

# Export of Mercury Wastes

Inception Workshop

Norway ODA Mercury Storage and Disposal Project in the Caribbean

Jamaica, Suriname, Trinidad and Tobago

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## Introduction to Export of Mercury Wastes

- The export of mercury wastes must be done in an environmentally sound recovery or disposal operations.
- It may also be the preferred choice for countries with relatively small amounts of mercury waste or where the establishment and operation of dedicated facilities is considered too costly
- Evaluation of specific mercury wastes may lead to some being recovered or disposed domestically or some exported
- A range of regulatory and cost factors affect export decisions.
- Island economies present challenges regarding export: Are there regional approaches to assure sound export at reasonable costs?

## Legal Considerations

- Where applicable, all shipments should be made in accordance with the Minamata Convention as well as the rules and procedures of the Basel Convention
- **Minamata Convention: Art. 11, Para. 3 (c)**

*For Parties to the Basel Convention, not transported across international boundaries except for the purpose of environmentally sound disposal in conformity with this Article and with that Convention.*

*In circumstances where the Basel Convention does not apply to transport across international boundaries, a Party shall allow such transport only after taking into account relevant international rules, standards, and guidelines.”*

## Legal Considerations continued

### Transport across International Boundaries under the Basel Convention: Art. 9

- *“Parties shall take the appropriate measures to ensure that the transboundary movement of hazardous wastes and other wastes only be allowed if:*
- *The State of export does not have the technical capacity and the necessary facilities, capacity or suitable disposal sites in order to dispose of the wastes in question in an environmentally sound manner; or*
- *The wastes in question are required as a raw material for recycling or recovery industries in the State of import; or*
- *The transboundary movement in question is in accordance with other criteria to be decided by the Parties, provided those criteria do not differ from the objective of this Convention.”*

## Export Management Issues

- **The importing country should have the infrastructure to manage the waste in an environmentally sound manner** according to its national legislation.
- If the transboundary movement is not done in compliance with the requirements, it could be considered an illegal shipment and may be sent back to the owner
- Are in-country transport/shipping capabilities strong enough to assure ESM of mercury wastes?
- What steps are necessary to confirm receiving company is operating with full approval of its national government? Audits/Oversight

## Elements of ESM for Export of Mercury Wastes

- Seek regional solutions in order to avoid unnecessary risks associated with transportation of mercury wastes;
- Address issues of ownership, liability and traceability; and
- Ensure that the rules and procedures of the Minamata and Basel Conventions and/or relevant international rules, standards and guidelines are observed.