

TRACTATENBLAD

VAN HET

KONINKRIJK DER NEDERLANDEN

JAARGANG 2010 Nr. 89

A. TITEL

*Verdrag van Bazel inzake de beheersing van de grensoverschrijdende
overbrenging van gevaarlijke afvalstoffen en de verwijdering ervan;
(met Bijlagen)
Bazel, 22 maart 1989*

B. TEKST

De Engelse en de Franse tekst van het Verdrag en de Bijlagen zijn geplaatst in *Trb.* 1990, 12. Zie ook *Trb.* 1993, 72, *Trb.* 1994, 253 en *Trb.* 1999, 105.

Zie voor de Engelse en de Franse tekst van de wijziging van het Verdrag van 22 september 1995 de rubrieken J van *Trb.* 1996, 81 en *Trb.* 2003, 168.

Zie voor de Engelse en de Franse tekst van de wijziging van Bijlage 1 bij het Verdrag en de aan het Verdrag toegevoegde Bijlagen VIII en IX van 27 februari 1998 rubriek J van *Trb.* 1999, 105.

Zie voor de Engelse en de Franse tekst van wijzigingen van Bijlagen VIII en IX van 13 december 2002 en 29 oktober 2004 respectievelijk *Trb.* 2005, 45 en *Trb.* 2006, 12.

Bij proces-verbaal van verbetering van 26 februari 2008 zijn in de Franse tekst correcties aangebracht in de Bijlagen VIII en IX.¹⁾

Bij proces-verbaal van verbetering van 8 april 2008 zijn in de Franse tekst correcties aangebracht in Bijlage IX.¹⁾

Bij proces-verbaal van verbetering van 28 augustus 2008 zijn in de Franse en de Engelse tekst correcties aangebracht in de Bijlagen VIII en IX.¹⁾

¹⁾ De correcties in de Franse tekst van de Bijlagen zijn niet opgenomen. In volgende Tractatenbladen zullen correcties en wijzigingen in de Franse tekst van de Bijlagen niet langer worden vermeld.

In rubriek J van *Trb.* 1999, 105 dienen de volgende correcties in de Engelse tekst te worden aangebracht:

Bijlage VIII

Op blz. 18, onder A4110, laatste punt, dient het woord „dibenzo-dioxin” te worden gewijzigd in het woord „dibenzo-p-dioxin”.

Bijlage IX

Op blz. 22, onder B1080, dient het zinsdeel „or exhibiting hazard characteristic H4.3” verwijderd te worden.

Op blz. 26, onder B1120, laatste kolom, dient het woord „Neody” vervangen te worden door het woord „Neodymium”.

Op blz. 36, onder B3060, derde punt, dient „Degras:” te worden gewijzigd in „Degras;”.

Op blz. 38, onder B4020, één na laatste regel, dient tussen de woorden „casein” en „starch” een komma toegevoegd te worden.

In rubriek B van *Trb.* 2005, 45 dient de volgende correctie in de Engelse tekst van Bijlage IX te worden opgenomen:

Op blz. 2, onder B2060, artikel 3, onderdeel a, tweede regel, dient het woordje „an” vervangen te worden door „the”, dient in de derde regel na het woord „extent” het woord „that” toegevoegd te worden en dient in de vijfde regel het liggend streepje tussen A en A4160 te worden verwijderd.

C. VERTALING

Zie *Trb.* 1990, 12, *Trb.* 1993, 72, *Trb.* 1994, 253, de rubrieken J van *Trb.* 1999, 105, *Trb.* 2003, 168 en de rubrieken C van *Trb.* 2005, 45 en *Trb.* 2006, 12.

In rubriek J van *Trb.* 1999, 105 dienen de volgende correcties in de vertaling van Bijlage IX te worden aangebracht:

Op blz. 49, onder B1080, laatste zin, dient het zinsdeel „of de gevaarlijke eigenschap H4.3” verwijderd te worden.

Op blz. 55, onder B3060, derde punt, dient „Degras:” te worden gewijzigd in „Degras;”.

Op blz. 56, onder B4020, dient het zinsdeel „zetmeel (caseïne), ” te worden vervangen door „caseïne, zetmeel,”.

D. PARLEMENT

Zie *Trb.* 1993, 72, rubriek J van *Trb.* 2003, 168 en de rubrieken D van *Trb.* 2005, 45 en *Trb.* 2006, 12.

E. PARTIJGEGEVENS

Zie rubriek E van *Trb.* 1990, 12 en rubriek F van *Trb.* 1993, 72.

