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**First Draft on
*The General Framework for the Regional Strategy for Combating
Illegal Trade and Dump of Hazardous Chemicals and Wastes in
the Arab Region***

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Executive Summary

Basel Convention Regional Center for Training and Technology Transfer for the Arab States with support of both the United Nations Environment Program (UNEP), the West Asia Office, and the Mediterranean Action Plan, adopts the project for developing a regional strategy and action plan that aim at building institutional and executive capacities in the Arab countries in order to prevent illegal traffic and dump of hazardous waste in their lands. This strategy includes a general review of legislative frameworks and both regional and international treaties governing the movement of hazardous waste across international borders, it also deals with an assessment for the current situation of the Arab ports in terms of its technical and administrative capacities, and the connectivity of these outlets and ports to each other, and the use of national, regional, and international available tools in dealing with and seizing international suspicious shipments, as well as the efficiency of these procedures to detect and prevent the entry of these shipments. It also refers to the available opportunities through international treaties and relevant initiatives, particularly with regard to capacity building programs and related databases.

This strategy is being developed and put in its final shape throughout a project which is implemented in two phases; the first phase began in November 2007 and ended in October 2008. It included a general assessment of the current situation and collecting data of the Arab countries regarding the prevention of illegal traffic and dump of hazardous wastes, as well as holding a preliminary regional workshop and consultative meeting for the Arab countries to form the general framework of the strategy, besides, some technical consultations and information gathering have been used.

Currently, BCRC is conducting an analytical study of the data and information that were mentioned in the questionnaires prepared by the center's experts and filled by officials from Arab countries. These information will be integrated with the information which was presented at the preliminary workshop and the consultative meeting organized by BCRC Egypt from 8 to December 10, 2007 to form the general framework of the strategy.

It was clear, from the work during the first phase of the project, the lack of communication and coordination between concerned national institutions, whether between each other on the national level or between them and Arab institutions on the regional level, and that there is an urgent need in the ports and outlets sector in all Arab countries to a regional network as a mechanism for coordination and cooperation as well as training programs related to hazardous waste and recognizing methods of its smuggling and how to detect them, and also to increase the efficiency of networking these ports and outlets with the environment institutions and with national and regional technical relevant databases which are available at all national, regional and international levels.

This current document explains the details of what was achieved in order to form this general framework of the strategy, and also gives a general perception for the strategy, and proposes a timetable for the activities of the second phase and the mechanisms of linking it to regional activities, and discussing ways for Arab integration in order to prepare unified standard lists and procedures to prevent the smuggling of hazardous substances and wastes to their lands.

The second phase begins in October 2008 and continues until October 2009, and it includes local and regional activities to discuss ways for Arab integration in this regard.

1. Introduction:

International interest in the case of "illegal traffic in hazardous substances and wastes," has begun in the eighties of the twentieth century when the international community has realized that this illegal traffic is a serious threat to the environment and life on Earth and that it reflects the exploitation of the poor souls of some developed countries for the vulnerable corrupted regulations and the absence of awareness and knowledge of the developing countries and countries with economies in transition, for which hazardous wastes are exported. The international Basel Convention was ratified in 1989 to assist the parties, especially those developing countries, in building their capacities, including the development of adequate infrastructure, with the aim of tracking, preventing and punishing cases of illegal trafficking in hazardous waste, in addition to ensuring the participation of national authorities and focal points of the Convention in preventing and monitoring illegal traffic in hazardous and other wastes.

In order to protect our Arab region from the danger of hazardous chemicals and wastes that may enter its lands illegally, and for the effective implementation of the Basel Convention, Izmir Protocol, Bamako Convention, Stockholm and Rotterdam Conventions, Montreal Protocol, Cites Convention (Convention on International Trade in Endangered Species of Wild Fauna and Flora), and others, it was very important to assess the current situation of Arab ports and outlets. It is also important to build Arab capabilities and to create a regional Arab strategy to combat the illegal traffic of such wastes within the Arab region, and to increase the efficiency of enforcement of Arab legislations that prevent and prohibit trade and import of hazardous chemicals and wastes in the region.

Thus, BCRC has presented a proposal to develop this strategy to various international and regional organizations that agreed upon the idea of the project and supported it both financially and morally. This proposal comes in the framework of promoting cooperation among countries that are served by BCRC and regional organizations (League of Arab States, The Mediterranean Action Plan - United Nations Environmental Program, West Asia Office - UNEP) and Secretary of Basel Convention, and other international and regional organizations that work on developing this regional strategy and action plan to combat illegal trade and disposal of hazardous wastes in the Arab region.

