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 Transboundary Movements of Hazardous Wastes and Their Disposal" ("Basel Convention"), was adopted at the Conference of Plenipotentiaries on the Global Convention on Transboundary Movements of Hazardous Wastes, in Basel, Switzerland, on March 22, 1989; and

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

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

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

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

6. WHEREAS, the Basel Convention provides realistic measures to strengthen the protection of the global environment from the possible harmful effects of the transboundary movements of
hazardous wastes and their disposal, and focuses on the
protection of human health and the environment; and

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

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

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

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

WHEREAS, the Basel Convention calls for international
cooperation between parties in the environmentally sound
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
BE IT FURTHER RESOLVED that a certified copy of this resolution be transmitted to the President of the Federated States of Micronesia.

Date: 11/07/94

Introduced by: Joseph J. Urusemal (by request)