

Summary of the 14th Meeting of the Open-ended Working Group of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal: 25-28 June 2024

Regulating the movement of transboundary waste requires a common understanding of what counts as waste—and technological advances mean definitions continue to change. The 14th meeting of the Open-ended Working Group of the Basel Convention (OEWG 14) was the first opportunity for parties to review draft amendment proposals to Annex IV that will clarify which processes count as “final disposal” or “recovery” operations. The processes listed in this Annex are critical to determining whether a substance or object is a “waste” subject to the Basel Convention. Updates to this and other annexes are expected to be put forward for decision at the 17th meeting of the Conference of the Parties to the Basel Convention (COP 17).

OEWG 14 also considered proposed updates to technical guidelines on environmentally sound management (ESM) of wastes consisting of, containing, or contaminated with persistent organic pollutants (“POPs wastes”). The update to the general guideline on POPs wastes grappled with the tricky but important issue of the threshold above which waste containing POPs should be considered hazardous, and thus be subject to the Basel Convention protections. The OEWG reviewed four sets of technical guidelines on waste electrical and electronic equipment (e-waste), waste lead-acid batteries (WLABs), other types of waste batteries, and waste pneumatic tyres, to give direction to the intersessional working groups that will continue to improve the guidelines.

Parties also took stock of progress on reinvigorating the Convention’s overall vision and strategy through a new strategic framework. As one of the world’s earliest multilateral environmental agreements (MEAs), the Basel Convention seeks to align itself with newer multilateral frameworks, such as the 2030 Agenda on Sustainable Development. OEWG 14 moved toward aligning the new Strategic Framework to be put forward at COP 17 with the 2030 timeframe of the Sustainable Development Goals (SDGs) and discussed objectives and indicators for tracking progress on issues including waste recycling and disposal.

In line with updating its processes to ensure the Convention’s ongoing relevance, the OEWG considered ways to improve the prior informed consent (PIC) procedure for parties to notify others regarding transboundary movement of waste. Parties focused on

solving the long-standing issue of exporters not receiving timely responses when notifications are sent. They discussed proposed improvements, which could include adoption of electronic approaches and changes to the national reporting format so as to provide better-quality information to the Convention’s Implementation and Compliance Committee.

Finally, OEWG 14 undertook long discussions on future work on plastic waste, with a view to aiding implementation of the 2019 amendments to the Convention annexes on plastic wastes and the anticipated global plastics treaty, the negotiations for which are slated to conclude later in 2024. Agreement on a package of activities on plastics could not be reached, however, due to divisions over whether to initiate work on technical guidelines on chemical recycling. Proponents argued that chemical recycling could make a major dent in the amount of plastic waste generated and traded, but many parties considered it premature to begin work on technical guidelines in this area before it becomes clear whether the technology will be economically feasible, widely available, and environmentally sound.

OEWG 14 convened in Geneva, Switzerland, from 25-28 June 2024. Over 369 delegates, representing 130 parties and 52 observer entities, participated in the meeting.

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A Brief History of the Basel Convention

The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal seeks to protect human health and the environment from the adverse effects of hazardous wastes. The Convention, which was adopted in 1989 and entered into force on 5 May 1992, addresses concerns related to the management, disposal, and transboundary movements of hazardous wastes produced worldwide. Its aims include: the reduction of hazardous waste generation; ESM of hazardous wastes; restriction of transboundary movements of hazardous wastes, except in accordance with ESM principles; and regulation of permissible cases of transboundary movements based on prior informed consent. There are currently 191 parties to the Convention.

At the sixth meeting of the Conference of the Parties to the Basel Convention (COP 6) in 2002, parties created the OEWG as a subsidiary body to the COP. The OEWG held its first meeting in 2003.

The OEWG assists the COP in developing and continuously reviewing specific technical and operational policies and decisions to strengthen implementation of the Convention. It also advises the COP on issues relating to policy, technical, scientific, legal, institutional, administrative, finance, budgetary and other aspects of the implementation of the Convention, including identification of the needs of different regions and subregions for training and technology transfer, and ensures the establishment and functioning of the Basel Convention Regional Centres for Training and Technology Transfer. The OEWG prepares its own workplan for the COP's consideration and reports to the COP on activities carried out between COP meetings.

Key Turning Points

COP1: The first meeting of the COP to the Basel Convention (COP 1) was held in December 1992. COP 1 adopted a decision requesting industrialized countries to prohibit transboundary movements of hazardous wastes to developing countries for final disposal and noting that transboundary movements of wastes for recovery or recycling should be handled in an environmentally sound manner.

The Ban Amendment: In 1995, at COP 3, parties amended the Convention to ban the export of hazardous wastes for final disposal and recycling from Annex VII countries (Member States of the EU, the Organisation for Economic Co-operation and Development, and Liechtenstein) to non-Annex VII countries. The [Ban Amendment](#) entered into force in 2019 and currently has 104 ratifications.

In 1998, COP 4 adopted lists of hazardous and non-hazardous wastes subject to the Ban Amendment as Convention Annexes VIII and IX, respectively.

Basel Protocol: COP 5, which convened in 1999, adopted the [Basel Protocol](#) on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and their Disposal, which currently has 12 of the 20 ratifications necessary for entry into force.

COP 10: At the tenth meeting of the COP, held in 2011, delegates adopted decisions on the new Strategic Framework and the Indonesian-Swiss country-led initiative to improve the effectiveness of the Basel Convention. The [Cartagena Declaration](#) on the Prevention, Minimization and Recovery of Hazardous Wastes was also adopted.

COP 11: The eleventh meeting of the COP, which convened in 2013, was the first to be held in conjunction with the COPs of the Rotterdam and Stockholm Conventions. Negotiations focused on key elements of the synergies process between the three conventions. COP 11 also created the Environmental Network for Optimizing Regulatory Compliance on Illegal Traffic ([ENFORCE](#)) to tackle the illegal waste trade.

COP 13: At the thirteenth meeting of the COP, held in 2017, delegates adopted decisions on, *inter alia*: establishment of the Partnership on Household Waste; the final evaluation of the strategic framework in 2021; a set of practical manuals on ESM of wastes; adoption of the glossary of terms; creation of an expert working group on Review of Annexes I, III and IV and related aspects of Annex IX; authorization of work to finalize the technical guidelines on e-waste; updating technical guidelines on incineration on land and on specially engineered landfills; and a request to the Secretariat to develop an electronic reporting system.

COP 14: The fourteenth meeting of the COP, held in 2019, adopted decisions on, *inter alia*, a Convention amendment on plastic waste, technical guidelines on e-waste, and an update of the technical guidelines on wastes containing mercury.

COP 15: Due to the COVID-19 pandemic, COP 15 met in two parts: an online segment from in 2021 to discuss the programme of work and budget, and an in-person segment held in 2022 to address all other issues. COP 15 adopted decisions on, *inter alia*: amending the Convention to make all electronic and electrical waste subject to the PIC procedure; adopting technical guidelines on the incineration of hazardous wastes and other wastes as covered by disposal operations D10 (incineration on land) and R1 (use as fuel or other means to generate energy) and on disposal of hazardous wastes and other wastes in specially engineered landfills; and mandating work on electronic approaches to notification and movement documents under the Convention.

COP 16: COP 16 adopted technical guidelines for ESM of plastics wastes. The COP also agreed to develop a renewed strategic framework and to improve the functioning of the PIC procedure, with work to be carried out during the intersessional period. In view of prior decisions regarding e-waste, parties requested the Secretariat to prepare practical guidance and fact sheets on specific waste streams, including for end-of-life computing equipment. COP 16 also took up the issue of wastes containing nanomaterials and requested the Secretariat to organize activities and make information available regarding best practices for management.

