Bangladesh Country Position on Basel Convention

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1. Introduction

Worldwide concern about the transboundary movement and disposal of hazardous wastes was heightened in the late 1970s and early 1980s. The major concern was wastes being exported from industrialized nations for cheap disposal in inadequately prepared sites in developing countries.

This concern led to a new urgency in developing and implementing international controls. It culminated in the landmark global convention under the United Nations to control the transboundary movement of hazardous wastes and their disposal, commonly called the Basel Convention.

The Basel Convention is the broadest and most significant international treaty on hazardous and other wastes. It regulates the international trade in hazardous waste and aims to minimize their generation and transboundary movement.

The Basel Convention was opened for signature on March 22, 1989, and entered into force on May 5, 1992. As of June 2006, 168 Parties have ratified the Basel Convention.

2. Basic of Basel Convention

In the late 1980s, a tightening of environmental regulations in industrialized countries led to a dramatic rise in the cost of hazardous waste disposal. Searching for cheaper ways to get rid of the wastes, “toxic traders” began shipping hazardous waste to developing countries and to Eastern Europe. When this activity was revealed, international outrage led to the drafting and adoption of the Basel Convention.

During its first Decade (1989-1999), the Convention was principally devoted to setting up a framework for controlling the “transboundary” movements of hazardous wastes, that is, the movement of hazardous wastes across international frontiers. It also developed the criteria for “environmentally sound management”.

The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal is the most comprehensive global environmental agreement on hazardous and other wastes. The aim of convention is to protect human health and the environment against the adverse effects resulting from the generation, management, transboundary movements and disposal of hazardous and other wastes.

3. Country Profile of Bangladesh

Bangladesh is located in South Asia on the eastern flank of India. Its southern boundary is the Bay of Bengal. It shares more than 4000 km of border with India, which is naturally its largest trade partner. In the extreme southeast Bangladesh's neighbour is Myanmar. Bangladesh is a small country with a total area of 144000 sq km. Although only 10000 sq km of this area is water, during the rainy season more than half of the country remains under water, and cultivation is obviously restricted to high ground[1]. The major portion the water comes from rainfall and melting snow in the eastern Himalayas. These waters flow into the Bay of Bengal through Bangladesh and flooding is a regular occurrence.

The total permanent arable land is approximately 8.5 million hectares, which is about 60% of the land area. Out of this about 40000 sq km is irrigated[2]. The principal crop is rice, which is grown in roughly 10 million hectares land – some land being double and triple cropped. Other agricultural products include potatoes, jute and tea. Bangladesh has a large animal population[3] with 24 million cattle and 34 million goats – nearly all reared at the household level. Poultry production has changed dramatically in the last decade due to the advent of commercial poultry farms where less than 50% of the 150 million chickens are free range.

Despite the low growth of per capita income Bangladesh has been one of the most successful countries in reducing the population growth rate. The population growth rate of 3.9% in the early seventies has fallen to under 2%[4]. The growth rate is projected to fall further to 1.7% by 2015[5]. The present population is estimated to be 144 million. The urban population has grown at a much higher rate similar to in other rapidly developing countries. It has grown from 9.9% in 1975 to 24.3% in 2003, and is projected to be 30% by 2015[6]. According to a 2003 estimate, 43% of the population over the age of 15 are literate, i.e., are able to read and write. By this definition only 32% of the female population and 54% of male population are literate. Extreme poverty has been reduced in Bangladesh from 28 percent in 1990 to 19 percent in 2002[7], and widespread starvation has practically disappeared. However, instances of near starvation do prevail in certain parts of the country especially at times when agricultural work is not available.

