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**Open-ended Working Group of the Basel Convention
on the Control of Transboundary Movements of
Hazardous Wastes and Their Disposal
Eleventh meeting**

Geneva, 3–6 September 2018

Item 3 (b) (i) of the provisional agenda**

**Matters related to the work programme of the
Open-ended Working Group for 2018–2019:
scientific and technical matters: technical guidelines**

Technical guidelines

Note by the Secretariat

1. At its thirteenth meeting, the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal adopted three decisions on the matter of the development of technical guidelines under the Convention: decision BC-13/4 on technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants; decision BC-13/5 on technical guidelines on transboundary movements of electrical and electronic waste and used electrical and electronic equipment, in particular regarding the distinction between waste and non-waste under the Basel Convention; and decision BC-13/6 on technical guidelines on incineration on land (D10) and on specially engineered landfill (D5). Information related to the development of these sets of technical guidelines is presented in the relevant sections of the present document, along with proposed action for consideration by the Open-ended Working Group at its eleventh meeting.

2. For the information of the Working Group, in another relevant development, the United Nations Environment Assembly, in its resolution 3/9 on eliminating exposure to lead paint and promoting environmentally sound management of waste lead-acid batteries, reiterated its strong determination to continue to reduce exposure to lead, including through promoting the environmentally sound management of waste lead-acid batteries and eliminating lead paint. In the same resolution, it invited the Conference of the Parties to the Basel Convention to consider revising the Technical Guidelines for the Environmentally Sound Management of Waste Lead-acid Batteries regarding the application of new technologies in different aspects of environmentally sound management systems.

* Reissued for technical reasons on 22 June 2018.

** UNEP/CHW/OEWG.11/1/Rev.1.

I. Technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants

A. Introduction

3. In its decision BC-13/4, on technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants, the Conference of the Parties to the Basel Convention adopted six technical guidelines (UNEP/CHW.13/6/Add.1/Rev.1, UNEP/CHW.13/6/Add.2/Rev.1, UNEP/CHW.13/6/Add.3/Rev.1, UNEP/CHW.13/6/Add.4/Rev.1, UNEP/CHW.13/6/Add.5/Rev.1, UNEP/CHW.13/6/Add.6/Rev.1).

4. The following activities relating to the technical guidelines on persistent organic pollutants were included in the work programme of the Open-ended Working Group for the biennium 2017–2018 (decision BC-13/17, annex):

(a) Consider comments and information relating to a review of provisional low persistent organic pollutant content values in the general technical guidelines referred to in decision BC-13/4, and other technical guidelines, as appropriate;

(b) Update the general technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants and prepare or update specific technical guidelines with regard to the chemicals listed in Annexes A and C to the Stockholm Convention on Persistent Organic Pollutants by decisions SC-8/10, SC-8/11 and SC-8/12 of the Conference of the Parties to the Stockholm Convention, including the following:

- (i) Establishment of levels of destruction and irreversible transformation for the chemicals necessary to ensure that when disposed of they do not exhibit the characteristics of persistent organic pollutants specified in paragraph 1 of Annex D to the Stockholm Convention;
- (ii) Determination of which disposal methods constitute environmentally sound disposal as referred to in paragraph 1 (d) (ii) of Article 6 of the Stockholm Convention;
- (iii) Establishment, as appropriate, of the concentration levels of the chemicals in order to define for the Stockholm Convention low persistent organic pollutant content as referred to in paragraph 1 (d) (ii) of Article 6 of the Convention.

5. In paragraph 13 of decision BC-13/4, the Conference of the Parties invited Parties and organizations to indicate to the Secretariat by 31 August 2017 their willingness to take the lead in updating or preparing new technical guidelines, taking into account decisions SC-8/10, SC-8/11 and SC-8/12.

6. In paragraph 14, the Conference of the Parties welcomed with appreciation the offer by Norway to prepare, in accordance with paragraph 12 of decision BC-13/4, updated technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with hexabromodiphenyl ether and heptabromodiphenyl ether, and tetrabromodiphenyl ether and pentabromodiphenyl ether, to include decabromodiphenyl ether, taking into account decision SC-8/10, by which the chemicals were listed in Annex A to the Stockholm Convention.

7. Furthermore, in paragraph 15, the Conference of the Parties invited lead countries, if selected, and requested the Secretariat, if no lead country were selected and subject to the availability of resources, in consultation with the small intersessional working group on persistent organic pollutant wastes, to prepare draft revised technical guidelines for consideration by the Open-ended Working Group at its eleventh meeting.

8. With regard to the low persistent organic pollutant content values included in the technical guidelines, the Conference of the Parties, in paragraph 10 of decision BC-13/4, invited Parties and others to submit to the Secretariat, three months in advance of the eleventh meeting of the Open-ended Working Group:

(a) Comments on the provisional low persistent organic pollutant content values included in the technical guidelines referred to in paragraph 2 (a) of decision BC-13/4, and other technical guidelines, as appropriate, and related information, including on studies, taking into account relevant information available under the Stockholm Convention;

(b) The low persistent organic pollutant content values applied at the national level.