OEWG 14 Report

OEWG 14 Co-Chairs Lendita Dika (North Macedonia) and Judith Torres (Uruguay) opened the meeting on Tuesday, 25 June 2024. Co-Chair Dika lauded the ambitious agenda of the meeting and its inclusive approach to perspectives from government, business and civil society.

Rolph Payet, Executive Secretary of the Basel, Rotterdam and Stockholm (BRS) Conventions, explained that the OEWG would discuss a draft strategic framework, improvements to the PIC procedure, and updates to several technical guidelines, including guidelines on lead acid and other batteries, and on waste pneumatic tyres. He also noted the OEWG would address further legal clarity

regarding several of the Convention's annexes, including continuing the first review of the Basel Convention's overall coverage of waste streams.

In opening statements, Uganda, for the AFRICAN GROUP, stressed that progress on updating technical guidelines and mobilizing resources, particularly from non-state actors, is crucial. She welcomed progress on cooperation between the BRS and Minamata conventions.

China, for the ASIA-PACIFIC GROUP, noted the importance of the Basel Convention's Regional and Coordinating Centres in supporting parties' efforts to achieve Convention objectives, and indicated that updating technical guidelines on batteries and POPs should be priorities for this OEWG meeting.

Bosnia and Herzegovina, for CENTRAL AND EASTERN EUROPE, said her region's priorities include: strengthening technical assistance and capacity building, especially for developing countries and countries with economies in transition; enhancing regional cooperation; and improving compliance.

Honduras, for the LATIN AMERICAN AND CARIBBEAN GROUP (GRULAC), stressed the importance of making progress on updating the Convention's annexes, especially Annex IV (disposal operations). He called for the renewed strategic framework to give attention to technical assistance, capacity building, technology transfer, and other cooperation. He urged strengthening cooperation through the Basel Convention's Regional and Coordinating Centres and called for further work to improve the PIC procedure.

The EUROPEAN UNION (EU) expressed hope that OEWG 14 will advance work on the technical guidelines, especially on batteries, and improving the PIC procedure.

Parties adopted the agenda (UNEP/CHW/OEWG.14/1 and Add.1) and agreed to the proposed organization of work and schedule (UNEP/CHW/OEWG.14/INF/1 and INF/2). All OEWG 14 pre-session documents are available [here](#).

Matters related to the Work Programme of the Open-ended Working Group for 2024-2025

Strategic issues: Strategic framework: On Tuesday, the Secretariat introduced its note on the strategic framework (UNEP/CHW/OEWG.14/2) and the draft renewed strategic framework produced by a small intersessional working group (SIWG) for implementation of the Basel Convention (UNEP/CHW/OEWG.14/INF/3).

SWITZERLAND supported limiting monitoring requirements as far as possible to existing reporting mechanisms, such as the national reports, and called for a report on indicators to be presented at each COP.

The AFRICAN GROUP, supported by BRAZIL, supported aligning the renewed strategic framework with the SDGs and their 2030 timeline, and aligning any technical guidelines with the goals, objectives, and indicators outlined in the strategic framework.

The EU and INDIA called for the SIWG to work on the framework's vision and guiding principles at its next meeting in October 2024.

The US called for clarifying the draft strategic framework's objectives.

The CHEMICALS AND WASTE YOUTH CONSTITUENCY said they intended to introduce in the contact group suggestions to strengthen shareholder participation. She also announced the

Constituency's work on a Basel Convention children and youth action plan for presentation at COP 17.

Delegates referred the draft framework for further discussion by a Strategic Matters Contact Group, co-chaired by Keima Gardiner (Trinidad and Tobago) and Ole Thomas Thommesen (Norway).

On Wednesday, the contact group reviewed the entire draft strategic framework (UNEP/CHW/OEWG.14/INF/3), after noting that the SIWG had to date only reviewed Section III, which deals with strategic goals, objectives and indicators. Many delegates spoke in favor of the framework having a six-year timeframe, aligned with the SDGs' timeframe. The group then discussed the proposed objectives to guide implementation of Convention activities as well as indicators to track progress. The issues the group discussed included:

- keeping indicators reasonably easy to collect, drawing on existing national reporting;
- whether a per capita indicator of hazardous and other wastes generated should be added; and
- whether there should be an indicator tracking recycling rates, in addition to that on disposal rates.

The group also noted the material the SIWG will address in its meeting later in 2024—the means of implementation and evaluation—was long out of date and would need thorough discussion. A number of parties supported regular reporting to the COP against the final indicators, noting this would make a valuable contribution to ongoing evaluation of the framework, and asked that the SIWG reflect that in the framework. One party noted that while the SIWG did not have a mandate to review the Vision and Guiding Principles sections of the Basel Convention's previous strategic framework, it would be appropriate for the OEWG and the COP to undertake this work.

Outcome: The OEWG invited parties and observers to submit comments on the draft renewed strategic framework, as revised during OEWG 14 (UNEP/CHW/OEWG.14/CRP.8), to the Secretariat by 31 August 2024, and requested the SIWG to prepare a revised version of the strategic framework, taking into account the OEWG's work and subsequent comments, for consideration and possible adoption at COP 17.

Work to improve the functioning of the prior informed consent procedure: On Tuesday, the Secretariat introduced its note on work to improve the functioning of the PIC procedure (UNEP/CHW/OEWG.14/3) and the draft report on challenges in the implementation of the PIC procedure and best practices, possible approaches and initiatives to improve its functioning, as well as options for possible ways forward, developed by Canada in collaboration with the SIWG (UNEP/CHW/OEWG.14/INF/14).

SWITZERLAND noted the draft recommendations include actions that can be taken rapidly, such as information exchange, and called for establishing a contact group on PIC.

CHINA proposed further discussion of transboundary movement with regard to "transit countries" and "maritime transit," saying these phrases are controversial.

The RUSSIAN FEDERATION noted the importance of harmonizing the time frames for responding to notifications.

The EU stressed the need for consistency between the SIWG on PIC, the SIWG on electronic approaches to notification, and the work of the Implementation and Compliance Committee (ICC).

On recovery of valuable materials from waste, IRAN emphasized the need for the regional centres to support receiving countries that may lack facilities to determine the true nature of their waste imports.

IRAQ supported the use of electronic means of notification, noting the ongoing difficulties in implementing the PIC procedure.

The US welcomed the comprehensive identification of best practices and proposed training of parties to improve implementation of the PIC procedure.

Delegates agreed to discuss these issues in the Contact Group on Strategic Matters.

The contact group took up discussion of the PIC procedure on Wednesday evening and continued its deliberations on Thursday. The group considered harmonizing time frames for PIC, and whether those time frames should be voluntary or legally binding. The contact group agreed to ask the Secretariat to review how information on wastes defined by parties as hazardous wastes (Article 1.1b) are presented on the Convention website. They considered inviting views from parties and observers on how to address situations where there is disagreement on whether a material is a waste. They agreed to forward this question to the SIWG.

Questions were raised about further defining the nature of the “pre-consented facility” concept, which could speed up the notification process. An observer cautioned that ESM cannot be ensured in relation to a specific facility, as conditions can change over time, and preferred a shipment-by-shipment approach. Parties agreed to refer this issue to the SIWG.

Most parties in the contact group supported the option to grant consent to a shipment for a period of 12 months from the date that consent is granted, rather than from the original notification, and to make use of the provision of Article 11 to simplify notification through bilateral, multilateral, or regional agreements. An observer warned that simplification may not ensure ESM and expressed concern that adopting this approach could mean having no controls whatsoever.