Against all odds the GDP growth has been a steady 5% for nearly two decades. The estimated 2004 GDP is 278 billion dollars (PPP) and GDP per capita (PPP) is $1980[8]. The Ready-made Garments industry is the largest foreign currency earner in the manufacturing and industrial sectors. However, the largest foreign exchange earning are the remittances of millions of workers abroad. Apart from readymade garments Bangladesh exports jute and jute goods, leather and leather goods, tea, frozen fish and seafood. Up to now the impacts of globalization have been painless. The predicted devastating effect on the garments export industry hasn't materialized. The import list is enormous: machinery and equipment, chemicals, polymer resins, iron and steel, aluminum, textiles, several different foodstuff, petroleum products, coal and cement are

the main items. Bangladesh also imported 3.7 million tons of crude oil and petroleum products in 2004.

The trade gap is widening every year, and external debt stands at 21.3 billion US dollars[9]. The government has taken several steps to increase industrialization and increase export. One key measure was decreasing the interest rate. The other important measure was the simplification of the procedures for setting up of an industry. As a result, the industry has grown on an average of 7% in last three years. Power supply disruption has been the biggest hindrance for further development. The Government is also trying to attract foreign direct investment in nearly all sectors. As a part of structural reform, the government is privatizing state concerns that are a financial drain. Although the private industrial and commercial sectors are growing rapidly, and in terms of employments are much bigger than the public industrial and commercial sectors, the public sector still plays the biggest role in the industry GDP because nearly the entire energy sector and the giant fertilizer industry are government owned.

The major environmental threats in the capital city, home to more than 10 million people, are air pollution and management of municipal solid waste. Banning of two strokes, three wheelers, introduction of lead free gasoline and the promotion of CNG vehicles have significantly improved the ambient air quality in the last four years. The banning of plastic bags has had a big impact on the cleanliness of the city roads and water drainage. The management of municipal solid waste is expected to improve further with the implementation of two CDM projects – a landfill project and a composting project.

The CIA World Fact Book[10] provides a good summary of the principal environmental pressures – “Many people are landless and forced to live on and cultivate flood-prone land. Water-borne diseases are prevalent in surface water. Water pollution, especially of fishing areas, results from the use of commercial pesticides, ground water contaminated by naturally occurring arsenic are major concern. Intermittent water shortages because of falling water tables in the northern and central parts of the country creates water crisis during winter dry season”. A website[11] dealing with the UN Millennium Development Goals (MDGs) in Bangladesh notes that “Bangladesh faces serious challenges in the area of water and sanitation, particularly due to arsenic contamination of underground water. This has reduced the coverage of access to safe water to approximately 70 per cent. The use of sanitary means of excreta disposal has increased from 21 per cent in 1990 to 43.4 percent in 2000, but lags behind the planned goal of 80 per cent. Soil degradation and erosion, deforestation and severe overpopulation are the other principal environmental challenges of the country”. Through social forestry programs, forest cover has been increased from 9 to 10.2 per cent during the decade 1990 to 2000 thus enhancing environmental sustainability[12].

The Millennium Development Goals: Bangladesh Progress Report[11], jointly prepared by the UN and the Government of Bangladesh and published in February 2005, notes how Bangladesh is consistently keeping on track in meeting the UN Millennium Development Goals. For Bangladesh, the goals to be achieved by 2015 include lowering of poverty rate to 29.4 percent (presently 44%), a 100 percent universal primary education (83% in

2003), reduction of child mortality to 50 per thousand live births (presently 63), improvement of maternal health or less fatalities in hundred thousand natal conditions to 143 (now 320), and increasing environmental sustainability by 20 percent.

Micro-credit is undoubtedly the biggest success story of Bangladesh's poverty reduction. For over a decade, its impact on the rural economy was substantial. It was expected that borrowers would be able to progressively borrow larger and larger sums and drive the rural economy by moving into small enterprises, but this expectation has not materialized. Different models are being experimented to promote small and medium enterprises.

The empowerment of women in Bangladesh is also intrinsically connected to the success of micro-credit schemes. Since over 90% of the borrowers are women, the spin-off benefits of gender equality flows automatically from the large micro-credit activities of NGOs. The Government has taken a noteworthy step to make education for female students free up to the 12th year, and is contemplating extending the scheme to the university graduation level. Women's participation in local government has also been assured through reserved seats. Women's access to birth control measures and maternal and child healthcare have also been improved significantly throughout the country.