Throughout this project, the current national and regional methods followed to combat the illegal traffic of hazardous and chemical wastes and materials and other prohibited (banned) goods, if any, will be evaluated, then suggesting - on the basis of this evaluation - other ways to improve the methods of cooperation and coordination between Arab countries in this regard and the mechanisms of this cooperation to raise the efficiency of control and prevent incidents of smuggling and illegal disposal of such wastes in the Arab region.

The intended strategy and action plan also aim at supporting measures and procedures that strengthen national and regional capacities to commit to the Basel Convention and other relevant international conventions, and to confront and prevent illegal traffic in hazardous substances and wastes in all its forms. This support includes offering assessment, technical assistance, training, technology transfer, coordination, communication, networking, exchange of experiences, as well as finding a mechanism to encourage both private sector and civil society organizations to play its role in this field and to support the government institutions and regional actors through this strategy.

If we want to develop this strategy and activate its tools and mechanisms, we have to review and explore the general concepts that define the illegal smuggling of hazardous wastes and its

position in the Arab legislations and this is what will be explained in the following paragraphs.

2. The Definition of Illegal Trade:

In Basel Convention, article 9 dealt with organizing the issue of the illegal traffic, as the first paragraph defined it as "any cross-border movement of hazardous wastes (see Annexes III, IV, V) or other wastes:

A- Without notification to all concerned states in accordance with the provisions of the Convention; or

B- Without the consent of the concerned states in accordance with the provisions of the Convention; or

C- With the consent of the concerned states obtained through fraud or corruption; or

D- Does not match physically with the documents (see Annexes VI, VII); or

E- Results in deliberate disposal (e.g. dumping) of hazardous wastes or other wastes in contradiction with the Convention and the general principles of international law."

Also, the second paragraph of the same article identified what should be done, if the cross-border movement considered illegal traffic due to the behavior of the exporter or the producer. The authorities of the state of export shall ensure that the exporter or the producer, or the authorities themselves, if necessary, return the waste to the its lands or, if this is not practicable; to be disposed in accordance with the provisions of the Basel Convention (see Annex IV), within thirty days of notifying the states of export of this illegal traffic or during any other period of time that may be agreed by the relevant States. And in order to achieve this end, the relevant parties should not oppose or impede or prevent the return of those wastes to the states of export.

The third paragraph of Article 9 has identified what should be done, if the cross-border transport of hazardous wastes considered illegal as a result of the conduct of the importer or the disposer. In that case, the state of import has to ensure the disposal of the mentioned wastes in an environmentally sound manner, either by the importer or disposer or by itself if necessary. This should be done within 30 days from the time the state knew about the illegal traffic, or during any other period of time agreed by the concerned states. To achieve this end, states should cooperate, as necessary, to dispose of hazardous wastes in an environmentally sound manner.

On the other hand, the governing council of the United Nations Environment Program (UNEP) at its twenty-fourth session, which was held in February 2007, has discussed the issue of international illegal traffic of chemicals and hazardous wastes. The result of that discussion was adopting the decision 24/4 on the prevention of international illegal traffic. By this decision the governing asked the Executive Director of UNEP to strengthen the implementation of paragraph 18 of the comprehensive political strategy on the Strategic Approach to International Chemicals Management (SAICM). The mentioned paragraph states that the objectives of the Strategic Approach with regard to international illegal traffic are as follows:

A) To prevent international illegal traffic in toxic, hazardous, banned and severely restricted chemicals, including the products that contain these chemicals, mixtures and compounds and residues.

B) To strengthen the mechanisms and national and regional implementation in support of existing multilateral agreements that include provisions related to the prevention of illegal traffic.

C) To promote the sharing of information and enhance the capacities of developing countries and countries with economies in transition at the national and regional levels to prevent and combat the international illegal traffic of chemicals.

The Executive Director was also asked to report on progress in the implementation of this decision to the governing council and the Ministerial Environment Forum at its tenth special session. In this regard, the UNEP forum on international illegal traffic in hazardous chemicals concluded that illegal traffic includes a number of elements including: the specific substance, the generation of this substance or its manufacturing, transfer and cross-border transport, use and disposal. It was recognized that if one or more of these elements considered illegal, so the traffic at all becomes "illegal". It was also stressed on the need for a number of measures on each of the following elements: legislations and its enforcement, information exchange and training national authorities, raising awareness and so on. Annex VIII shows list of the mostly traded and smuggled hazardous wastes and other wastes.

