

UPSC Preparation

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

Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal is a comprehensive treaty that was adopted in 1989 by the Conference of Plenipotentiaries. It aims to protect the human environment from the adverse effects of hazardous waste that is generated, managed and disposed of in the world community. India's Ministry of Consumer Affairs Food and Public Distribution has announced a blanket ban on all types of single-use plastic products in all its PSUs including Food Corporation in India in September 2019. It is one of the important international environment conventions.

Aim of Basel Convention

The Basel Convention aims to protect the environment by bringing measures to control and regulate hazardous and other waste disposals. The negotiations for the convention were started in the late 1980s under the auspices of the United Nations Environment Programme (UNEP).

Salient Points of Basel Convention:

1. It came into force in 1992.
2. The Basel Convention **secretariat** is situated in Geneva, Switzerland.
3. It applies **Prior Consent Approval** procedure to regulate the transboundary movement of the hazardous and other wastes.
4. **Non-parties cannot transport hazardous** waste to and from each other unless specially agreed. Basel Convention states such transportation, illegal.
5. The member nations to the convention are required to have **domestic legislation** for both prevention and the punishment of the illegal trafficking of such hazardous wastes.
6. It ensures that the **member nations control the generation**, storage, transportation, treatment, reuse, recycling, recovery and final disposal of hazardous wastes.
7. **Conference of Parties (COP)** is a primary organ of the Basel Convention and is responsible to make decisions about the operations of the convention. It meets biennially.
8. Official site – <http://www.basel.int/>

List of Waste under the Basel Convention

Basel Convention defines waste as something that needs to be disposed of by the provisions of the national law. Annexes I defines hazardous waste while Annex II defines the other waste.

The table below mentions the **list of wastes that are regulated under the Basel Convention**:

Basel Convention – Wastes

- 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.
- 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.
- Thousands of chemical wastes generated by industries and other consumers

Apart from the waste, the Basel Convention also handles some topical issues like:

1. Electronic and electrical waste (e-waste) such as mobile phones and computers
2. Ships destined for dismantling
3. Mercury and asbestos wastes
4. Illegal dumping of hazardous wastes

Important Facts about the Basel Convention for UPSC

1. **Ban Amendment to the Convention** – It was adopted in 1995 which added a new annex VII, and it entered into force on 5th December 2019.
2. **COP 14** – The COP 14 to Basel Convention has been the latest meeting which took place in April-May 2019. It brought new entries into the convention, which will be effective from 1st January 2021 onward.
3. **COP 15** to Basel Convention will take place in July 2021 at Geneva.
4. **Basel Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and their Disposal** – It has been adopted in 1999 and is yet to come into force. India has yet not signed this protocol.
5. **Radioactive Wastes & Wastes derived from normal operations of the ships** are excluded from the list of hazardous wastes of Basel Convention.
6. **Milestones of Basel Convention:**
 1. Basel Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and their Disposal was adopted by COP 5 in 1999.
 2. Strategic Plan for the implementation of the Basel Convention for the period 2002 to 2010 was adopted in 2006.
 3. Bali Declaration on Waste Management for Human Health and Livelihood was adopted by COP 9.

Members of Basel Convention

There are 188 members of the Basel Convention.

Is India member of Basel Convention

Yes, India is a member of the Basel Convention. It ratified the convention in June 1992 and brought it into force on 22nd September 1992.

India's Domestic Legislation for Waste Management

1. The Ministry of Environment, Forest & Climate Change (MOEF&CC) introduced **Hazardous and Other Wastes (Management and Transboundary Movement) Rules of 2016**. Recently in 2019, these rules were amended. The amendments were:

- **Prohibition of the import of the solid plastic waste** including in the special economic zone (SEZ) and export-oriented units (EOU).
- **Exemption to Silk Waste Exporters** – They will no longer need permission from the Ministry.
- **Defective electrical and electronic assemblies and components** can be imported back within one year of export without obtaining permission from the ministry.
- **Exemption of Industries** from Hazardous and Other Wastes (Management and Transboundary Movement) Rules of 2016 – Those industries that are already exempted from requiring consent under Water (Prevention and Control of Pollution) Act 1974 and Air (Prevention and Control of Pollution) Act 1981 are now exempted for the same from Hazardous and Other Wastes Rules too.

2. New Bio-Medical Waste Management Rules 2016 too have been brought by the MOEF&CC.

3. Electronic Waste – E-waste Management Rules 2016 – MOEF&CC announced these rules replacing E-Waste (Management and Handling) Rules of 2011.