

Basel Amendments: Past, Present, Future

OEWG12 / Face-to-Face
Segment / Nairobi, Kenya

April 4-6, 2020



Program

Jim Puckett, Director, Basel Action Network (BAN)

- Welcome
- Basel Ban Amendment
- Plastic Waste Amendments
- Russian Federation Amendment
- EU's Annex IV Amendment
- Swiss/Ghanaian e-Waste Amendment
- Discussion





The Basel Ban Amendment

Article 4a

Entry into Force: December 2019

PROGRAMME

OF THE CONFERENCE OF THE
THE BASEL CONVENTION ON THE
TRANSBOUNDARY MOVEMENTS OF
WASTES AND THEIR DISPOSAL

25 March 1994

Proposal presented by the Group of 77 and China

es agree:

that transboundary movements of hazardous wastes from OECD to non-OECD
do not constitute environmentally sound management as required by
Convention;
immediately all transboundary movements of hazardous
disposal from OECD to non-OECD States;
prohibit as of that date, a
are destined for

Text of original Basel Ban 1994

BASEL CONVENTION

ON THE CONTROL OF TRANSBOUNDARY MOVEMENTS
OF HAZARDOUS WASTES AND THEIR DISPOSAL

ARTICLE 4A General Obligations³

1. Each Party listed in Annex VII shall prohibit all transboundary movements of hazardous wastes which are destined for operations according to Annex IV A to States not listed in Annex VII.
2. Each Party listed in Annex VII shall phase out by 31 December 1997, and prohibit as of that date, all transboundary movements of hazardous wastes under Article 1(1)(a) of the Convention which are destined for operations according to Annex IV B to States not listed in Annex VII. Such transboundary movement shall not be prohibited unless the wastes in question are characterized as hazardous under the Convention.

³ The Conference of the Parties adopted Decision III/1 at its third meeting to amend the Convention by adding, inter alia, a new Article 4A. This amendment entered into force on 5 December 2019 [depositary notification C.N.420.2019]. For information on the status of individual Parties in relation to the amendment/s, please see the Status of Ratifications page on the Basel Convention website.

3. a Amendment to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal

Geneva, 22 September 1995

Entry into force : 5 December 2019, in accordance with article 17(5) of the Convention which reads as follows:
"Instruments of ratification, approval, formal confirmation or acceptance of amendments shall be deposited with the Depositary. Amendments adopted in accordance with paragraphs 3 or 4 [of article 17 of the Convention] shall enter into force between Parties having accepted them on the ninetieth day after the receipt by the Depositary of their instrument of ratification, approval, formal confirmation or acceptance by at least three-fourths of the Parties who accepted them or by at least two thirds of the Parties to the protocol concerned who accepted them, except as may otherwise be provided in such protocol. The amendments shall enter into force for any other Party on the ninetieth day after that Party deposits its instrument of ratification, approval, formal confirmation or acceptance of the amendments".

Registration : 5 December 2019, No. 28911

Status : Parties : 100

Text : [Certified true copy.](#)

[Doc. UNEP/CHW.3/35.](#)

Parties (88) that Have Still not Ratified the Ban

- Canada
- Japan
- South Korea
- Australia
- New Zealand
- Russia
- Brazil
- India
- Vietnam
- Philippines
- Thailand
- United Arab Emirates
- Singapore
- Pakistan
- Iraq
- Israel

The Basel Ban Denier's Message to the World?

“We wish to retain the option of exporting hazardous wastes to developing countries or importing them from developed countries, even when the Basel Convention, which we are party to, has been changed after much deliberation to forbid this type of trade.”

We Encourage the Following Actions:

- 1. Ratify the Amendment!** 88 Still have not!
- 2. Those that Have Ratified, Add Annex II to the BAN.**
 - While the Convention in all of its legal requirements, includes both hazardous and other wastes (Annex II) the Article 4a Ban does not include Annex II.
 - The EU has rectified this problem.
 - All are encouraged to do likewise in their national legislation



THE ENTRY INTO FORCE OF THE BASEL BAN AMENDMENT

A GUIDE TO IMPLICATIONS AND NEXT STEPS

November 2019



New in-depth Guide
to the Basel Ban
available on
BAN and IPEN
websites.

www.ban.org



The Plastic Waste Amendments

Annex VIII, A3020 / Annex IX, B3011

Annex II, Y48

Entry into Force: January 2021



Basel Conference of Parties, 14 May 2019





BAN

New Listings of Plastic Waste

→ Annex VIII, A3020 – Any plastic waste with Annex I Constituents, Exhibiting Annex III Characteristics are **Hazardous Wastes**.

→ Annex IX, B3011 are **non-Hazardous Wastes** as long as they are going to R3 ESM destinations only and are either

- Single unmixed polymers, cured resins or condensation products (except PET, PE, PP mix)
- Not contaminated
- Not Halogenated Polymers (e.g. PVC, except a list of

→ Annex II, Y48 are all other plastic wastes other than the two categories above and are “**wastes for special consideration**”

Effect of Plastic Waste Amendments

The Control is normally via “Prior Informed Consent” (PIC).

- Requires Notification by Exporting State and Consent of Importing State prior to export
- Assurance of Environmentally Sound Management
- Failure equates to illegal traffic/criminal act

But in two key instances a ban is in effect rather than PIC:

- Exports by the 27 EU countries to non-OECD are banned.
(EU bans exports of Basel Annex II wastes to non-OECD)
- Imports from US (a non-Party) banned by Basel Parties except Canada. (Party to non-Party ban)

What is meant by Contaminated?

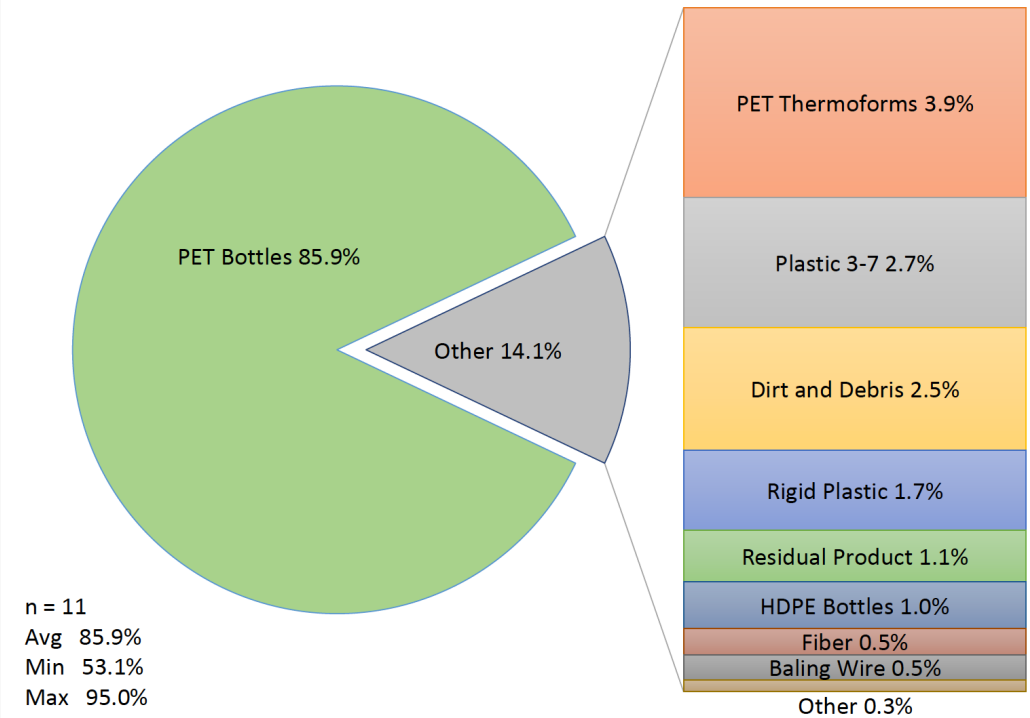
- Amendments use the terms “almost free from contamination and other types of wastes.”
- This is very strong legal language – signifying “de minimus”
- Countries are left on their own to interpret this on a national basis.