Table-1 lists some important relevant development indicators for Bangladesh. As can be seen Bangladesh's rank in the three indexes are very poor.

Table -1: Relevant Development Indicators for Bangladesh

Indicator	**Value**
Human Development Index (and ranking)[12]	0.53; ranks 137 out of 177 (2006)
Human Poverty Index (and ranking)[13]	44.2%; ranks 85th among 103 developing countries (2006)
Environmental Sustainability Index[14]	44.1; ranks 114 among 146 countries (2005)
Energy Sector GHG Emissions[15]	40.4 million ton (CO_2)(2004)
GDP and GDP per capita[16]	$278 billion, $1980 (both PPP, 2004 estimate)

4. **Global Implementation of Basel Convention**

During The Present Decade (2000-2010), the Convention will build on this framework by emphasizing full implementation and enforcement of treaty commitments. The other area of focus will be the minimization of hazardous waste generation. Recognizing that the long-term solution to the stockpiling of hazardous wastes is a reduction in the generation of those wastes - both in terms of quantity and hazardousness - Ministers meeting in December of 1999 set out guidelines for the Convention's activities during the Next Decade, including:

- active promotion and use of cleaner technologies and production methods;
- further reduction of the movement of hazardous and other wastes;
- the prevention and monitoring of illegal traffic;
- improvement of institutional and technical capabilities -through technology when appropriate - especially for developing countries and countries with economies in transition;
- further development of regional and subregional centres for training and technology transfer.

4.1 The Goal of Minimizing Hazardous Wastes

A central goal of the Basel Convention is "environmentally sound management" (ESM), the aim of which is to protect human health and the environment by minimizing hazardous waste production whenever possible. ESM means addressing the issue through an "integrated life-cycle approach", which involves strong controls from the generation of a hazardous waste to its storage, transport, treatment, reuse, recycling, recovery and final disposal.

Many companies have already demonstrated that "cleaner production" methods which eliminate or reduce hazardous outputs can be both economically and environmentally efficient. The United Nations Environment Programme's (UNEP) Division on Technology, Industry and Economics works to identify and disseminate "best practices" (http://www.unepie.org/)

In the coming decade, more emphasis will be placed on creating partnerships with industry and research institutions to create innovative approaches to ESM. One of the most critical aspects of ESM is lowering demand for products and services that result in hazardous by-products. Consumers need to educate themselves as to the methods used in production processes and think about what they buy every day.

4.2 An Overview of Compliance and Enforcement

The Basel Convention contains specific provisions for the monitoring of implementation and compliance. A number of articles in the Convention oblige Parties (national governments which have acceded to the Convention) to take appropriate measures to implement and enforce its provisions, including measures to prevent and punish conduct in contravention of the Convention.

4.3 The System that Controls the Movement of Hazardous Waste

Because hazardous wastes pose such a potential threat to human health and the environment, one of the guiding principles of the Basel Convention is that, in order to minimize the threat, hazardous wastes should be dealt with as close to where they are produced as possible. Therefore, under the Convention, transboundary movements of hazardous wastes or other wastes can take place only upon prior written notification by the State of export to the competent authorities of the States of import and transit (if appropriate). Each shipment of hazardous waste or other waste must be accompanied by a movement document from the point at which a transboundary movement begins to the point of disposal. Hazardous waste shipments made without such documents are illegal. In addition, there are outright bans on the export of these wastes to certain countries. Transboundary movements can take place, however, if the state of export does not have the capability of managing or disposing of the hazardous waste in an environmentally sound manner.

4.4 National Reporting of Hazardous Wastes

Each country that is a Party to the Convention is required to report information on the generation and movement of hazardous wastes. Every year, a questionnaire is sent out to member countries, requesting information on the generation, export and import of hazardous wastes covered by the Convention. This information is reviewed and compiled by the Secretariat and is presented in an annual report, which includes statistical tables and graphic representations of the data.

