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BASEL CONVENTION

Expert Working Group on the review of Annexes
Fourth meeting
Geneva (online), 5–9 October 2020 and 1–3 February 2021*
Item 3 of the agenda**

Review of Annex IV and of entries A1180 and B1110 in Annexes VIII and IX to the Basel Convention

Proposal by Ghana and Switzerland to amend Annexes II, VIII and IX of the Basel Convention

Note by the Secretariat

As is mentioned in the note by the Secretariat on the review of Annex IV and of entries A1180 and B1110 in Annexes VIII and IX to the Basel Convention, supplementary sessions (1–3 February 2021) (UNEP/CHW/RA_EWG.4/2/Add.1), annex I to the present note sets out the proposal by Ghana and Switzerland to amend Annexes II, VIII and IX of the Basel Convention for consideration by the fifteenth meeting of the Conference of the Parties. Annex II sets out the accompanying explanatory note, annex III sets out three application forms for the placement of wastes in or their removal from Annexes VIII and IV to the Convention, and annex IV sets out tracked changes to the current texts of Annexes II, VIII and IX to the Convention reflecting the amendment proposal. Pursuant to paragraph 2 of Article 17 of the Convention, the Secretariat will communicate the text of the proposed amendment to the Convention to the Parties at least six months before the meeting at which it is proposed for adoption, namely by 19 January 2021. Comments by Parties on the proposal will be invited by 17 March 2021 and made available to the Conference of the Parties at its fifteenth meeting. The present note, including its annexes, has not been formally edited.

* These sessions will be complemented by subsequent sessions as needed.

** UNEP/CHW/RA_EWG.4/1.

Annex I

Proposal by Ghana and Switzerland to amend Annexes II, VIII and IX of the Basel Convention

4 December 2020

Proposal of the governments of Ghana and Switzerland to amend Annexes II, VIII and IX of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal

Annex II

Proposal for a new entry Y49:

Y49 Waste electrical and electronic equipment, including scrap thereof
- without a component containing Annex I constituents to an extent that it exhibits an Annex III characteristic (e.g. with glass from cathode ray tubes or a battery included on list A, a mercury switch, a fluorescent tube containing mercury, a capacitor containing PCBs, a component containing asbestos) and without a component (e.g. a circuit board, a plastic component containing a brominated flame retardant) containing Annex I constituents to an extent that the waste exhibits an Annex III characteristic; or
- not containing or contaminated with Annex I constituents to an extent that the waste exhibits an Annex III characteristic; or

waste components of electrical and electronic equipment, including scrap thereof, not containing or contaminated with Annex I constituents to an extent that the waste exhibits an Annex III characteristic (note the related entry on list A A1180)[1]

[1] PCBs or PBBs are at a concentration level of less than 50 mg/kg in equipment including scrap thereof or in a component.

Annex VIII

Proposal for a new wording of entry A1180:

A1180 Waste electrical and electronic equipment, including scrap thereof
- with a component containing Annex I constituents to an extent that it exhibits an Annex III characteristic (e.g. with glass from cathode ray tubes or a battery included on list A, a mercury switch, a fluorescent tube containing mercury, a capacitor containing PCBs, a component containing asbestos) or with a component (e.g. a circuit board, a plastic component containing a brominated flame retardant) insofar this is containing or contaminated with Annex I constituents to an extent that it exhibits an Annex III characteristic; or
- containing or contaminated with Annex I constituents (e.g. cadmium, lead, mercury) to an extent that the waste exhibits an Annex III characteristic; or

waste components of electrical and electronic equipment containing or contaminated with Annex I constituents to an extent that the waste exhibits an Annex III characteristic (note the related entry Y49)[1]

[1] PCBs or PBBs are at a concentration level of more than 50 mg/kg in equipment including scrap thereof or in a component.

Annex IX

Proposal for deleting entries B1110 and B4030:

B1110 deleted

B4030 deleted

Annex II

Explanatory note from the Governments of Ghana and Switzerland on its proposals to amend Annexes II, VIII and IX of the Basel Convention

ADDING NON-HAZARDOUS E-WASTE TO ANNEX II OF THE BASEL CONVENTION

Ghana and Switzerland propose to amend Annexes II, VIII and IX of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal.