Contamination Levels Allowed / to Date

Country	Allowable Contamination Level
Brunei	0%
China	0%
European Union	2%
Hong Kong	.5%
Indonesia	2%
Malaysia	0% (non-plastics), 5% (other plastics)
Turkey	1%
Vietnam	1% (non-plastics), 10% (other plastics)



PET Bale Composition (% by weight)





Conventional and Biodegradable Plastics in Agriculture

E.2.2.2 Barriers to Recycling

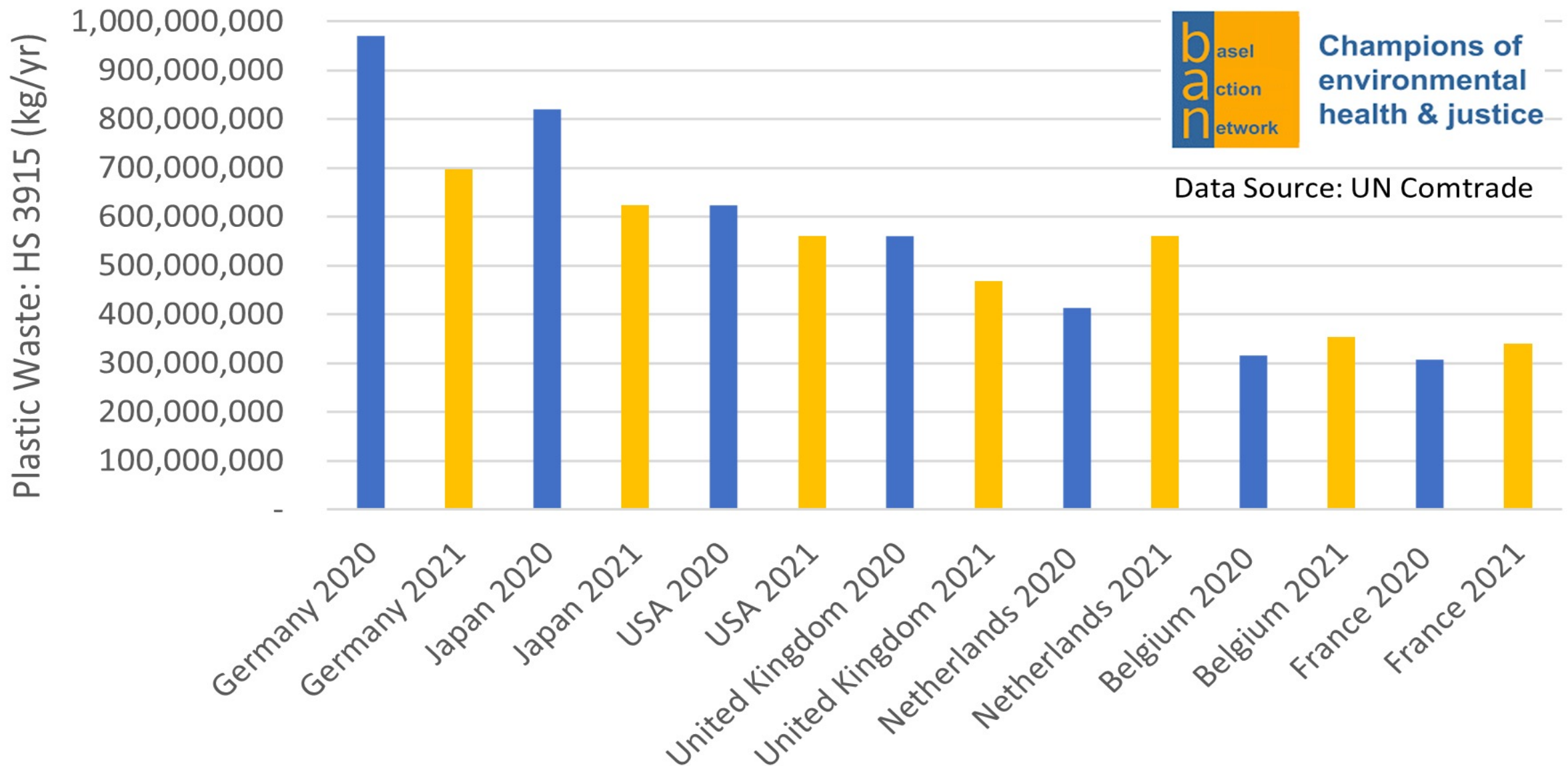
The main barriers to recycling agri-plastics in the EU are:

- **High processing costs primarily due to high contamination rates.** For example, stakeholders suggest that even with the best practices applied, a contamination rate of 30% to 40% for mulch films is to be expected.

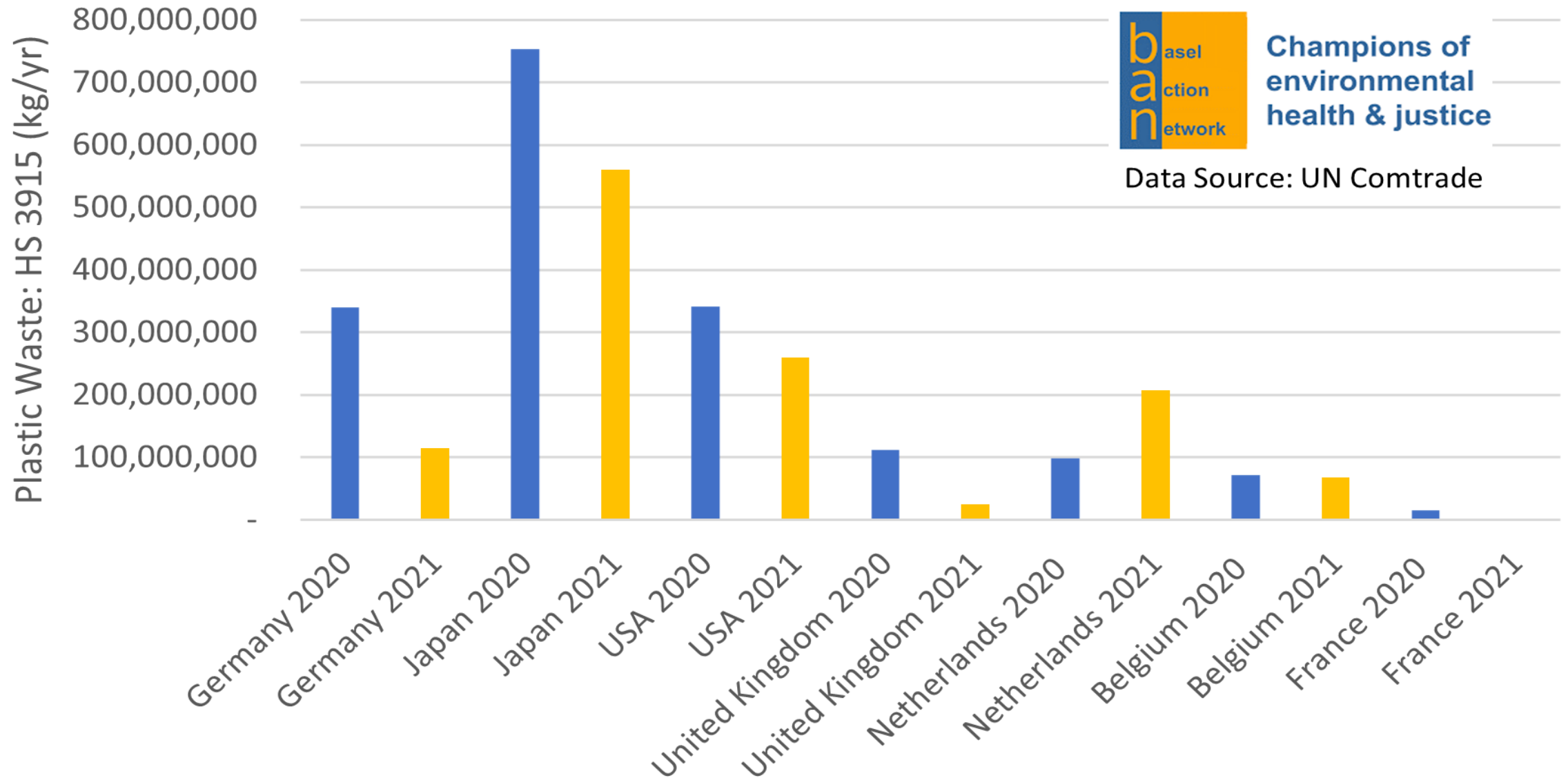


E-Waste / WEEE Plastic

Top Countries: 2020-2021 Total Plastic Waste Exports



Top Countries: 2020-2021 Non-OECD Plastic Waste Exports



The Plastic Waste Amendments: Some Examples of Poor Implementation

- I. United States
- II. European Union / UK
- III. Japan – Ignoring their landmark stance
- IV. Canada – Hidden plastic in Paper Bales
- V. Australia – Hiding Plastic in RDF

