

EXAFF

EIGHTH CONGRESS OF THE FEDERATED STATES OF MICRONESIA

FOURTH REGULAR SESSION, 1994

C. R. NO.

8-111

A RESOLUTION

To ratify the "Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal."

1 WHEREAS, the "Basel Convention on the Control of  
2 Transboundary Movements of Hazardous Wastes and Their Disposal"  
3 ("Basel Convention"), was adopted at the Conference of  
4 Plenipotentiaries on the Global Convention on Transboundary  
5 Movements of Hazardous Wastes, in Basel, Switzerland, on March  
6 22, 1989; and

7 WHEREAS, the Basel Convention was developed under the  
8 auspices of the United Nations Environment Programme, and  
9 represents the intention of the international community to solve  
10 the global environmental problem of controlling the movements and  
11 disposal of hazardous wastes; and

12 WHEREAS, 1994 estimates reveal that the generation of  
13 hazardous wastes globally amounts to almost 400 million tons per  
14 annum; and

15 WHEREAS, a large amount of hazardous waste crosses national  
16 frontiers, and a large volume of these movements is sent from  
17 industrialized countries to developing countries and to countries  
18 with economies in transition; and

19 WHEREAS, the Basel Convention represents a first step in  
20 defining the global means to reduce and strictly control the  
21 movements of hazardous wastes and to ensure that these wastes are  
22 disposed of in an environmentally sound manner; and

23 WHEREAS, the Basel Convention provides realistic measures to  
24 strengthen the protection of the global environment from the  
25 possible harmful effects of the transboundary movements of

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1 hazardous wastes and their disposal, and focuses on the  
2 protection of human health and the environment; and

3 WHEREAS, the Basel Convention includes the obligation to  
4 reduce the generation of hazardous wastes to a minimum and to  
5 ensure that the sovereign right of each state to ban the import  
6 of hazardous wastes into its territory is observed; and

7 WHEREAS, the Basel Convention prohibits the export and  
8 import of hazardous wastes from and to non-parties to the  
9 Convention unless such movement is subject to bilateral,  
10 multilateral or regional agreements or arrangements whose  
11 provisions are not less stringent than those of the Basel  
12 Convention; and

13 WHEREAS, the Basel Convention requests that hazardous wastes  
14 be disposed of as close as possible to their source of generation  
15 and that transboundary movement of hazardous wastes only be  
16 allowed if carried out in accordance with the strict control  
17 system provided by the Convention, including prior informed  
18 consent by the importing country as well as the transit country;  
19 and

20 WHEREAS, transboundary movements of hazardous wastes carried  
21 out in contravention of the provisions of the Basel Convention  
22 are to be considered illegal traffic and a criminal act; and

23 WHEREAS, the Basel Convention calls for international  
24 cooperation between parties in the environmentally sound  
25 management of hazardous wastes and the improvement of national

1 capabilities to manage hazardous waste in an environmentally  
2 sound manner; and

3 WHEREAS, the Basel Convention also calls for the development  
4 of a technical and legal infrastructure on a national level  
5 including national legislation and regulations implementing the  
6 Convention; and

7 WHEREAS, for states which lack the resources for full  
8 implementation of the Basel Convention, technical assistance may  
9 be provided by the Secretariat of the Convention; and

10 WHEREAS, prevention of the potentially devastating  
11 consequences of failure to effectively control the transboundary  
12 movements of hazardous wastes and safely provide for their  
13 disposal is of paramount importance to the Federated States of  
14 Micronesia, as a small island developing country whose economy is  
15 dependent upon protection of the environment; now, therefore,

16 BE IT RESOLVED by the Eighth Congress of the Federated  
17 States of Micronesia, Fourth Regular Session, 1994, that pursuant  
18 to article IX, section 2(b) of the Constitution of the Federated  
19 States of Micronesia, the Congress hereby ratifies the "Basel  
20 Convention on the Control of Transboundary Movements of Hazardous  
21 Wastes and Their Disposal." ; and

22 BE IT FURTHER RESOLVED that upon receipt of this resolution  
23 the President of the Federated States of Micronesia the Secretary  
24 of External Affairs shall lodge with the Secretary-General of the  
25 United Nations as depository, an instrument of ratification; and

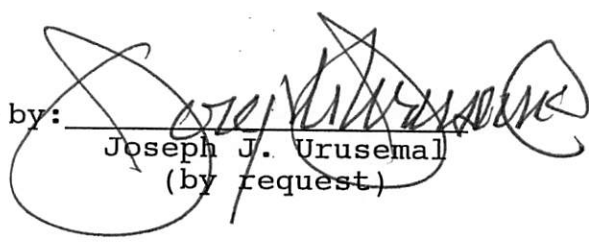
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1 BE IT FURTHER RESOLVED that a certified copy of this  
2 resolution be transmitted to the President of the Federated  
3 States of Micronesia.

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5 Date: 11/07/94

Introduced by:

  
Joseph J. Urusemal  
(by request)

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