the Convention, including those pertaining to disposal operations, waste types and constituents and hazard characteristics;
- Implementation and compliance guidance documents.

CANADA'S INVOLVEMENT

As a Party, Canada actively implements the prior-informed consent, classification and tracking, reporting and other obligations related to the transboundary movement of wastes as well as promotes the general obligations pertaining to waste minimization and management. Canada also participates in the activities and meetings of Parties to the Convention.

This agreement, which 189 countries have ratified, sets the overarching framework for movements of hazardous wastes and other wastes globally. By

ratifying the agreement, countries confirm that they regulate this activity in accordance with the Convention's provisions. Canada implements the requirements of the Basel Convention through the [Cross-border Movement of Hazardous Waste and Hazardous Recyclable Material Regulations](#) and [Canadian Environmental Protection Act, 1999](#).

In addition to the environmental benefits derived from its implementation, the Basel Convention provides a framework for the harmonization of the Canadian regulatory requirements and those of the European Union and the Organization for Economic Co-operation and Development (OECD) with respect to transboundary movements of hazardous wastes and other wastes. It is with OECD member countries that most Canadian hazardous waste transactions destined for disposal/recovery/recycling take place.

RESULTS / PROGRESS

Activities

Canada participates in meetings of the Conference of Parties and its subsidiary bodies (the Open-Ended Working Group and the Implementation and Compliance Committee) which are each held every two years, and submits its report annually in response to its obligations. Canada also actively participates in intersessional work to develop tools and guidance to improve the implementation of the Convention. Highlights of the 2020-2021 work programme are: the review of some Annexes of the Convention; the update of the technical guidelines on plastic waste; the implementation of a new Partnership on Plastic Waste; the update of the technical guidelines on specially engineered landfills and incineration on land; the update of existing or development of new technical guidelines on the management of wastes containing persistent organic pollutants; and the development of guidance to improve the compliance amongst Parties. Information on these various issues and countries' comments on can be found on the website of the Convention.

Reports

The Basel Convention Secretariat maintains an electronic database of annual reports and other information (e.g. competent authorities, national waste definitions) relevant to Parties' obligations. These [national reports](#), including Canada's annual report, can be found on the Basel Convention website.

Results

In 2019, a set of practical manuals and guidance for the promotion of the environmentally sound

management of wastes were adopted in addition to a benchmark report aimed at facilitating national reporting. Five technical guidelines for the environmentally sound management of wastes containing persistent organic pollutants were also adopted. The Basel Convention was also amended to control some types of plastic waste starting January 1, 2021.

A new Partnership on Plastic Waste was established in 2019. The goal of the partnership is to reduce significantly and, in the long-term, eliminate the discharge of plastic waste into the environment, especially the marine environment. This will be done by advancing environmentally sound management of plastic waste, promoting relevant innovation, promoting the development of policies, regulations and strategies on the prevention and minimization of plastic waste, and undertaking pilot projects that support other tasks of the partnership.

General information on the Basel Convention and Canada's role can be found at: [Environment and Climate Change Canada's Managing and Reducing Waste](#).