3. Illegal Trade in the Arab legislations:

With reviewing the Arab legislations, we find that most of them absolutely prohibit the import of hazardous wastes and legalize the entry of hazardous chemicals and linking that with some requirements and procedures that are consistent with international standards, for example, and for the import of hazardous waste, Lebanon was one of the first Arab countries in this terms, where article VI of the Act No. 64 of 1988 on the preservation of the environment against pollution from harmful waste and hazardous materials, issued on 12 August 1988; strictly prohibits under any guise to import, possess, transfer any deposits, nuclear wastes, or wastes contaminated by radioactive or nuclear or chemical materials, or wastes contain chemical materials toxic or hazardous to public safety into Lebanese lands, as well as the Yemeni Environmental Protection Act No. 26 of 1995 that completely prohibits any public or private or any natural or legal person importing or entering or dumping or storage of any hazardous or toxic or radioactive wastes, or any way of disposal of it in the environment of Yemen. In Bahrain, decree (3) for the year 2006 on the management of hazardous wastes under article 29 prohibits the import and transit of hazardous wastes, within the Kingdom, either for treatment or disposal. In Algeria, there are seven executive decrees and four ministerial decrees to regulate the prohibition of the import and transit of hazardous wastes and Article 66 of Law No. 01 - 19 adopted in 12 of December 2001 has arranged penal provisions and penalties applied in cases of illegal traffic of hazardous wastes, in addition to other Arab legislations (for more Details, see the report of the Basel Convention Regional Center for Training and Technology Transfer for the Arab States, Cairo University, on the Arab legislations on hazardous wastes management).

Therefore, any import operation or entering of hazardous waste to the Arab territories is considered illegal traffic that is offended under national legislations and under the international Basel Convention ratified by the vast majority of Arab countries.

4. The Incentive Regional Workshop and the Consultative Meeting:

The incentive regional workshop and the consultative meeting was held by the Basel Convention

Regional Center for Training and Technology Transfer for the Arab States in the period from 8th - 10th of December, 2007 during the preparation of developing the strategy and the action plan. The main objective of the incentive regional workshop and the consultative meeting is to promote the project of developing an incentive regional strategy for cooperation and linkage between the Arab ports to combat illegal traffic of hazardous wastes, which the opening workshop and the consultative meeting represented the foundation stone for its start. Also, the objectives of the workshop and the consultative meeting include addressing the national procedures that are taken within the framework of implementing Basel Convention to prevent illegal trade of hazardous wastes and to exchange experiences among the Arab countries, and also making use of one of the most pioneer projects in Europe that connect the European ports to each other and states accurately flow of trade and transport of hazardous wastes in the EU countries.

4.1. The results of the incentive regional workshop and consultative meeting:

The workshop and the consultative meeting were held for the purpose of introducing the project and stating the general situation with regard to the procedures and institutional capacities for the prevention of traffic and the disposal of hazardous wastes to any of the Arab countries. The Regional Center had prepared prior to the workshop and consultative meeting two questionnaires to help the concerned institutions to assess their current status. These questionnaires were sent to the Basel Convention focal points in all Arab countries (see Annex I).

All Arab States (22 states) have been invited to attend the incentive workshop and the consultative meeting. The focal points were directed to cooperate with the port and outlets authorities in filling those questionnaires (see Annex II). The Green Customs Initiative that is adopted by World Customs Organization, and also to one of the most important projects that links European ports, IMPEL, were also invited where their experiences were presented within the activities of the workshop and the consultative meeting.

Representatives of environment and ports authorities from 15 Arab countries have participated in this workshop. The activities of the regional workshop included the following pillars:

1. National legislations on environmentally sound management and combating illegal traffic of hazardous waste.
2. Forms of illegal traffic of hazardous waste in various Arab legislations.
3. Mechanisms for controlling and detecting illegal traffic of hazardous wastes in the relevant Arab legislations and the competent authorities.
4. Penalty of illegal traffic of hazardous waste.
5. Bilateral and multilateral international conventions dealing with the issue of combating illegal traffic of hazardous wastes.
6. The role of customs authorities and officials working at ports and different customs outlets (land, sea and air) in preventing the illegal traffic of hazardous waste.
7. Forming a primary vision of a unified Arab strategy to combat the illegal traffic of

hazardous waste.

The workshop had concluded that many of the participants by the ports sector do not have enough knowledge, or enough experience of hazardous waste and the provisions of related international conventions and its available instruments through which they can prevent illegal traffic of hazardous wastes, it was noted, also, that there is some confusion between the actions followed to deal with prohibited goods and hazardous wastes and materials by some participants.

