

BASEL CONVENTION

Secretariat of the Basel Convention

United Nations Environment Programme

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14 August 2023

Excellency,

Subject: Transboundary movements of hazardous and other wastes in accordance with the Basel Convention

I have the honour to refer to your letter dated 25 July 2023, following from previous correspondence with the designated Focal Point for the Basel Convention in Chile, Mr. Emilio Yáñez Bravo, regarding national legislation adopted by Chile to implement the Basel Convention on the Control of Transboundary Movements of Hazardous Waste and their Disposal.

As indicated in the Secretariat's earlier communication, the Secretariat is mandated in accordance with Article 16 of the Convention to provide Parties, upon request, with advice on matters pertaining to the implementation and enforcement of the Convention, including on the development and updating of national legislation or other measures. Decisions as to the type and content of national legislation adopted to implement the Convention, as well as more generally matters related to interpretation of the Convention, remain the sole prerogative of the Parties.

Without prejudice to Parties' prerogative to interpret the Convention, the Secretariat notes that paragraph 9 of Article 4 refers to "or" between sub-paragraphs (a), (b) and (c). Nonetheless, I would underscore that the Secretariat's mandate does not extend to the provision of a 'correct' interpretation and implementation of the Convention.

Please allow me to reiterate the Secretariat's appreciation for the continued commitment of Chile to the Basel Convention.

Please accept, Excellency, the assurances of my highest consideration.

For:


Rolph Payet
Executive Secretary

H. E. Ms. María Heloísa Rojas Corradi
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