B. Implementation

9. The six technical guidelines adopted by decision BC-13/4 are available on the website of the Basel Convention in the six official languages of the United Nations.¹
10. Pursuant to paragraph 13 of decision BC-13/4, the Secretariat sent a letter to all the Parties on 2 June 2017 inviting them to indicate their willingness to take the lead in updating or preparing new technical guidelines.
11. Norway confirmed its willingness to take the lead in updating the technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with hexabromodiphenyl ether and heptabromodiphenyl ether, and tetrabromodiphenyl ether and pentabromodiphenyl ether, to include decabromodiphenyl ether, in consultation with the small intersessional working group.
12. No other Party or organization has indicated its willingness to take the lead in updating or preparing the new technical guidelines. In the absence of such lead Parties or organizations, the Secretariat is facilitating the work of the small intersessional working group and has engaged consultants, where appropriate, to prepare or update technical guidelines in accordance with decision BC-13/4.
13. The small intersessional working group, which includes experts from the Persistent Organic Pollutants Review Committee under the Stockholm Convention, met three times by teleconference, on 19 September 2017, 8 February 2018 and 27 February 2018.
14. The following draft technical guidelines have been made available to the Open-ended Working Group for its consideration:
- (a) Draft updated general technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants (UNEP/CHW/OEWG.11/INF/9);
 - (b) Draft technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with short-chain chlorinated paraffins (UNEP/CHW/OEWG.11/INF/10);
 - (c) Draft updated technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with hexabromodiphenyl ether and heptabromodiphenyl ether, and tetrabromodiphenyl ether and pentabromodiphenyl ether, to include decabromodiphenyl ether (UNEP/CHW/OEWG.11/INF/11);
 - (d) Draft updated technical guidelines on the environmentally sound management of wastes containing or contaminated with unintentionally produced polychlorinated dibenzo-p-dioxins, polychlorinated dibenzofurans, hexachlorobenzene, polychlorinated biphenyls, pentachlorobenzene or polychlorinated naphthalenes, to include hexachlorobutadiene (UNEP/CHW/OEWG.11/INF/12);
 - (e) Draft updated technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with hexachlorobutadiene (UNEP/CHW/OEWG.11/INF/13).
15. With regard to the low persistent organic pollutant content values, the Secretariat has prepared a compilation of comments and information received pursuant to paragraph 10 of decision BC-13/4 for the consideration of the Open-ended Working Group at its eleventh meeting (UNEP/CHW/OEWG.11/INF/14).

C. Proposed action

16. The Open-ended Working Group may wish to adopt a decision along the following lines:

The Open-ended Working Group

1. *Welcomes* with appreciation the contribution made by Norway in taking the lead in updating the technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with hexabromodiphenyl ether and heptabromodiphenyl ether, and tetrabromodiphenyl ether and pentabromodiphenyl ether, to include decabromodiphenyl ether;

¹ <http://www.basel.int/TheConvention/ConferenceoftheParties/Meetings/COP13/tabid/5310/Default.aspx>.

2. *Takes note* of the following draft technical guidelines:
- (a) Draft updated general technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants;²
 - (b) Draft technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with short-chain chlorinated paraffins;³
 - (c) Draft updated technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with hexabromodiphenyl ether and heptabromodiphenyl ether, and tetrabromodiphenyl ether and pentabromodiphenyl ether, to include decabromodiphenyl ether;⁴
 - (d) Draft updated technical guidelines on the environmentally sound management of wastes containing or contaminated with unintentionally produced polychlorinated dibenzo-p-dioxins, polychlorinated dibenzofurans, hexachlorobenzene, polychlorinated biphenyls, pentachlorobenzene or polychlorinated naphthalenes, to include hexachlorobutadiene;⁵
 - (e) Draft updated technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with hexachlorobutadiene;⁶
3. *Requests* Norway and the Secretariat, as appropriate, to revise, by 31 October 2018, the new or updated general and specific technical guidelines, in consultation with the small intersessional working group and taking into account the discussions of the Open-ended Working Group at its eleventh meeting, for consideration and possible adoption by the Conference of the Parties at its fourteenth meeting.

II. Technical guidelines on transboundary movements of electrical and electronic waste and used electrical and electronic equipment, in particular regarding the distinction between waste and non-waste under the Basel Convention

A. Introduction

17. In its decision BC-13/5, on technical guidelines on transboundary movements of electrical and electronic waste and used electrical and electronic equipment, in particular regarding the distinction between waste and non-waste under the Basel Convention, the Conference of the Parties acknowledged the need to look further into the technical guidelines adopted on an interim basis by decision BC-12/5, and the issues referred to in paragraph 5 of decision BC-12/5 and paragraph 8 of decision OEWG-10/5, to advance the work towards finalization of the guidelines.