The activities of the incentive workshop and consultative meeting stressed that there was a need to raise the capabilities of the outlets and ports sector to ensure the safety of the environment and the health of the Arab citizens from the harmful effects of hazardous and other wastes, which may pass through the ports by fraud and illegal ways, it also showed that coordination among concerned authorities within the country is very limited and plain practically. And many participants pointed out the lack of coordination and linkage with relevant international organizations effectively with regard to hazardous wastes.

As a result of issues raised related to poor capacities and the need for raising and strengthening relevant institutions, and to promote and support communication and networking between the Arab ports with each other and with effective regional and global organizations, some key elements have been proposed that should be included in the strategy and its action plan, with noting that there is more effort and work required to determine in more details the complete image of the current status of the customs authorities and outlets in the Arab countries regarding the procedures of controlling and documenting the illegal smuggling of hazardous wastes.

5. The Objectives of the Strategy:

As mentioned above the main objective of the incentive regional workshop and its consultative meeting is to promote the project of developing an incentive regional strategy for cooperation and linkage between the Arab ports in order to combat illegal traffic of hazardous waste, which the opening workshop and consultative meeting represented the cornerstone of it.

The proposed strategy aims at increasing the efficiency of the enforcement of national legislations, regulations and decisions and the relevant regional treaties and to ensure national commitments to international conventions (Basel, Stockholm, Rotterdam and Montreal conventions) and other related conventions, as well as the promotion and strengthening of Arab coordination and joint cooperation by supporting and strengthening relevant institutions and the first defense lines represented by the border outlets and ports.

The general concept of the strategy copes with the global trends of modernization and the mechanization of customs outlets to simplify them required procedures to fit with the rapid growth of the global trade movement. Also, the strategy will work to develop what was confirmed by the UNEP forum on the international illegal traffic in hazardous chemicals, which was held in Prague from 6 to 8 of November, 2006, which are the following:

A - To develop helping tools and training materials for customs.

B - To put a program of sub-regional workshop for the training of trainers, depending on information technology.

C - To accredit tools to identify chemicals in international trade.

D - To establish links with customs organizations at both national and international levels.

E - To organize sub-regional workshops to train trainers on the relevant obligations of the relevant conventions.

F - To publish assistant materials at both national and regional levels. Consequently, it can be argued that one of the most important goals that the proposed strategy seeks to achieve is as follows:

1. To provide a tool to help countries in the region to prevent illegal traffic in hazardous wastes and its disposal within the Arab regime.
2. To develop and / or maintain the national/regional capacity to identify or to detect cases of illegal traffic of hazardous wastes, their control, and their management.
3. To facilitate the protection of the population and the environment of the participating countries in the project from the impact of illegal dump of hazardous wastes, by providing tools to improve the implementation of restrictions and prohibitions on the movement of import, export and transit of hazardous wastes stated in the Arab legislations.
4. To provide mechanisms for ongoing support to customs officials and other executives officers in ports and provide them with the modern tools and efficient methods that help them to maintain an ideal balance between trade facilitation and effective control in illegal traffic.
5. To encourage member states to build the executive capacities through cooperation with international entities; such as the Interpol, the International Network of Environmental Complaints and WCO (World Customs Organization).
6. To combat other types of customs fraud.

6. The General Framework of the Strategy:

Throughout this strategy, the current national and regional methods followed in the areas of action to combat the illegal traffic of hazardous wastes and other prohibited (banned) goods, if any, will be evaluated, then suggesting - on the basis of this evaluation - ways to improve the methods of cooperation and coordination between Arab countries in this regard and the mechanisms of this cooperation to raise the efficiency of detection, controlling, and preventing incidents of smuggling and illegal disposal of such wastes in the Arab region.

By assessing the situation in the Arab countries regarding combating illegal traffic of hazardous wastes in terms of governing legislation, the penalties mentioned within, and how to activate them, and also in terms of how outlets or customs officers received training programs to introduce the Basel Convention, the unified global system of classifying and categorizing chemicals, and Stockholm and Rotterdam Conventions, as well as the extent of coordination among themselves in the detection of suspicious shipments entered into the Arab countries, and the existence of an institutional framework for this coordination, and its effectiveness, and its relationship with the relevant international agencies, the following points were attained:

1. There is a lack of training on the United Nations Recommendations on the Transport of Dangerous Goods, as well as on the unified global system of classifying and categorizing chemicals. The training of the Basel Convention and its regime to control the movement of hazardous wastes across international borders has been done through participation in a number of regional workshops organized by the Basel Convention Regional Center for Training and Technology Transfer for the Arab States, but participation in such workshops was exclusive on the specialists in this field like workers in ministries and bodies of the Arab environment authorities and not to workers in the various sea and land customs outlets.