Partij	Onder- tekening	Ratificatie	Type [*]	In werking	Opzeg- ging	Buiten werking
Afghanistan	22-03-89					
Albanië		29-06-99	T	27-09-99		
Algerije		15-09-98	T	14-12-98		
Andorra		23-07-99	T	21-10-99		
Antigua en Barbuda		05-04-93	T	04-07-93		
Argentinië	28-06-89	27-06-91	R	05-05-92		
Armenië		01-10-99	T	30-12-99		
Australië		05-02-92	T	05-05-92		
Azerbeidzjan		01-06-01	T	30-08-01		
Bahama's		12-08-92	T	10-11-92		
Bahrein	22-03-89	15-10-92	R	13-01-93		
Bangladesh		01-04-93	T	30-06-93		
Barbados		24-08-95	T	22-11-95		
Belarus		10-12-99	T	09-03-00		
België	22-03-89	01-11-93	R	30-01-94		
Belize		23-05-97	T	21-08-97		
Benin		04-12-97	T	04-03-98		
Bhutan		26-08-02	T	24-11-02		
Bolivia	22-03-89	15-11-96	R	13-02-97		
Bosnië en Herzegovina		16-03-01	T	14-06-01		
Botswana		20-05-98	T	18-08-98		
Brazilië		01-10-92	T	30-12-92		
Brunei		16-12-02	T	16-03-03		
Bulgarije		16-02-96	T	16-05-96		
Burkina Faso		04-11-99	T	02-02-00		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Burundi		06-01-97	T	06-04-97		
Cambodja		02-03-01	T	31-05-01		
Canada	22-03-89	28-08-92	R	26-11-92		
Centraal Afrikaanse Republiek		24-02-06	T	25-05-06		
Chili	31-01-90	11-08-92	R	09-11-92		
China	22-03-90	17-12-91	R	05-05-92		
Colombia	22-03-89	31-12-96	R	31-03-97		
Comoren, de		31-10-94	T	29-01-95		
Congo, Democratische Republiek		06-10-94	T	04-01-95		
Congo, Republiek		20-04-07	T	19-07-07		
Cookeilanden		29-06-04	T	27-09-04		
Costa Rica		07-03-95	T	05-06-95		
Cuba		03-10-94	T	01-01-95		
Cyprus	22-03-89	17-09-92	R	16-12-92		
Denemarken	22-03-89	06-02-94	R	07-05-94		
Djibouti		31-05-02	T	29-08-02		
Dominica		05-05-98	T	03-08-98		
Dominicaanse Republiek, de		10-07-00	T	08-10-00		
Duitsland	23-10-89	21-04-95	R	20-07-95		
Ecuador	22-03-89	23-02-93	R	24-05-93		
EU (Europese Unie)	22-03-89	07-02-94	R	08-05-94		
Egypte		08-01-93	T	08-04-93		
El Salvador	22-03-90	13-12-91	R	05-05-92		
Equatoriaal Guinee		07-02-03	T	08-05-03		

Partij	Onder- tekening	Ratificatie	Type ^a	In werking	Opzeg- ging	Buiten werking
Eritrea		10-03-05	T	08-06-05		
Estland		21-07-92	T	19-10-92		
Ethiopië		12-04-00	T	11-07-00		
Filipijnen, de	22-03-89	21-10-93	R	19-01-94		
Finland	22-03-89	19-11-91	R	05-05-92		
Frankrijk	22-03-89	07-01-91	R	05-05-92		
Gabon		06-06-08	T	04-09-08		
Gambia		15-12-97	T	15-03-98		
Georgië		20-05-99	T	18-08-99		
Ghana		30-05-03	T	28-08-03		
Griekenland	22-03-89	04-08-94	R	02-11-94		
Guatemala	22-03-89	15-05-95	R	13-08-95		
Guinee		26-04-95	T	25-07-95		
Guinee-Bissau		09-02-05	T	10-05-05		
Guyana		04-04-01	T	03-07-01		
Haïti	22-03-89					
Honduras		27-12-95	T	26-03-96		
Hongarije	22-03-89	21-05-90	R	05-05-92		
Ierland	19-01-90	07-02-94	R	08-05-94		
IJsland		28-06-95	T	26-09-95		
India	15-03-90	24-06-92	R	22-09-92		
Indonesië		20-09-93	T	19-12-93		
Iran		05-01-93	T	05-04-93		
Israël	22-03-89	14-12-94	R	14-03-95		
Italië	22-03-89	07-02-94	R	08-05-94		
Ivoorkust		01-12-94	T	01-03-95		
Jamaica		23-01-03	T	23-04-03		
Japan		17-09-93	T	16-12-93		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Jemen		21-02-96	T	21-05-96		
Jordanië	22-03-89	22-06-89	R	05-05-92		
Kaapverdië		02-07-99	T	30-09-99		
Kameroen		09-02-01	T	10-05-01		
Kazachstan		03-06-03	T	01-09-03		
Kenia		01-06-00	T	30-08-00		
Kiribati		07-09-00	T	06-12-00		
Koeweit	22-03-89	11-10-93	R	09-01-94		
Kroatië		09-05-94	T	07-08-94		
Kyrgyzstan		13-08-96	T	11-11-96		
Lesotho		31-05-00	T	29-08-00		
Letland		14-04-92	T	13-07-92		
Libanon	22-03-89	21-12-94	R	21-03-95		
Liberia		22-09-04	T	21-12-04		
Libië		12-07-01	T	10-10-01		
Liechtenstein	22-03-89	27-01-92	R	05-05-92		
Litouwen		22-04-99	T	21-07-99		
Luxemburg	22-03-89	07-02-94	R	08-05-94		
Macedonië, Voormalige Joegoslavische Republiek		16-07-97	T	14-10-97		
Madagaskar		02-06-99	T	31-08-99		
Malawi		21-04-94	T	20-07-94		
Maldiven, de		28-04-92	T	27-07-92		
Maleisië		08-10-93	T	06-01-94		
Mali		05-12-00	T	05-03-01		
Malta		19-06-00	T	17-09-00		
Marokko		28-12-95	T	27-03-96		