18. In paragraph 3, the Conference of the Parties invited Parties and others to provide comments on the technical guidelines, including suggestions for text on the issues mentioned in paragraph 5 of decision BC-12/5 and/or alternative text to Appendix V of the guidelines, to the Secretariat by 30 October 2017.

19. In paragraph 4, the Conference of the Parties decided to establish an expert working group to undertake the work outlined in paragraph 2 of decision BC-13/5, and in the subsequent paragraphs decided that the group would consist of 25 members nominated by Parties through their Bureau representatives, based on equitable geographical representation of the five regional groups of the United Nations, would be open to observers, including those from the Basel Convention regional centres, and could call for additional experts as needed.

20. In paragraph 9, the Conference of the Parties welcomed with appreciation the offer by China to serve as a lead country for the work of the expert working group.

² UNEP/CHW/OEWG.11/INF/9.

³ UNEP/CHW/OEWG.11/INF/10.

⁴ UNEP/CHW/OEWG.11/INF/11.

⁵ UNEP/CHW/OEWG.11/INF/12.

⁶ UNEP/CHW/OEWG.11/INF/13.

21. In paragraph 10, the Conference of the Parties requested the expert working group, taking into account, inter alia, the comments received in accordance with paragraph 3 of decision BC-13/5, to submit to the Open-ended Working Group at its eleventh meeting suggestions for amendments to the guidelines.
22. In paragraph 11, the Conference of the Parties requested the Secretariat to develop, as appropriate, and in consultation with the lead country, a revised questionnaire based upon paragraph 3 of decision OEWG-10/5 and to send it to Parties and others by 30 September 2017. Parties and others were invited to provide responses to the questionnaire to the Secretariat by 30 November 2017.
23. In paragraph 13, the Conference of the Parties requested the Secretariat to prepare a compilation of all comments pertaining to paragraph 5 of decision BC-12/5 for consideration by the expert working group and by the Open-ended Working Group at its eleventh meeting.

B. Implementation

24. The Secretariat sent a letter to all the Parties on 2 June 2017 inviting them to submit comments on the issues mentioned in paragraph 3 of decision BC-13/5 by 30 October 2017. In response, the Secretariat received 8 sets of comments⁷ and made them available on the website of the Convention.⁸
25. The Secretariat received 24 nominations of members from Parties from the five regional groups of the United Nations and several observers have expressed interest in participating in the group.⁹
26. The expert working group met, initially by teleconference on 20 September 2017, and held two face-to-face meetings, the first in Beijing on 25 and 26 January 2018, and the second in Geneva from 17 to 19 April 2018.
27. Pursuant to paragraph 10 of decision BC-13/5, the expert working group prepared suggestions for amendments to the guidelines (UNEP/CHW/OEWG.11/INF/15).
28. The responses received to the revised questionnaire developed pursuant to paragraph 11 of decision BC-13/5 are set out in document UNEP/CHW/OEWG.11/INF/16. The comments received from Parties and others pertaining to paragraph 5 of decision BC-12/5, as per the request in paragraph 13 of decision BC-13/5, are set out in document UNEP/CHW/OEWG.11/INF/17.

C. Proposed action

29. The Open-ended Working Group may wish to adopt a decision along the following lines:

The Open-ended Working Group

1. *Takes note* of the comments provided by Parties and others pertaining to paragraph 5 of decision BC-12/5;¹⁰
2. *Also takes note* of the responses to the revised questionnaire based upon paragraph 11 of decision BC-13/5;¹¹
3. *Welcomes* the suggestions of the expert working group for amendments to the technical guidelines on transboundary movements of electrical and electronic waste and used electrical and electronic equipment, in particular regarding the distinction between waste and non-waste under the Basel Convention;¹²
4. *Recommends* that the Conference of the Parties, at its fourteenth meeting, consider amending the technical guidelines on transboundary movements of electrical and electronic waste and used electrical and electronic equipment, in particular regarding the distinction between waste and non-waste under the Basel Convention, as suggested by the expert working group, taking into account the discussions of the Open-ended Working Group at its eleventh meeting.

⁷ Comments were received from Argentina, India, the Republic of Korea, Trinidad and Tobago, the United States of America as well as the Basel Action Network (BAN), Global Diagnostic Imaging, Healthcare IT and Radiation Therapy Trade Association (DITTA) and a group of information and communication technologies (ICT) trade associations.

⁸ <http://basel.int/Implementation/Ewaste/TechnicalGuidelines/DevelopmentofTGs/tabid/2377/Default.aspx>.

⁹ The list of members and observers is available from: <http://www.basel.int/Implementation/Ewaste/TechnicalGuidelines/DevelopmentofTGs/tabid/2377/Default.aspx>.

¹⁰ UNEP/CHW/OEWG.11/INF/17.

¹¹ UNEP/CHW/OEWG.11/INF/16.

¹² UNEP/CHW/OEWG.11/INF/15.