The proposal consists of:

- **Adding a new entry Y49 on ANNEX II "Categories of waste requiring special consideration" of the Basel Convention (BC) for Waste Electrical and Electronic Equipment (WEEE) its components and constituents not characterized as hazardous, and**
- **Rewording entry A1180 on Annex VIII for e-waste characterized as hazardous, and**
- **deleting the e-waste entry B1110 on ANNEX IX of the Convention, since this entry is captured by the new entry Y49 as mirror entry of entry A1180, and**
- **deleting the entry B4030 on ANNEX IX of the Convention since this entry becomes redundant and is captured in the new entry Y49.**

As a result of these amendments all e-waste moved transboundary, be it characterized as hazardous or not, will be subject to the PIC (Prior Informed Consent) procedure of the Basel Convention. The ultimate goal of the amendment proposal is directing all WEEE moved transboundary to environmentally sound management with state-of-the-art technology and thus contribute to circular economy.

The amendment proposal doesn't tackle the waste/non-waste discussion of used Electrical and Electronic Equipment (EEE). Concerning this matter Ghana and Switzerland propose complementary measures accompanying this amendment proposal (see chapter 7).

Reasoning and goal of the proposal

Waste electrical and Electronic Equipment (WEEE) and its components and constituents not treated in an environmentally sound manner harms human health and burdens the environment. This is not only valid for WEEE characterized as hazardous but also for WEEE not characterized as hazardous. With the introduction of an additional listing of non-hazardous WEEE and its components and constituents on Annex II of the BC the Prior Informed Consent (PIC) procedure for transboundary movements would not only be mandatory for WEEE and its components and constituents characterized as hazardous but also for WEEE and its components and constituents not characterized as hazardous under the Basel Convention. Thus, ensuring environmentally sound management and state of the art treatment of WEEE as a whole.

1. Introduction

The worldwide the production of EEE is strongly growing every year. This, because of the growing demand of EEE and the continuing development of new products. In addition, the life span of many e-products becomes shorter and thus triggers the demand and the amount of WEEE generated.

As for every product once EEE reaches its end of life, without the intent of re-use, it becomes a waste. The "Global E-Waste Monitor 2020" estimates for the year 2019 a production of around 53.6 million metric tons of WEEE, which correspond to 7.3 kg per person. By the end of this decade, a volume of 74.7 million metric tons of WEEE is predicted. Indeed, WEEE is one of the fastest growing waste

streams, specifically consumer EEE. The growing rate for WEEE is estimated to be between 3-5% per year. The recycling activities are not keeping pace with the global growth of e-waste. [1,2]

2. Management of WEEE

Recovery of WEEE is sensible and ecologically worthwhile. WEEE managed and treated in an environmentally sound manner leads to the recovery of valuable materials. The Global E-waste Monitor 2020 report estimates the intrinsic materiel value of the worldwide WEEE generated in 2019 to be 57 billion US$ (mainly aluminum, cooper, iron, gold, copper). It is undisputed that this enormous number of resources must be kept in a circular material flow. Environmentally sound recovery with state-of-the-art technology of all WEEE must therefore be the focus. Of course, environmentally sound recovery also means that during treatment harmful constituents are removed and disposed of in a proper way.

Unfortunately, this is not the case worldwide. WEEE – whether characterized as hazardous or non-hazardous – if not treated with state-of-the-art technology can harm human health and burden the environment, e.g., open burning of WEEE or acid leaching of printed circuit boards. The Global E-waste Monitor 2020 reports that in 2019 only 17.4% (9.3 million metric tons) of the WEEE generated worldwide is collected and treated in an environmentally sound manner; 82.6% (44.3 million metric tons) is undocumented. Huge masses of WEEE are not managed in an environmentally sound manner.

3. Transboundary movements (TBMs) of WEEE

Because of the often-high materiel value and the comparatively high disposal costs of WEEE in many countries huge amounts of e-waste are moved transboundary for disposal. The Global E-waste Monitor 2020 estimates that 7-20% or 3.8-10.7 million metric tons of second-hand EEE or WEEE were moved transboundary in 2019. Since years TBMs are often directed into countries (mainly African or Asian countries) lacking the necessary capacity for the ESM. The material is often exported - rightly or wrongly declared - as product or as non-hazardous waste and thus no PIC procedure is applied.

4. Current classifications of e-waste under the Basel Convention

The Basel Convention lists three entries for e-waste.