Partij	Onder- tekening	Ratificatie	Type ^a	In werking	Opzeg- ging	Buiten werking
Marshalleilan- den, de		27-01-03	T	27-04-03		
Mauritanië		16-08-96	T	14-11-96		
Mauritius		24-11-92	T	22-02-93		
Mexico	22-03-89	22-02-91	R	05-05-92		
Micronesia		06-09-95	T	05-12-95		
Moldavië		02-07-98	T	30-09-98		
Monaco		31-08-92	T	29-11-92		
Mongolië		15-04-97	T	14-07-97		
Montenegro		23-10-06	VG	03-06-06		
Mozambique		13-03-97	T	11-06-97		
Namibië		15-05-95	T	13-08-95		
Nauru		12-11-01	T	10-02-02		
Nederlanden, het Koninkrijk der – Nederland – Ned. Antillen – Aruba	22-03-89	16-04-93 – –	R	15-07-93 – –		
Nepal		15-10-96	T	13-01-97		
Nicaragua		03-06-97	T	01-09-97		
Nieuw-Zeeland	18-12-89	20-12-94	R	20-03-95		
Niger		17-06-98	T	15-09-98		
Nigeria	15-03-90	13-03-91	R	05-05-92		
Noord-Korea		10-07-08	T	08-10-08		
Noorwegen	22-03-89	02-07-90	R	05-05-92		
Oekraïne		08-10-99	T	06-01-00		
Oezbekistan		07-02-96	T	07-05-96		
Oman		08-02-95	T	09-05-95		
Oostenrijk	19-03-90	12-01-93	R	12-04-93		
Pakistan		26-07-94	T	24-10-94		

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Panama	22-03-89	22-02-91	R	05-05-92		
Papua-Nieuw Guinea		01-09-95	T	30-11-95		
Paraguay		28-09-95	T	27-12-95		
Peru		23-11-93	T	21-02-94		
Polen	22-03-90	20-03-92	R	18-06-92		
Portugal	26-06-89	26-01-94	R	26-04-94		
Qatar		09-08-95	T	07-11-95		
Roemenië		27-02-91	T	05-05-92		
Russische Federatie	22-03-90	31-01-95	R	01-05-95		
Rwanda		07-01-04	T	06-04-04		
Saint Kitts en Nevis		07-09-94	T	06-12-94		
Saint Lucia		09-12-93	T	09-03-94		
Saint Vincent en de Grenadines		02-12-96	T	02-03-97		
Samoa		22-03-02	T	20-06-02		
Saudi-Arabië	22-03-89	07-03-90	R	05-05-92		
Senegal		10-11-92	T	08-02-93		
Servië		18-04-00	T	17-07-00		
Seychellen, de		11-05-93	T	09-08-93		
Singapore		02-01-96	T	01-04-96		
Slovenië		07-10-93	T	05-01-94		
Slowakije		28-05-93	VG	01-01-93		
Soedan		09-01-06	T	09-04-06		
Spanje	22-03-89	07-02-94	R	08-05-94		
Sri Lanka		28-08-92	T	26-11-92		
Swaziland		08-08-05	T	06-11-05		
Syrië	11-10-89	22-01-92	R	05-05-92		