III. Technical guidelines on incineration on land (D10), on specially engineered landfill (D5) and on hazardous waste physico-chemical treatment (D9) and biological treatment (D8)

A. Introduction

30. In paragraph 4 of decision BC-13/6, the Conference of the Parties decided that the technical guidelines on incineration on land (D10) and on specially engineered landfill (D5) should be updated.

31. In paragraph 5, the Conference of the Parties invited Parties to consider serving as lead countries in the updating of the technical guidelines and to inform the Secretariat of their willingness to do so by 31 August 2017.

32. In paragraph 6, the Conference of the Parties decided to establish a small intersessional working group, operating by electronic means, to undertake the updating referred to in paragraph 4 of decision BC-13/6. By paragraph 7, Parties and others were invited to nominate experts to participate in the small intersessional working group and to inform the Secretariat of their nominations by 31 August 2017.

33. In paragraph 8, the Conference of the Parties requested the lead country or countries or, if there was no lead country or countries, the Secretariat, subject to the availability of resources, in consultation with the small intersessional working group, to prepare the draft updated technical guidelines referred to in paragraph 4 of decision BC-13/6 for consideration by the Open-ended Working Group at its eleventh meeting.

34. In paragraph 10, the Conference of the Parties decided to include in the work programme of the Open-ended Working Group for the biennium 2018–2019 the consideration of whether the technical guidelines on hazardous waste physico-chemical treatment (D9) and biological treatment (D8) referred to in decision V/26 should be updated.

B. Implementation

35. Pursuant to paragraph 5 of decision BC-13/6, the Secretariat sent a letter to all the Parties on 2 June 2017 inviting them to consider serving as lead countries in the updating of the technical guidelines.

36. In response to the invitation, the Governments of Argentina and Canada offered to co-lead the updating of the two sets of technical guidelines on incineration on land (D10) and on specially engineered landfill (D5), respectively.

37. The Secretariat engaged a consultant to assist, together with the co-lead countries, the small intersessional working group with the updating of the technical guidelines on incineration on land (D10), while the Government of Canada, in collaboration with co-lead Argentina, updated the technical guidelines on specially engineered landfill (D5).

38. The small intersessional working group met by teleconference on 9 October 2017 and 21 February 2018 to consider the updating of the technical guidelines.

39. The draft updated technical guidelines on incineration on land (D10) are set out in document UNEP/CHW/OEWG.11/INF/18 and the draft updated technical guidelines on specially engineered landfill (D5) are set out in document UNEP/CHW/OEWG.11/INF/19.

C. Proposed action

40. The Open-ended Working Group may wish to adopt a decision along the following lines:

The Open-ended Working Group

1. *Welcomes* with appreciation the contributions made by the Governments of Argentina and Canada in taking the co-lead roles in updating the technical guidelines on incineration on land (D10) and on specially engineered landfill (D5), respectively;

2. *Takes note* of the draft updated technical guidelines on incineration on land (D10)¹³ and the draft updated technical guidelines on specially engineered landfill (D5);¹⁴

¹³ UNEP/CHW/OEWG.11/INF/18.

¹⁴ UNEP/CHW/OEWG.11/INF/19.

3. *Requests* the co-lead countries and the Secretariat, as appropriate, to revise, by 31 October 2018, the draft updated technical guidelines, in consultation with the small intersessional working group, for consideration and possible adoption by the Conference of the Parties at its fourteenth meeting;

4. [*Recommends* that the Conference of the Parties, at its fourteenth meeting, decide that the technical guidelines on hazardous waste physico-chemical treatment (D9) and biological treatment (D8) should be updated, taking into account the discussions of the Open-ended Working Group at its eleventh meeting.]



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Item 3 (b) (ii) of the provisional agenda**

**Matters related to the work programme of the
Open-ended Working Group for 2018–2019:
scientific and technical matters: national reporting**

National reporting: types of wastes for additional practical guidance on the development of inventories

Note by the Secretariat

I. Introduction

1. In its decision BC-13/8, on national reporting, the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal took note of the practical guidance on the development of inventories of used lead-acid batteries, of electrical and electronic waste and of waste oils. In paragraph 5 of the same decision, the Conference of the Parties invited Parties to inform the Secretariat, by 28 February 2018, of the types of wastes for which additional practical guidance on the development of inventories would be useful.

2. In paragraph 6 of the same decision, the Conference of the Parties requested the Open-ended Working Group to consider, at its eleventh meeting, the types of wastes for which practical guidance on the development of inventories would be useful, as identified by Parties, and to prepare recommendations thereon for consideration by the Conference of the Parties at its fourteenth meeting.

II. Implementation

3. Information on the types of wastes for which practical guidance on the development of inventories would be useful was submitted by six Parties.¹ The information received is set out in document UNEP/CHW/OEWG.11/INF/20 and summarized in the annex to the present note.

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¹ Argentina, Liberia, Madagascar, Mexico, State of Palestine and Yemen.

