BASEL CONVENTION

UN environment
United Nations Environment Programme

BASEL CONVENTION

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CNL 17/9/19

COMMUNICATION

ENTRY INTO FORCE: AMENDMENT TO THE BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL

By its decision III/1, the Conference of the Parties to the Basel Convention adopted the Amendment to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their disposal, now commonly referred to as the "Ban Amendment". The Ban Amendment provides for the prohibition by each Party included in the new Annex VII (Parties and other States which are members of the OECD, EC, Liechtenstein) of all transboundary movements to States not included in Annex VII of hazardous wastes covered by the Convention that are intended for final disposal, and of all transboundary movements to States not included in Annex VII of hazardous wastes (covered by paragraph 1 (a) of Article 1 of the Convention) destined for operations listed in Annex IV which may lead to recovery, recycling, reclamation, direct reuse or alternative uses.

The Secretariat has the pleasure to forward to all Parties, by the present Communication, the Depositary Notification (Reference: C.N.420. 2019.TREATIES-XXVII.3.a) communicating the **entry into force of the Ban Amendment**. As stated in the notification, **the Amendment will enter into force on 5 December 2019** in accordance with article 17 (5) of the Convention which reads as follows:

> "Instruments of ratification, approval, formal confirmation or acceptance of amendments shall be deposited with the Depositary. Amendments adopted in accordance with paragraphs 3 or 4 above shall enter into force between Parties having accepted them on the ninetieth day after the receipt by the Depositary of their instrument of ratification, approval, formal confirmation or acceptance by at least three-fourths of the Parties who accepted them or by at least two thirds of the Parties to the protocol concerned who accepted them, except as may otherwise be provided in such protocol. The amendments shall enter into force for any other Party on the ninetieth day after that Party deposits its instrument of ratification, approval, formal confirmation or acceptance of the amendments."

Information on the status of ratifications is available on the Basel Convention website at: http://basel.int/Countries/StatusofRatifications/BanAmendment/tabid/1344/Default.aspx.

Please feel free to contact the Secretariat (Ms. Yvonne Ewang-Sanvincenti, Legal Officer; Email: yvonne.ewang@brsmeas.org, Telephone: +41 (0)22 917 81 12) regarding any queries and for further information related to the entry of force of this Amendment.

UNITED NATIONS ENVIRONMENT PROGRAMME (GENEVA)

Secretariat of the Basel Convention
Geneva, 17 September 2019

To: Focal Points and Competent Authorities of the Parties to the Basel Convention
Permanent Missions of Parties to the United Nations in Geneva

Copy: Basel Convention Regional and Coordinating Centres for Capacity Building and Technology Transfer
Signatories to the Basel Convention
Observers to the Basel Convention

UNITED NATIONS NATIONS UNIES

POSTAL ADDRESS—ADRESSE POSTALE: UNITED NATIONS, N.Y. 10017

Reference: C.N.420.2019.TREATIES-XXVII.3.a (Depositary Notification)

AMENDMENT TO THE BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL

GENEVA, 22 SEPTEMBER 1995

ENTRY INTO FORCE

The Secretary-General of the United Nations, acting in his capacity as depositary, communicates the following:

On 6 September 2019, the conditions for the entry into force of the Amendment to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal were met. Accordingly, the above-mentioned Amendment shall enter into force on 5 December 2019 in accordance with article 17 (5) of the Convention which reads as follows:

"Instruments of ratification, approval, formal confirmation or acceptance of amendments shall be deposited with the Depositary. Amendments adopted in accordance with paragraphs 3 or 4 above shall enter into force between Parties having accepted them on the ninetieth day after the receipt by the Depositary of their instrument of ratification, approval, formal confirmation or acceptance by at least three-fourths of the Parties who accepted them or by at least two thirds of the Parties to the protocol concerned who accepted them, except as may otherwise be provided in such protocol. The amendments shall enter into force for any other Party on the ninetieth day after that Party deposits its instrument of ratification, approval, formal confirmation or acceptance of the amendments."

6 September 2019

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