Partij	Ondertekening	Ratificatie	Type*	In werking	Opzegging	Buiten werking
Tanzania		07-04-93	T	06-07-93		
Thailand	22-03-90	24-11-97	R	22-02-98		
Togo		02-07-04	T	30-09-04		
Trinidad en Tobago		18-02-94	T	19-05-94		
Tsjaad		10-03-04	T	08-06-04		
Tsjechië		30-09-93	VG	01-01-93		
Tsjechoslowakije (<01-01-1993)		24-07-91	T	05-05-92		
Tunesië		11-10-95	T	09-01-96		
Turkije	22-03-89	22-06-94	R	20-09-94		
Turkmenistan		25-09-96	T	24-12-96		
Uganda		11-03-99	T	09-06-99		
Uruguay	22-03-89	20-12-91	R	05-05-92		
Venezuela	22-03-89	03-03-98	R	01-06-98		
Verenigd Koninkrijk, het	06-10-89	07-02-94	R	08-05-94		
Verenigde Arabische Emiraten, de	22-03-89	17-11-92	R	15-02-93		
Verenigde Staten van Amerika, de	22-03-90					
Vietnam		13-03-95	T	11-06-95		
Zambia		15-11-94	T	13-02-95		
Zuid-Afrika		05-05-94	T	03-08-94		
Zuid-Korea		28-02-94	T	29-05-94		
Zweden	22-03-89	02-08-91	R	05-05-92		
Zwitserland	22-03-89	31-01-90	R	05-05-92		

* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R= Bekrachtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend

Uitbreidingen

China

Uitgebreid tot	In werking	Buiten werking
Hongkong SAR	01-07-1997	
Macau SAR	20-12-1999	

Denemarken

Uitgebreid tot	In werking	Buiten werking
Faeröer	07-05-1994	
Groenland	07-05-1994	

Portugal

Uitgebreid tot	In werking	Buiten werking
Macau (<20-12-1999)	28-06-1999	20-12-1999

Verenigd Koninkrijk, het

Uitgebreid tot	In werking	Buiten werking
Akrotiri en Dhekelia (Soevereine Basis Gebieden op Cyprus)	06-09-2006	
Brits Antarctisch Territorium	08-05-1994	
Guernsey	27-11-2002	
Hongkong (< 01-07-1997)	30-10-1995	01-07-1997
Jersey	14-09-2007	
Man	12-12-2001	

Verklaringen, voorbehouden en bezwaren

Algerije, 15 september 1998

The Government of the People's Democratic Republic of Algeria declares, with regard to article 20, paragraph 2 of the [Convention], that in every case, the agreement of the all parties concerned is necessary to submit a dispute to the International Court of Justice or to arbitration.

Chili, 11 augustus 1992

The Government of Chile considers that the provisions of this Convention [...] help to consolidate and expand the legal regime that Chile has established through various international instruments on the control of transboundary movements of hazardous wastes and their disposal, whose scope of application covers both the continental territory of the Republic and its area of jurisdiction situated south of latitude 60°S, in accordance with the provisions of article 4, paragraph 6, of the present Convention.

Colombia, 22 maart 1989

It is the understanding of Colombia that the implementation of the present Convention shall in no case restrict, but rather shall strengthen, the application of the juridical and political principles which, as [was] made clear in the statement [made on 21 March to the Basel Conference], govern the actions -- in other words, inter alia, the latter may in no case be interpreted or applied in a manner inconsistent with the competence of the Colombian State to apply those principles and other norms of its internal rule to its land area (including the subsoil), air space, territorial sea, submarine continental shelf and exclusive economic maritime zone, in accordance with international law.

Bezwaar door Italië, 7 februari 1994

The Government of Italy, in expressing its objections *vis-à-vis* the declarations made, upon signature, by the Governments of Colombia, Ecuador, Mexico, Uruguay and Venezuela, as well as other declarations of similar tenor that might be made in the future, considers that no provision of this Convention should be interpreted as restricting navigational rights recognized by international law. Consequently, a State party is not obliged to notify any other State or obtain authorization from it for simple passage through the territorial sea or the exercise of freedom of navigation in the exclusive economic zone by a vessel showing its flag and carrying a cargo of hazardous wastes.

Colombia, 31 december 1996

The Government of Colombia, pursuant to article 26, paragraph 2, of the [said Convention], declares, for the purposes of implementing this international instrument, that article 81 of the Political Constitution of Co-

lombia prohibits the bringing of nuclear residues and toxic wastes into the national territory.

Cuba, 3 oktober 1994

The Government of the Republic of Cuba declares, with regard to article 20 of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, that any disputes between Parties as to the interpretation or application of, or compliance with, this Convention or any protocol thereto, shall be settled through negotiation through the diplomatic channel or submitted to arbitration under the conditions set out in Annex VI on arbitration.

Denemarken, 30 april 2008

Denmark deposited its instrument of approval to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal on 6 February 1994. This instrument did not confirm the territorial exclusion concerning the application of the Convention with respect to Greenland and the Faroe Islands, which had been made upon the signature of the Convention on 22 March 1989. The approval of the Convention in 1994 therefore includes both Greenland and the Faroe Islands.