2. There are various Arab legislations governing the movement of hazardous wastes and other wastes across international borders in the vast majority of Arab countries, although such legislations are general environmental legislations not concerned with hazardous wastes in particular, which was reflected on the content of the provisions and articles that organize the movement of these wastes, where the Arab legislations in this regard were confined only to organize the potentiality of exporting and importing hazardous wastes and its transit through the Arab lands, and the controls of this movement without referring in details to how to combat illegal traffic or what the penalties imposed in such cases are, with the exception of a limited number of Arab legislations, such as the Tunisian and Moroccan legislations.

3. The provisions of the vast majority of Arab legislations agree with the provisions and obligations stated in the Basel Convention on the control of Transboundary movements of hazardous wastes and their disposal which organizes the movement of hazardous wastes across international borders through importing, exporting or transit with regard to the accession of many of these countries to the Convention and then activating and integrating its provisions into their national legislations.

4. The vast majority of Arab countries did not include in their national legislations any additional lists of other wastes which are considered to be hazardous wastes, and as a result, must be subject to the Basel Convention, with the exception of the legislations of Tunisia, Mauritania and Qatar.

5. The main responsible authority for controlling the movement of hazardous wastes is the Ministry of Environment, whatever they were called in different Arab countries, the functions of the ministry are usually: collecting data, verifying notifications and other data and doing the required tests to detect suspected shipments. It is noted in this matter that the Ministry of Environment cooperate with a number of related governmental institutions and organizations such as Customs, the Ministry of Interior (the police, border guards, civil defense), Ministry of Transportation, Ministry of Health, etc. but the role of these last-mentioned institutions is non-identifiable and depending on the need of the Ministry of the Environment to do so. There is also no indication whether the relevant environmental legislations have identified these roles and the nature of the relationship between these authorities and the Ministry of Environment institutionally and legally.

6. In some Arab countries, there are committees for coordination between mentioned ministries in the form of technical committees comprising of representatives of the relevant authorities responsible for organizing the movement of hazardous wastes across international borders, and in some other Arab countries, these committees are still under construction. Thus, some Arab countries lack a regulatory institutional mechanism that coordinates between the various relevant national authorities responsible for controlling the movement of hazardous wastes, as well as cooperation at both the Arab regional and international levels in this context.

6.1. Suggested Elements of the Strategy:

According to what is mentioned above, some basic elements were suggested to be included within the strategy and to be developed and implemented in collaboration with all stakeholders and interested Arab countries.

First: Institutional and Legislative General Frameworks:

A - Supplying, or link ports and Arab outlets with databases and lists of banned hazardous wastes and materials and ways of detection, with a minimum of wastes mentioned in this list that are same mentioned in the wastes-related conventions.

B - Including the most important legislation / provisions of relevant international conventions, notably the United Nations Recommendations on the Transport of Dangerous Goods, and the unified system of classification and categorizing of chemicals GHS and the provisions of the Basel, Rotterdam and Stockholm conventions as well as the Montreal Protocol provisions related to combating illegal traffic of hazardous wastes and materials, as references to national legislations and the proposed strategy.

C - Developing the governing rules and regulations of hazardous wastes traffic across Arab borders and ports from the status quo of the national legislations to prevent the smuggling of some of these shipments or disposing of them in the border areas of the transit state / states, and to make use of the provisions of some non-environmental legislations, particularly those with regard to organizing and controlling the movement of different goods across international borders, especially that the vast majority of Arab countries completely prohibit importing hazardous wastes to their lands.

D - Developing a unified guiding executive regulation for the various implementation authorities like the ports authorities, customs, borders guards, and the coast guard and others to specifies, in details, the functions of these authorities and their role in revealing the contents of trucks, and also shows the coordination mechanisms and procedures to be followed at the national, regional and international levels in case of detecting any wrongdoing without violating the international Kyoto Protocol to simplify customs procedures.

E - Preparing a manual on:

- Arab ports that receive international shipments.
- A description of the procedures used to release these shipments.
- A statement of the concerned institutions both regionally and internationally which should be notified of any cases of smuggling or illegal traffic of hazardous waste.

F - Preparing a training manual for customs and port officers about the different ways of smuggling and illegal traffic of hazardous wastes.

G - Preparing linking and contact lists at the national, regional and international levels and make them available to executive customs officials.

H - Preparing indicative models of the penalty for illegal traffic of hazardous waste, including fines and criminal penalties

I - Assessing the Arab need for environmental justice in order to consider and adjudicate different environmental violations and issues, first and foremost the illegal traffic of hazardous wastes.

