

RESOLUTION A.676(16)

*Adopted on 19 October 1989
Agenda item 12*

TRANSBOUNDARY MOVEMENT OF HAZARDOUS WASTES

THE ASSEMBLY,

RECALLING Article 15(j) of the Convention on the International Maritime Organization concerning the functions of the Assembly in relation to regulations and guidelines concerning maritime safety and the prevention and control of marine pollution from ships,

AWARE of the risk of damage to human health and the environment involved in the marine transport and related handling of hazardous wastes,

AWARE ALSO of the effective international safety and environmental rules and standards developed by IMO which are generally accepted and recognized and are applicable to the marine transport of hazardous wastes and their related handling in ports,

MINDFUL that recent increased global concern about the need to control stringently the transboundary movements of hazardous wastes and ensure their safe and environmentally sound disposal gave rise to the adoption, in March 1989, of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal ("Basel Convention"),

NOTING that the Basel Convention, *inter alia*, requires that hazardous wastes subject to the Convention must be packaged, labelled and transported in conformity with generally accepted and recognized rules and standards in the fields of packaging, labelling and transport, and that due account must be taken of relevant internationally recognized practices,

NOTING ALSO that the Preamble to the Basel Convention states, *inter alia*, that hazardous wastes should be transported in accordance with relevant international conventions and recommendations, and that the Convention requires, in the case of accident during transboundary movement of hazardous wastes which is likely to present risks to human health and the environment of other States, that these States are immediately informed,

NOTING FURTHER resolution 7 "Co-operation between the International Maritime Organization and the United Nations Environment Programme in the Review of Existing Rules, Regulations and Practices with respect to Transport of Hazardous Wastes at Sea", adopted by the Basel Conference on 22 March 1989,

AFFIRMING the unique responsibility and competence of the Organization in the field of safe and environmentally sound marine transport and, in particular, the applicability of its relevant rules, standards and recommendations to the transboundary movement of hazardous wastes involving marine transport and related handling,

BEARING IN MIND the necessity and importance of world-wide adherence to implementation and enforcement of relevant IMO conventions,

RECOGNIZING that there is a need to review the existing rules, regulations, and practices with respect to the marine transport of hazardous wastes in the light of the Basel Convention and current experience of the effectiveness of these rules, regulations and practices,

1. REQUESTS the Maritime Safety Committee and the Marine Environment Protection Committee to review jointly the relevant rules, regulations and practices with respect to the marine transport of hazardous wastes in the light of the Basel Convention with a view to recommending any additional measures needed, including information, documentation and other precautionary measures, in order to assist coastal States, flag States, and port States in fulfilling their responsibilities with respect to the protection and preservation of the marine environment, and to report on the results of the review, and on the action taken, to the Assembly at its seventeenth regular session;
2. REQUESTS ALSO the Legal Committee and the Facilitation Committee to review the implication of the Basel Convention for their work and to take the necessary action, as appropriate;
3. URGES Governments to accept – so far as this has not yet been done – Annex III of MARPOL 73/78 to facilitate the early entry into force of that Annex and the amendments thereto;
4. RECOMMENDS that, pending the completion of the aforementioned action by the relevant bodies of the Organization, the Member States take all necessary measures so as to ensure that the marine transport of hazardous wastes and their related handling in ports do not endanger the ship, its complement, port personnel, and the marine environment;
5. REQUESTS FINALLY the Secretary-General to communicate this resolution and the results of the review and any action taken by the Organization with respect to the marine transport of hazardous wastes to the first meeting of the Contracting Parties to the Basel Convention through the Executive Director of UNEP.