10. Trade [in listed chemicals], polymers] and products, and in plastic waste][related measures]

Kazakhstan position: The movement of hazardous waste, including plastic, is regulated by the Basel Convention. In this regard, the main position of Kazakhstan is not to formalize this provision - Sub-Option 0, or as an alternative, take Sub-option 3 as a basis.

b. Transboundary movement of [non-hazardous] plastic waste

Sub-Option 0

No text.

Sub-Option 1

1. Each Party shall not allow transboundary movement of plastic waste, except for the purpose of its safe and environmentally sound management, with the prior informed consent of the importing State, and in a manner consistent with obligations under this instrument[, and relevant arrangements under other multilateral environmental agreements, inter alia, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, as appropriate].

2. [Where transboundary movement of plastic waste is permitted pursuant to paragraph 1,] Each Party exporting plastic waste [pursuant to this provision] shall establish and implement an export permit requirement for such exports and track the types, volumes and destination of all its exports of plastic waste.

3. Where transboundary movement of plastic waste is permitted pursuant to paragraph 1, each exporting Party shall:

   a. not allow the transboundary movement to commence until it has received the written consent of the importing State, which shall include that State’s assurances that the exported plastic waste will be managed in an environmentally sound manner;

   b. require the exporter to:

      i. provide to the importing State and the importer complete information about the composition of the exported waste, including its contents in polymers, chemicals and plastics, and any associated hazards to human health or the environment, based on the relevant harmonized disclosure requirements contained in annex A, including safety data sheets, as relevant;

      ii. mark and label the exported waste in accordance with the relevant harmonized labelling requirements contained in annex A, as relevant; and

      iii. comply with generally accepted and recognized international rules, standards and practices for packaging, labelling and transport.

4. The governing body shall, at its first session, adopt guidance for the [implementation of the] purpose of this provision [set out in paragraph 3], taking into account as appropriate relevant arrangements under other multilateral environmental agreements [inter alia, the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal].


6. Parties shall promote synergy and complementarity with relevant organizations and intergovernmental bodies and cooperate towards the adoption and implementation of effective measures to prevent and eliminate illegal [exports][trade] and dumping of plastic waste [pursuant to paragraph 5].
Sub-Option 2

1. Each Party shall take appropriate measures to ensure that transboundary movements of plastic waste, as defined by the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, is only allowed for the purpose of environmentally sound disposal. Parties to the Basel Convention shall take appropriate measures to ensure that transboundary movement of plastic waste is done in accordance with the obligations of that Convention. In circumstances where the Basel Convention does not apply, a Party shall ensure that transboundary movement of plastic waste is allowed only after taking into account relevant domestic and international rules, standards, and guidelines.

Sub-Option 3

1. Each Party shall prevent and eliminate illegal trade, traffic and dumping of plastic waste as set in the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, recognizing its respective mandates, avoiding duplication of efforts and works and promoting cooperation and coordination with relevant regional and international conventions.

Sub-Option 4

1. Parties shall cooperate towards the adoption and implementation of effective measures to prevent and eliminate illegal exports and dumping of plastic waste.

Option 2

Alt title: Trade-related measures

1. This instrument applies insofar as its provisions do not contradict the provisions of the Marrakesh Agreement Establishing the World Trade Organization, and its Annexes.

2. Any measures established by the Parties for the implementation of this instrument shall be in full conformity with the Marrakesh Agreement Establishing the World Trade Organization.