Second: Capacity Building:

A - Preparing a training program to develop the capacity of personnel in various enforcement bodies; mainly the port authorities, customs, environment and the regulatory authorities, border guards and coast guards and some other officials such as local administrative authorities and municipalities on ways of detection and the procedures in the cases of illegal traffic of hazardous wastes, within their legally defined roles and taking into consideration the use of the training manual which was mentioned before.

B - Preparing a training program that is designed to prepare trainers for rehabilitating and upgrading the skills of workers of different customs outlets in order to deal efficiently with notifications, models, communication and contact points with various information networks inside and outside the country for the purpose of cooperation and combating illegal traffic and movement of hazardous wastes.

C - Organizing a training program to identify the international Basel Convention and its provisions and the status of the illegal traffic of hazardous wastes in the light of it.

D - Organizing a training program to identify the Unified Global System of Classification and Categorization of Chemicals GHS.

E - Preparing a model for a simple laboratory with its technical staff and its content of laboratory equipments and expertise and a statement of experiments that could be implemented in the customs port for rapid detection of hazardous wastes and substances, and other preliminary tests. We can also equip the Arab ports and outlets with this model for sampling, examining, and analyzing of suspicious shipments to verify their load and the nature of these shipments and their characteristics, and therefore the possibility to identify cases of illegal traffic of hazardous wastes as well as preparing a guide that includes qualified and approved chemical analysis labs within the Arab countries in relevant databases.

F - Training and upgrading the efficiency of officers of Arab ports and outlets through training programs related to administrative review and verification of approvals and notifications to detect fraud or failure to meet the required documents and fraud as a case of illegal traffic of hazardous wastes.

G - Exchanging expertise programs through training visits to some well- procedured and efficient Arab ports, for the purpose of knowledge and practical experience transfer.

H - Supplying and / or linking the port and outlets officials and concerned executive bodies with databases / sources of information on:

- Hazardous wastes.
- Arab ports that receive and / or ship international cargoes.

- The minimum documentations required for the release of the cargoes.
- The movement of cargo loaded with hazardous wastes according to what mentioned in its movement document and approval notifications to pass any of the Arab ports.
- The competent authorities to be contacted in cases of illegal traffic of hazardous wastes.

Third: Networking and Technical Cooperation:

A - Reaffirming and strengthening networking between ports and environment bodies within the one Arab country (main linking center) (Figure 1), as well as between Arab countries and each other (Figure 2) by linking the main centers with the regional center for training and technology transfer and relevant regional institution (League of Arab states) and facilitating the exchange of information and experience among these countries through the World Wide Web and the websites of the center and the Arab League on the internet.

Figure (1)

The suggested national center for coordinating and implementing the strategy

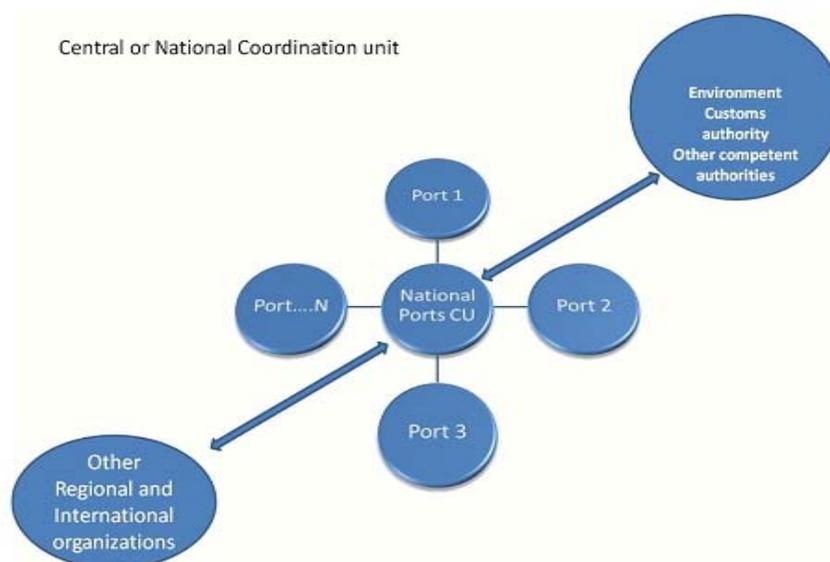
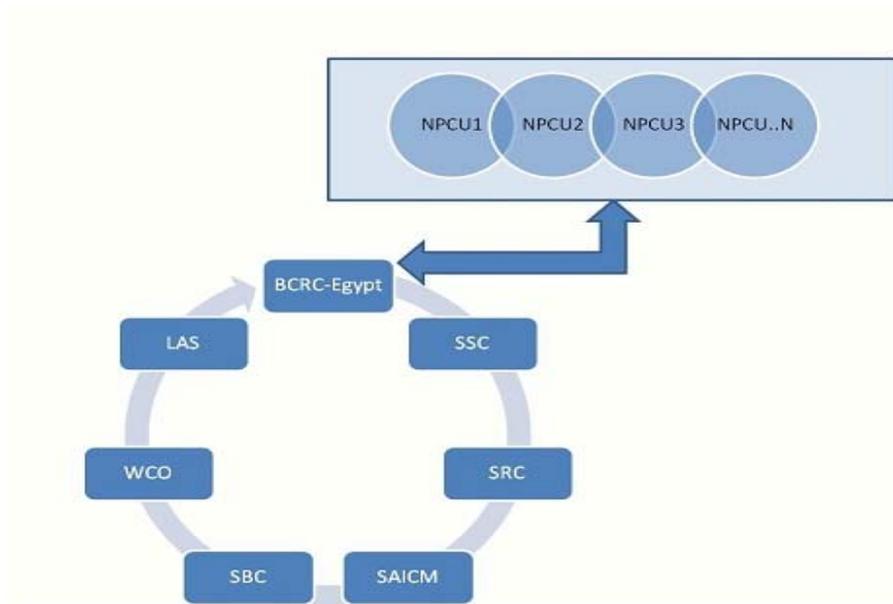