Parties also favored asking the Secretariat to include experience and good practices on the use of insurance and other financial guarantees in any new training for parties and competent authorities, as well as making this information available on the Basel Convention website.

On Friday, the Secretariat referred delegates to the contact group’s revised draft decision (UNEP/CHW/OEWG.14/CRP.9) and its revised draft report on implementation challenges, best practices and options for possible ways forward (UNEP/CHW/OEWG.14/CRP.12). There were no further comments.

Outcome: The OEWG welcomed the progress made and took note of the draft report on challenges and best practices in implementation. They invited parties and observers to submit further comments by 31 August 2024 and provide views as to which options COP 17 should prioritize. They requested the SIWG, when developing recommendations pursuant to the decision of COP 16 (decision BC-16/2, paragraph 2), to take into account the discussions at OEWG 14 and subsequent comments.

Scientific and technical matters: *Technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants:* On Tuesday, the Secretariat introduced the documents (UNEP/CHW/OEWG.14/4, UNEP/CHW/OEWG.14/INF/5, INF/6, INF/7, INF/8

and INF/9) regarding the update of the general technical guidelines on ESM of POPs waste and the specific technical guidelines on ESM of wastes consisting of, containing or contaminated with particular POPs, plus a summary of SIWG discussions on enhancing the collection of information pertaining to low POPs values (UNEP/CHW/OEWG.14/INF/38).

THE GAMBIA underscored countries’ limited capacity to detect POPs content at their borders and urged parties to consider adopting the lowest possible POPs content values. CUBA noted the Stockholm Convention’s listing of new POPs. CHINA stated that “overly stringent limits” can burden national management efforts and, supported by SAUDI ARABIA, requested the SIWG to compile an information document on countries’ existing regulations, to inform future efforts.

NEW ZEALAND supported holding further discussions in a contact group.

BANGLADESH highlighted solar panel batteries as an emerging waste issue. The INTERNATIONAL POLLUTANTS ELIMINATION NETWORK (IPEN) noted many studies showing countries’ existing national thresholds for reporting levels of POPs content are too high.

Delegates agreed to refer work on the updated general technical guidelines on POPs waste, the three updated technical guidelines on specific POPs waste, and on a draft format for the collection of information on low POPs content values to a contact group co-chaired by Katie Olley (UK) and Nawaf Bilasi (Saudi Arabia).

The contact group completed review of the three updated guidelines on specific types of POPs wastes (INF/6-INF/8) on Tuesday evening, suggesting technical and editorial amendments. The group also began discussion of the updated general guidelines (INF/5) on Tuesday evening except for sections on health and safety, emergency response, and public participation, which were briefly reviewed on Thursday. During the discussion one party insisted on retaining in brackets a different low-POPs value of 50 mg/kg for the sum of perfluorohexane sulfonic acid (PFHxS), its salts and PFHxS-related compounds rather than the generally agreed value of 40 mg/kg.

Also, on Thursday the group approved a questionnaire format for collecting information on low-POPs content levels in waste. A SIWG member explained that the SIWG intended to pilot test the draft format among its member countries for one or two types of POPs, to determine the usefulness of the approach. The results will be u parties should be asked to provide such information.

Outcome: The OEWG:

- took note of the draft updated guidelines (UNEP/CHW/OEWG.14/CRP.4, CRP.5, CRP.6, and CRP.14) and the draft questionnaire format (UNEP/CHW/OEWG.14/CRP.11) and invited parties and observers to provide comments on the draft guidelines by 31 August 2024;
- requested the Secretariat, in consultation with the SIWG, to revise the guidelines taking into account OEWG 14 input and comments received, for consideration and possible adoption by COP 17;
- requested the SIWG to make use of the draft format and prepare a draft compilation of available information on low-POP content values for selected POPs for consideration by COP 17.

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: On Tuesday, the Secretariat presented an oral progress report to the OEWG plenary. She noted that [decision BC-16/5](#) adopted the Technical Guidelines on an interim basis, an online consultation was held on 6 November 2023 regarding the way forward for the expert working group on this issue, and the Convention's e-waste amendment will enter into force on 1 January 2025.

MALAYSIA urged the expert working group to take into account pilot testing of the technical guidelines and urged full adoption by COP 17 of the guidelines. SWITZERLAND and the INFORMATION TECHNOLOGY INDUSTRY COUNCIL suggested the "Taking on the e-waste challenge" side event scheduled for Thursday would offer an opportunity for a frank exchange of views on implementation of the guidelines. IRAQ called for amending the guidelines to add a paragraph on taking into account recycling and re-use.

BAN said that the guidelines' paragraph on repair offered a "glaring, misguided" exception to the Convention's e-waste amendment that could be exploited by unscrupulous traders. He called for COP 17 to close this "back door" to e-waste dumping.

Outcome: The OEWG:

- invited parties and others to use and/or test, on a pilot basis, the technical guidelines and to report the results by 31 August 2024 for consideration by the expert working group; and
- requested the expert working group to update the guidelines, taking into account any such submissions, and to submit updated guidelines for consideration by COP 17.

Technical guidelines on the environmentally sound management of waste lead-acid batteries and on other waste batteries: On Tuesday, the Secretariat introduced the draft updated technical guidelines on the ESM of WLABs (UNEP/CHW/OEWG.14/INF/9) and the draft technical guidelines on the ESM of other waste batteries (UNEP/CHW/OEWG.14/INF/10), developed by a SIWG.

On ESM of WLABs, IRAN called for the guidelines to include greater detail on the technologies for recycling of all components of such batteries, such as their plastic casings. IPEN called for including more information on health and safety impacts of recycling such batteries, especially in developing countries with an informal recycling sector.

BRAZIL asked for the guidelines to also better differentiate between used lead-acid batteries and WLABs. The US called for retaining guidance on health and safety aspects, and for not classifying WLABs as e-waste unless the device incorporates the battery, as in some equipment with a built-in uninterruptible power supply.

Regarding ESM of other batteries, BAN called for a focus on lithium-ion batteries and trade in their "black mass," the portion of these batteries consisting of a mixture of nickel, manganese, and cobalt oxides with carbon. He said they should be considered hazardous waste.

Delegates referred the draft guidelines to the Technical Matters Contact Group for further discussion.

On Wednesday and Thursday, the Technical Matters Contact Group conducted a read-through of the technical guidelines section on ESM of WLABs, minus the subsections on emergency response and awareness and participation. While some brackets were lifted, several paragraphs and subsections were referred back to the consultant and SIWG for further drafting. Delegates added new references to nanomaterials and hazardous substances other than lead, as well as the use of international protocols on sampling. They also suggested a table showing examples of national legislation on permitting of disposal facilities and added that national inventories may provide information on ESM of separators, plastic casings, and electrolytes.

On Thursday, the contact group reviewed the draft guidelines on waste batteries other than WLABs. Delegates discussed whether the terminology "used batteries" and "waste batteries" can be used interchangeably in the guidelines on WLABs, as some countries' national legislation may do, to protect communities from the hazards of improper disposal. Among other things, delegates agreed to:

- make a clearer distinction in the text between different battery chemistries;
- include information on commercial collection schemes;
- make special note of the fire risk presented by lithium-ion batteries; and
- streamline the guidelines' health and safety section.

On extended producer responsibility (EPR), they differed on whether to include language indicating that each party "is guided by its own national conditions" and experience of EPR implementation.

