

REC 3.088 Support for the ‘Ban Amendment’ to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.

CONCERNED that the increase in exports of toxic post-consumer wastes, including electronic and computer waste, mobile phones, and end-of-life ships, from rich developed countries to developing countries for inappropriate and unsustainable recycling or dumping is causing irreparable occupational and environmental harm in developing countries;

RECOGNIZING that such export facilitates externalization of the costs of waste disposal from stronger economies to weaker economies, and thus discourages the development of upstream manufacturing processes that are needed to solve the long-term problem of toxic-waste generation;

RECOGNIZING ALSO that such exports disproportionately burden the world’s poorest communities and workers with severe toxic exposure and therefore are contrary to basic principles of human rights and environmental justice;

RECALLING that the Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal (Basel Convention) calls on all countries to become self-sufficient in hazardous waste management and that developed countries are best situated to achieve that obligation immediately;

RECALLING ALSO Resolution 19.31 *International Trade in Toxic Wastes: Banning the Export of Hazardous Wastes from OECD to Non-OECD Countries*, which was adopted by the 19th IUCN General Assembly (Buenos Aires, 1994), and which called for the adoption of a legally binding decision to ban all hazardous-waste shipments from OECD to non-OECD countries, including those destined for recycling operations;

AWARE that the 2nd Conference of Parties to the Basel Convention adopted by consensus Decision II/12, calling for a ban on the export of all hazardous wastes for any reason from OECD to non-OECD countries, and that the 3rd Conference of Parties likewise adopted by consensus Decision III/1, amending the Basel Convention to ban hazardous waste exports from OECD/EU countries and Liechtenstein to all other countries (the ‘Ban Amendment’);

AWARE ALSO that to date, despite the clear moral force of the aforementioned decisions and the 49 ratifications that have been received, the Ban Amendment has yet to attain the necessary number of ratifications for entry into force; and

CONCERNED that the conditions that drive international waste-dumping, including disparity in the relative wealth of nations and peoples, steadily increasing volumes of hazardous-waste generation – particularly in developed countries and rising disposal costs in developed countries, have all become more acute, and that the need for the legally binding ban on hazardous waste exports is now more pressing than ever;

The World Conservation Congress at its 3rd Session in Bangkok, Thailand, 17–25 November 2004:

1. CALLS UPON all states that have not yet ratified the ‘Ban Amendment’ to the Basel Convention, which prohibits the export of hazardous wastes from OECD/EU countries and Liechtenstein to all other countries, to take immediate steps to ratify this amendment;
2. REQUESTS the IUCN Director General to forward this Recommendation to the Basel Convention Secretariat with the request that it be distributed at the 8th Conference of Parties to the Basel Convention in 2006 and included in the minutes of that meeting; and

3. CALLS UPON all IUCN members to approach appropriate parliamentarians and officials to have the matter of this ratification placed upon the political agenda of their respective countries as a matter of urgency.

The Ministry of Foreign Affairs, Japan, provided the following statement for the record:

The Conference of Parties to the Basel Convention has not come to a conclusion on whether the Convention shall apply to end-of-life ships. Under such circumstances, it is not appropriate for IUCN to adopt a Recommendation on this specific issue.

The Department of State, United States, provided the following statement for the record:

State and agency members United States refrained from engaging in deliberations on this motion and took no national government position on the motion as adopted for reasons given in the US General Statement on the IUCN Resolution Process.