(i) An entry in Annex VIII for e-waste characterized as hazardous:

A1180 Waste electrical and electronic assemblies or scrap[1] containing components such as accumulators and other batteries included on list A, mercury-switches, glass from cathode-ray tubes and other activated glass and PCB capacitors, or contaminated with Annex I constituents (e.g., cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they possess any of the characteristics contained in Annex III (note the related entry on list B B1110)[2]

[1] *This entry does not include scrap assemblies from electric power generation.*
[2] *PCBs are at a concentration level of 50 mg/kg or more.*

(ii) And two entries in Annex IX for e-waste not characterized as hazardous:

B1110 Electrical and electronic assemblies:
• Electronic assemblies consisting only of metals or alloys
• Waste electrical and electronic assemblies or scrap[1] (including printed circuit boards) not containing components such as accumulators and other batteries included on list A, mercury-switches, glass from cathode-ray tubes and other activated glass and PCB capacitors, or not contaminated with Annex I constituents (e.g., cadmium, mercury, lead, polychlorinated biphenyl) or from which these have been removed, to an extent that they do not possess any of the characteristics contained in Annex III (note the related entry on list A A1180)

[1] Forti V., Baldé C.P., Kuehr R., Bel G. The Global E-waste Monitor 2020: Quantities, flows and the circular economy potential. United Nations University (UNU)/United Nations Institute for Training and Research (UNITAR) – co-hosted SCYCLE Programme, International Telecommunication Union (ITU) & International Solid Waste Association (ISWA), Bonn/Geneva/Rotterdam.

[2] E-waste in the international context – A review of trade flows, regulations, hazards, waste management strategies and technologies for value recovery. I.M.S.K. Ilankoon, Yousef Ghorbani, Meng Nan Chong, Gamini Herath, Thandazile Moyo, Jochen Petrsen. ELSEVIER Waste Management 82 (2018).

• Electrical and electronic assemblies (including printed circuit boards, electronic components and wires) destined for direct reuse[2], and not for recycling or final disposal[3].

[1] *This entry does not include scrap from electrical power generation.*
[2] *Reuse can include repair, refurbishment or upgrading, but not major reassembly.*
[3] *In some countries these materials destined for direct re-use are not considered wastes.*

and

B4030 Used single-use cameras, with batteries not included on list A

As a consequence, this classification means that TBMs:

➔ of WEEE characterized as hazardous are subject to the PIC procedure. TBMs can only be carried out with the consent of the involved countries. In addition, the Basel Ban-amendment prohibiting transboundary movements from Annex VII countries to non-Annex VII countries applies;

and

➔ of WEEE characterized as non-hazardous must not be notified in advance and therefore are not controlled.

As indicated above, hazardous WEEE and its components and constituents (as listed on ANNEX VIII) as well as non-hazardous WEEE (as listed on ANNEX IX) which are not treated with state-of-the-art technology can harm human health and burden the environment. It is therefore necessary to ensure that transboundary movements of all categories of WEEE and its components and constituents undergo the PIC procedure. Applying the PIC procedure to all WEEE is a prerequisite for the assurance of the ESM of all such categories of wastes.

5. Expert Working Group (EWG) on the Review of Annexes of the Basel Convention

By its decision BC-14/16, on providing further legal clarity, the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal extended the mandate of the Expert Working Group (EWG) on the review of Annexes of the Basel Convention to also review the WEEE entries B1110 in Annex IX as well as the mirror entry A1180 in ANNEX VIII.

The results of the discussions of the EWG concerning WEEE entries A1180 and B1110 are compiled in document UNEP/CHW/OEWG12/Inf/25 which contains the recommendations and findings of its work.

- Appendix II of the document contains a recommended option for possible amendments to A1180 and B1110.

- Appendix III of the document contains additional options for possible amendments to A1180 and B1110.
  Note that these proposals in Appendix III (options 1 and 2) were presented during the third meeting of the EWG but were not discussed. Some examples in these options were not retained merely for presentation purposes.

The above-mentioned COP Decision BC-14/16 also stipulated that options for amendment proposals of the EWG with respect to ANNEX IV, entry A1180 and ANNEX IX entry B1110 X were to be presented and discussed during the twelfth meeting of the Open-ended Working Group (OEWG). and negotiated and possibly adopted by the Conference of the Parties during its fifteenth meeting. Due to the Corona Pandemic the OEWG 12 meeting (in September 2020) only took place virtually. Therefore, the findings of the EWG were only presented but not discussed.
In its October 2020 the EWG met again and further worked on the wording of the e-waste entries A1180 and B1110. The EWG explored several ideas but could not come to a consensus on a recommendation for the wording.

The EWG has a mandate to prepare recommendations but as such it cannot make proposals for amending Annexes of the Convention. Since the proposal of Ghana and Switzerland addresses e-waste also a revised wording for the entries is proposed.