Outcome: The OEWG took note of the revised draft guidelines (UNEP/CHW/OEWG.14/CRP.15 and CRP.18), invited parties and others to provide comments on the two draft guidelines by 31 August 2024, and requested China and Uruguay as co-leads to consult with the SIWG, taking into account the comments received, to prepare revised versions of the guidelines for consideration and possible adoption by COP 17.

Technical guidelines on the environmentally sound management of used and waste pneumatic tyres: On Tuesday, the Secretariat introduced the draft updated technical guidelines on the ESM of used and waste pneumatic tyres (UNEP/CHW/OEWG.14/INF/11). She explained that since no country volunteered to take the lead on updating the guidelines, the Secretariat and consultants facilitated SIWG work on the update.

IRAN supported the existing proposal of moving waste pneumatic tyres from Annex IX concerning hazardous wastes and exceptions, to Annex II (categories of wastes requiring special consideration), in view of their leaching risk.

BAN supported Iran's comments, adding that all wastes containing plastics should be dealt with in the same way, so as to avoid some types of plastics being "grandfathered in through prior listing."

BRAZIL and CAMEROON supported further work on the issue.

Delegates agreed to discuss the issue in the Contact Group on Technical Matters. The contact group discussed this issue on Wednesday evening. Among other things, the group requested:

- streamlining certain sections;
- having the guidelines address microplastic releases during the recycling process;

- considering more concrete guidance on ESM, including pollution control, and considering whether there are approaches specific to different types of tyres; and
- reinstating the section, taken out during the most recent SIWG meeting, on use of tyres as products.

Outcome: The OEWG took note of the updated technical guidelines (UNEP/CHW/OEWG.14/CRP.10) and invited parties and observers to provide comments by 31 August 2024. It requested the Secretariat, in consultation with the SIWG, to revise the guidelines considering OEWG 14 input and comments received, for consideration and possible adoption by COP 17.

Electronic approaches to the notification and movement documents: On Friday, the Secretariat introduced its note on implementation of the decision BC-16/10 mandate on this subject (UNEP/CHW/OEWG.14/6), and an accompanying note about elements for further work by the SIWG (UNEP/CHW/OEWG.14/INF/14).

The EU noted that digitalization is key but is only part of the solution. Referring to the EU proposal (UNEP/CHW/OEWG.14/CRP.2) on this agenda item, he called on the SIWG to focus on areas complementing the work on improvements to the PIC procedure, and to adopt a short-term focus. He urged the SIWG to compile case studies and fact sheets on electronic approaches.

SWITZERLAND requested the SIWG to undertake activities that can be implemented swiftly.

Outcome: The OEWG adopted a revised text, based on the EU proposal. The draft decision requests the SIWG to prepare, subject to availability of resources:

- a compilation of case studies, experiences, standards and requirements for the exchange of messages and the interconnection between systems and information about options for national or regional solutions; and
- fact sheets on key aspects to consider when developing these approaches.

Waste containing nanomaterials: On Friday, the Secretariat introduced its note (UNEP/CHW/OEWG.14/8) and a compilation of four information submissions on the subject by parties and observers (UNEP/CHW/OEWG.14/INF/16), noting that parties and observers are invited to contribute information on the topic by 31 December 2024.

URUGUAY, supported by ARGENTINA, called for giving greater priority to nanomaterials in the work of the Convention. The GLOBAL ALLIANCE ON HEALTH AND POLLUTION (GAHP) supported raising the level of priority given to nanomaterials.

The UN INSTITUTE FOR TRAINING AND RESEARCH (UNITAR) drew attention to its recent webinar about nanomaterials, saying this would continue as a series.

Outcome: The OEWG took note of the information provided by parties and observers and invited them to make available to the Secretariat, by 31 December 2024, any new information, including case studies and best practices relating to the management of waste containing nanomaterials.

National reporting: On Wednesday, the Secretariat introduced:

- its note on national reporting (UNEP/CHW/OEWG.14/5), explaining it was based on work undertaken by the ICC;
- the response to the Secretariat's invitation to identify types of waste streams for which additional practical guidance on the

development of inventories would be useful (UNEP/CHW/OEWG.14/INF/12); and

- possible revisions to Table 9 of the national reporting format and to the manual for completing the format (UNEP/CHW/OEWG.14/INF/13).

IRAN, supported by ARGENTINA, agreed to including more detail in the manual to provide greater clarity for parties, but asked that the timeframe for reporting be extended. The EU supported the proposed changes to Table 9 and manual, saying they would enhance the quality and quantity of information being reported.

CÔTE D'IVOIRE, supported by NIGER, NIGERIA, CAMEROON, and CHAD, proposed that "biomedical waste" be recommended as a type of waste for which practical guidance on inventories for national reporting should be developed. SAUDI ARABIA proposed that the terminology be broader, reflecting different language usage by parties. PALESTINE noted that the World Health Organization and the Basel Convention have different definitions for what constitutes medical and health waste. CANADA then proposed "biomedical and healthcare waste," which delegates agreed to include in paragraph 2 of the proposed OEWG decision text.

UKRAINE, supported by EU and US, condemned the impact on the environment of the Russian Federation's invasion of Ukraine and highlighted operations by the Russian Federation to construct three landfills in the Donetsk region and six in the Luhansk region. He noted Ukraine had not provided PIC for transboundary movement of waste, making these landfills illegal under the Basel Convention.

The RUSSIAN FEDERATION rejected UKRAINE's statement, stating this represented inappropriate politicization of the OEWG's meeting and adding he was unaware of any landfills proposed for the region. Co-Chair Torres noted these interventions did not relate to national reporting and would therefore not be included in the meeting report.

Outcome: The OEWG recommended COP 17 consider requesting the Secretariat to develop, subject to the availability of resources, additional practical guidance on the development of inventories for specific types of waste streams, and invited parties to inform the Secretariat, by 30 September 2024, of any further types of waste streams for which additional practical guidance on the development of inventories would be useful. The OEWG also invited parties to provide, by 30 September 2024, comments on the possible revisions to Table 9 of the reporting format and to the manual for completing the format for national reporting.

Further consideration of plastic waste: On Wednesday, the Secretariat introduced its note on further activities related to plastic waste, including a draft decision (UNEP/CHW/OEWG.14/7), as well as an information document outlining suggestions for further work submitted by parties and observers (UNEP/CHW/OEWG.14/INF/15). The draft decision invites parties to submit their comments on possible further activities that could be conducted under the Basel Convention in response to developments in scientific knowledge and environmental information and health impacts related to plastic waste as a source of land pollution, marine plastic litter, and microplastics, and requests the Secretariat to make the comments available and revise INF/15 accordingly for consideration by COP 17.

The Secretariat of the intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment (INC) provided an oral update on the status of the INC negotiations, which are due to conclude in November 2024.

BRAZIL welcomed the draft decision and highlighted in the list of proposed further activities the proposal for Basel and Stockholm Convention regional and subregional centres to undertake capacity-building and technology transfer activities regarding plastic waste.

The EU introduced a proposal (UNEP/CHW/OEWG.14/CRP.1) to add text:

- recommending that COP 17 consider mandating intersessional work to assess the effectiveness of measures taken to implement the Convention's plastic waste amendments; and
- requesting the Secretariat to prepare draft updates of certain technical guidelines on POPs waste to reflect the plastic waste amendments.

He also underscored, with INDIA and IRAQ, the importance of ensuring that Basel Convention work avoids overlaps with the future instrument on plastic pollution.

SAUDI ARABIA stressed that the Basel Convention should limit itself to plastic waste trade, not the lifecycle of plastics. He suggested two amendments to the proposed decision to:

- change the reference to further activities being conducted “in response to developments in scientific knowledge” to “in response to science-based evidence that takes into account” socio-economic factors; and
- change activities that can be conducted “in consideration of” the INC to “those which the INC has explicitly invited.”

