

## **BAN Intervention on the Basel Ban Amendment**

May 8, 2015

Thank you Mr. President

Distinguished Delegates:

It has been 20 years since the Basel Ban Amendment was adopted. And while we all know that this agreement has yet to enter into strict legal force globally, needing but a dozen more ratifications, it is time to pause and celebrate all that the Basel Ban has meant to this date.

The agreement is one of very few multilateral environmental instruments that was initiated by developing countries but later supported by a majority of developed countries. As a result of this landmark accord, the world now knows that dumping hazardous waste on weaker economies is a shameful act.

The Ban is the only multilateral environmental agreement that can be said to directly work to prevent a disproportionate burdening of environmental and human health harm on developing countries – the very definition of environmental justice. It boldly addresses the stark reality that while the world's nations may all be sovereign states, they are not at all on a level playing field economically -- meaning that without international law, costs and harm can still be externalized via trade leading to exploitation and pollution proliferation.

The Ban has even now, prior to global legal force, has already dramatically changed the entire trade and environment landscape. All of the European Union, Norway, Chile and Turkey as Annex VII countries were early adopters of this agreement and have put it into national force. In addition 46 developing countries have ratified it sending the strongest message that no matter how much pressure is placed upon them bilaterally to accept another country's waste, the world stands in solidarity with them that such bullying is not going to be tolerated.

Further, do not forget that whenever the cheap pathways to externalize real costs are blocked, then there is finally an economic incentive for waste producers to do the right thing and prevent waste at source.

I shudder to imagine what the world would look like now without the Ban. And I wonder how many thousands of lives have been saved already from occupational and environmental disease -- by this 1995 decision.

Today BAN wishes to honor the most recent ratifications that have been deposited by Peru, Cote d'Ivoire, Colombia, Benin, Guatemala, Monaco, and Saudi Arabia. Thank you. And for those that have yet to ratify, we urge you to announce your progress in this regard.

Finally, while we celebrate those that have done their part for justice, and sustainability, we must warn of those that right now would diminish the Amendment even before it enters into force.

We saw this earlier when Basel dropped its legal work on exports for shipbreaking. And currently there is paragraph 26b in brackets in the Guidance Document on Transboundary Movement of e-Waste that, if accepted, would allow large quantities of broken electronic equipment containing lead, mercury, cadmium, or PCBs to be exported to developing countries from developed countries as non-waste. This very same hazardous material would not allow to be traded to developing countries were the Ban Amendment in force.

We must never allow a guideline or any other action to defeat the object and purpose of our most significant achievements in the field of international environmental law. We cannot applaud the Basel Ban with one hand, while undermining it with the other.

Distinguished delegates, we are duty bound to keep the Ban Amendment strong as it was envisaged as a bulwark against environmental injustice and waste proliferation. And we are duty bound to bring it into global force, as we have all vowed to do -- at the earliest possible date. I thank you.