Building on the discussion of the EWG Ghana and Switzerland further developed the wording in order to provide for a clear distinction between hazardous and non-hazardous WEEE based on the following concepts:

- If equipment contains hazardous components and it becomes waste, the equipment should be considered to be hazardous waste. Hazardous components are parts of waste equipment that contain or are contaminated with Annex I constituents to an extent that it exhibits an Annex III characteristic.
  There are components of equipment that are always hazardous. This is e.g. the case for glass from cathode ray tubes and batteries included on list A of Annex VIII. Both these components are on list A and thus classified as hazardous. Mercury switches, fluorescent tubes containing mercury, capacitors containing PCBs and components containing asbestos are also such examples. Equipment containing this type of components should be considered to be hazardous. There are other components that are not always hazardous, but for which the holder must demonstrate that they do not exhibit any of the Annex III characteristics. Circuit boards and plastic components containing brominated flame retardants are such examples. In absence of such demonstration the equipment should be considered to be hazardous.
- If the waste equipment does not contain hazardous components, it should still be demonstrated that it does not contain or is not contaminated with Annex I constituents to an extent that it exhibits an Annex III characteristic. Otherwise it should be considered to be hazardous waste.
- If components are shipped as such, e.g. after they have been removed from waste equipment in a dismantling facility, the components are hazardous waste if they meet the definition mentioned above.
- If hazardous e-waste or their hazardous components are pre-treated, e.g. shredded, the e-waste scrap should still fall under entry A1180.
- The examples in the text should be selected in consistency with guidance provided para. 49 of the technical guidelines on the TBM of e-waste.

The proposed wording for entries Y49 on Annex II and entry A1180 on Annex VIII was developed on the basis of these concepts.

6. Proposal of Ghana and Switzerland

In addition to the proposals of the EWG (see section 5 above) and in order to making progress on this matter Ghana and Switzerland, propose the following:

- listing all WEEE and its components and constituents not characterized as hazardous as a new entry Y49 on ANNEX II "Categories of waste requiring special consideration" of the Basel Convention formulated exactly as mirror entry of entry A1180;
- reword entry A1180 on ANNEX VIII of the Basel Convention; and
- delete entries B1110 and B4030 on ANNEX IX of the Basel Convention.

The following amendments of ANNEX II, VIII and IX of the Basel Convention are proposed

ANNEX II: Add a new entry Y49

Y49 Waste electrical and electronic equipment, including scrap thereof
- without a component containing Annex I constituents to an extent that it exhibits an Annex III characteristic (e.g. with glass from cathode ray tubes or a battery included on list A, a mercury switch, a fluorescent tube containing mercury, a capacitor containing PCBs, a component containing asbestos) and without a component (e.g. a circuit board, a plastic component containing a brominated flame retardant) containing Annex I constituents to an extent that the waste exhibits an Annex III characteristic; or
- not containing or contaminated with Annex I constituents to an extent that the waste exhibits an Annex III characteristic; or

waste components of electrical and electronic equipment, including scrap thereof, not containing or contaminated with Annex I constituents to an extent that the waste exhibits an Annex III characteristic (note the related entry on list A A1180)[1]

[1] PCBs or PBBs are at a concentration level of less than 50 mg/kg in equipment including scrap thereof or in a component.

ANNEX VIII: reword entry A1180

A1180 Waste electrical and electronic equipment, including scrap thereof
- with a component containing Annex I constituents to an extent that it exhibits an Annex III characteristic (e.g. with glass from cathode ray tubes or a battery included on list A, a mercury switch, a fluorescent tube containing mercury, a capacitor containing PCBs, a component containing asbestos) or with a component (e.g. a circuit board, a plastic component containing a brominated flame retardant) insofar this is containing or contaminated with Annex I constituents to an extent that it exhibits an Annex III characteristic; or
- containing or contaminated with Annex I constituents (e.g. cadmium, lead, mercury) to an extent that the waste exhibits an Annex III characteristic; or

waste components of electrical and electronic equipment containing or contaminated with Annex I constituents to an extent that the waste exhibits an Annex III characteristic (note the related entry Y49)[1]

[1] PCBs or PBBs are at a concentration level of more than 50 mg/kg in equipment including scrap thereof or in a component.

ANNEX IX: Delete entries B1110 and B4030

B1110 entry deleted
Since this entry is captured by the new entry Y49.