NORWAY, supported by COLOMBIA and MALDIVES, said it was time to assess if the plastic waste amendments are being implemented as intended and welcomed the EU's CRP. COLOMBIA said it could not agree with Saudi Arabia's proposed change to the draft decision regarding “science-based evidence.”

The RUSSIAN FEDERATION supported developing more information on transboundary movements of plastic waste and cautioned that such work should be kept under the Basel Convention and not included in the future plastics instrument.

CÔTE D'IVOIRE, supported by MEXICO, requested training tools, such as a manual, for identifying types of plastics contained in waste shipments. IRAQ called for the Basel Convention to conduct training and workshops on standardized testing of plastic waste. He underscored, along with the BASEL CONVENTION REGIONAL CENTRE ARGENTINA, the importance of the regional centres in this regard.

SAUDI ARABIA noted it had offered a proposal on technical guidelines on chemical recycling of plastic waste (UNEP/CHW/OEWG.14/CRP.7) and called for discussion of this proposal in a contact group.

The ENVIRONMENT AND SOCIAL DEVELOPMENT ORGANIZATION urged work to gather more information on the harmful environmental, health, and safety aspects of plastics throughout their lifecycle. BAN said the plastic waste amendments are not working as intended and parties need to “dramatically improve” their implementation and close loopholes BAN and others have identified.

The INTERNATIONAL SOLID WASTE ASSOCIATION stressed that plastic waste is a multifaceted global challenge, no one-size-fits-all solution exists, and scientific knowledge and methods should decide actions. GAHP emphasized the need for guidelines on nanoplastics, medical waste containing plastics, and identifying plastics in waste. IPEN supported the EU's suggestion on intersessional work and suggested additional Basel Convention work on hazardous chemicals contained in plastic waste.

Co-Chair Torres noted the agenda item merited further discussion and referred it to the Technical Matters Contact Group.

The contact group discussed the item and the two associated CRPs (CRP.1 and CRP.7) on Thursday evening. There was broad support for the draft decision in UNEP/CHW/OEWG.14/7 and the draft list of suggested activities contained in UNEP/CHW/OEWG.14/INF/15, as proposed to be amended under CRP.1. Several developing countries called for including an assessment of the challenges in implementing the amendment and the capacity and technical needs for implementation. Several parties also favored the proposal made in plenary for a manual on identification of plastic waste. One country asked why its suggestions for two studies—one on historical illegal plastic waste dumping and the other on overall greenhouse gas emissions of plastics compared to alternatives, encompassing the product life cycle and usage impacts—had not been included in the list of suggested activities.

Regarding CRP.7, one country and an industry observer supported the proposal for new technical guidelines on mechanical recycling, and two others indicated interest in remaining open to obtaining further information on the technology and eventually considering guidelines. Many others, however, said such a step was premature, noting:

- the technical guidelines on ESM of plastic waste had only been approved at COP 16, so it was too early to re-open them or work on a new guideline set on plastic waste;
- chemical recycling had been extensively discussed during guidelines negotiations at COP 16, and it was determined that further information on whether chemical recycling constitutes ESM is needed;
- chemical recycling technology is not widely available and still has not been shown to be economically viable;
- the Basel Convention produces technical guidelines for waste streams, not a specific type of technology; and
- Basel Convention technical guidelines focused on a single technology choice, particularly one not yet proven, might set a bad precedent.

In plenary on Friday morning, SAUDI ARABIA, supported by BAHRAIN, OMAN, KUWAIT, QATAR, IRAN, IRAQ, and the RUSSIAN FEDERATION, urged initiating work on technical guidelines on chemical recycling as requested in CRP.7. The AFRICAN GROUP, URUGUAY, EU, SWITZERLAND, and NORWAY said it was premature to proceed with technical guidelines work on the subject. NORWAY voiced support for gathering more information under the Basel Convention on environmental benefits and economic feasibility of the technology.

SAUDI ARABIA also requested that the two reports it had suggested including in the list of activities on plastic waste in INF/15. The Secretariat agreed to include it in the revised list (UNEP/CHW/OEWG.14/CRP.16).

On Friday afternoon, the Secretariat presented a compromise proposal to amend the draft decision by adding text which:

- recalls decision BC-16/4 requesting the Secretariat to undertake technical assistance activities to support developing country parties and other parties requiring assistance in using the technical guidelines on ESM of plastic waste; and
- notes the guidelines include a section addressing chemical recycling.

The AFRICAN GROUP, COLOMBIA, and NORWAY called for deleting the second point, saying it was superfluous and did not reflect the contact group discussions. The draft decision was adopted with only the text recalling decision BC-16/4's call for technical activities.

Outcome: The OEWG adopted a decision to:

- include in its work programme consideration of further activities that could be conducted under the Convention in response to developments in scientific knowledge and environmental information related to plastic waste, as well as in the consideration of the INC;
- invite parties and others to submit to the Secretariat by 28 February 2024 comments on the proposed further activities, and request the Secretariat to post the comments on the Convention website;
- request the Secretariat to report on implementation of this decision to COP 17; and
- recall decision BC-16/4 requesting the Secretariat to undertake, subject to the availability of resources, technical assistance activities to support developing country parties and other parties needing assistance in using the guidelines and to report on these activities to COP 17.

Amendments to Annexes II, VIII and IX on e-waste: On Wednesday, the Secretariat introduced its note and related documents proposing updates to various Basel Convention guidelines, fact sheets, and guidance documents consequential to the e-waste amendments the COP adopted in 2022 (UNEP/CHW/OEWG.14/9; UNEP/CHW/OEWG.14/INF/17 and INF/26).

BAN welcomed the entry into force of the e-waste amendments, stating that the e-waste trade has accelerated in global dumping hotspots such as Indonesia, Malaysia and Pakistan. He called for closing the loophole in the Basel Convention that enables e-waste to be exported by stating that it is recyclable.

The INFORMATION TECHNOLOGY INDUSTRY COUNCIL encouraged parties to implement the new e-waste amendments.

MUKTI MANDIRI LESTARI, an e-waste recycling company from Indonesia, welcomed the practical guidance for the development of inventories of waste electrical and electronic equipment (UNEP/CHW/OEWG.14/INF/17) as being especially helpful for foundational reporting. She recommended developing new technical guidelines for estimating how much waste is being successfully recycled.

Outcome: The OEWG invited parties to submit to the Secretariat, by 31 December 2024, comments on proposed updates to existing guidance, technical guidelines and fact sheets consequential to the adoption of the e-waste amendments. The OEWG also requested the Secretariat to prepare and submit to COP 17 a revised version of its overview of the updates, taking into account any comments received from parties.

International cooperation and coordination: Basel Convention Partnership Programme: On Wednesday, the Secretariat introduced:

- the Basel Convention Partnership Programme (UNEP/CHW/OEWG.14/12), which takes note of work done by the Partnership for Action on Challenges relating to E-waste (PACE), the Household Waste Partnership, and the Partnership on Plastic Waste;
- draft guidance for the environmentally sound refurbishment and repair of used and waste equipment of television screens, audio and video equipment (UNEP/CHW/OEWG.14/INF/31);
- draft guidance for the environmentally sound refurbishment and repair of used and waste equipment of refrigerators, cooling and heating equipment (UNEP/CHW/OEWG.14/INF/32); and
- a report on the implementation of the programme of work of the PACE working group in the 2024-25 biennium (UNEP/CHW/OEWG.14/INF/33).

SWITZERLAND and the EU welcomed the draft guidance developed.