Figure (2)

The status of the suggested national center in the implementation structure for the strategy



B - Preparing a cooperation protocol model between focal points and competent authorities in Arab countries to exchange information and the personnel and necessary technical knowledge for dealing with notifications and cargo examining to detect cases of illegal traffic of hazardous wastes.

C - Coordinating with some concerned Arab regional institutions and enhancing their role in supporting national institutions in combating illegal traffic of hazardous wastes; such as Arab Customs Authority and Arab Sea Ports Federation, and others.

D - Coordinating with the Environment body at the League of Arab States on one hand and the environment sectors and various Arab enforcement bodies on the other hand to facilitate regional cooperation in this area.

E - Enhancing communication and cooperation with concerned international institutions and organizations; such as the World Trade Organization and its network of enforcement (WTO), the Green Customs Initiative and the United Nations Environment Program (UNEP) and maximizing the use of available tools through these institutions.

F - Strengthening cooperation with the Secretariat / BCS to take advantage of various international experience in networking and regional cooperation to detect cases of illegal traffic of hazardous wastes, especially the IMPEL project to link the European ports, monitor and document the movement of cargo and goods.

Fourth: Disseminating Awareness and Community Participation:

A - The need to disseminate awareness among citizens on the severe harm of hazardous wastes and the importance of monitoring and controlling their illegal disposal, which are often the result of illegal traffic, and work with both the press and various media in this regard.

B - The need to involve various sectors and segments of society in the process of combating illegal traffic of hazardous wastes and not limiting it to concerned institutions and governmental agencies, and the emphasis - in this regard - to involve specifically non-governmental organizations to achieve this objective by the nature of its work and objectives, the ease of their communications and networking both nationally and internationally.

7. Stakeholders and Contributors:

This project is being implemented by the Basel Convention Regional Center for Training and Technology Transfer for the Arab States, in the framework of the activities of the project funded by the Finnish Government. Also contributes to the implementation of this project, the Mediterranean Action Plan that follows the United Nations Environment Program (MAP), as well as the West Asia Office of the United Nations Environment Program (ROWA), it is also supported by the Department of Environment, Housing and Sustainable Development of the League of Arab States and the Secretariat of the Basel Convention (SBC).

The Center looks forward to serious and effective participation of various Arab ports, outlets and customs sectors in forming and activating this strategy and its action plan in cooperation with the concerned environmental sector and officials of local administration and municipalities (governorate, district, ...), and officials of the competent regulatory authority (inspection, testing

and analysis) and some officials of other relevant actors such as legislation, security and justice.

8. Implementation Approach and Mechanisms:

1. Performing a number of field visits to some Arab ports to determine the current status of these ports in terms of their potentials, efficiency and resources in combating illegal traffic of hazardous wastes.

2. Preparing some training programs based on the findings of the above- mentioned field visits.

3. Preparing and implementing media and awareness programs for all the concerned sectors in order to activate cooperation between the executive operational sectors and civil society organizations working in this area.