Duitsland, 21 april 1995

It is the understanding of the Government of the Federal Republic of Germany that the provisions in article 4, paragraph 12 of this Convention shall in no way affect the exercise of navigation rights and freedoms as provided for in international law. Accordingly, it is the view of the Government of the Federal Republic of Germany that nothing in this Convention shall be deemed to require the giving of notice to or the consent of any State for the passage of hazardous wastes on a vessel under the flag of a party exercising its right of innocent passage through the territorial sea or the freedom of navigation in an exclusive economic zone under international law.

Ecuador, 22 maart 1989

The elements contained in the Convention which has been signed may in no way be interpreted in a manner inconsistent with the domestic legal norms of the Ecuadorian State, or with the exercise of its national sovereignty.

Bezwaar door Italië, 7 februari 1994

The Government of Italy, in expressing its objections *vis-à-vis* the declarations made, upon signature, by the Governments of Colombia, Ecuador, Mexico, Uruguay and Venezuela, as well as other declarations of similar tenor that might be made in the future, considers that no provision of this Convention should be interpreted as restricting navigational rights recognized by inter-

national law. Consequently, a State party is not obliged to notify any other State or obtain authorization from it for simple passage through the territorial sea or the exercise of freedom of navigation in the exclusive economic zone by a vessel showing its flag and carrying a cargo of hazardous wastes.

Indonesië, 20 september 1993

Mindful of the need to adjust the existing national laws and regulations, the provisions of article 3 (1) of this Convention shall only be implemented by Indonesia after the new revised laws and regulations have been enacted and entered into force.

Italië, 7 februari 1994

The Government of Italy declares ... that it is in favour of the establishment of a global control system for the environmentally sound management of transboundary movements of hazardous wastes.

Japan, 17 september 1993

The Government of Japan declares that nothing in the Basel Convention on the Control of Transboundary Movement of Hazardous Wastes and Their Disposal be interpreted as requiring notice to or consent of any State for the mere passage of hazardous wastes or other wastes on a vessel exercising navigational rights and freedoms, as paragraph 12 of article 4 of the said Convention stipulates that nothing in the Convention shall affect in any way the exercise of navigational rights and freedoms as provided for in international law and as reflected in relevant international instruments.

Libanon, 22 maart 1989

[Lebanon] declares that [it] can under no circumstances permit burial of toxic and other wastes in any of the areas subject to its legal authority which they have entered illegally. In 1988, Lebanon announced a total ban on the import of such wastes and adopted Act No. 64/88 of 12 August 1988 to that end. In all such situations, Lebanon will endeavour to co-operate with the States concerned, and with the other States parties, in accordance with the provisions of this treaty.

Mexico, 22 maart 1989 en 22 februari 1991

Mexico is signing *ad referendum* the Basel Convention on the Control of the Transboundary Movements of Hazardous Wastes and their disposal because it duly protects its rights as a coastal State in the areas subject to its national jurisdiction, including the territorial sea, the exclusive economic zone and the continental shelf and, in so far as it is relevant, its airspace, and the exercise in those areas of its legislative and administrative competence in relation to the protection and preservation of the environment, as recognized by international law and, in particular, the law of the sea.

Mexico considers that, by means of this Convention, important progress has been made in protection of the environment through the legal regulation of transboundary movements of hazardous wastes. A framework of general obligations for States parties has been established, fundamentally with a view to reducing to a minimum the generation and transboundary movement of dangerous wastes and ensuring their environmentally rational management, promoting international co-operation for those purposes, establishing co-ordination and follow-up machinery and regulating the implementation of procedures for the peaceful settlement of disputes.

Mexico further hopes that, as an essential supplement to the standard-setting character of the Convention, a protocol will be adopted as soon as possible, establishing, in accordance with the principles and provisions of international law, appropriate procedures in the matter of responsibility and compensation for damage resulting from the transboundary movement and management of dangerous wastes.

Bezwaar door Italië, 7 februari 1994

The Government of Italy, in expressing its objections *vis-à-vis* the declarations made, upon signature, by the Governments of Colombia, Ecuador, Mexico, Uruguay and Venezuela, as well as other declarations of similar tenor that might be made in the future, considers that no provision of this Convention should be interpreted as restricting navigational rights recognized by international law. Consequently, a State party is not obliged to notify any other State or obtain authorization from it for simple passage through the territorial sea or the exercise of freedom of navigation in the exclusive economic zone by a vessel showing its flag and carrying a cargo of hazardous wastes.

Nederlanden, het Koninkrijk der, 17 februari 2010

The Kingdom of the Netherlands declares, in accordance with paragraph 3 of Article 20 of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, that it accepts both means of dispute settlement referred to in that paragraph as compulsory in relation to any Party accepting one or both means of dispute settlement.