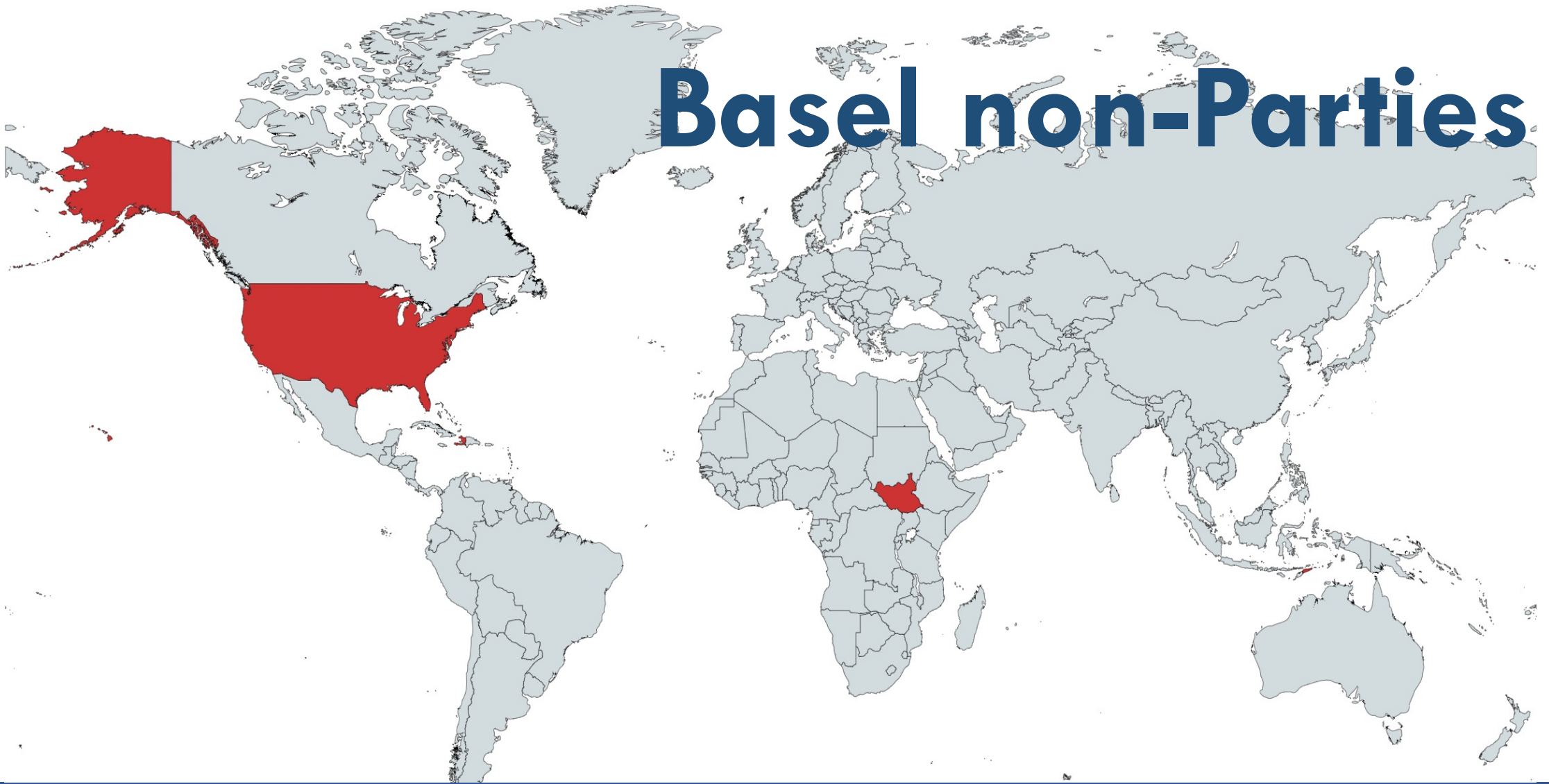


The Plastic Waste Amendments: Examples of Implementation Concerns

Trade from the United States



Basel non-Parties



187 Basel Country Members (Parties). Just 8 UN countries are not Parties: East Timor, Grenada, Fiji, Haiti, San Marino, Solomon Islands, South Sudan, and the USA.

The US Exports / Legality of Trade in Annex II Plastics

To	Yes / No	Note
Special Art. 11 Agreement	Yes	Canada Only
Other Basel Non-Parties (7 countries)	Yes	But...only to East Timor, Grenada, Haiti, San Marino, South Sudan, Solomon Islands, Fiji. (other non-Parties)
Basel Parties not in OECD (153)	No!	Party to non-Party ban is relevant here
OECD except Canada (34)	No (except for Canada)	US challenged OECD's automatic adoption of Basel amendments -- no agreement > default Basel.

US Exports of Annex II Plastic Wastes

Illegal to Import

- Mexico
- China (including HK)
- Malaysia
- Indonesia
- India
- Vietnam
- Turkey
- Bangladesh
- Thailand
- Pakistan
- Philippines
- South Korea
- EU
- Japan
- Australia
-**173 other countries!**

Legal to Import

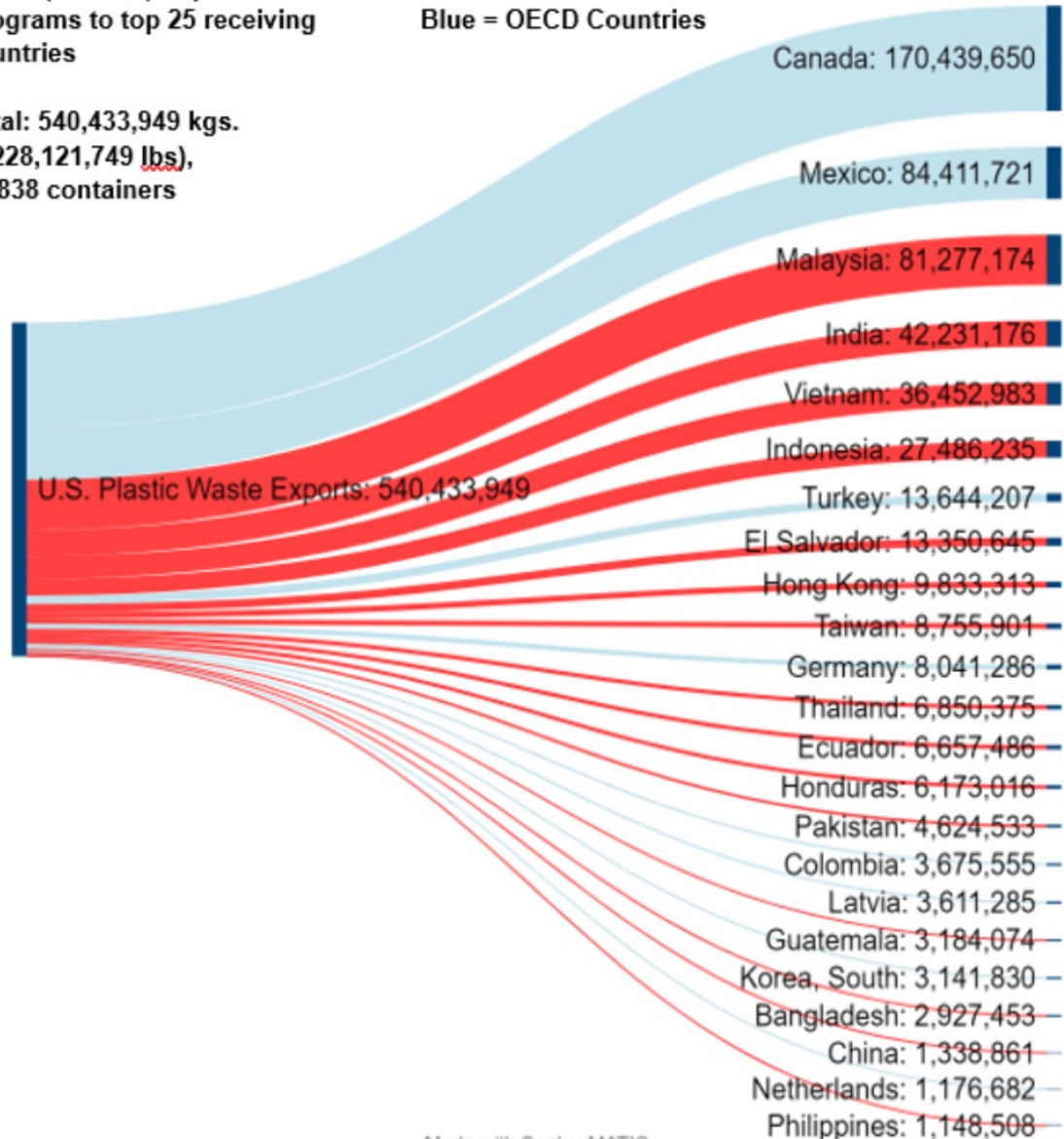
- Canada
- Solomons
- South Sudan
- San Marino
- Fiji
- Haiti
- Grenada
- East Timor