B4030 entry deleted
Since "*Used single-use cameras, with batteries not included on list A"* is also an e-waste and would be captured in the new entry Y49:
There is no longer a need to have this waste stream included as a specific separate entry because now that most mobile phones are equipped with a photo camera, the sales of these single use cameras have dropped considerably. Specific transboundary movements consisting only of these cameras are extremely rare if at all taking place. Therefore there are no reasons anymore of maintaining a specific entry for these cameras and it is sufficient to have them implicitly covered by the general entry Y49.

7. Benefits and implications of the proposal

The benefits and implications of listing WEEE and its components and constituents not characterized as hazardous on ANNEX II of the BC include the following:

- *PIC procedure for all WEEE* and its components and constituents moved transboundary

With a listing of WEEE and its components and constituents not characterized as hazardous on ANNEX II of the BC there will be no further discussions whether a planned TBM of WEEE and its components and constituents are subject to the PIC-procedure. WEEE whether characterized as non-hazardous or as hazardous must be notified; the PIC procedure applies to all TBMs of WEEE and its components and constituents.

- *Tracking and monitoring TBMs*

With the listing of WEEE and its components and constituents not characterized as hazardous on ANNEX II of the BC tracking and monitoring of TBMs of all WEEE and its components and constituents will be possible. Statistics will become more comprehensive, reliable and valuable.

- *Ensuring ESM of all WEEE* and its components and constituents

The formalization of monitoring based on the mandatory PIC procedure for all WEE will ensure ESM of these wastes. Importing countries will have the officialized opportunity to prohibit or restrict imports of unwanted WEEE. Exporting countries will have the obligation to ensure that exported WEEE, be it characterized hazardous or not, will be treated in an environmentally sound manner. It will also be an incentive for countries to develop the necessary and adequate ESM-treatment recycling capacities and thus better ensure ESM of all WEEE including domestically produced WEEE and so protect human health and the environment from WEEE burdens.

- *Ensuring a more valuable recovery*

Applying the required environmentally sound management with state of the art technologies in adequate disposal facilities for the treatment of all WEEE will ensure a clearly higher recovery rate of the intrinsic value of the raw material in WEEE and its components and constituents.

- *Informal sector*

The PIC procedure will provide the countries with additional information about the destination of all WEEE imported into their country. If the WEEE is destined for the informal sector, this information will allow countries to better assisting and integrating the informal e-waste sector and better ensure proper protection of human health and the environment from WEEE burdens

- *Illegal trade of e-waste*

With the listing WEEE and its components and constituents not characterized as hazardous on ANNEX II of the BC and the introduction of the PIC procedure for all WEEE the situation for importers and exporters and importing and exporting countries will be much clearer. This will contribute to legal clarity and enforcement will be facilitated which will contribute to reduction of illegal trade.

- *BAN-amendment and national or national or regional import bans*

With the new amendment proposal/proposed classification, the Ban-amendment of the Basel Convention for hazardous WEEE and its components and constituents will still apply. In addition, national or regional import bans for hazardous waste such as the Bamako Convention will still apply. Exports of non-hazardous WEEE to countries that have not banned the import would still be possible but would have to undergo the PIC procedure.

8. Addressing the waste / non-waste discussion

The amendment proposal of Ghana and Switzerland intends to direct all WEEE, be they characterized as hazardous or not, to environmentally sound management with state-of-the-art recovery technologies. More valuable material will remain in a closed loop and thus it will also contribute to circular economy.

The amendment proposal does not address the discussion on the distinction between waste and non-waste. Making this distinction is particularly difficult for used equipment where the exporter claims that it is destined for reuse. The PIC procedure only applies if equipment is considered to be waste but not if it is considered to be a product.

It has proven to be difficult to find a balanced approach. On one side it is generally ecologically sensible to extend the lifespan of used EEE and this should therefore be supported. On the other side misuse, e.g.in classifying or declaring not repairable WEEE as a product or exporting such WEEE to countries which do not possess the adequate treatment infrastructure or technology should be excluded

Since long time the Basel Convention is seeking for a solution of this problem and has initiated and done different work, including

- Developing 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” (UNEP/CHW/.14/7/Add.6/Rev.1) adopted on an interim basis at COP 14 and the further work of the EWG on this guideline;
- work of the EWG on Annexes; and
- work of the MPPI (Mobile Phone Partnership Initiative) and PACE (Partnership on Action on Computing Equipment).

This has not yet led to a solution that is acceptable for all. Ghana and Switzerland therefore recognize that additional work on this issue is still needed. Part of this work may be presented to the COP by the EWG that is testing and further developing the Technical Guidelines. Also the Partnership that was established to provide a follow-up for PACE may further address this question. Ghana and Switzerland recommend that the COP would critically review these two initiatives and assess if this would provide for a good basis for addressing this problem.
Should the COP come to the conclusion that this is not the case, it could be envisaged to set up a specific program, building on these initiatives to further work on the question, either as a new targeted program or as part of the work program of existing bodies.