III. Proposed action

4. The Open-ended Working Group may wish to adopt a decision along the following lines:

The Open-ended Working Group

1. *Agrees* on the following types of wastes for which practical guidance on the development of inventories should be developed, taking into account the information submitted by Parties on the types of wastes for which such practical guidance would be useful;²

[to be inserted];

2. *Recommends* that the Conference of the Parties at its fourteenth meeting considers requesting the Secretariat to develop, within available resources, practical guidance on the development of inventories for the waste streams mentioned in paragraph 1 above, for consideration by the Conference of the Parties at its fifteenth meeting.

² Annex to document UNEP/CHW/OEWG.11/5.

Annex

Types of wastes for which additional practical guidance on the development of inventories would be useful: summary of the information submitted by Parties^a

- a) Dry zinc batteries (Yemen)
- b) Lead paint waste containers (Liberia)
- c) Lithium-thionyl chloride batteries and lithium-ion batteries (Argentina)
- d) Mercury fluorescent lamps (Argentina)
- e) Mercury wastes (Mexico)
- f) Microplastics wastes (Madagascar)
- g) Nanotechnology wastes (Madagascar)
- h) Obsolete industrial chemicals (Yemen)
- i) Obsolete or used pesticide containers (Liberia)
- j) Obsolete pesticides (Yemen)
- k) Olive oil waste (State of Palestine)
- l) Plastics (Liberia, Madagascar)
- m) Spent catalysts (Argentina)
- n) Used cartridges and toners (Argentina)
- o) Used tyres (Argentina, Liberia)
- p) Wastes of genetically modified objects (Madagascar)

^a For the original submissions, see document UNEP/CHW/OEWG.11/INF/20.



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Item 3 (b) (iv) of the provisional agenda*

**Matters related to the work programme of the
Open-ended Working Group for 2018–2019:
scientific and technical matters: marine plastic
litter and microplastics**

Marine plastic litter and microplastics

Note by the Secretariat

I. Introduction

1. At its thirteenth meeting, the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal included activities related to marine plastic litter and microplastics in the work programme of the Open-ended Working Group for the biennium 2018–2019 set out in the annex to decision BC-13/17. The activities, subject to the availability of resources, were as follows:

(a) To consider relevant options available under the Convention to further address marine plastic litter and microplastics, taking into account, inter alia, the assessment requested by the United Nations Environment Assembly of the United Nations Environment Programme in its resolution 2/11, any relevant resolution adopted by the Environment Assembly at its third session and existing guidance documents and activities under the Basel Convention that addressed issues related to marine plastic litter and microplastics;

(b) To develop a proposal for possible further action, within the scope of the Convention and avoiding duplication with activities relating to the matter in other forums, for consideration by the Conference of the Parties at its fourteenth meeting.

2. The Conference of the Parties to the Basel Convention and the Conference of the Parties to the Stockholm Convention on Persistent Organic Pollutants, in their decisions BC-13/11 and SC-8/15 respectively, encouraged interested regional and coordinating centres to work, under the Convention, on the impact of plastic waste, marine plastic litter, microplastics and measures for prevention and environmentally sound management.

3. By its resolution 3/7, on marine litter and microplastics, the United Nations Environment Assembly at its third session invited relevant international and regional organizations and conventions, including the Convention on Biological Diversity, the Basel Convention, the Stockholm Convention, the International Maritime Organization and its conventions, the Food and Agriculture Organization of the United Nations, regional fisheries management organizations and arrangements, the regional seas conventions and programmes, the Organization for Economic Cooperation and Development and the

* UNEP/CHW/OEWG.11/1/Rev.1.

Strategic Approach to International Chemicals Management, as appropriate within their mandates, to increase their action to prevent and reduce marine litter and microplastics and their harmful effects and to coordinate where appropriate to achieve that end.

4. In paragraph 10 of the same resolution, the Assembly decided to convene, subject to the availability of resources, meetings of an open-ended ad hoc expert group to further examine the barriers to and options for combating marine plastic litter and microplastics from all sources, especially land-based sources. The first meeting of the group will be held in Nairobi from 29 to 31 May 2018, and the second meeting is planned for November 2018.

II. Implementation

5. Following the thirteenth meeting of the Conference of the Parties, the Secretariat initiated activities related to marine plastic litter and microplastics. The Secretariat compiled information on initiatives related to marine plastic litter and microplastics relevant to the Basel Convention and made it available on the website of the Convention,¹ and continues to participate in the activities of the global partnership on marine litter of the United Nations Environment Programme, including in its webinars.

6. In accordance with the activities specified in the work programme of the Open-ended Working Group for the biennium 2018–2019, the Secretariat, thanks to generous financial support provided by the Government of Norway, prepared a report on possible options available under the Convention to further address marine plastic litter and microplastics for consideration by the Open-ended Working Group at its eleventh meeting. The full report is set out in document UNEP/CHW/OEWG.11/INF/22 and possible further action on marine plastic litter and microplastics that the Open-ended Working Group may wish to consider as a proposal for submission to the Conference of the Parties is set out in the annex to the present note.