The Secretariat then introduced the revised guidance document on ESM of household waste (UNEP/CHW/OEWG.14/INF/34) and a report on implementation of the workplan of the working group of the Household Waste Partnership (UNEP/CHW/OEWG.14/INF/35), noting further meetings of the Partnerships will take place in Barcelona, Spain, later in 2024.

The EU, CANADA and SWITZERLAND expressed support for the work done and looked forward to providing further comments.

The INTERNATIONAL SOLID WASTE ASSOCIATION stressed the unique opportunity to disseminate best practices, warning that, if business-as-usual continues, there will be a waste crisis comprising an 80% increase of waste in the world by 2050, with resulting environmental burdens and costs.

On Friday, the Secretariat introduced the report on the activities of the working group of the Partnership on Plastic Waste (UNEP/CHW/OEWG.14/INF/36), noting its decision to focus during the biennium on the production of three types of knowledge briefs: spotlight, insight and foresight briefs. SWITZERLAND thanked the Partnership for its valuable work and welcomed the focus on the briefs.

Outcome: Delegates took note of the progress reports, invited parties to submit further comments on the draft guidance documents and 2026-27 programme by 31 August 2024, and requested the respective working groups to continue to develop the draft guidance documents for consideration at COP 17.

On PACE, the OEWG: took note of progress made in implementation of PACE's work programme on e-waste for 2024-25; invited parties to submit further comments on the draft guidance documents and 2026-27 programme by 31 August 2024; and requested the working group to continue to develop the draft guidance documents on television screens, including cathode ray tube, liquid crystal display and light-emitting diode screens, and video and audio equipment, and on refrigerators, cooling and heating equipment, as well as the draft programme of work 2026-2027.

On the Household Waste Partnership, the OEWG invited parties to submit further comments on the draft guidance documents and 2026-27 programme by 31 August 2024 and requested the working group to continue to prepare the further revised draft of guidance on ESM of household waste.

On the Partnership on Plastic Waste, the OEWG took note of progress made in implementing the 2024-2025 workplan and invited parties and others who have not yet nominated members to the working group to inform the Secretariat of their nominations.

Cooperation with the World Customs Organization on the Harmonized Commodity Description and Coding System: On Friday, the Secretariat introduced a note on cooperation with the World Customs Organization (WCO) on the Harmonized Commodity Description and Coding System (“Harmonized System”) (UNEP/CHW/OEWG.14/13) and a report on the status of the work on the Harmonized System in relation to the Basel Convention (UNEP/CHW/OEWG.14/INF/37). She noted work on codes for plastic waste, PCB waste, and waste pneumatic tyres, as well as plans for others outlined in INF/37.

Outcome: Delegates took note of the report and invited parties and others to provide information to the Secretariat by 30 September 2024, with a view to assisting it in preparing proposals for amending the Harmonized System with respect to the types of wastes set out in Annex II of INF/37.

Legal, governance and enforcement matters: Providing further legal clarity: Revised amendment proposals regarding Annex IV and review of Annexes I and III: On Tuesday, the Secretariat introduced its note on providing further legal clarity (UNEP/CHW/OEWG.14/10) and the revised amendment proposals from an expert working group for Sections A (disposal operations) and B (recovery operations) of Annex IV (UNEP/CHW/OEWG.14/INF/27), as well as the expert working group’s draft recommendations for amendment of Annexes I (categories of waste to be controlled) and III (list of hazardous characteristics) (UNEP/CHW/OEWG.14/INF/28).

CANADA announced the submission of its proposal with Argentina (UNEP/CHW/OEWG.14/CRP.3), which asks for amendments to the annexes to be undertaken in an integrated manner. She called for negotiations to continue in a contact group.

CHINA expressed concern as to how the proposed amendments would affect countries’ existing waste management systems. He supported identifying hazardous waste “based on the source of generation” rather than trying to identify hazardous content in each case and called for the existing waste categories under Annex I to be retained, refined and improved. On Annex IV, he expressed concern over how amendments would relate to the definition of waste in the Basel Convention.

COLOMBIA, supported by ARGENTINA and the US, called for undertaking a complete review of all sections of the annex.

BRAZIL expressed support for reviewing the annexes and, supported by SAUDI ARABIA, called for further negotiations, taking into account local circumstances and legislation. The US expressed concern about proposed “catch-all” provisions for Annex IV that could slow PIC procedure decision-making. She also cautioned that some proposed changes to Annexes I and III could reduce environmental protections.

Delegates agreed to establish a contact group on Legal Matters, with a focus on Annex IV issues, including Argentina’s and Canada’s proposal. Co-Chairs for the contact group were Jason Dunn (Australia) and Perine Kasonde (Zambia).

The contact group commenced discussions on Tuesday afternoon, prioritizing Annex IV issues, and quickly agreed that the group could comment on the entire draft Annex IV text. Through the week

the group examined in detail the disposal and recovery operations proposed in the draft, with a view to identifying those operations where there was a likelihood of agreement within the EWG before COP 17.

Late on Thursday the group agreed on text for a revised proposal (UNEP/CHW/OEWG.14/CRP.19), which included an additional disposal operation (“open burning”) and, in relation to recovery operations, bracketed “catch-all” provisions while adding “co-processing” and “preparing for re-use.”

There was insufficient time for the contact group to discuss Annexes I and III.

Outcome: The OEWG requested the expert working group to continue its work on the review of Annex IV and to develop revised amendment proposals, including short explanations as to why the proposals are being made, on the basis of OEWG 14 discussions, including the prioritization of the amendment proposals, for consideration and possible adoption by COP 17. The OEWG also requested the expert working group to continue to develop draft recommendations on the review of Annexes I and III, taking into account OEWG 14 discussions, for COP 17’s consideration.

Consultation with the Committee Administering the Mechanism for Promoting Implementation and Compliance: On Tuesday, the Secretariat introduced its note on consultation with the ICC (UNEP/CHW/OEWG.14/11), the report reviewing the information provided by parties in Tables 4 and 5 of the national reports for the years 2020 and 2021 (UNEP/CHW/OEWG.14/INF/29), and the guidance on how individual parties can integrate action to address their needs under the Basel Convention into their UN Sustainable Development Cooperation Frameworks (UNEP/CHW/OEWG.14/INF/30).

CANADA questioned the report’s recommendations on new entries for Annexes VIII and IX of the Convention, given the report’s main objective is to improve national reporting, drawing on the information in Tables 4 and 5. The EU welcomed the report’s recommendations.

IPEN noted, in relation to information provided in national reports, that refuse-derived fuel (RDF) is inconsistently coded (an issue identified in UNEP/CHW/OEWG.14/INF/29) and proposed that Y48 be used consistently for that class of waste.

Co-Chair Dika noted that there were no comments on UNEP/CHW/OEWG.14/INF/30.

Delegates agreed to refer the issue to the Contact Group on Legal Matters. The Contact Group’s advice to plenary on Friday was that members had agreed to those proposed actions, although there had been insufficient time to discuss them in detail.

Outcome: The OEWG invited the ICC, taking into account its consultations at OEWG 14, to finalize for consideration by COP 17:

- its report reviewing the information provided in Tables 4 and 5 of the national report; and
- its guidance on how parties can integrate action to address Basel Convention needs into their UN Sustainable Development Cooperation Frameworks.

Matters related to the Work Programme of the Open-ended Working Group for 2025-2026

On Friday, the Secretariat introduced the draft work programme of the OEWG for 2026-2027 (UNEP/CHW/OEWG.14/14).