2021 Plastic Waste Exports from the US

2021 Full Year: U.S. Plastic Waste (HS3915) Exports in kilograms to top 25 receiving countries

Total: 540,433,949 kgs.
(1,228,121,749 lbs),
50,838 containers

Red = non-OECD Countries
Blue = OECD Countries

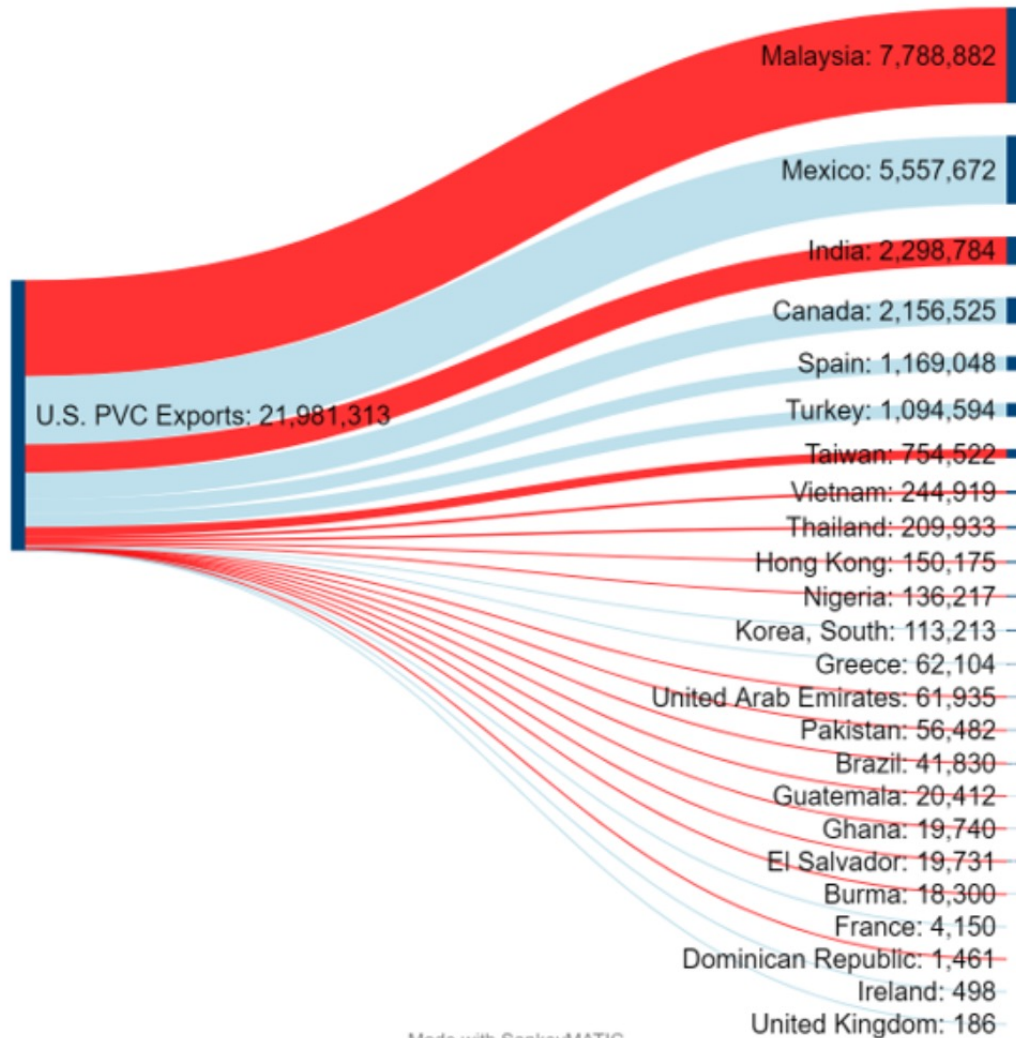


The 369,994,299 kgs, (not exported to Canada) are likely to be **ILLEGAL exports**. *That is unless you believe these shipments are unmixed polymers (with one mixture exception) are uncontaminated, not PVC nor exported for incineration.*

2021 PVC Waste Exports from the US

2021 Full Year: U.S. PVC Scrap
Exports in Kilograms
Total: 21,981,313 kilograms
(48,460,499 lbs),
2,067 containers

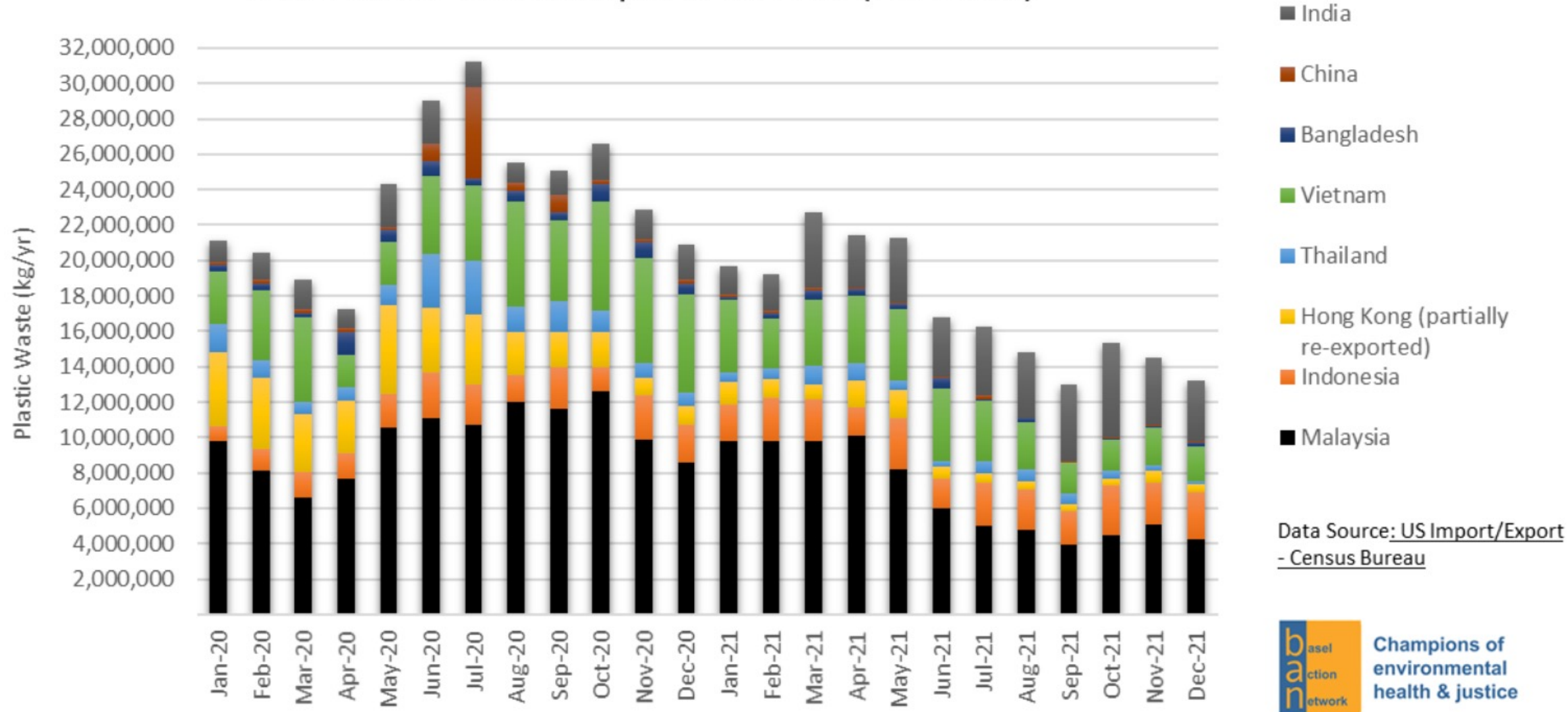
Red = non-OECD Countries
Blue = OECD Countries



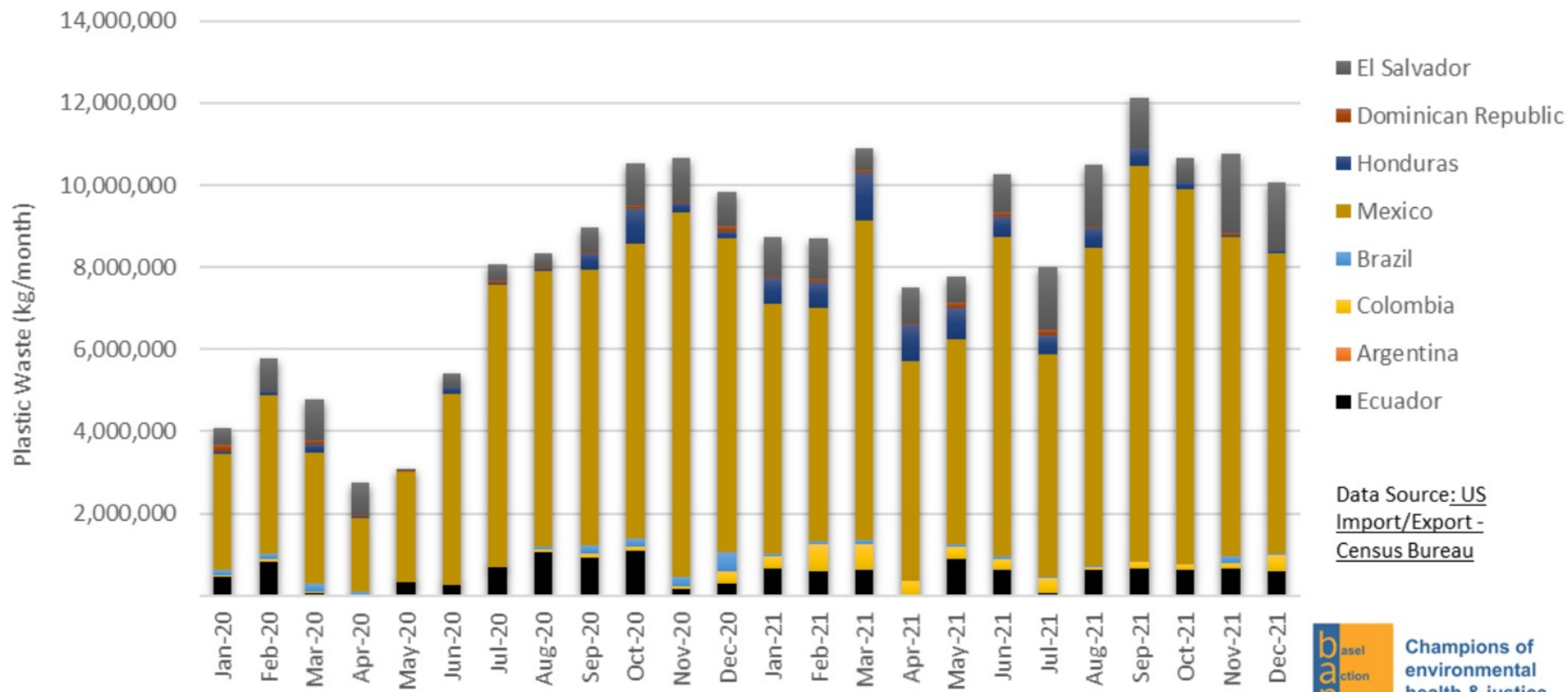
Made with SankeyMATIC

And we know that at least
19,824,788 kgs, exported
in 2021 **WAS ILLEGAL**, *as
it was PVC wastes.*