Another element that may be considered in this context is the discussion on the revision of Annex IV listing the disposal operations and the option proposed by the EU to include an entry for 'preparing for reuse' in section B of the Annex.

The COP might also want to consider if it would be useful to adopt a Decision establishing a list on which Parties to the Basel Convention wanting a PIC procedure for imports of electrical and electronic equipment destined for repair, re-use, refurbishment and root cause or failure analysis would be specified.

Objective of such a list would be that:

- Parties specified on the list would be notified and thus informed about planned imports of used EEE destined for repair. Basing on the PIC procedure they would be in the position to object, consent or add additional requirements to such imports.
- Exporting countries of used EEE destined for repair would be informed about such exports and given the case have the opportunity to react.
- Vulnerable countries specified on the list could protect themselves from unwanted imports of used EEE destined for repair.
- Legitimate TBMs of used EEE destined for repair would remain possible.[3]
- Transparency and the possibility of monitoring TBMs of used EEE destined for repair into countries specified on the list would be given.

Ghana and Switzerland are considering putting forward a proposal for such a Decision at COP 15 in a CRP.

[3] EEE moved transboundary for repair under warranty would not be affected.

Annex III

Three application forms for the placement or removal of wastes on Annexes VIII and IV

Appendix IIIa

APPLICATION FORM FOR THE PLACEMENT OR REMOVAL OF WASTES ON ANNEXES VIII AND IX

A. WASTE IDENTIFICATION

Proposed wording for the placement (or replacement wording for an existing category)

1.	Name of the waste:	A1180 Waste electrical and electronic assemblies or scrap
2.	Origin of the waste:	Industry and households
3.	Physical form:	Solid
4.	Major constituents:	Metals, plastics and for some equipment: glass
5.	Typical contaminants:	Hg, Pb, Cd, asbestous, PCBs, PBBs, BFR, oil

6. Waste Code: UN Class ____ UN number ____
IWIC ____ OECD ____
EWC ____ Others (e.g. Harmonized System Code, BIR, ISRI, IPMI, etc.)

7. Enter all relevant Y numbers: Y8, Y9, Y20, Y25, Y27, Y29, Y31, Y36, Y45, and possibly some others

8. Hazardous characteristics

☐	H1	☐	H4.3	☐	H6.2	x	H12
x	H3	☐	H5.1	☐	H8	x	H13
☐	H4.1	☐	H5.2	☐	H10		
☐	H4.2	x	H6.1	x	H11		

B. PROPOSED PLACEMENT

List A of Annex VIII X
List B of Annex IX ☐

PROPOSED REMOVAL

From list A of Annex VIII ☐
From list B of Annex IX ☐

Application for rewordimg:

A1180 Waste electrical and electronic equipment, including scrap thereof
- with a component containing Annex I constituents to an extent that it exhibits an Annex III characteristic (e.g. with glass from cathode ray tubes or a battery included on list A, a mercury switch, a fluorescent tube containing mercury, a capacitor containing PCBs, a component containing asbestos) or with a component (e.g. a circuit board, a plastic component containing a brominated flame retardant) insofar this is containing or contaminated with Annex I constituents to an extent that it exhibits an Annex III characteristic; or
- containing or contaminated with Annex I constituents (e.g. cadmium, lead, mercury) to an extent that the waste exhibits an Annex III characteristic; or

waste components of electrical and electronic equipment containing or contaminated with Annex I constituents to an extent that the waste exhibits an Annex III characteristic (note the related entry Y49)[1]

[1] PCBs or PBBs are at a concentration level of more than 50 mg/kg in equipment including scrap thereof or in a component.

C. NATIONAL DEFINITION

Is the waste legally defined as or considered to be hazardous in the countries submitting the application?

Yes X No ☐

D. COMMERCIAL CLASSIFICATION

Is the waste routinely traded through established channels and is that evidenced by commercial classifications?

Yes X No ☐

SUMMARY OF REASONS FOR PROPOSED PLACEMENT

See Explanatory note of the Proposal of the governments of Ghana and Switzerland to amend Annexes II. VIII and IX of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal explaining the reasons for modifying the wording of A1180 and the removal of B1110 and B4030 and including those in Annex II.

