



BASEL CONVENTION

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

Geneva (online), 1–3 September 2020*

Item 2 (b) of the provisional agenda**

Organizational matters: organization of work

Annotations to the provisional agenda

Item 1

Opening of the meeting

1. The twelfth meeting of the Open-ended Working Group of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal will be held in two segments, consisting of an online segment and a face-to-face segment, as an exceptional measure in the light of the ongoing coronavirus disease (COVID-19) pandemic, as agreed by the Bureau of the Open-ended Working Group on 9 July 2020, after extensive deliberations and consultations with Parties.
2. The meeting will be opened during the first session of the online segment, scheduled to take place from 2 to 5 p.m. Geneva time (UTC +2) on Tuesday, 1 September 2020.
3. Opening and welcoming statements will be delivered.

Item 2

Organizational matters

(a) Adoption of the agenda

4. The Open-ended Working Group may wish to adopt its agenda on the basis of the provisional agenda (UNEP/CHW/OEWG.12/1).

(b) Organization of work

5. The Open-ended Working Group has before it a scenario note for its twelfth meeting (UNEP/CHW/OEWG.12/INF/1/Rev.1) prepared by the Secretariat in consultation with the co-chairs of the Open-ended Working Group and a tentative schedule for the meeting (UNEP/CHW/OEWG.12/INF/2/Rev.1) prepared in consultation with the Bureau of the Open-ended Working Group.
6. The online segment of the twelfth meeting of the Open-ended Working Group will consist of two online sessions covering two days, Tuesday, 1 September and Thursday, 3 September 2020. Each session will last three hours and will be conducted in the six official languages of the United Nations.

* An additional face-to-face segment is tentatively scheduled to take place in March 2021.

** UNEP/CHW/OEWG.12/1.

During the sessions, the Open-ended Working Group will consider all the items of the agenda for the meeting consecutively, unless the co-chairs, in consultation with the Bureau, decide on another approach.

7. The online segment will begin with the first online session, starting at 2 p.m. Geneva time (UTC + 2) on Tuesday, 1 September. It will start with the opening of the meeting and the consideration of procedural matters, namely the adoption of the agenda and the organization of work. The online session will continue with the consideration of the agenda items related to the work programmes of the Open-ended Working Group for the bienniums 2020–2021 and 2022–2023. Each item and sub-item will be introduced by the Secretariat. After each introduction, the co-chairs will invite the chairs of subsidiary bodies and/or lead countries, as relevant, to provide oral reports on the progress of work under each item. The co-chairs will then invite Parties and observers wishing to make oral or written interventions to do so in any of the six official languages of the United Nations. Owing to time constraints, the duration of oral interventions will be limited to two minutes. In concluding the consideration of each item, the co-chairs will invite the Open-ended Working Group to consider inviting Parties and observers to provide written comments after the meeting according to the deadlines specified in the compilation of timelines for submitting comments after the online segment of the twelfth meeting of the Open-ended Working Group (UNEP/CHW/OEWG.12/15/Rev.1) and to invite the Secretariat, subsidiary bodies and/or lead countries, as relevant, to take those comments into account when resuming their work.

8. Subsequently, the Open-ended Working Group will consider agenda item 5, on the adoption of the report, as described in paragraph 32 below. Further information about the working modalities of the online segment of the meeting is set out in document UNEP/CHW/OEWG.12/INF/1/Rev.1. After the consideration of item 5, the online segment will be suspended. It will be reconvened during the face-to-face segment to be held in Nairobi in March 2021, back to back with the fifth session of the United Nations Environment Assembly, subject to the availability of resources and an improvement in the global situation with regard to the COVID-19 pandemic.

9. During the first online session of the meeting, the Open-ended Working Group may wish to adopt the organization of work and the working modalities for the meeting as set out in the scenario note and the tentative schedule.

Item 3

Matters related to the work programme of the Open-ended Working Group for 2020–2021

10. The Open-ended Working Group will consider the sub-items under agenda item 3 in the order in which they appear on the provisional agenda, as listed below, unless the co-chairs, in consultation with the Bureau, decide to proceed otherwise.

(a) Strategic issues

(i) Strategic framework

11. The Open-ended Working Group has before it notes by the Secretariat on the strategic framework (UNEP/CHW/OEWG.12/2) and on a draft report on the final evaluation of the strategic framework for the implementation of the Basel Convention for 2012–2021 (UNEP/CHW/OEWG.12/INF/4). As was agreed by the Bureau, the Open-ended Working Group may wish to provide comments on this agenda item during the online sessions of the meeting; to invite Parties and observers to submit comments to the Secretariat, by 15 September 2020, on the annex to document UNEP/CHW/OEWG.12/INF/4; and to invite the small intersessional working group on the strategic framework to take the comments received into account in revising its draft report for submission to the Conference of the Parties at its fifteenth meeting.