U.S. Plastic Waste Exports to Asia (HS 3915)

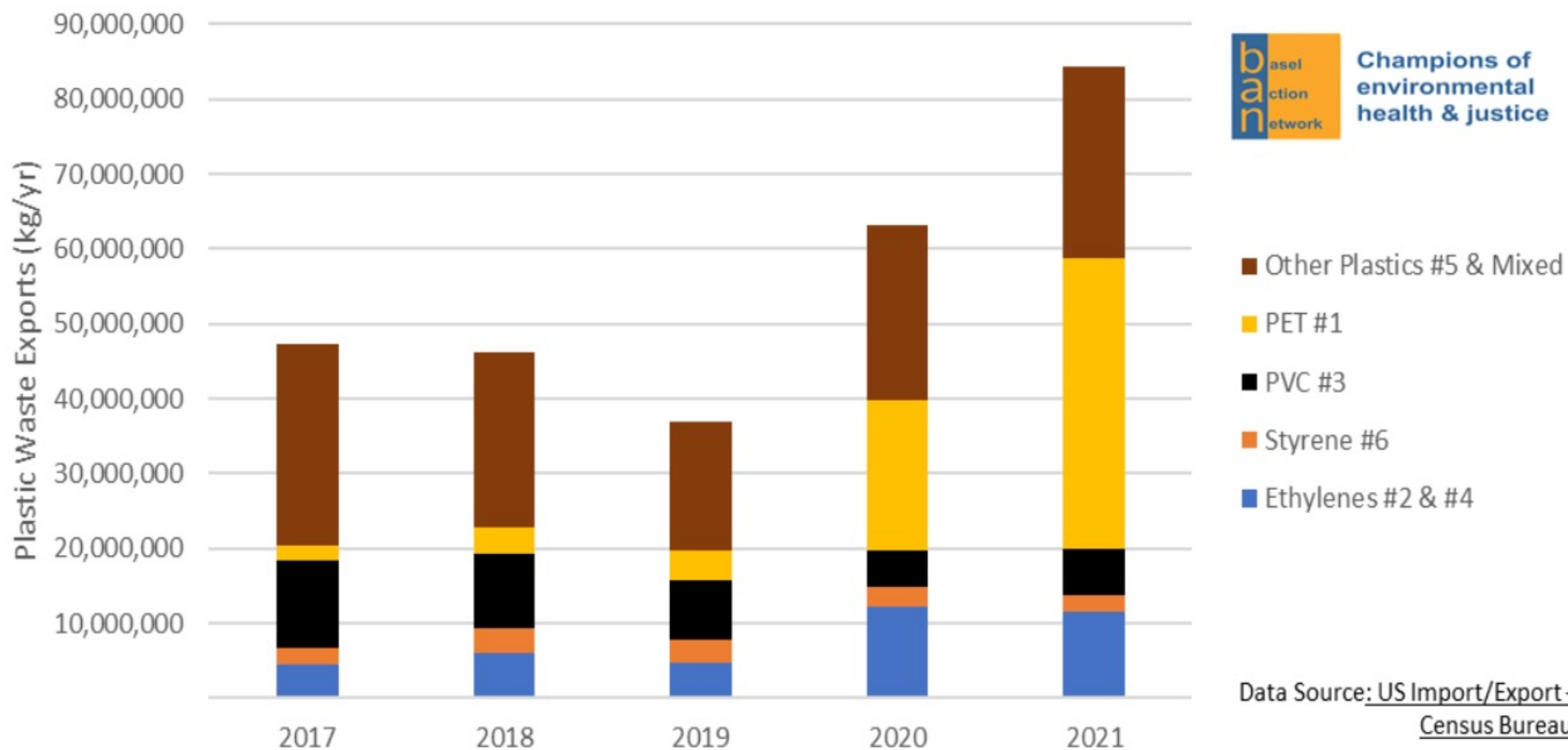


U.S. Plastic Waste Exports to Latin America (HS 3915)