E. NAME OF APPLICANT

Name: Federal Office for the Environment Switzerland

Address: CH-3003 Bern / Switzerland

Party	X
Observer State	☐
NGO	☐
Company	☐
Individual	☐

Tel: +41 58 462 01 64
Fax:
E-mail: michel.tschirren@bafu.admin.ch

(Signature)

Federal Office for the Environment FOEN
International Affairs Division
CH-3003 Bern

(Stamp)

Name: Environmental Protection Agency Ghana
Adress: Stralets 1991 Street
PO Box MB 326, Ministries, Accra, Ghana

Party	X
Observer State	☐
NGO	☐
Company	☐
Individual	☐

Tel: +233 302 664697/8
Fax: +233 302 662690
E-mail: sam.adu-kumi@epa.gov.gh / adukumisam@yahoo.com

(Signature)

ENVIRONMENTAL PROTECTION AGENCY
P. O. BOX M.326
ACCRA

(Stamp)

F. AUTHORITY TRANSMITTING APPLICATION

Name: Federal Office for the Environment Switzerland
Address: CH-3003 Bern / Switzerland

(Signature)

Tel: +41 58 462 93 18
Fax:
E-mail: waste.focalpoint@bafu.admin.ch

Federal Office for the Environment FOEN
International Affairs Division
CH-3003 Bern

(Stamp)

Date of transmission: 4 December 2020

Appendix IIIb

APPLICATION FORM FOR THE PLACEMENT OR REMOVAL OF WASTES ON ANNEXES VIII AND IX

A. WASTE IDENTIFICATION

Proposed wording for the placement (or replacement wording for an existing category)

1. Name of the waste: B1110 Electrical and electronic assemblies
2. Origin of the waste: Industry and households
3. Physical form: Solid
4. Major constituents: Metals, plastics
5. Typical contaminants: ____

6. Waste Code: UN Class ____ UN number ____
   IWIC ____ OECD ____
   EWC ____ Others (e.g. Harmonized System Code, BIR, ISRI, IPMI, etc.)

7. Enter all relevant Y numbers:

8. Hazardous characteristics

H1	☐	H4.3	☐	H6.2	☐	H12
H3	☐	H5.1	☐	H8	☐	H13
H4.1	☐	H5.2	☐	H10		
H4.2	☐	H6.1	☐	H11		

B. PROPOSED PLACEMENT

List A of Annex VIII ☐
List B of Annex IX ☐

PROPOSED REMOVAL

From list A of Annex VIII ☐
From list B of Annex IX x

C. NATIONAL DEFINITION

Is the waste legally defined as or considered to be hazardous in the countries submitting the application?

Yes ☐ No x

D. COMMERCIAL CLASSIFICATION

Is the waste routinely traded through established channels and is that evidenced by commercial classifications?

Yes x No ☐

SUMMARY OF REASONS FOR PROPOSED PLACEMENT

See Explanatory note of the Proposal of the governments of Ghana and Switzerland to amend Annexes II, VIII and IX of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal explaining the reasons for modifying the wording of A1180 and the removal of B1110 and B4030 and including those in Annex II.

E. NAME OF APPLICANT

Name: Federal Office for the Environment Switzerland

Address: CH-3003 Bern / Switzerland

Party	X
Observer State	☐
NGO	☐
Company	☐
Individual	☐

Tel: +41 58 462 01 64
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International Affairs Division
CH - 3003 Bern

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Name: Environmental Protection Agency Ghana
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F. AUTHORITY TRANSMITTING APPLICATION

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Date of transmission: 4 December 2020

Appendix IIIc

APPLICATION FORM FOR THE PLACEMENT OR REMOVAL OF WASTES ON ANNEXES VIII AND IX

A. WASTE IDENTIFICATION

Proposed wording for the placement (or replacement wording for an existing category)

1. Name of the waste: B4030 Used single-use cameras, with batteries not included on list A
2. Origin of the waste: Industry and households
3. Physical form: Solid
4. Major constituents: Plastics
5. Typical contaminants:

6. Waste Code: UN Class ____ UN number ____
   IWIC ____ OECD ____
   EWC ____ Others (e.g. Harmonized System Code, BIR, ISRI, IPMI, etc.)

7. Enter all relevant Y numbers:

8. Hazardous characteristics

☐	H1	☐	H4.3	☐	H6.2	☐	H12
☐	H3	☐	H5.1	☐	H8	☐	H13
☐	H4.1	☐	H5.2	☐	H10		
☐	H4.2	☐	H6.1	☐	H11		

B. PROPOSED PLACEMENT

List A of Annex VIII	☐	From list A of Annex VIII	☐
List B of Annex IX	☐	From list B of Annex IX	x

C. NATIONAL DEFINITION

Is the waste legally defined as or considered to be hazardous in the countries submitting the application?