7. In addition, information on activities related to marine plastic litter and microplastics undertaken by regional and coordinating centres has been compiled in document UNEP/CHW/OEWG.11/INF/22/Add.1.

8. On 4 April 2018, the Secretariat received an invitation from the United Nations Environment Programme to attend and submit a paper for the first meeting of the open-ended ad hoc expert group on marine litter and microplastics, to be held in Nairobi from 29 to 31 May 2018. The Secretariat submitted a paper informing of the progress on relevant activities undertaken as at 16 April 2018.² A link to the outcome of the meeting will be made available in document UNEP/CHW/OEWG.11/INF/23.

III. Proposed action

9. The Open-ended Working Group may wish to adopt a decision along the following lines:

The Open-ended Working Group

1. *Welcomes* the report on possible options available under the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal to further address marine plastic litter and microplastics³ and takes note of the information on activities related to marine plastic litter and microplastics undertaken by regional and coordinating centres;⁴

2. *Decides* to transmit the proposal for possible further action on marine plastic litter and microplastics set out in the annex to the present decision for consideration by the Conference of the Parties at its fourteenth meeting;

3. *Requests* the Executive Secretary to communicate the present decision to the open-ended ad hoc expert group referred to in paragraph 10 of resolution 3/7 of the United Nations Environment Assembly and to the United Nations Environment Assembly at its fourth session.

¹ <http://www.basel.int/tabid/6068/Default.aspx>.

² <https://papersmart.unon.org/resolution/access-position-papers>.

³ UNEP/CHW/OEWG.11/INF/22.

⁴ UNEP/CHW/OEWG.11/INF/22/Add.1.

Annex to decision OEWG-11/[...]

[to be inserted]

Annex

Possible further action on marine plastic litter and microplastics

The Conference of the Parties may wish to take into account any resolution related to marine plastic litter and microplastics adopted by the United Nations Environment Assembly at its fourth session, to be held in Nairobi from 11 to 15 March 2019.

For each of the subject areas listed below, the Conference of the Parties may wish:

1. General

To reconfirm that marine plastic litter and microplastics are an issue of serious global concern; to emphasize that the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal can and will play a central and significant role in addressing this problem;

2. Preventing and minimizing the generation of plastic wastes

To emphasize the need to adopt a lifecycle approach, and the importance of the waste management hierarchy; to invite Governments, industry and consumers to make efforts to prevent and minimize the generation of plastic waste; to welcome the many initiatives that have been taken; to encourage further efforts;

3. Removing hazardous constituents from plastic wastes

To note that plastics may contain potentially hazardous substances; to welcome the work of the Stockholm Convention on Persistent Organic Pollutants to eliminate or control persistent organic pollutants; to invite Parties to that Convention and other stakeholders to address substances that may pose a risk through their presence in marine plastic litter and microplastics; to welcome the work of the Strategic Approach to International Chemicals Management; to encourage particular attention to substances that might pose a risk through their presence in marine plastic litter and microplastics;

4. Scope of the Basel Convention - definition of wastes covered

To consider whether any additional constituents or characteristics should be added to Annex I or Annex III respectively to the Convention, and how this work might be undertaken; to consider whether any new categories of waste should be listed in Annex II of the Convention and how this work might be undertaken;

5. Technical and policy guidance

To consider whether the framework and practical guidance on prevention and minimization of hazardous and other waste and on environmentally sound management, as well as the technical guidelines adopted in 2002 on the sound management of plastic wastes, deal sufficiently with the challenge of marine plastic litter and microplastics reflecting current technical and other considerations; to consider the case for extending the guidance as necessary; to consider how such work should be undertaken; to consider establishing a mechanism to monitor the implementation of the technical guidelines on plastic wastes;

6. Partnership approaches

To consider requesting the working group of the partnership on household waste to consider plastic waste specifically within its work programme; or to consider whether there would be value in establishing a specific new partnership to address plastic wastes and microplastics;

7. Capacity-building, regional centres and the clearing house mechanism

To note that the technical assistance plan for the implementation of the Basel Convention, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention provides opportunities for capacity-building by Parties; to welcome the extensive work that the regional centres of the Basel and Stockholm conventions have already done; to invite the regional centres and request the Secretariat to continue their activities; to request that the clearing house mechanism gather information about regional and national initiatives including on marine plastic litter and microplastics and make this readily available;

8. Financial support

To welcome the voluntary contribution by Governments and the support that the Global Environment Facility and the Special Programme have provided; to encourage them, according to their

mandates and the priorities that have been established, to continue to support in particular projects that will help to address the problem of marine plastic litter and microplastics; to encourage further voluntary contributions to support work on those issues;

9. Cooperation with other international organizations and initiatives

To welcome the engagement of the Secretariat with other international organizations; to encourage the Secretariat to continue to work closely with such organizations;

10. Public awareness and education

To consider how the Convention can most effectively make information available by building on existing work and taking into account the work of the United Nations Environment Programme and other agencies in order to achieve maximum impact and to avoid duplication;