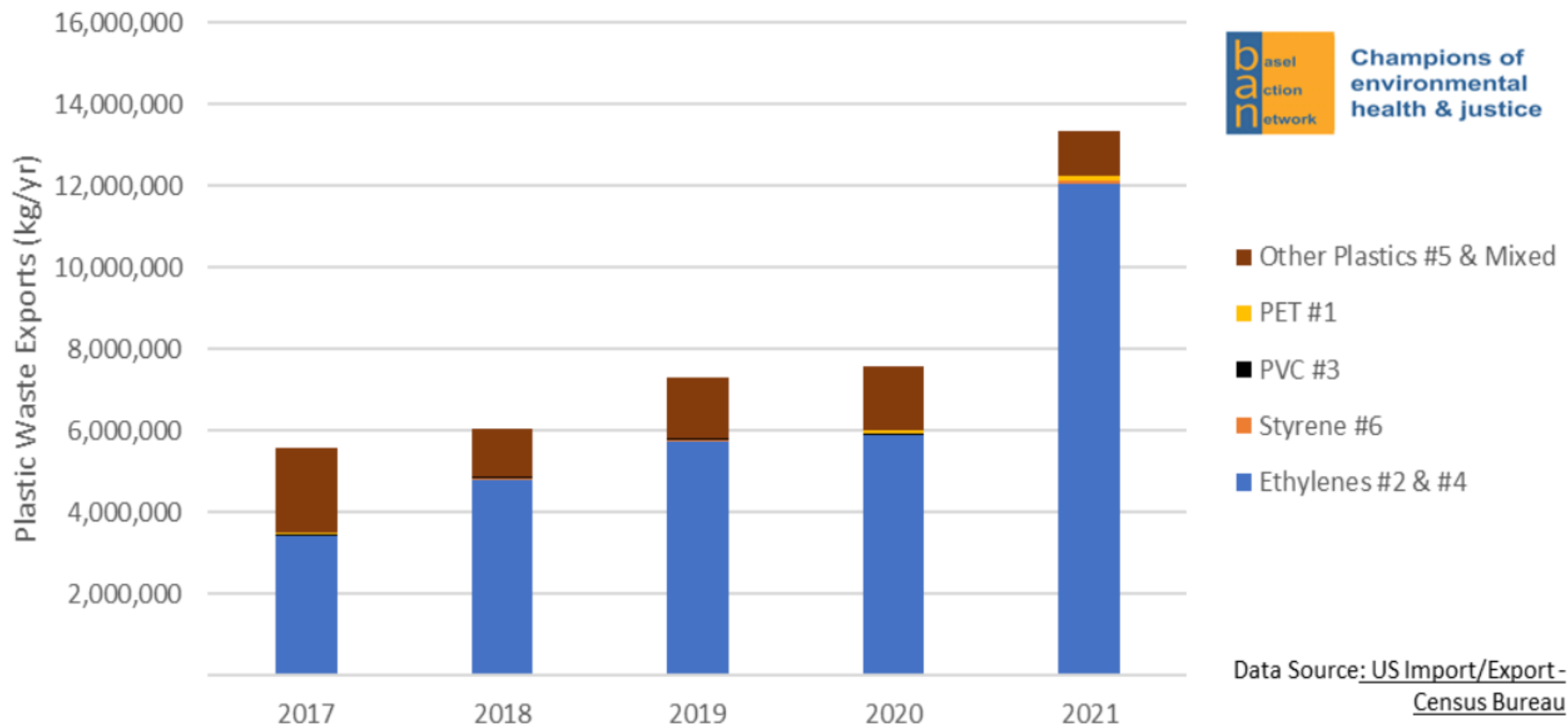


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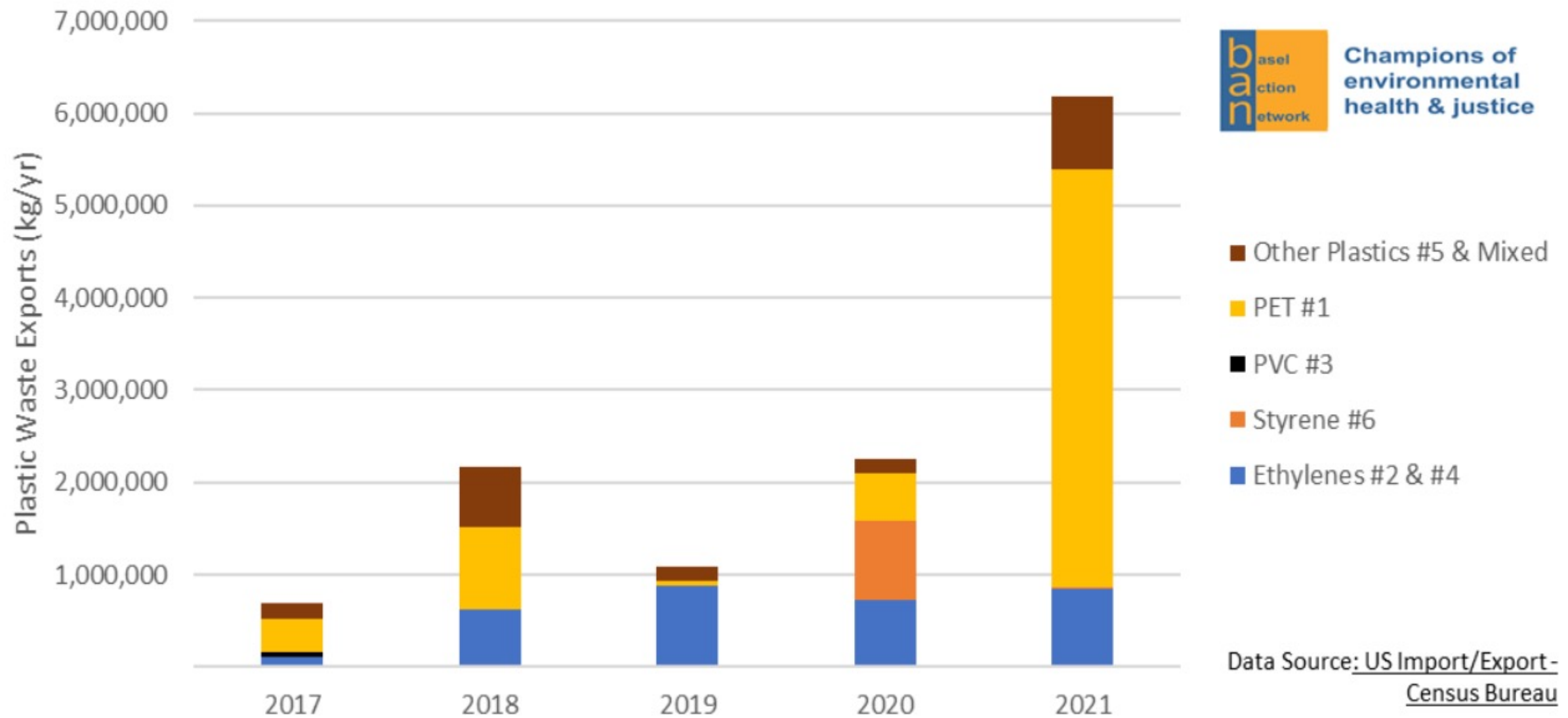
2017-2021 US Plastic Waste Exports to Mexico (HS 3915)



2017-2021 US Plastic Waste Exports to El Salvador (HS 3915)



2017-2021 US Plastic Waste Exports to Honduras (HS 3915)



Summary of Plastic Waste Trade from the US in the year 2021

- **Overall US exports in plastic waste have decreased by 11% (2020 - 2021)**
- **But, waste still flows to Basel Parties (369,994 metric tonnes not counting Canada) despite Party to non-Party Ban!**
- **US Exports to Canada increased from 164 million kg/yr (2020) to 170 (2021).**
- **Apart from increases to India and Indonesia, we are generally seeing decreases to Asia, yet increased exports to Latin America.**



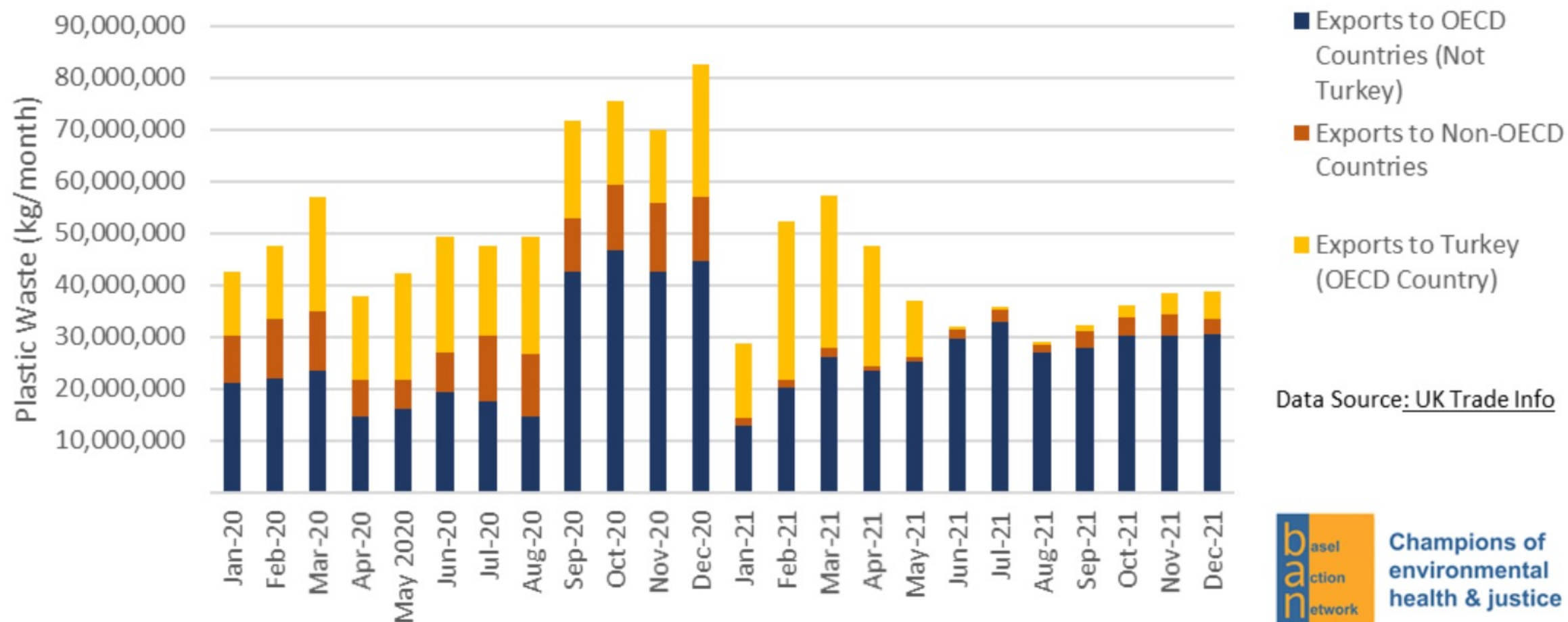
The Plastic Waste Amendments: Examples of Implementation Concerns

Trade from the UK and EU

UK Plastic Waste in Turkey



2020-21 U.K. Plastic Waste Exports (HS 3915)