4.5 Technical Assistance Offered by the Convention

In order to assist countries (as well as interested organizations, private companies, industry associations and other stakeholders) to manage or dispose of their wastes in an environmentally sound way, the Secretariat cooperates with national authorities in developing national legislation, setting up inventories of hazardous wastes, strengthening national institutions, assessing the hazardous waste management situation, and preparing hazardous waste management plans and policy tools. It also provides legal and technical advice to countries in order to solve specific problems related to the control and management of hazardous wastes. In the case of an emergency, such as a hazardous waste spill, the Secretariat cooperates with Parties and relevant international organizations to provide rapid assistance in the form of expertise and equipment.

4.6 Training in the Management and Minimization of Hazardous Wastes

An integral part of implementing the Basel Convention is building the capability to manage and dispose of hazardous waste. Through training and technology transfer, developing countries and countries with economies in transition gain the skills and tools necessary to properly manage their hazardous wastes. To this end, the Basel Convention has established Regional Centres for Training and Technology Transfer in the following countries: Argentina, China, Egypt, El Salvador, India, Indonesia, Nigeria, Senegal, Slovak Republic, South Africa, Russian Federation, Trinidad & Tobago and Uruguay.

The role of the centres is to help countries implement the Basel Convention. Important activities include providing guidance on technical and technological issues as well as advice on enforcement aspects of the Convention. The Centres also encourage the introduction of cleaner production technologies and the use of environmentally sound waste management practices.

4.7 Milestones in the Convention's History

2004 Ministerial Statement on Partnerships for Meeting the Global Waste Challenge - Adopted at COP7 in 2004, the Statement recognises the environmentally sound management of hazardous wastes as part of the wider issues of water protection, improved sanitation, solid waste management and economic and social development. It calls for the reduction of the impacts of hazardous wastes on human health and the environment and promotes a fundamental shift in emphasis from remedial measures to preventive measures such as reduction at source, reuse, recycling and recovery. It recognises the importance of mobilising new and additional financial resources to build partnerships to meet the global waste challenge worldwide.

4.8 2002 Strategic Plan for the Implementation of the Basel Convention - At its sixth meeting in 2002, the Conference of the Parties agreed that the "Strategic Plan for the Implementation of the Basel Convention" constitutes the major instrument to give effect to the environmentally sound management of hazardous and other wastes until 2010.
The following fields were recognized as the focus for the decade (2000-2010):

- Prevention, minimization, recycling, recovery and disposal of hazardous and other wastes, taking into account social, technological and economic concerns;
- active promotion and use of cleaner technologies and production methods;
- further reduction of movement of hazardous and other wastes;
- the prevention and monitoring of illegal traffic;
- improvement of institutional and technical capabilities -through technology when appropriate - especially for developing countries and countries with economies in transition;
- further development of regional centres for training and technology transfer;
- enhancement of information exchange, education and awareness-raising in all sectors of society;
- cooperation and partnership with the public authorities, international organizations, the industry sector, non-governmental organizations and academic institutions;
- development of mechanisms for compliance with and for the monitoring and effective implementation of the Convention and its amendments.

2002 Compliance Mechanism - The Compliance Mechanism, adopted at COP6 in December 2002, promotes the identification, as early as possible, of implementation and compliance difficulties encountered by Parties. Such difficulties may relate to, for example, dealing with illegal traffic, or meeting reporting obligations.The mechanism is non-confrontational and preventive in nature, and seeks to assist Parties to implement appropriate and effective solutions to difficulties. A Compliance Committee consisting of 15 members drawn in equal numbers from the five regional groups of the UN was established to administer the mechanism. Submissions can be made to the Committee by a Party about its own compliance or implementation difficulties, or about another Partiy's difficulties, or by the Secretariat when it becomes aware, through national reporting, that a Party may be experiencing difficulties.