(ii) Development of guidelines for environmentally sound management

12. The Open-ended Working Group has before it notes by the Secretariat on the development of guidelines for environmentally sound management (UNEP/CHW/OEWG.12/3) and on a revised draft practical manual for stakeholders to ensure that notifications of transboundary movements meet environmentally sound management requirements (UNEP/CHW/OEWG.12/INF/5). As was agreed by the Bureau, the Open-ended Working Group may wish to provide comments on this agenda item during the online sessions of the meeting; to invite Parties and others to submit to the Secretariat, by 30 October 2020, comments on the annex to document UNEP/CHW/OEWG.12/INF/5; and to invite

the Secretariat to take the comments received into account in revising the above-mentioned document for submission to the Conference of the Parties at its fifteenth meeting.

(b) Scientific and technical matters

(i) Technical guidelines

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

13. The Open-ended Working Group has before it notes by the Secretariat on technical guidelines (UNEP/CHW/OEWG.12/4), on a compilation of comments and information received from Parties and observers on the low persistent organic pollutant content values included in the technical guidelines (UNEP/CHW/OEWG.12/INF/6), on draft updated general technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants (UNEP/CHW/OEWG.12/INF/7), on draft updated technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with perfluorooctane sulfonic acid, its salts and perfluorooctane sulfonyl fluoride and perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds (UNEP/CHW/OEWG.12/INF/8) and on draft updated technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with the pesticides aldrin, alpha hexachlorocyclohexane, beta hexachlorocyclohexane, chlordane, chlordecone, dicofol, dieldrin, endrin, heptachlor, hexachlorobenzene, hexachlorobutadiene, lindane, mirex, pentachlorobenzene, pentachlorophenol and its salts, perfluorooctane sulfonic acid, technical endosulfan and its related isomers or toxaphene or with hexachlorobenzene as an industrial chemical (UNEP/CHW/OEWG.12/INF/9). As was agreed by the Bureau, the Open-ended Working Group may wish to provide comments on this agenda item during the online sessions of the meeting; to invite Parties and observers to submit to the Secretariat, by 15 September 2020, comments on the annexes to documents UNEP/CHW/OEWG.12/INF/7, UNEP/CHW/OEWG.12/INF/8 and UNEP/CHW/OEWG.12/INF/9; and to request the Secretariat, in consultation with the small intersessional working group, to take the comments received into account in revising the above-mentioned documents for submission to the Conference of the Parties at its fifteenth meeting.

b. Technical guidelines on incineration on land and on specially engineered landfill

14. The Open-ended Working Group has before it notes by the Secretariat on technical guidelines (UNEP/CHW/OEWG.12/4), on draft updated technical guidelines on incineration on land (D10) (UNEP/CHW/OEWG.12/INF/11) and on draft updated technical guidelines on specially engineered landfill (D5) (UNEP/CHW/OEWG.12/INF/12). As was agreed by the Bureau, the Open-ended Working Group may wish to provide comments on this agenda item during the online sessions of the meeting; to invite Parties and observers to submit to the Secretariat, by 15 September 2020, comments on the annexes to documents UNEP/CHW/OEWG.12/INF/11 and UNEP/CHW/OEWG.12/INF/12; and to request the co-lead countries and the Secretariat to take the comments received into account in revising the above-mentioned documents for submission to the Conference of the Parties at its fifteenth meeting.

c. Technical guidelines for the identification and environmentally sound management of plastic wastes and for their disposal

15. The Open-ended Working Group has before it notes by the Secretariat on technical guidelines (UNEP/CHW/OEWG.12/4) and on draft updated technical guidelines on the environmentally sound management of plastic wastes and for their disposal (UNEP/CHW/OEWG.12/INF/14). As was agreed by the Bureau, the Open-ended Working Group may wish to provide comments on this agenda item during the online sessions of the meeting; to invite Parties and observers to submit to the Secretariat, by 15 September 2020, comments on the annex to document UNEP/CHW/OEWG.12/INF/14; and to request the co-lead countries, in consultation with the small intersessional working group, to take the comments received into account in revising the above-mentioned document for submission to the Conference of the Parties at its fifteenth meeting.