Nieuw-Zeeland, 20 december 1994

With a declaration of non-application to Tokelau "until the date of notification by the Government of New Zealand that the Convention shall so extend to Tokelau.

Noorwegen, 2 juli 1990

Norway accepts the binding means of settling disputes set out in Article 20, paragraphs 3 (a) and (b), of the Convention, by (a) submission of the dispute to the International Court of Justice and/or (b) arbitration in accordance with the procedures set out in Annex VI.

Polen, 20 maart 1992

With respect to article 20, paragraph 2, of the Convention, the Polish Republic declares that it recognizes submission to arbitration in accordance with the procedures and under the conditions set out in Annex VI to the Convention, as compulsory *ipso facto*.

Roemenië, 27 februari 1991

In conformity with article 26, paragraph 2, of the Convention, Romania declares that the import and the disposal on its national territory of hazardous wastes and other wastes can take place only with the prior approval of the competent Romanian authorities.

Russische Federatie, 31 januari 1995

The definition of "Territory" in the Cairo Guidelines and Principles for the Environmentally Sound Management of Hazardous Wastes (UNEP Governing Council decision 14/30 of 17 June 1987) to which reference is made in the preamble to the Convention is a special formulation and cannot be used for purposes of interpreting the present Convention or any of its provisions in the light of article 31, paragraph 2, or article 32 of the 1969 Vienna Convention on the Law of Treaties or on any other basis.

Saint Kitts en Nevis, 7 september 1994

With respect to article 20, paragraph 2 of the Convention, the Government of Saint Kitts and Nevis declares that it recognizes submission to arbitration in accordance with the procedures and the conditions set out in Annex VI to the Convention, as compulsory *ipso facto*.

Singapore, 2 januari 1996

The Government of Singapore declares that, in accordance with article 4 (12), the provisions of the Convention do not in any way affect the exercise of navigational rights and freedoms as provided in international law. Accordingly, nothing in this Convention requires notice to or consent of any State for the passage of a vessel under the flag of a party, exercising rights of passage through the territorial sea or freedom of navigation in an exclusive economic zone under international law.

Spanje, 7 februari 1994

The Spanish Government declares, in accordance with article 26.2 of the Convention, that the criminal characterization of illegal traffic in hazardous wastes or other wastes, established as an obligation of States Parties under article 4.3, will in future take place within the general framework of reform of the substantive criminal legal order.

Uruguay, 22 maart 1989

Uruguay is signing *ad referendum* the Convention on the Control of the Transboundary Movements of Hazardous Wastes and their Disposal

because it is duly protecting its rights as a riparian State in the areas subject to its national jurisdiction, including the territorial sea, the exclusive economic zone and the continental shelf and, as appropriate, the superjacent air space as well as the exercise in such areas of its standard-setting and administrative competence in connection with the protection and preservation of the environment as recognized by international law and, in particular, by the law of the sea.

Bezwaar door Italië, 7 februari 1994

The Government of Italy, in expressing its objections *vis-à-vis* the declarations made, upon signature, by the Governments of Colombia, Ecuador, Mexico, Uruguay and Venezuela, as well as other declarations of similar tenor that might be made in the future, considers that no provision of this Convention should be interpreted as restricting navigational rights recognized by international law. Consequently, a State party is not obliged to notify any other State or obtain authorization from it for simple passage through the territorial sea or the exercise of freedom of navigation in the exclusive economic zone by a vessel showing its flag and carrying a cargo of hazardous wastes.

Venezuela, 22 maart 1989

Venezuela considers that the Convention [as] adopted properly protects its sovereign rights as a riparian State over the areas under its national jurisdiction, including its territorial sea, exclusive economic zone and continental shelf, and, as appropriate, its air space. The Convention also safeguards the exercise in such areas of its standard-setting and administrative jurisdiction for the purpose of protecting and preserving the environment and its natural resources in accordance with international law, and in particular the law of the sea.

Bezwaar door Italië, 7 februari 1994

The Government of Italy, in expressing its objections *vis-à-vis* the declarations made, upon signature, by the Governments of Colombia, Ecuador, Mexico, Uruguay and Venezuela, as well as other declarations of similar tenor that might be made in the future, considers that no provision of this Convention should be interpreted as restricting navigational rights recognized by international law. Consequently, a State party is not obliged to notify any other State or obtain authorization from it for simple passage through the territorial sea or the exercise of freedom of navigation in the exclusive economic zone by a vessel showing its flag and carrying a cargo of hazardous wastes.

Verenigd Koninkrijk, het, 7 februari 1994

The Government of the United Kingdom of Great Britain and Northern Ireland declare that, in accordance with article 4 (12), the provisions of

the Convention do not affect in any way the exercise of navigational rights and freedoms as provided for in international law. Accordingly, nothing in this Convention requires notice to or consent of any state for the passage of hazardous wastes on a vessel under the flag of a party, exercising rights of passage through the territorial sea or freedom of navigation in an exclusive economic zone under international law.