1999 Protocol on Liability and Compensation - The Protocol on Liability and Compensation, adopted in December 1999, established rules on liability and compensation for damages caused by accidental spills of hazardous waste during export, import or during disposal.

1999 Ministerial Declaration - The Basel Declaration, also adopted at COP-5 meeting, set out the agenda for the next decade, with a special emphasis on minimizing hazardous waste.

1998 Classification and Characterizations of Wastes - The Technical Working Group of the Basel Convention agreed on lists of specific wastes characterized as hazardous or nonhazardous. These lists were later adopted by the Parties to the Convention, thereby clarifying the scope of the Convention.

1995 Ban Amendment - The Amendment calls for prohibiting exports of hazardous wastes (for any purpose) from countries listed in a proposed new annex to the Convention (Annex VII - Parties that are members of the EU, OECD, Liechtenstein) to all other Parties to the Convention. In order to enter into force, the Ban amendment has to be ratified by three fourths of the Parties who accepted it.

1992 Basel Convention enters into force.

1989 Adoption - After a public outcry against the indiscriminate dumping of hazardous wastes in developing countries by developed-world industries, a diplomatic conference held in Basel, Switzerland, adopted the Convention.

5. Bangladesh Position under Basel Convention

The People's Republic of Bangladesh is a signatory; and also has accessed to the Basel convention in April 01, 1993. The positions of Bangladesh in Hazardous wastes under Basel Convention are follows:

- In the Bangladesh Environment Conservation Act, 1997, hazardous waste has been defined.
- Bangladesh has banned import of all sorts of waste in the Import Policy Order.
- In 1996, Bangladesh has prepared the 'Regulatory Framework on Import of Hazardous and Toxic materials' through a project funded by ADB.
- Bangladesh organized training programmes on 'Toxic Chemicals and Hazardous Waste' and 'Risk Assessment and Management'.
- A draft position paper on use of toxic chemicals and disposal of toxic and hazardous wastes in Bangladesh has also been prepared, which is under process of finalization by national expert team.
- Bangladesh has drafted a National Chemical Profile.
- The Ministry of Environment and Forest has published a manual and other material for the management of Medical Waste.
- The Ministry of Environment and Forest (MoEF) has also developed draft Medical Waste Management Handling Rules, which is going to be approved.
- Apart from this the Ministry developed a model titled "Medical Waste Management through Public Private Partnership Model", under which MoEF provided a training to the Medical Waste Management and Segregation to the medical professionals (Doctor, Nurse, Cleaner, Ward boy) of the public, private and clinics in both Dhaka and Rajshahi City.

The positions of Bangladesh under Basel Convention are given follows:-

5.1 Strategic Plan for the Implementation of the Basel Convention to 2010; Basel Convention Document

- Bangladesh is in favour of the adoption OEWG-V/1 Decisions.
- Bangladesh may include in the Basel Convention Partnership Programmes.
- Bangladesh has wide experience of collaborative partnership among different environmental agencies to address environmental problems. We can forge even broader partnership among Asian countries to address our common problems and also share our experience in the field of e-waste inventory, management and its transboundary movement.

5.2 Strategic Plan for the Implementation of the Basel Convention to 2010: report on project activities

Bangladesh may request the secretariat for taking up the following projects to be implemented in Bangladesh:

- Training in the Environmentally Sound Management of Bio-medical Wastes in Bangladesh.
- Pilot Project on the Inventory of Hazardous Waste Generation in Selected South Asian Countries (Piloting may start in Bangladesh and later shared with other Asian countries).
- Hazardous Waste Management in Industry within the Context of the Integrated Life Cycle Approach.
- International Training on Implementation of Waste Minimization: Cleaner Production Project.