Outcome: Delegates took note of the draft work programme and requested the Secretariat to prepare a revised draft, taking into account OEWG 14 decisions, for consideration and possible adoption by COP 17.

Adoption of the Report

The Secretariat introduced the meeting report (UNEP/CHW/OEWG.14/L.1), noting the first part of the report covers the Tuesday and Wednesday morning proceedings and had been approved by Rapporteur Mohamed Aman (Bahrain). She explained that the second part of the report would be approved later by the Rapporteur, with support of the Secretariat.

Rapporteur Aman advised that parties may submit comments and corrections in writing to the Secretariat.

CHINA stated the account given of its intervention in relation to providing further legal clarity did not precisely reflect their views and position, and that corrections have been submitted to the Secretariat. Rapporteur Aman confirmed the Secretariat had received the corrections. There were no further comments.

Outcome: Delegates adopted the report.

Closure of the Meeting

In closing statements, regional groups expressed warm thanks to the Secretariat, the Government of Switzerland, and all participants, and looked forward to making progress during the intersessional period before the next meeting of the COPs to the BRS Conventions in 2025. The AFRICAN GROUP noted that, “much remains to be done” and that the proposal to collect information from parties on low-POPs content is a priority. GRULAC requested resources to be provided to the Basel Convention’s regional centres, warning that lack of resources would hamper progress on implementing the technical guidelines. The EU welcomed the guidance produced on POPs waste, waste batteries, and waste pneumatic tyres, adding that more work will be needed on improving the PIC procedure. CENTRAL AND EASTERN EUROPE noted discussions on compliance had been especially relevant, especially regarding illegal waste trafficking. The ASIA-PACIFIC GROUP underscored its commitment to participating in intersessional work and highlighted its work, especially on POPs waste.

Co-Chairs Torres and Dika thanked all involved for their participation and constructive work. Executive Secretary Rolph Payet paid tribute to delegates, noting, “We had a lot of work before us, but as always, you deliver.”

The meeting closed at 5:13 pm.

A Brief Analysis of OEWG 14

As the Basel Convention approaches its 35th anniversary, parties and stakeholders are working to ensure the Convention remains capable of addressing latest developments in transboundary movements of hazardous waste. During the 14th meeting of the Open-ended Working Group of the Basel Convention (OEWG 14), delegates undertook work to improve the effectiveness of the Convention and ensure it is adapting to changes in trade, technology, and waste management.

The Basel Convention was negotiated in the 1980s primarily to stop dumping of developed country wastes in developing countries after several egregious examples of such dumping surfaced in the global media. While the Convention controls only waste traded

between nations, not waste generation and management within a country, its provisions have become the template for numerous national laws and regulations on hazardous waste. Furthermore, its technical work—necessary for ensuring interpretation and application of key concepts and terms in the Convention—often ends up influencing national waste regulations, guidelines and standards. In other words, on hazardous waste and other wastes of concern that may prove hazardous, Basel sets the agenda.

This brief analysis considers the outcomes of OEWG 14, with a focus on the challenges of ensuring the Convention remains relevant and central to the shifting waste and chemicals policy landscape.

Ensuring the Basel Convention Functions as Intended

OEWG 14 initiated work mandated by the 16th meeting of the Conference of the Parties (COP 16) to improve what many call the heart of the Basel Convention: the prior informed consent (PIC) procedure. The detailed procedure covers four stages: notification by the exporting state to the intended importing state of a proposed waste shipment; formal consent and issuance of the movement document; transboundary movement; and confirmation of disposal.

The procedure has never fully functioned as originally envisioned. Communications between import and transit countries and exporters (who provide notifications of pending waste shipments) are often still in paper form and, as a result, crucial documentation is often long delayed or lost in transit. This situation has led some parties to float the idea of introducing the “tacit consent” concept into Basel: set maximum deadlines for formal response to notifications, which, if exceeded, could be regarded as tacit consent to the shipment. Many developing countries, conscious that many of the consent delays involve their resource-strapped administrations, worry that such a modified system would be abused and lead to greater dumping.

The new work to improve the PIC procedure, along with complementary work on bringing transit and movement documents fully into the digital age, will be cumbersome, because country regulations on required response times and means of notification differ. The OEWG got the ball rolling by debating the possibility of harmonizing time frames for giving consent, and whether those time frames should be voluntary or made legally binding under the Convention. The OEWG also requested a small intersessional working group (SIWG) to compile case studies and fact sheets on electronic approaches.

Another longstanding concern considered at OEWG 14 was the need to overhaul some of the Convention’s annexes, and particularly Annex IV (disposal operations), to reflect changes in technology and practices in waste recovery and reuse over the last 35 years. A contact group discussed Annex IV in detail and prioritized which disposal and recovery operations should be the focus for the intersessional expert working group. Some countries that have incorporated Annex IV definitions directly into their laws and regulations are uneasy about major amendments, as updating them will be time-consuming. The intersessional work will facilitate COP 17’s deliberations on updating Annex IV.

Ensuring Effective Implementation of Recent Amendments

In the past five years the COP to the Basel Convention has adopted amendments to address supervision and control of two fast-growing international waste flows of concern: plastics and

waste electronic and electrical equipment (e-waste). In 2019, COP 14 amended Convention annexes to clarify the Convention's scope as it applies to plastic waste and to enhance control of transboundary movement of such waste. These amendments took effect in 2020. COP 15, in 2022, then amended the annexes to expand the control of transboundary movement of e-waste and to make all electronic and electrical waste subject to the Convention's PIC procedure. These amendments will come into effect on 1 January 2025.

After four years of experience trying to implement the plastic waste amendments, parties at OEWG 14 felt it was time to assess whether the amendments are working as intended and considered whether there was scope for improvement. Several Latin American and African countries, for example, told the OEWG of their national delays in implementing the amendments because they were still puzzling out how to assess and screen plastics-containing shipments in line with the changes made under the amendments. The OEWG considered what work to recommend to COP 17 in 2025 on interpretation and implementation tools. There was broad support for an EU proposal to update several of the Convention's technical guidelines, which help define what constitutes environmentally sound management (ESM) of plastic waste and Côte d'Ivoire's proposal to create a manual advising parties on how to identify plastic waste shipments and their constituents. Additionally, developing countries called for a survey of implementation challenges. The Secretariat suggested a list of "further activities on package waste," such as analyzing how global plastic waste trade has changed in recent years.

However, the OEWG was not able to reach consensus. Saudi Arabia, supported by the Gulf Cooperation Council members, Iran, and the Russian Federation, called for launching work on technical guidelines for chemical recycling of plastic waste. Many interpreted this as an effort by some parties to re-open the debate at COP 16 about chemical recycling as an ESM option. Most delegates regarded the guidelines proposal as "premature," since the technology is not widely available and has yet to be proven economically viable and an ESM option, and said that the focus for now should be on collecting information.

Some also suggest it was a marker for the upcoming final round of negotiations on a global plastic pollution treaty to keep the door open to promotion of chemical recycling as one answer to cut growing plastic waste volumes. "Chemical recycling may one day fulfill its promise, and we shouldn't close the door to it, but right now it's not yet ready for prime time and certainly not ripe for guidelines work," a seasoned observer commented.

Until this issue is resolved, the entire draft list of future Convention activities on plastics remains bracketed. The stage is now set for another debate on chemical recycling when COP 17 considers Basel's further work on plastics.

With the January 2025 deadline for entry-into-force for the e-waste amendments looming, parties are concerned they may face similar teething problems in interpreting those amendments in practice. OEWG 14 agreed on updates of various guidelines, fact sheets, and other tools to aid implementation. The OEWG also urged parties to "pilot test" the existing "interim" technical guidelines, which address the distinction between waste and non-wastes (namely what is and is not subject to the Basel Convention's PIC procedure), to identify any needed tweaks so that COP 17 can formally launch these guidelines.