d. 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

16. The Open-ended Working Group has before it a note by the Secretariat on technical guidelines (UNEP/CHW/OEWG.12/4). As was agreed by the Bureau, the Open-ended Working Group may wish to provide comments on this agenda item during the online sessions of the meeting; to invite Parties and others to submit to the Secretariat, by 30 October 2020, comments on the use and testing of the

technical guidelines on transboundary movements of electrical and electronic waste and used electrical and electronic equipment (UNEP/CHW.14/7/Add.6/Rev.1, annex), as well as the results of such use and testing; and to request the expert working group to take the comments received into account when preparing revised draft technical guidelines for submission to the Conference of the Parties at its fifteenth meeting.

e. Technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with mercury or mercury compounds

17. The Open-ended Working Group has before it notes by the Secretariat on technical guidelines (UNEP/CHW/OEWG.12/4) and on draft updated technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with mercury or mercury compounds (UNEP/CHW/OEWG.12/INF/13). As was agreed by the Bureau, the Open-ended Working Group may wish to provide comments on this agenda item during the online sessions of the meeting; to invite Parties and observers to submit to the Secretariat, by 15 September 2020, comments on the annex to document UNEP/CHW/OEWG.12/INF/13; and to request the lead country, in consultation with the small intersessional working group, to take the comments received into account in revising the above-mentioned document for submission to the Conference of the Parties at its fifteenth meeting.

f. Consideration of whether to update the technical guidelines on the physico-chemical treatment and biological treatment of hazardous waste

18. The Open-ended Working Group has before it a note by the Secretariat on technical guidelines (UNEP/CHW/OEWG.12/4). As was agreed by the Bureau, the Open-ended Working Group may wish to provide comments on this agenda item during the online sessions of the meeting and invite Parties and observers to submit to the Secretariat, by 30 November 2020, comments on whether the technical guidelines on hazardous waste physico-chemical treatment (D9) and biological treatment (D8)¹ should be updated.

g. Consideration of whether to update the technical guidelines for the environmentally sound management of waste lead-acid batteries

19. The Open-ended Working Group has before it a note by the Secretariat on technical guidelines (UNEP/CHW/OEWG.12/4). As was agreed by the Bureau, the Open-ended Working Group may wish to provide comments on this agenda item during the online sessions of the meeting and invite Parties and observers to submit to the Secretariat, by 30 November 2020, comments on whether the technical guidelines for the environmentally sound management of waste lead-acid batteries² should be updated.

(ii) National reporting

20. The Open-ended Working Group has before it notes by the Secretariat on draft practical guidance for the development of inventories of priority waste streams (UNEP/CHW/OEWG.12/5), on draft practical guidance on the development of inventories of plastic waste (UNEP/CHW/OEWG.12/INF/15), on draft practical guidance on the development of inventories of obsolete pesticides and pesticide-container waste (UNEP/CHW/OEWG.12/INF/16) and on draft practical guidance on the development of inventories of waste batteries containing lithium (UNEP/CHW/OEWG.12/INF/17). As was agreed by the Bureau, the Open-ended Working Group may wish to provide comments on this agenda item during the online sessions of the meeting; to invite Parties and observers to submit to the Secretariat, by 15 September 2020, comments on the annexes to documents UNEP/CHW/OEWG.12/INF/15, UNEP/CHW/OEWG.12/INF/16 and UNEP/CHW/OEWG.12/INF/17; and to request the Secretariat to take the comments received into account in revising the above-mentioned documents for submission to the Conference of the Parties at its fifteenth meeting.

(iii) Electronic approaches to the notification and movement documents

21. The Open-ended Working Group has before it notes by the Secretariat on electronic approaches to the notification and movement documents (UNEP/CHW/OEWG.12/6) and on a report on experiences, at the national and international levels, in developing and implementing electronic systems for exchanging information on or controlling the movements of goods and wastes, and lessons learned from such experiences (UNEP/CHW/OEWG.12/INF/18). As was agreed by the Bureau, the Open-ended Working Group may wish to provide comments on this agenda item during the online

¹ Adopted by decision V/26 and available at www.basel.int/Implementation/TechnicalMatters/DevelopmentofTechnicalGuidelines/TechnicalGuidelines/tabid/8025/Default.aspx.

² UNEP/CHW.6/22, annex.

sessions of the meeting; to invite Parties and others to submit to the Secretariat, by 30 November 2020, comments on the annex to document UNEP/CHW/OEWG.12/INF/18; and to request the Secretariat to take the comments received into account in revising the above-mentioned document for submission to the Conference of the Parties at its fifteenth meeting.

