

Committee of Experts on the Transport of Dangerous Goods and on the Globally Harmonized System of Classification and Labelling of Chemicals

**Sub-Committee of Experts on the Globally Harmonized
System of Classification and Labelling of Chemicals**

5 December 2018

Thirty-sixth session

Geneva, 5-7 December 2018

Item 5 (c) of the provisional agenda

Implementation of the GHS:

cooperation with other bodies or international organizations

Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal

Note by the Secretariat

The secretariat reproduces hereafter information received from the secretariat of the Basel Convention:

“The Expert working Group on the review of the Annexes I, III and IV and related aspects of Annex IX to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal:

1. By its decision BC-13/2, on the follow-up to the Indonesian-Swiss country-led initiative to improve the effectiveness of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal, the Conference of Parties, among other things, established an expert working group on the review of the Annexes with a mandate and terms of reference as set out in annex II to that decision¹.
2. The expert working group is mandated to review:
 - (a) Annex I, which lists the categories of wastes to be controlled under the Basel Convention, including both specific waste categories (Y1 to Y18) and wastes having specific constituents (Y19 to Y45);
 - (b) Annex III, which lists the hazardous characteristics (H1 to H13);
 - (c) Annex IV, which list the disposal operations key to defining whether a substance or an object is a “waste”. Annex IV includes two sections, namely section A entitled “Operations which do not lead to the possibility of resource recovery, recycling, reclamation, direct re-use or alternative uses”, and section B entitled “Operations which may lead to resource recovery, recycling, reclamation, direct re-use or alternative uses”. The “related aspects of Annex IX” refer to entry B1110 of that Annex which pertains to electrical and electronic assemblies.

¹ <http://www.basel.int/Implementation/LegalMatters/LegalClarity/ReviewofAnnexes/AnnexesI,III,IVandrelatedaspectsofAnnexIX/Activities20182019/tabid/6125/Default.aspx>

3. The purpose of the review is as follows:
 - (a) For Annexes I and III: Review, with a view to: (i) Improve/update the description of categories of wastes in Annex I and the list of hazardous characteristics in Annex III; (ii) Improve environmental controls by including any additional categories of wastes in Annex I and any additional hazardous characteristics in Annex III that occur in practice; and (iii) Clarify the descriptions in Annexes I and III to address conflicts or overlaps.
 - (b) For Annex IV: Review, with a view to: (i) Improve/update the description of disposal operations in Annex IV; (ii) Improve environmental controls by including additional disposal operations that occur in practice or could occur in practice in Annex IV; and (iii) Clarify the descriptions in Annex IV and in Annex IX (B1110) to address conflicts or overlaps.
4. The expert working is to give priority to the review of Annex IV. It reports back to the Conference of the Parties, which meets every two years, and also operates under the guidance of the Open-ended Working Group which meets once in between of the meetings of the Conference of the Parties.
5. The expert working group is composed of experts nominated by Parties (up to 10 per United Nations region) and open to observers. As at 30 November 2018, there are 36 members and 26 observers participating in the group².
6. The expert working group held its first meeting on 20-23 March 2018, at what time it focused on the review of Annex IV³. It will be holding its second meeting on 10-13 December 2018 at what time it will initiate consideration of the review of Annexes I and III. Information about the meeting including all meeting documents is available at:
<http://www.basel.int/Implementation/LegalMatters/LegalClarity/Meetings/2ndRAEWGmtg/tabid/7690/Default.aspx>
7. The proposals put forward so far regarding the review of Annex III are set out in document UNEP/CHW/RA_EWG.2/INF/8 and compiled in a set of slides set out in document UNEP/CHW/RA_EWG.2/7. Several proposals call for aligning the Annex III with the GHS.
8. Regarding the way forward, the expert working group is expected to develop during its second meeting recommendations for a revised Annex IV and Annex IX (B1110) as well as a report on its discussions on the review of Annexes I and III, for the consideration of the Conference of the Parties at its fourteenth meeting (29 April-10 May 2018).
9. The Conference of the Parties at its fourteenth meeting will also consider the possible way forward, including that proposals on the review of Annex III would be considered by the thirteenth meeting of the Open-ended Working Group in 2022 and subsequently by the sixteenth meeting of the Conference of the Parties in 2023.”.

² <http://www.basel.int/Implementation/LegalMatters/LegalClarity/ReviewofAnnexes/AnnexesI,III,IVandrelatedaspectsofAnnexIX/ExpertWorkingGroup/tabid/6105/Default.aspx>

³ <http://www.basel.int/Implementation/LegalMatters/LegalClarity/Meetings/1stRAEWGmtg/tabid/6237/Default.aspx>