Yes ☐ No x

D. COMMERCIAL CLASSIFICATION

Is the waste routinely traded through established channels and is that evidenced by commercial classifications?

Yes ☐ No x

SUMMARY OF REASONS FOR PROPOSED PLACEMENT

See Explanatory note of the Proposal of the governments of Ghana and Switzerland to amend Annexes II, VIII and IX of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal explaining the reasons for modifying the wording of A1180 and the removal of B1110 and B4030 and including those in Annex II.

E. NAME OF APPLICANT

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Annex IV

Tracked changes to the current texts of Annexes II, VIII and IX reflecting the amendment proposal of Ghana and Switzerland

Annex II
Proposal for a new entry Y49:

Y49 Waste electrical and electronic equipment, including scrap thereof
- without a component containing Annex I constituents to an extent that it exhibits an Annex III characteristic (e.g. with glass from cathode ray tubes or a battery included on list A, a mercury switch, a fluorescent tube containing mercury, a capacitor containing PCBs, a component containing asbestos) and without a component (e.g. a circuit board, a plastic component containing a brominated flame retardant) containing Annex I constituents to an extent that the waste exhibits an Annex III characteristic; or
- not containing or contaminated with Annex I constituents to an extent that the waste exhibits an Annex III characteristic; or

waste components of electrical and electronic equipment, including scrap thereof, not containing or contaminated with Annex I constituents to an extent that the waste exhibits an Annex III characteristic (note the related entry on list A A1180)[1]

[1] PCBs or PBBs are at a concentration level of less than 50 mg/kg in equipment including scrap thereof or in a component.

Annex VIII
Delete current entry A1180:

~~A1180 Waste electrical and electronic assemblies or scrap[1] containing components such as accumulators and other batteries included on list A, mercury switches, glass from cathode ray tubes and other activated glass and PCB capacitors, or contaminated with Annex I constituents (e.g., cadmium, mercury, lead, polychlorinated biphenyl) to an extent that they possess any of the characteristics contained in Annex III (note the related entry on list B B1110)[2]~~

~~[1] This entry does not include scrap assemblies from electric power generation.~~
~~[2] PCBs are at concentration level of 50 mg/kg or more.~~

Proposal for a new wording of entry A1180:

A1180 Waste electrical and electronic equipment, including scrap thereof
- with a component containing Annex I constituents to an extent that it exhibits an Annex III characteristic (e.g. with glass from cathode ray tubes or a battery included on list A, a mercury switch, a fluorescent tube containing mercury, a capacitor containing PCBs, a component containing asbestos) or with a component (e.g. a circuit board, a plastic component containing a brominated flame retardant) insofar this is containing or contaminated with Annex I constituents to an extent that it exhibits an Annex III characteristic; or
- containing or contaminated with Annex I constituents (e.g. cadmium, lead, mercury) to an extent that the waste exhibits an Annex III characteristic; or

waste components of electrical and electronic equipment containing or contaminated with Annex I constituents to an extent that the waste exhibits an Annex III characteristic (note the related entry Y49)[1]

[1] PCBs or PBBs are at a concentration level of more than 50 mg/kg in equipment including scrap thereof or in a component.

Annex IX
Delete current entry B1110:

~~B1130 Electrical and electronic assemblies:~~

- ~~Electronic assemblies consisting only of metals or alloys~~
- ~~Waste electrical and electronic assemblies or scrap[1] (including printed circuit boards) not containing components such as accumulators and other batteries included on list A, mercury-switches, glass from cathode-ray tubes and other activated glass and PCB-capacitors, or not contaminated with Annex I constituents (e.g., cadmium, mercury, lead, polychlorinated biphenyl) or from which these have been removed, to an extent that they do not possess any of the characteristics contained in Annex III (note the related entry on list A A1180)~~
- ~~Electrical and electronic assemblies (including printed circuit boards, electronic components and wires) destined for direct reuse,[2] and not for recycling or final disposal[3]~~

~~[1] This entry does not include scrap from electrical power generation.~~
~~[2] Reuse can include repair, refurbishment or upgrading, but not major reassembly.~~
~~[3] In some countries these materials destined for direct re-use are not considered wastes.~~

Delete current entry B4030:

~~B4030 Used single-use cameras, with batteries not included on list A~~