Bezwaar door Argentinië, 6 juli 2001

Following the notification by the Environment Agency of the United Kingdom of Great Britain and Northern Ireland of the possible transit of a cargo of hazardous wastes, the Government of Argentina rejected the British attempt to apply the above-mentioned Convention to the Malvinas Islands, South Georgia and South Sandwich Islands, as well as to the surrounding maritime spaces and to the Argentine Antarctic Sector. The Argentine Republic reaffirms its sovereignty over the Malvinas Islands, South Georgia and South Sandwich Islands and the surrounding maritime spaces and rejects any British attempt to apply the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal of 22 March 1989 to the said Territories and maritime spaces. It also wishes to recall that the General Assembly of the United Nations adopted resolutions 2065 (XX), 3160 (XXVIII), 31/49, 37/9, 38/12, 39/6, 40/21, 41/40, 42/19 and 43/25, which recognize the existence of a dispute over sovereignty and request the Governments of the Argentine Republic and the United Kingdom of Great Britain and Northern Ireland to initiate negotiations with a view to finding the means to resolve peacefully and definitively the pending problems between both countries, including all aspects on the future of the Malvinas Islands, in accordance with the Charter of the United Nations.

Verenigd Koninkrijk, het, 27 november 2002

In accordance with Article 5, paragraph 2 of the Convention, the competent authorities designated by the United Kingdom for Man are:

Department of Local Government and the Environment, Murray House, Mount Havelock, Douglas, Isle of Man

IM1 2SF

Designation of authority on behalf of Guernsey:

Board of Health, David Hughes, Chief Executive, States of Guernsey
Board of Health, John Henry House, Le Vauquiedor, St Martin's, Guernsey
GY4 6UU

Verenigd Koninkrijk, het, 6 september 2006

In accordance with Article 5 paragraph 2 of the Convention, the competent authorities designated by the United Kingdom for the Sovereign Base Areas of Dhekelia and Akrotiri are:

Sovereign Base Areas:

Competent Authority for the Western Sovereign Base Area: Area Officer (Mr Kyprianos Matheou), Area Office, Akrotiri, BFPO 57 (telephone 00357 2527 7290).

Competent Authority for Eastern Sovereign Base Area: Area Officer (Mr Christakis Athanasiou), Area Office, Dhekelia, BFPO 58 (telephone 00357 2474 4558).

British Forces Cyprus:

Competent Authority: Defence Estates Support Manager (Mr P Pashas), Block D, Headquarters, British Forces Cyprus, Episkopi, BFPO 53 (telephone 00357 2596 2329).

The Secretary of State for Environment, Food and Rural Affairs, United Kingdom, is the focal point for the purposes of Article 5 of the Convention.

Verenigd Koninkrijk, het, 14 september 2007

In accordance with Article 5, paragraph 2 of the Convention, the competent authorities designated by the United Kingdom for Jersey are:

Minister for Planning and Environment: Assistant Director, Environmental Protection, Howard Davis Farm, La Rue de la Trinite, Trinity, Jersey JE3 5JP.

Verenigde Staten van Amerika, de, 13 maart 1996

1) It is the understanding of the United States of America that, as the Convention does not apply to vessels and aircraft that are entitled to sovereign immunity under international law, in particular to any warship, naval auxiliary, and other vessels or aircraft owned or operated by a State and in use on government, non-commercial service, each State shall ensure that such vessels or aircraft act in a manner consistent with this Convention, so far as is practicable and reasonable, by adopting appropriate measures that do not impair the operations or operational capabilities of sovereign immune vessels.

2) It is the understanding of the United States of America that a State is a 'Transit State' within the meaning of the Convention only if wastes are moved, or are planned to be moved, through its inland waterways, inland waters, or land territory.

3) It is the understanding of the United States of America that an exporting State may decide that it lacks the capacity to dispose of wastes in an 'environmentally sound and efficient manner' if disposal in the importing country would be both environmentally sound and economically efficient.

4) It is the understanding of the United States of America that article 9 (2) does not create obligations for the exporting State with regard to

cleanup, beyond taking such wastes back or otherwise disposing of them in accordance with the Convention. Further obligations may be determined by the parties pursuant to article 12.

Further, at the time the United States of America deposits its instrument of ratification of the Basel Convention, the United States will formally object to the declaration of any State which asserts the right to require its prior permission or authorization for the passage of vessels transporting hazardous wastes while exercising, under international law, its right of innocent passage through the territorial sea or freedom of navigation in an exclusive economic zone.

Wijziging van 22 september 1995

Zie rubriek J van *Trb.* 1999, 105.