(iv) Plastic waste

22. The Open-ended Working Group has before it notes by the Secretariat on further actions to address plastic waste under the Basel Convention (UNEP/CHW/OEWG.12/7), on background information related to a possible future assessment of the effectiveness of the measures taken under the Basel Convention to address plastic waste and to possible further activities that could be conducted under the Basel Convention (UNEP/CHW/OEWG.12/INF/20) and on information on the meetings of the ad hoc open-ended expert group on marine litter and microplastics and resolutions of the United Nations Environment Assembly related to marine plastic litter and microplastics (UNEP/CHW/OEWG.12/INF/21).

23. Participants may wish to note that this sub-item covers only the implementation of activities undertaken on the further consideration of the plastic waste specified in paragraph 34 (a) and (b) of section VIII, which addresses further consideration of plastic waste, of decision BC-14/13. Other activities related to plastic waste for consideration by the Open-ended Working Group are covered under agenda items 3 (b) (i) c. on technical guidelines for the identification and environmentally sound management of plastic wastes and for their disposal; 3 (b) (ii) on national reporting; 3 (c) (ii) on providing further legal clarity; 3 (d) (i) on the Basel Convention Partnership Programme and 3 (d) (ii) on cooperation with the World Customs Organization on the Harmonized Commodity Description and Coding System.

24. As was agreed by the Bureau, the Open-ended Working Group may wish to provide comments on this agenda item during the online sessions of the meeting and invite Parties and observers to submit to the Secretariat, by 30 September 2020, comments on annexes I and II to document UNEP/CHW/OEWG.12/INF/20 and to request the Secretariat to take the comments received into account in revising the products contained in the annexes to the above-mentioned document for submission to the Conference of the Parties at its fifteenth meeting.

(v) Waste containing nanomaterials

25. The Open-ended Working Group has before it notes by the Secretariat on waste containing nanomaterials (UNEP/CHW/OEWG.12/8) and on a compilation of information received related to activities aimed at addressing issues related to waste containing nanomaterials, including case studies about and best practices relating to the management of waste containing nanomaterials (UNEP/CHW/OEWG.12/INF/22). As was agreed by the Bureau, the Open-ended Working Group may wish to provide comments on this agenda item during the online sessions of the meeting and invite Parties and others to submit to the Secretariat, by 30 November 2020, further information about activities aimed at addressing issues related to waste containing nanomaterials, including case studies about and best practices pertaining to the management of waste containing nanomaterials.

(c) Legal, governance and enforcement matters

(i) Consultation with the Committee Administering the Mechanism for Promoting Implementation and Compliance

26. The Open-ended Working Group has before it notes by the Secretariat on consultation with the Committee Administering the Mechanism for Promoting Implementation and Compliance of the Basel Convention (UNEP/CHW/OEWG.12/9), on guidance on the implementation of paragraph 4 of Article 6 of the Convention, on transit transboundary movements (UNEP/CHW/OEWG.12/INF/23) and on guidance to improve the implementation of paragraph 11 of Article 6 of the Basel Convention, on insurance, bond and guarantee (UNEP/CHW/OEWG.12/INF/24). As was agreed by the Bureau, the Open-ended Working Group may wish to provide comments on this agenda item during the online sessions of the meeting and invite Parties and observers to submit to the Secretariat, by 15 September 2020, comments on the annexes to documents UNEP/CHW/OEWG.12/INF/23 and UNEP/CHW/OEWG.12/INF/24 and invite the Committee to take the comments received into account in revising the above-mentioned documents for submission to the Conference of the Parties at its fifteenth meeting.

(ii) Providing further legal clarity

27. The Open-ended Working Group has before it notes by the Secretariat on providing further legal clarity (UNEP/CHW/OEWG.12/10), on the recommendations and findings of the expert working group on the review of annexes (UNEP/CHW/OEWG.12/INF/25), on a compilation of comments received from Parties and observers thereon (UNEP/CHW/OEWG.12/INF/27), on the consequential implications of the review of Annex IV to the Convention (UNEP/CHW/OEWG.12/INF/28) and on a note by the co-chairs of the expert working group on the review of annexes (UNEP/CHW/OEWG.12/INF/26). As was agreed by the Bureau, the Open-ended Working Group may wish to provide comments on this agenda item during the online sessions of the meeting; to invite Parties and observers to submit to the Secretariat, by 15 September 2020, comments on the annexes to documents UNEP/CHW/OEWG.12/INF/25, UNEP/CHW/OEWG.12/INF/26 and UNEP/CHW/OEWG.12/INF/28; and to invite the expert working group to take the comments received into account in revising the above-mentioned documents for submission to the Conference of the Parties at its fifteenth meeting.