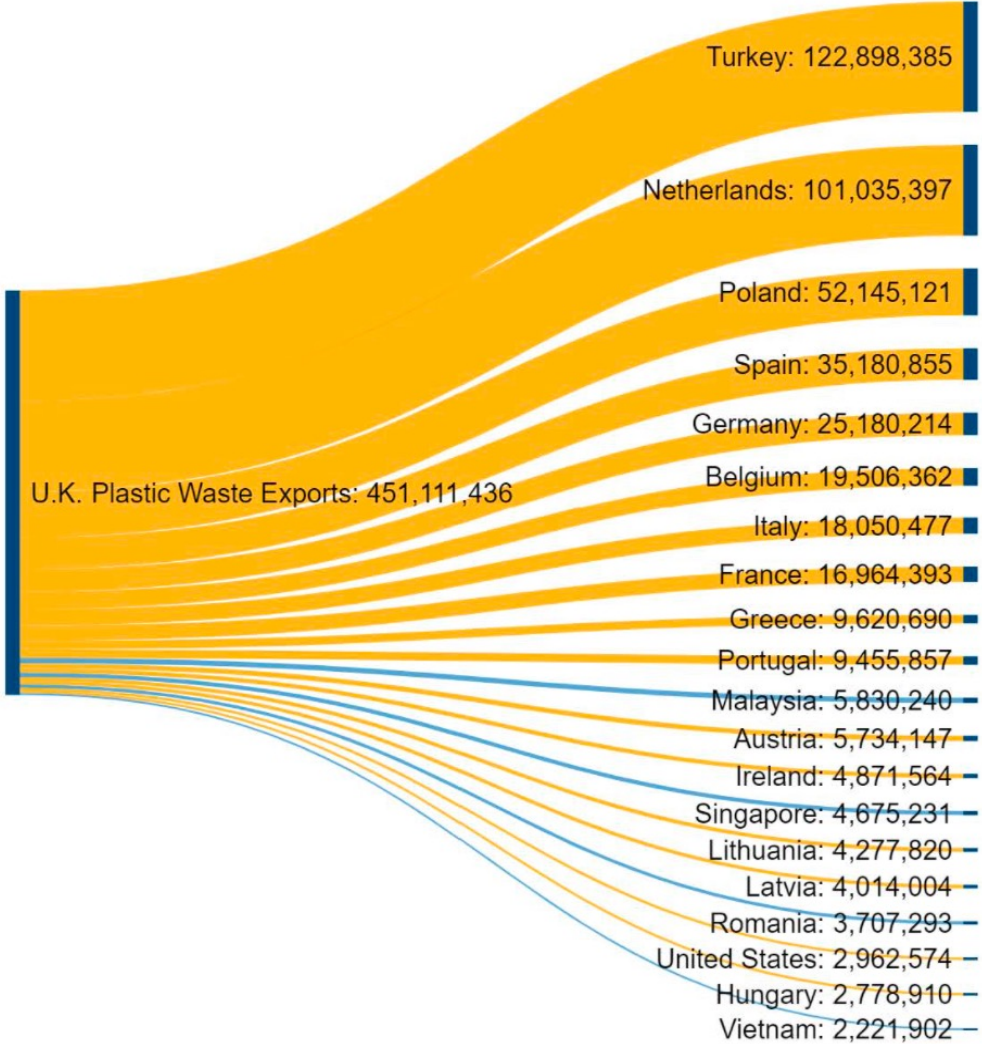


2021 Full Year: United Kingdom Plastic Waste
Exports in Kilograms (HS 3915)

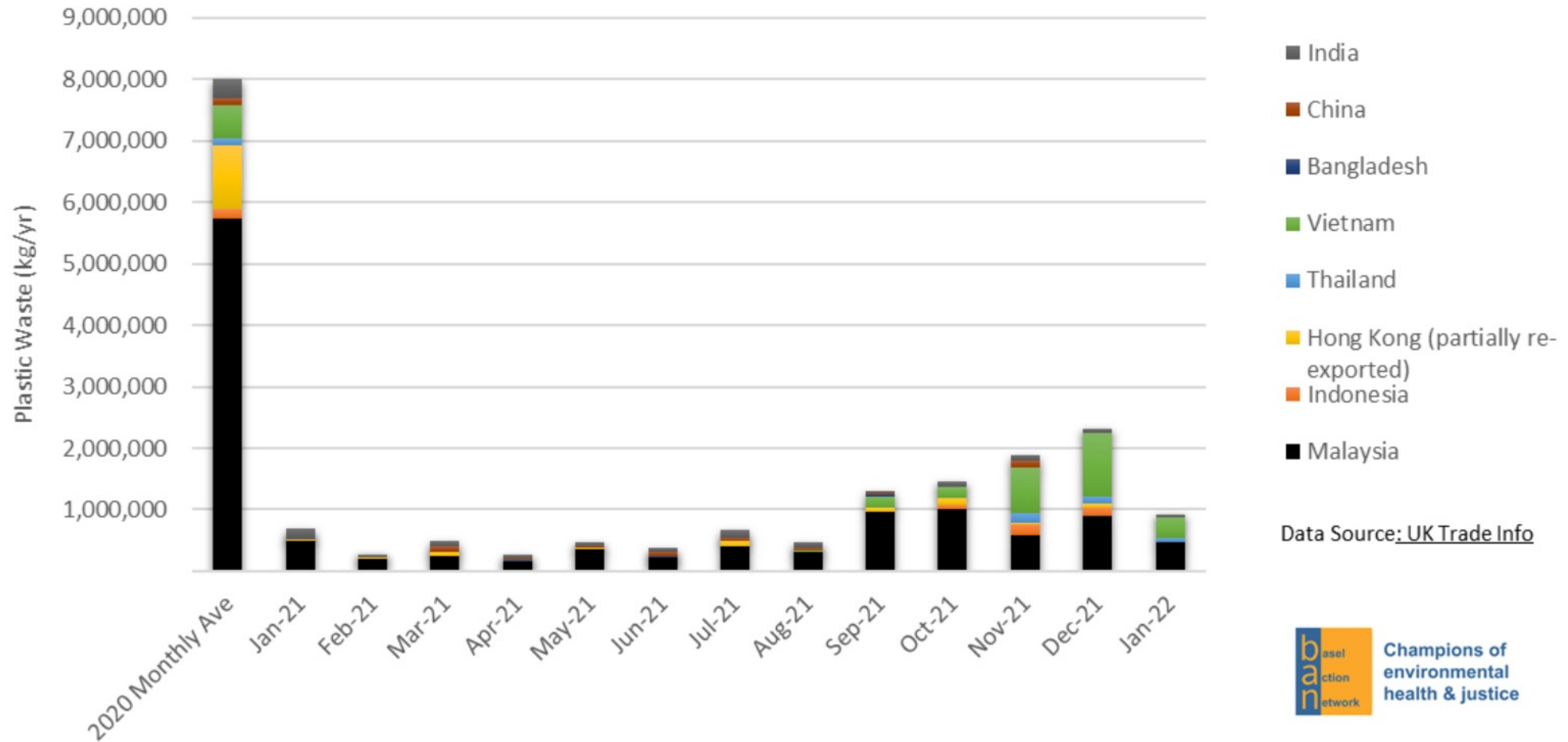
Total: 465,458,941 kilograms (1,026,161,311 lbs),
43,771 containers

Chart shows top 20 countries the U.K. is
exporting plastic waste to

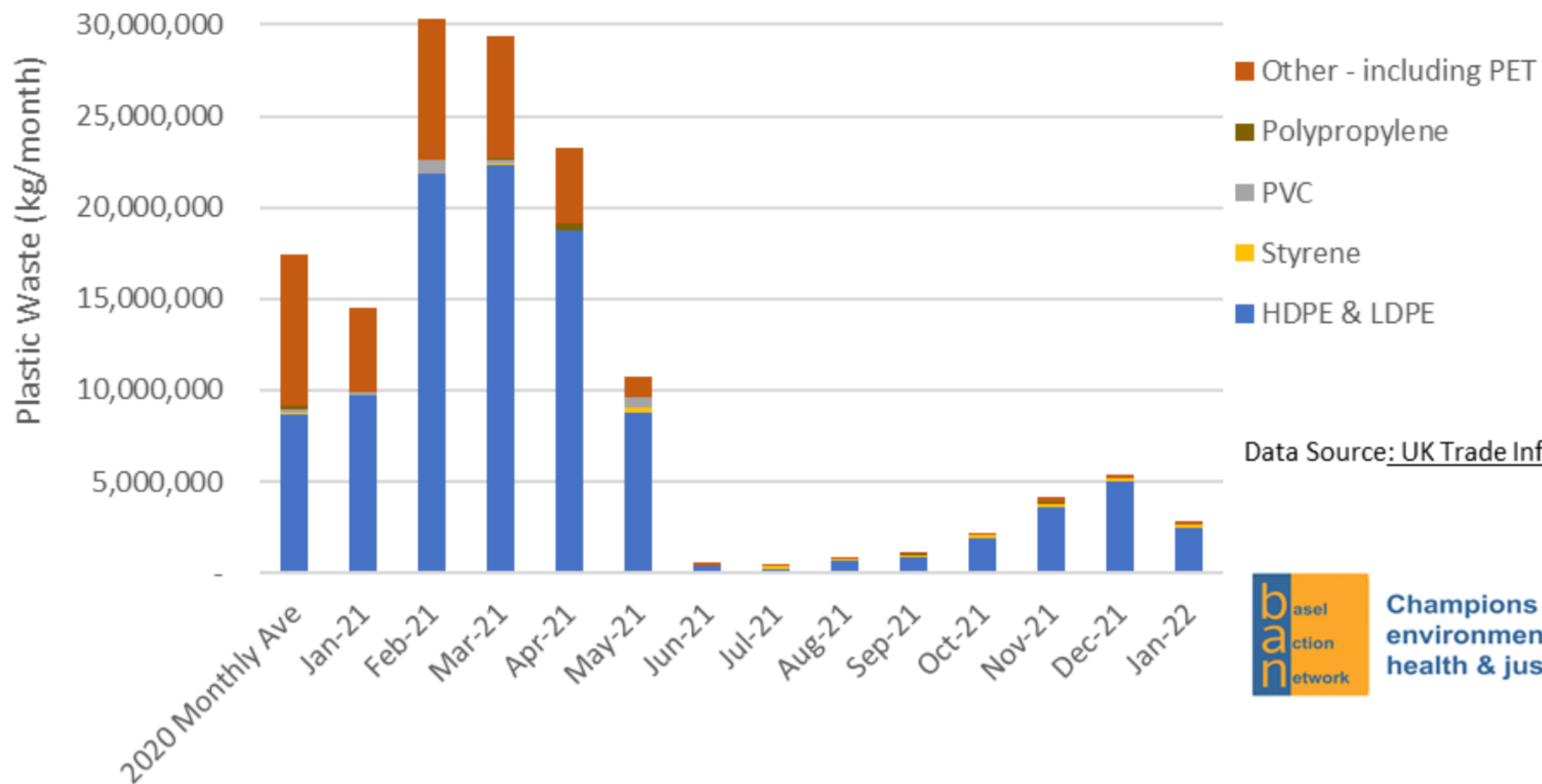
Gold=OECD Country
Blue=Non OECD Country



U.K. Plastic Waste Exports to Asia (HS 3915)