Keeping the Basel Convention Relevant

The Basel Convention develops and updates technical guidelines for wastes containing, consisting of, or contaminated with those persistent organic pollutants (POPs) that are listed under the Stockholm Convention. The updates are an ongoing Basel Convention challenge as the Stockholm Convention expands its lists.

A longstanding concern, particularly as more countries advocate a shift to a circular economy, is what POPs values in waste are low enough not to pose an environmental and/or health concern for recycling processes. Since many common items, such as airplanes, home insulation, car parts, and plastic computer casings, contain POPs, experts must determine when these can be safely recycled and used in the production of new products or packaging.

OEWG 14 discussed, but did not resolve, setting values for recently listed POPs in an update of the general technical guidelines on POPs wastes. This exercise will have to be concluded at COP 17. The OEWG did, however, approve a format for a survey of what values countries are setting for POPs wastes to inform future work. Most efforts at setting low-POPs values to date have been driven by the EU's work in this area. The aim of the survey is to see what values other parties have set or are in the process of setting, the environmental and other considerations (such as economic) behind the values chosen, whether they are enshrined in legislation, whether the Basel Convention technical guidelines were considered when setting them, and what local knowledge, data, and technology limitations may affect their application. Such information could enrich COP negotiations on setting low-POPs values.

Another recent concern in waste management and trade circles, the ESM of waste batteries with chemistries other than lead-acid, was dealt with for the first time under the Basel Convention during this OEWG session. With many rechargeable battery chemistries, such as lithium ion, becoming ubiquitous in laptops and other portable devices, electric vehicles, and solar power storage systems, officials want to know what constitutes ESM of the coming tidal wave of these batteries at end-of-life and how any trade in these waste batteries should be regarded. The draft ESM technical guidelines are in an early stage, but will be watched closely by many, including manufacturers and many recyclers who see a potentially lucrative future trade.

Setting the Vision for Future Work under the Basel Convention

OEWG 14 reviewed a draft of a new Basel Convention strategic framework to replace the existing 2012-21 framework. The new framework, like its predecessor, would aim to guide the Convention's future work by articulating a vision and guiding principles as well as providing strategic goals and objectives, with indicators to assist in evaluating the Convention's impact.

A key decision left to COP 17 will be the framework's timeframe. Many delegates favor 2025-31 to align with the 2030 Agenda for Sustainable Development (noting that Basel Convention COPs usually meet in odd numbered years) and to help promote SDG indicators 12.4.2 (hazardous waste generated per capita, and proportion of hazardous waste treated, by type of treatment) and 12.5.1 (national recycling rate, tons of material recycled). Several, however, prefer a 10-year framework to enable longer-term planning for improving the Convention's functioning and effectiveness.

Another concern that became clear during OEWG discussions is how many indicators need to be set, whether data sources exist to measure them, and whether they would represent a significant new reporting burden. Importantly, considerable support emerged for a report to go to each future COP evaluating progress against the framework's indicators. This would provide a valuable perspective on the effectiveness of the Basel Convention.

The contact group gathered a range of views on the draft objectives and indicators for the SIWG to develop, with the aim of enabling fruitful negotiations to finalize and adopt the framework at COP 17. A large developing country called for a thorough review of the framework's vision and guiding principles—something the SIWG has to date regarded as outside its mandate, so it would have to be taken up by the COP itself.

Looking Ahead to COP 17

Much of the burden for finalizing the various complex work products falls on a series of SIWGs and expert groups meeting before the end of 2024. These groups must cover a lot of substantive ground in relatively little time if COP 17 is to be successful. The Basel Convention is one of the few MEAs to rely so heavily on SIWGs and expert groups between COPs, and the formula has proven successful over the years. Even so, many countries do not participate actively in these groups, and may not accept their outcomes when they arrive in Geneva for COP 17—foreshadowing that several issues considered at OEWG 14 will face intensive further negotiation at COP 17.

Upcoming Meetings

Global Stakeholder Dialogue on the Global Framework on Chemicals (GFC) Implementation Programmes: Intended as a first discussion with all interested stakeholders, this meeting will consider how to collaborate on the development, design, and formulation of specific implementation programmes and to identify what steps and activities are needed during the intersessional period. **date:** 3 July 2024 **location:** virtual **www:** partnership.who.int/iomc/global-framework-on-chemicals

Resumed 6th Meeting of the Expert Working Group on the Review of Annexes to the Basel Convention: The group will resume its work from the first part of the 6th Meeting, held 28 November - 1 December 2023, on the review of Annexes I, III and IV to the Basel Convention. **dates:** 3-6 September 2024 **location:** Slovakia **www:** basel.int

CRC 20: The Rotterdam Convention's Chemical Review Committee (CRC) will consider draft decision guidance documents for chlorpyrifos and mercury and review up to 33 notifications of final regulatory action and four proposals for listing severely hazardous pesticide formulations in the Convention. **dates:** 17-20 September 2024 **location:** Rome, Italy **www:** pic.int

POPRC 20: The Stockholm Convention's POPs Review Committee (POPRC) will consider a proposal to list polyhalogenated dibenzo-p-dioxins and dibenzofurans (PXDD/PXDF) in Annex C to the Convention, and will review the draft risk management evaluation for chlorpyrifos. POPRC also will discuss: information provided by parties and observers on long-chain perfluorocarboxylic acids and related compounds and medium-chain

chlorinated paraffins, and POPs in stockpiles, products and articles in use and in wastes. **dates:** 23 to 27 September 2024 **location:** Rome, Italy **www:** chm.pops.int

Plastic Pollution INC-5: The fifth meeting of the intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment, will attempt to complete negotiations on the instrument. **dates:** 25 November - 1 December 2024 **location:** Busan, Republic of Korea **www:** unep.org/inc-plastic-pollution/session-5

OEWG 3.2 and the Intergovernmental Meeting for a New Science-Policy Panel on Chemicals, Waste, and Pollution: The UNEP Executive Director will convene an intergovernmental meeting to establish the new SPP. **dates:** January 2025 (TBC) **location:** Bangkok, Thailand (TBC) **www:** unep.org/oewg-spp-chemicals-waste-pollution

Basel COP 17 Rotterdam COP12 and Stockholm COP12: The next TripleCOP will address, *inter alia*, the listing of chemicals under the Rotterdam and Stockholm Conventions, technical guidelines for the sound management of wastes under the Basel Convention, and technical and financial support for implementation of the conventions. **dates:** 28 April – 9 May 2025 **location:** Geneva, Switzerland **www:** brsmeas.org

For additional upcoming events, see: sdg.iisd.org

Glossary

BAN	Basel Action Network
BRS	Basel, Rotterdam and Stockholm (Conventions)
COP	Conference of the Parties
CRP	Conference room paper
ESM	Environmentally sound management
EPR	Extended producer responsibility
E-waste	Electrical and electronic waste
GAHP	Global Alliance on Health and Pollution
GRULAC	Latin American and Caribbean Group
ICC	Implementation and Compliance Committee
IPEN	International Pollutants Elimination Network
MEA	Multilateral environmental agreement
OEWG	Open-ended Working Group
PACE	Partnership for Action on Challenges relating to E-waste
PFHxS	Perfluorohexane sulfonic acid
PIC	Prior informed consent
POPs	Persistent organic pollutants
SDGs	Sustainable Development Goals
SIWG	Small intersessional working group
WLABS	Waste lead-acid batteries