Partij	Onder-tekening	Ratificatie	Type*	In werking	Opzeg-ging	Buiten werking
Albanië		27-10-05	R			
Andorra		23-07-99	R			
Bahrein		25-07-05	R			
België		20-06-03	R			
Bolivia		31-03-05	R			
Botswana		17-06-04	R			
Brunei		16-12-02	R			
Bulgarije		15-02-00	R			
Chili		12-08-09	R			
China		01-05-01	R			
Cookeilanden		29-06-04	R			
Cyprus		07-07-00	R			
Denemarken		10-09-97	R			
Duitsland		24-05-02	R			
Ecuador		06-03-98	R			
EU (Europese Unie)		30-09-97	R			
Egypte		27-01-04	R			
Estland		02-08-01	R			

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
Ethiopië		08-10-03	R			
Finland		05-09-96	R			
Frankrijk		18-11-03	R			
Gambia		07-03-01	R			
Ghana		09-06-05	R			
Hongarije		25-05-04	R			
Ierland		13-11-09	R			
Indonesië		24-10-05	R			
Italië		03-03-09	R			
Jordanië		06-12-04	R			
Kenia		09-09-09	R			
Koeweit		12-05-06	R			
Letland		18-12-03	R			
Liberia		16-09-05	R			
Liechtenstein		20-05-03	R			
Litouwen		07-11-03	R			
Luxemburg		14-08-97	R			
Macedonië, Voormalige Joegoslavische Republiek		18-11-04	R			
Maleisië		26-10-01	R			
Marokko		10-09-04	R			
Mauritius		09-11-04	R			
Moldavië		18-11-08	R			
Montenegro		23-10-06	VG			
Nederlanden, het Koninkrijk der – Nederland – Ned. Antillen – Aruba		22-01-01 – –	R			

Partij	Onder- tekening	Ratificatie	Type [*]	In werking	Opzeg- ging	Buiten werking
Nigeria		24-05-04	R			
Noorwegen		16-07-97	R			
Oman		17-05-04	R			
Oostenrijk		17-10-99	R			
Panama		07-10-98	R			
Paraguay		28-08-98	R			
Polen		29-01-03	R			
Portugal		30-10-00	R			
Qatar		28-02-02	R			
Roemenië		17-07-02	R			
Saint Lucia		22-01-02	R			
Servië		22-11-02	R			
Slovenië		01-12-04	R			
Slowakije		11-09-98	R			
Spanje		07-08-97	R			
Sri Lanka		29-01-99	R			
Syrië		05-10-04	R			
Tanzania		26-08-02	R			
Trinidad en Tobago		12-01-00	R			
Tsjechië		28-02-00	R			
Tunesië		26-10-99	R			
Turkije		27-08-03	R			
Uruguay		10-03-99	R			
Verenigd Koninkrijk, het		13-10-97	R			
Zweden		10-09-97	R			
Zwitserland		07-11-02	R			

Partij	Onder- tekening	Ratificatie	Type*	In werking	Opzeg- ging	Buiten werking
* O=Ondertekening zonder voorbehoud of vereiste van ratificatie, R= Bekrchtiging, aanvaarding, goedkeuring of kennisgeving, T=Toetreding, VG=Voortgezette gebondenheid, NB=Niet bekend						

Uitbreidingen

Denemarken

Uitgebreid tot	In werking	Buiten werking
Groenland		

Verenigd Koninkrijk, het

Uitgebreid tot	In werking	Buiten werking
Akrotiri en Dhekelia (Soevereine Basis Gebieden op Cyprus)		
Brits Antarctisch Territorium		
Guernsey		
Jersey		
Man		

Verklaringen, voorbehouden en bezwaren

Syrië, 5 oktober 2004

... that the accession of the Syrian Arab Republic to the Amendment and the Protocol shall not under any circumstances whatsoever signify recognition of Israel, nor shall it lead to entry therewith into any dealings that may be governed by the provisions of the said amendment and Protocol.

G. INWERKINGTREDING

Zie *Trb.* 1993, 72, de rubrieken J van *Trb.* 1999, 105 en *Trb.* 2003, 168 en de rubrieken G van *Trb.* 2005, 45 en *Trb.* 2006, 12.

J. VERWIJZINGEN

Zie voor verwijzingen en andere verdragsgegevens *Trb.* 1990, 12, *Trb.* 1993, 72, *Trb.* 1994, 253, *Trb.* 1996, 81, *Trb.* 1999, 105, *Trb.* 2003, 168 en *Trb.* 2005, 45.

Verwijzing

Titel : Handvest van de Verenigde Naties;
San Francisco, 26 juni 1945
Laatste *Trb.* : *Trb.* 2009, 143

Uitgegeven de zeventiende maart 2010

De Minister van Buitenlandse Zaken,

M. J. M. VERHAGEN