



**SCREENING CHAPTER 27
ENVIRONMENT**

**AGENDA ITEM: SHIPMENTS OF WASTE
AND
BASEL CONVENTION
Council Regulation (EEC) No 259/93**

**Country Session: The Republic of TURKEY
29 May - 02 June 2006**



CONTENT

- Legislative Framework
- Competent Authority
- Basel Convention
- By-law on Hazardous Waste Control
- Communiqué of Standardization for Foreign Trade
- Twinning Project



LEGISLATIVE FRAMEWORK

3 legal tools related to shipments of waste

- Basel Convention
- By-law on Hazardous Waste Control
- Communique of Standardisation for Foreign Trade



COMPETENT AUTHORITY

- **MoEF**
- Ministry of Transportation
- Undersecretariat of Customs
- Undersecretariat of Foreign Trade
- Undersecretariat of Marine Affairs



BASEL CONVENTION

Turkey has been a party to Basel Convention since 1994.

A Control System based on prior written notification was also put into place.



BASEL CONVENTION (CONT'D)

Under the Convention, transboundary movements of hazardous waste or other waste can take place only upon prior written notification by the State of export to the competent authorities of the States of import and transit.

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.



BY-LAW ON HAZARDOUS WASTE CONTROL

By-law on Hazardous Waste Control (HWC) entered into force in 2005.



BY-LAW ON HWC (CONT'D)

Chapter 8 of the By-law is related to transboundary movement of waste (Articles 41,42,43,44,45,46 and 47). This chapter is in compliance with provisions of Basel Convention.

The chapter contains provisions concerning import and export of waste, obligation of notification, procedures and principles of international transportation and illegal traffic.



BY-LAW ON HWC (CONT'D)

Obligation of waste producer

The waste producers have to use the Waste Movement/Transportation Form within the national territory in case of transport of waste (Article 9 (h))

They also have to obey current International standards in shipment of waste. [article 9 (i) of HWC]



BY-LAW ON HWC (CONT'D)

Obligations of transporter

Natural and legal persons willing to transport waste shall apply to the concerned provincial directorate with the documents specified in (ANNEX XVIII) to have a license for waste transportation.



BY-LAW ON HWC (CONT'D)

Article 41 of HWC;

Entrance of the hazardous waste to Republic of Turkey Custom Zone including free zones is forbidden. But permissions for importation of waste having economical importance related to the sector are given in accordance with related communiqués.



BY-LAW ON HWC (CONT'D)

Article 42 of HWC

Contains provisions related to export of waste from Turkey

Article 43 of HWC

Contains provisions related to how to use the Notification Form



BY-LAW ON HWC (CONT'D)

Article 44 of HWC

If Turkey is the country of transit;

Transportation can not be carried out without consent of MoEF. Without written consent, waste can not be limboed or transferred within the national territory.



BY-LAW ON HWC (CONT'D)

Article 45

Regulates procedures and principles for international transportation of waste

Article 46

Set rules regarding General Notification for one year



BY-LAW ON HWC (CONT'D)

Article 47

Defines illegal traffic and the obligation of taking waste back



COMMUNIQUE´ OF STANDARDIZATION FOR FOREIGN TRADE

For the importation of certain waste and scrap metal (some waste green-listed in 259/93), the importer shall receive a Control Certificate issued by the MoEF. This Communiqué also includes the list of waste, whose imports are prohibited according to the Basel Convention.



TWINNING PROJECT

The project funded by EU 2003 Financial Cooperation Programme

Support to Turkey in The Fields of Air Quality, Chemicals and Waste Management Project (TR 03-EN-01)

- Third Component: Waste Management

Shipment of Waste Regulation (93/259/EC) is being studied within the project.



Thank you for your attention