11. Reporting

To consider whether better data could be gathered about the generation, disposal and transboundary movement of plastic wastes in different waste streams, as well as about national policies and progress towards the environmentally sound management of plastic wastes; to consider developing voluntary indicators, targets, timelines and reporting mechanisms on reductions in plastic waste generation, so as to enable the monitoring of progress towards plastic waste minimization at the national and global levels; to consider whether practical guidance on the development of inventories for plastic waste streams for enhancing national reporting could be developed;¹

12. Action within the Secretariat

To request the Executive Secretary to endeavour to reduce the use of plastics, particularly plastics for single use, within the Secretariat and during meetings organized under the Convention where alternatives exist;

13. Coordination with the United Nations Environment Assembly intersessional process on marine litter and microplastics

(Addressed in paragraph 3 of the draft decision set out in paragraph 9 of document UNEP/CHW/OEWG.11/7)

¹ See also document UNEP/CHW/OEWG.11/5.



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**Open-ended Working Group of the Basel Convention
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Eleventh meeting
Geneva, 3–6 September 2018
Item 4 of the provisional agenda*
**Work programme of the Open-ended Working
Group for 2020-2021**

Work programme of the Open-ended Working Group for 2020–2021

Note by the Secretariat

I. Introduction

1. At its fourteenth meeting, the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal is expected to adopt the work programme of the Open-ended Working Group for the biennium 2020–2021. In preparation for that process, and in accordance with its usual practice, the Secretariat has prepared a draft work programme for consideration by the Working Group at its eleventh meeting (see annex).

II. Proposed action

2. The Open-ended Working Group may wish to adopt a decision along the following lines:

The Open-ended Working Group

Takes note of the draft work programme of the Open-ended Working Group for 2020–2021¹ and transmits it to the Conference of the Parties for consideration and possible adoption, with any amendments, at its fourteenth meeting.

* UNEP/CHW/OEWG.11/1/Rev.1.

¹ UNEP/CHW/OEWG.11/13/Rev.1, annex.

Annex

Draft work programme of the Open-ended Working Group for 2020–2021

<i>Topics</i>	<i>Activities</i>	<i>Mandate</i>	<i>Priority</i>
I. Strategic issues			
A. Strategic framework	Consider a draft report on the final evaluation of the strategic framework for consideration by the Conference of the Parties at its fifteenth meeting	Decision BC-13/1 Decision BC-14/[...]	High
B. Development of guidelines for environmentally sound management	1. Review the progress made in the implementation of the work programme of the expert working group on environmentally sound management 2. Consider the draft documents developed by the expert working group on environmentally sound management	Decision BC-14/[...]	High
II. Scientific and technical matters			
A. Technical guidelines	1. Consider comments and information relating to a review of provisional low persistent organic pollutant content values in the general technical guidelines referred to in decision BC-14/[...] and other technical guidelines, as appropriate 2. Update the general technical guidelines for the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants and prepare or update specific technical guidelines with regard to the chemicals listed in Annexes A and C to the Stockholm Convention on Persistent Organic Pollutants by decisions SC-9/[...] and SC-9/[...] of the Conference of the Parties to the Stockholm Convention, including the following: (a) Establishment of levels of destruction and irreversible transformation for the chemicals necessary to ensure that when disposed of they do not exhibit the characteristics of persistent organic pollutants specified in paragraph 1 of Annex D to the Stockholm Convention (b) Determination of which disposal methods constitute environmentally sound disposal as referred to in paragraph 1 (d) (ii) of Article 6 of the Stockholm Convention (c) Establishment, as appropriate, of the concentration levels of the chemicals in order to define for the Stockholm Convention low persistent organic pollutant content as referred to in paragraph 1 (d) (ii) of Article 6 of the Convention	Decision BC-14/[...] Decision BC-14/[...]	High High