(iii) National legislation, notifications, enforcement of the Convention and efforts to combat illegal traffic

28. The Open-ended Working Group has before it notes by the Secretariat entitled “National legislation, notifications, enforcement of the Convention and efforts to combat illegal traffic: common interpretation of the meaning of ‘State of transit’” (UNEP/CHW/OEWG.12/11) and on information collected from Parties on the definition of “State of transit” (UNEP/CHW/OEWG.12/INF/19). As was agreed by the Bureau, the Open-ended Working Group may wish to provide comments on this agenda item during the online sessions of the meeting and to invite Parties and observers to submit to the Secretariat, by 30 November 2020, comments on document UNEP/CHW/OEWG.12/11 and on the annex to document UNEP/CHW/OEWG.12/INF/19 and to request the Secretariat to take the comments received into account in preparing documents for submission to the Conference of the Parties at its fifteenth meeting.

(d) International cooperation and coordination

(i) Basel Convention Partnership Programme

29. The Open-ended Working Group has before it notes by the Secretariat on the Basel Convention Partnership Programme (UNEP/CHW/OEWG.12/12), on a progress report on the work undertaken by the working group of the follow-up partnership to the Partnership for Action on Computing Equipment and a revised version of the terms of reference and programme of work of the follow-up partnership (UNEP/OEWG.12/INF/32), on a revised draft overall guidance document on the environmentally sound management of household waste (UNEP/OEWG.12/INF/29), on a report on the activities of the Household Waste Partnership working group (UNEP/OEWG.12/INF/30), and on a report on progress made in the implementation of the workplan of the working group of the Partnership on Plastic Waste (UNEP/OEWG.12/INF/31). As was agreed by the Bureau, the Open-ended Working Group may wish to provide comments on this item during the online sessions of the meeting; to invite Parties and others to submit to the Secretariat, by 30 September 2020, comments on the annex to document UNEP/OEWG.12/INF/29 and annexes I and II to document UNEP/OEWG.12/INF/32; and to request the working group of the follow-up partnership and the working group of the household waste partnership to take the comments received into account in revising their respective products as set out in the above-mentioned documents for submission to the Conference of the Parties at its fifteenth meeting.

(ii) Cooperation with the World Customs Organization on the Harmonized Commodity Description and Coding System

30. The Open-ended Working Group has before it notes by the Secretariat on cooperation with the World Customs Organization on the Harmonized Commodity Description and Coding System (UNEP/CHW/OEWG.12/13) and on a report on the status of the work of the World Customs Organization on the Harmonized Commodity Description and Coding System in relation to the Basel Convention (UNEP/CHW/OEWG.12/INF/10). As was agreed by the Bureau, the Open-ended Working Group may wish to provide comments on this item during the online sessions of the meeting; to invite Parties and observers to submit to the Secretariat, by 15 September 2020, comments on the annex III to document UNEP/CHW/OEWG.12/INF/10; and to request the Secretariat to take the comments received into account in submitting a proposal for amending the Harmonized System in respect of plastic waste.

Item 4**Work programme of the Open-ended Working Group for the biennium 2022–2023**

31. The Open-ended Working Group has before it a note by the Secretariat on the work programme of the Open-ended Working Group for the biennium 2022–2023 (UNEP/CHW/OEWG.12/14). As was agreed by the Bureau, the Open-ended Working Group may wish to provide comments on this item during the online sessions of the meeting; to invite Parties and observers to submit to the Secretariat, by 15 September 2020, comments on the annex to document UNEP/CHW/OEWG.12/14; and to request the Secretariat to take the comments received into account in revising the draft work programme of the Open-ended Working Group for the biennium 2022–2023 for submission to the Conference of the Parties at its fifteenth meeting.

Item 5**Adoption of the report**

32. The Open-ended Working Group may wish to agree that the report of the online segment of the meeting, reflecting the proceedings of the two online sessions, will be prepared by the rapporteur, in cooperation with the Secretariat, under the authority of the co-chairs, after the conclusion of the online segment and the suspension of the meeting.

33. After the consideration of item 5, it is expected that the meeting will be suspended by the co-chairs and reconvened during the face-to-face segment to be held in Nairobi in March 2021, back to back with the fifth session of the United Nations Environment Assembly, subject to the availability of resources and an improvement in the global situation with regard to the COVID-19 pandemic.