4. Identifying and communicating with the stakeholders, interested institutions, regional and international organizations and allowing them to participate in the activities of the strategy since its start.

5. Collecting and identifying similar strategies such as forms of regional cooperation in other areas of the world and assessing the prevailing situation in our Arabic region.

6. Developing the strategy and its framework action plan and suggesting the economic instruments and the funding mechanism for achieving them, and considering the need of institutional structure to work as a coordination unit for both the strategy and its action plan, in close consultation with the participating countries.

7. Calling for a high-level meeting to propose the strategy and the action plan for discussion and approval.

8. Providing the strategy and its action plan for the ministers of environment and port authorities in Arab countries for approval by the League of Arab States.

9. Constraints and Obstacles:

1. The multiplicity of hazardous wastes sources and types, and incompleteness of hazardous wastes lists or their credible classification that are adopted in most Arab countries.

2. The lack of complete data on the quantities and characteristics of hazardous wastes generated from various industrial activities.

3. The lack of systems, facilities and infrastructure for hazardous wastes treatment and disposing in an environmentally sound manner or recycling of what is good.

4. The lack in quantity and quality of specialized and approved testing laboratories which can conduct accurate tests to check cross-border shipments of wastes and to identify health and environmental risks that could result from this deliberative process.

5. The multiplicity of agencies responsible for monitoring the movement of different goods and materials across borders, and different points of entry by land, sea and air, and also weak coordination among them.

6. The lack of trained and qualified personnel to detect cases of illegal traffic of hazardous wastes in the various related governmental bodies and agencies.

7. The lack of awareness of the harmful effects of hazardous wastes, as well as the lack of awareness of how to deal with such wastes and how to dispose them safely.

8. Mixing hazardous waste with other wastes, particularly non- hazardous wastes.

9. The lack of financial and technological resources needed to ensure the environmentally sound management of hazardous wastes, as well as, laboratory and technical resources needed to detect cases of smuggling and illegal traffic of such wastes across international borders.

10. The schedule of the strategy and the required resources:

The strategy and its action plan are being developed to provide ongoing support and to meet the need for updating and upgrading of the capacities of the Arab ports and outlets for preventing illegal traffic and dumping of hazardous wastes in any of the Arab lands or territories during the time period from 2010 to 2020. **The Following table shows the timetable and the approximated costs to develop the different elements of the strategy within 24 months after saving the required resources.**

6	Preparing indicative models of the penalty for illegal traffic of hazardous waste, including fines and criminal penalties				2500
7	Assessing the Arab need for environmental justice				2500
8	Preparing training program for the trainers				2500
9	Organizing a training program to identify relevant international Conventions and the status of the illegal traffic of hazardous wastes in the light of it				6500
10	Organizing a training program to identify the Unified Global System of Classification and Categorization of Chemicals GHS				6500
11	Preparing a model for a simple laboratory with its technical staff and its content of laboratory equipments and expertise and a statement of experiments that could be implemented in the customs port for rapid detection of hazardous wastes and substances a				4500

11. Adoption of the Strategy and Financial Resources of the Action Plan:

An Initial framework perception was put to adopt the strategy and the mechanisms for implementing its action plan. This perception was built on the basis of and the effectiveness of the Arab House Foundation, and the following steps were identified to adopt the strategy:

1. The strategy and its action plan should be proposed - after preparing it - to experts and executives of the environment and customs sectors in Arab countries through a mini-workshop, it should also be approved and recommended to the concerned council of Arab ministers at the Arab League.

2. Presenting the strategy and its action plan to the Department of the Environment and Sustainable Development and to the vice Secretary- General for Economic Affairs in order to be included and presented to the Council of Arab Ministers of the Environment and Transport to be adopted, and also to adopt its funding mechanism. Ending the procedures of adopting the strategy and its funding mechanism to the Arab ministers of foreign affairs.

12. Operating Mechanism:

The initial perception of the funding mechanism for the Strategy and its action plan depends primarily on the establishment of a minimized unit based in the Regional Center for Training and Technology Transfer in order to implement the strategy and its action plan and to coordinate with the specialized centers in implementing the training programs and technical networking and databases, whereas the Arab countries should contribute, either voluntarily or through the adoption of constituent contributions agenda that commensurate with the capabilities and needs of the member Arab states and proposed only one-time to support the establishment and operation of this unit for a specified period of time not exceeding two years, during which the unit develops its own financial strategy, and which should include procedures for mobilizing resources for the strategy's operation and updating through annual fees, services and periodical training programs organized for customs and ports officers and other interested agencies. A funding strategy can also be adopted by the concerned council of Arab ministers.