5.3 Basel Convention Partnership Programme

- Developed countries sometimes in the name of technical support provides used computers to educational institutions in the developing countries, this is a way of getting rid of wastes. Bangladesh may strongly opposes this kind of e-waste transfer from developed to developing countries. Rather Bangladesh would request to make available the cheaper version of computers specifically, developed for the poor students in developing countries.
- Developing countries lack capacity to address the management of e-wastes. Support could be sought for capacity building for e-waste inventory and management of wastes.
- Developing countries lacks statistics of its E-wastes; in this respect the Basel Convention has started its work ranging from E-wastes inventory to Environmentally Sound Management of E-wastes. Many countries have already started their work in this field; Bangladesh would also be interested to start work in E-wastes Inventory and subsequently its sound management. The number of mobile phone use is increasing very fast in Bangladesh. At present around 20 million mobile phones are in use in Bangladesh. One phone company alone has sold more than 10 million mobile phones. It's the right time to start work on these e-wastes to keep hazard at the bare minimum.

5.4 Cooperation and synergies

- Bangladesh considers that it would be the mere wastes of time and resources if we continue to work separately on the three conventions. Bangladesh considers that if we can merge the activities of the three conventions, its implementation will be easier and less time consuming. One meeting, instead of three, probably, can perform the same tasks at one sitting. Additionally the resources that would be saved by merging the three could be utilized for the implementation of pressing issues of the convention.

- In this respect one example could be cited, for the elimination/reduction of POPs, Bangladesh prepared a national draft legislation report on POPs, under the Stockholm Convention. But, though Bangladesh accessed the Basel Convention on April 1, 1993, due to shortage of fund a national legislation is yet to be prepared to fulfill the obligations under the Convention. It seems with additional funding under the Stockholm convention or with the same amount of money both the activities could be implemented.
- All the three Conventions deals with Chemicals, the activities of Stockholm convention may be address under the Basel convention as Stockholm convention has comparatively smaller scope of work. Regarding the Prior Informed Consent (PIC) under the Rotterdam Convention Bangladesh suggest merging the two as Basel Convention has some obligation of PIC before shipment of hazardous wastes.

5.5 Technical matters

- Bangladesh has about 500 metric tons of DDT in stockpile. For environmentally sound management (destruction) of this stockpile, at present, we need handling, repackaging, labeling, transportation and safe storage of this hazardous chemical.

- Bangladesh also identified about 4 hundred thousand of electrical transformers that may contain PCBs which need to be determined, and steps may also be taken to phase-out PCBs and PCBs contaminated equipments.

5.6 Ship dismantling

- Bangladesh supports the early finalization of the Ship Recycling guidelines on an agreed basis by the three organizations. Bangladesh considers that the Basel Convention Secretariat along with ILO could develop an appropriate inspection system for the ships before they are dispatched to developing countries like Bangladesh. This would cause lesser accidents and ensure occupational safety of the workers of the ship breaking yards.
- Bangladesh is trying to improve the environmental management at the ship breaking yards. We have developed simplified training manual for the workers and the yard owners. Have set up training cell at each yard and developed some trainers among the workers. We are going to provide with safety gadgets to the workers in the near future.
- Bangladesh is now working to develop the National draft guidelines on ship breaking.
- The ship recycling activities are mainly manual; to improve the dismantling activities we need to make some activities automatic.

5.7 Resource mobilization and sustainable financing

- Bangladesh may urge developed country parties to provide support to Bangladesh to develop a National Chemical profile and other projects in e-wastes inventory and sound management of bio-medical wastes.

5.8 Compliance Committee for Implimention Strategic Plan on Basel Convention

- Compliance Committee did not perform nationally and internationally the designed activities smoothly due to the shortage of fund. Allocation of sufficient funds in regional basis will be needed for effective implementation of the obligations of the Convention.
- Bangladesh considers additional resources and initiative needs to be channeled to the developing countries to develop their capacity and develop the infrastructure before going for effective compliance.
- Like many developing countries Bangladesh lacks the capacity in the field of sound management of wastes. We need to categorize, or develop a national chemical profile and subsequent guidelines for sound management of wastes.

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