<i>Topics</i>	<i>Activities</i>	<i>Mandate</i>	<i>Priority</i>
	3. Consider the draft updated technical guidelines on incineration on land (D10) and on specially engineered landfill (D5)	Decision BC-14/[...]	Medium
	4. Consider the draft updated technical guidelines on hazardous waste physico-chemical treatment (D9) and biological treatment (D8)	Decision BC-14/[...]	Medium
B. Electronic approaches to the notification and movement documents	1. Consider the outcome of activities undertaken by the Secretariat on a Basel Convention electronic system for the notification and movement of hazardous and other wastes	Decision BC-14/[...]	Medium
	2. Consider whether to initiate a process under the Basel Convention for establishing such a system	Decision BC-14/[...]	Medium
C. Marine plastic litter and microplastics	Consider work that may be carried out and, subject to the availability of resources, undertake the activities outlined in decision BC-14/[...] on marine plastic litter and microplastics	Decision BC-14/[...]	High
D. Waste containing nanomaterials	Consider progress made and work that may be carried out in relation to waste containing nanomaterials	Decision BC-14/[...]	Medium
E. Amendments to the annexes to the Basel Convention	Consider and review any applications for changes and any corrections to the list of wastes contained in Annexes VIII and IX to the Basel Convention	Decision VIII/15	High
III. Legal, governance and enforcement matters			
A. Consultation with the Committee Administering the Mechanism for Promoting Implementation and Compliance	Consult with the Committee on the activities of its 2020–2021 work programme, as provided in decision BC-14/[...], and on other matters as decided by the Committee	Decision BC-14/[...]	High
B. Providing further legal clarity	1. Consider progress made and provide guidance to the expert working group on the review of Annexes I, III and IV and related aspects of Annex IX to the Basel Convention	Decision BC-14/[...]	High
	2. Consider work that may be carried out to review Annexes II, VIII and IX to the Convention	Decision BC-14/[...]	Medium
IV. International cooperation and coordination			
A. Basel Convention Partnership Programme	1. Consider a report from the Basel Convention regional and coordinating centres on the implementation of activities listed in the work programme set out in the concept note on a follow-up partnership to the Partnership for Action on Computing Equipment and follow-up to decision BC-13/12	Decision BC-13/12 Decision BC-14/[...]	Medium
	2. Consider progress made and provide guidance on the implementation of the workplan of the household waste partnership working group	Decision BC-14/[...]	High

<i>Topics</i>	<i>Activities</i>	<i>Mandate</i>	<i>Priority</i>
	3. Consider progress made on the further development of partnerships under the Basel Convention	Decision BC-14/[...]	High
B. Cooperation with the World Customs Organization on the Harmonized Commodity Description and Coding System	Consider progress made with regard to the inclusion of Basel Convention wastes in the World Customs Organization Harmonized Commodity Description and Coding System	Decision BC-14/[...]	Medium
V. Programme of work and budget			
Financing and budget for the biennium 2020–2021	Consider the report by the Secretariat on the status of the implementation of decision BC-14/[...] on the programme of work and budget of the Basel Convention for the biennium 2020–2021	Decision BC-14/[...]	Medium



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**Matters related to the work programme of the
Open-ended Working Group for 2018–2019:
scientific and technical matters: amendments to the
annexes to the Basel Convention**

Application for the removal of wastes from Annex IX to the Basel Convention

Note by the Secretariat

I. Introduction

1. In its decision VIII/15, on revisions to the procedure for the review or adjustment of the lists of wastes contained in Annexes VIII and IX and the status of decision VII/21, the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal adopted the procedure for the review or adjustment of lists of wastes contained in Annexes VIII and IX, as set out in the annex to that decision.
2. Pursuant to that procedure, applications for any changes to the text of Annexes VIII or IX must be submitted to the Secretariat using the form set out in the annex to decision VIII/15. In addition, the Open-ended Working Group is to consider and review the application at its following meeting, provided that the application and any information in addition to the form is submitted to the Secretariat at least three months prior to that meeting. Further, the application must be based on sound scientific assessment in accordance with paragraph 1 (a) of article 1 of the Basel Convention. The Open-ended Working Group should arrive at a decision by consensus and its decision on the placement or removal of wastes on the list contained in Annexes VIII and IX is to be transmitted in a report of the Open-ended Working Group through the Secretariat to the following meeting of the Conference of the Parties.

II. Implementation

3. On 2 June 2018, the Government of Norway transmitted to the Secretariat an application for the removal of entry “B3010: solid plastic wastes” from Annex IX to the Basel Convention. As part of the information provided in the application form under “Summary of reasons for proposed placement”, it is indicated that the applicant proposes an amendment to Annex IX to remove entry B3010 in order to provide clarity on the regulation of wastes containing plastics. It is also indicated that the applicant intends at a later stage to propose an amendment to Annex II to the Basel Convention to add a new

* UNEP/CHW/OEWG.11/1/Rev.1.

entry to cover plastic waste. It is further indicated that these proposed amendments to Annexes II and IX are intended to increase the effectiveness of the Basel Convention with regard to plastic wastes, and especially plastic wastes that lead to marine pollution. The application, as received by the Secretariat, is set out in document UNEP/CHW/OEWG.11/INF/36.

4. On 8 June 2018, pursuant to the procedure set out in the annex to decision VIII/15, the Secretariat placed the application on the website of the Basel Convention¹ and sent a communication to all Parties to the Convention to announce that the application made by the Government of Norway was available. Parties were invited to provide comments on the application directly to the applicant by 28 June 2018. On 13 June 2018, the Secretariat sent a follow-up communication to all Parties to the Convention with information relevant to the application that had previously been inadvertently omitted.

5. Any addendum to the application containing answers to the questions received from Parties that is made available by the applicant will be included in document UNEP/CHW/OEWG.11/INF/36.

III. Proposed action

6. Pursuant to decision VIII/15, the Open-ended Working Group is to consider and review the application for removal of wastes from Annex IX as set out in document UNEP/CHW/OEWG.11/INF/36.

¹ <http://www.basel.int/TheConvention/Communications/tabid/1596/Default.aspx>.