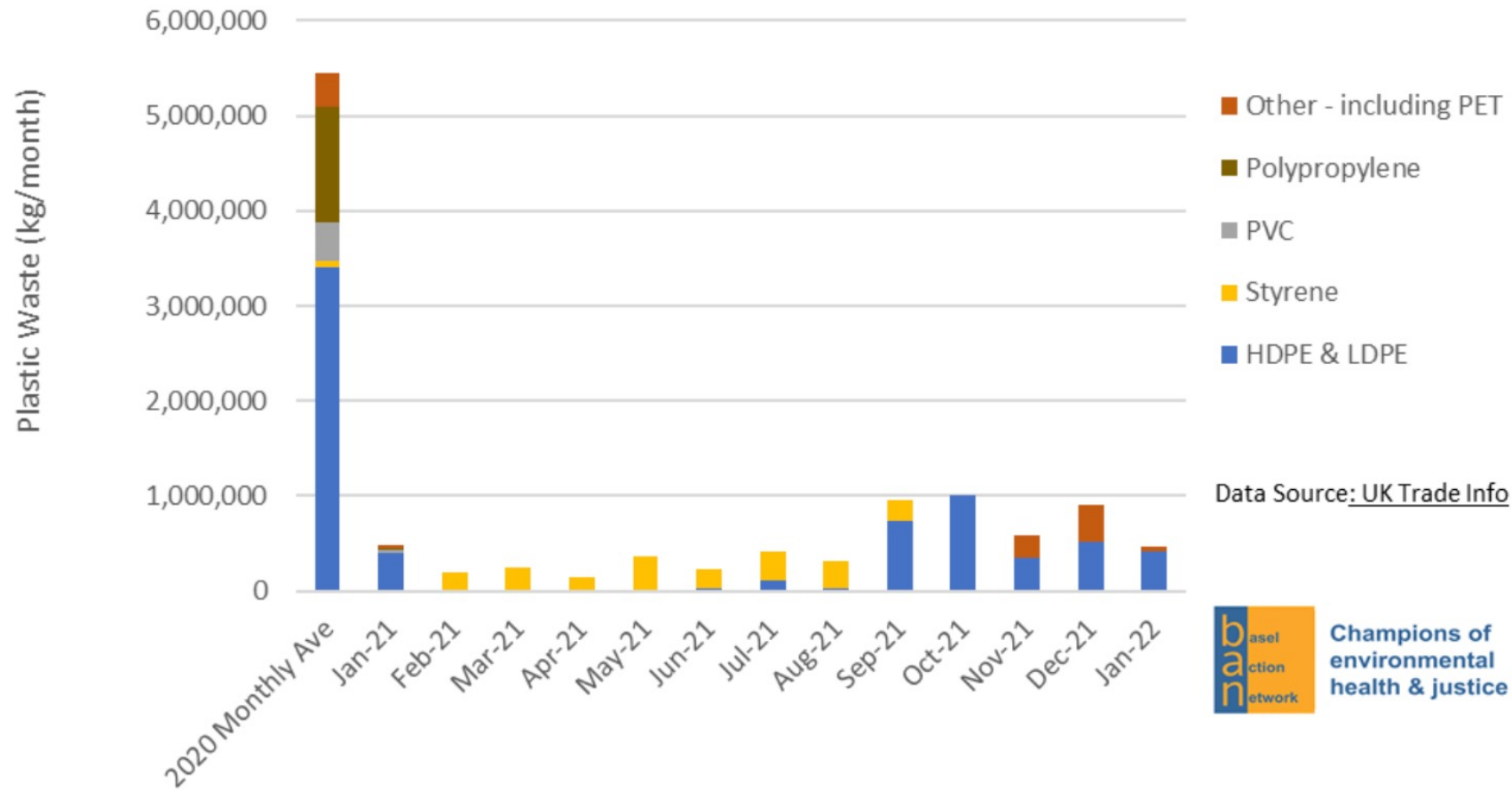


2020-21 U.K. Plastic Waste Exports to Turkey (HS 3915) OECD Country

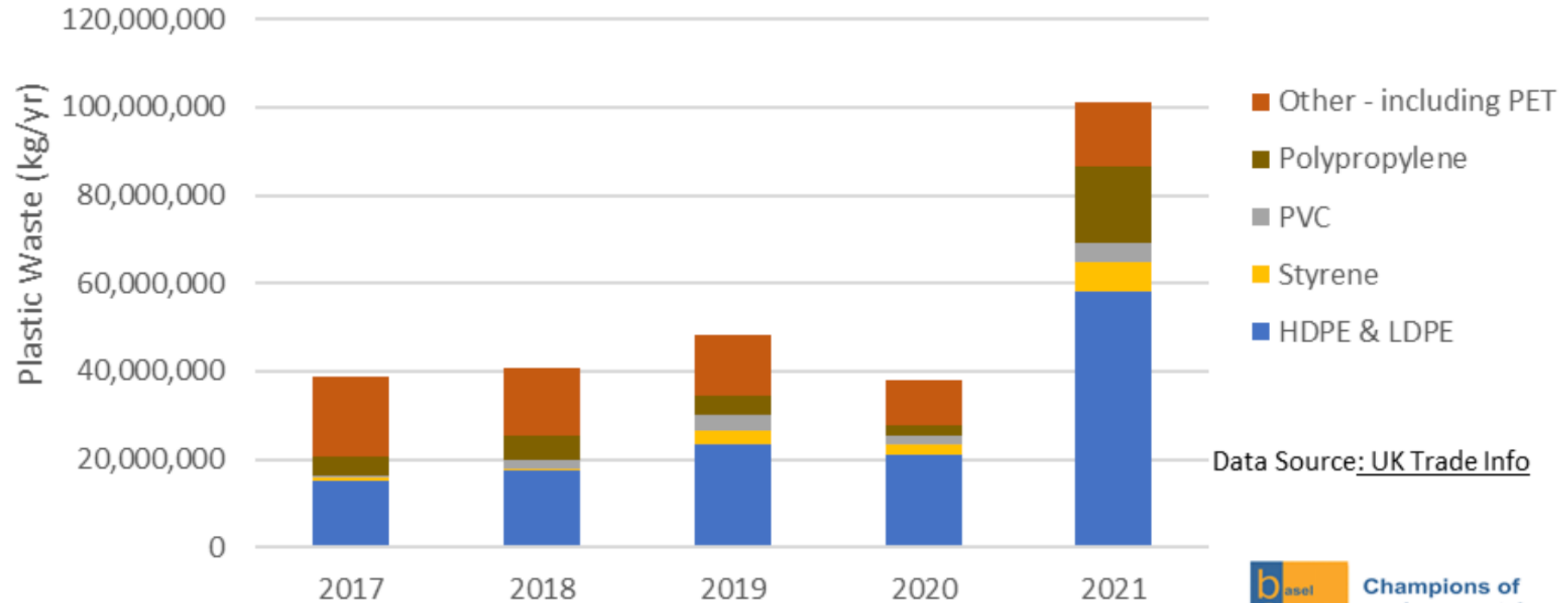


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2020-21 U.K. Plastic Waste Exports to Malaysia (HS 3915)

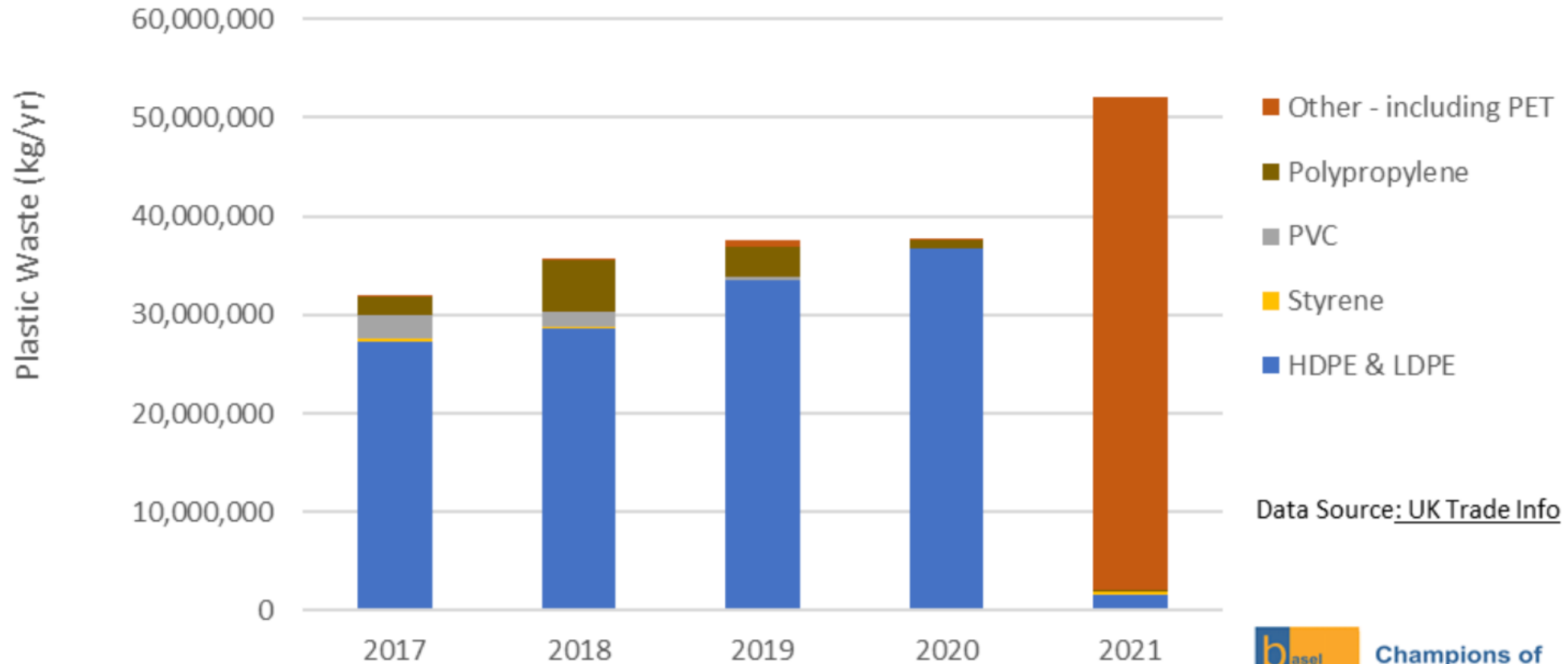


2017-21 U.K. Plastic Waste Exports to Netherlands (HS 3915)



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2017-21 U.K. Plastic Waste Exports to Poland (HS 3915) - OECD Country



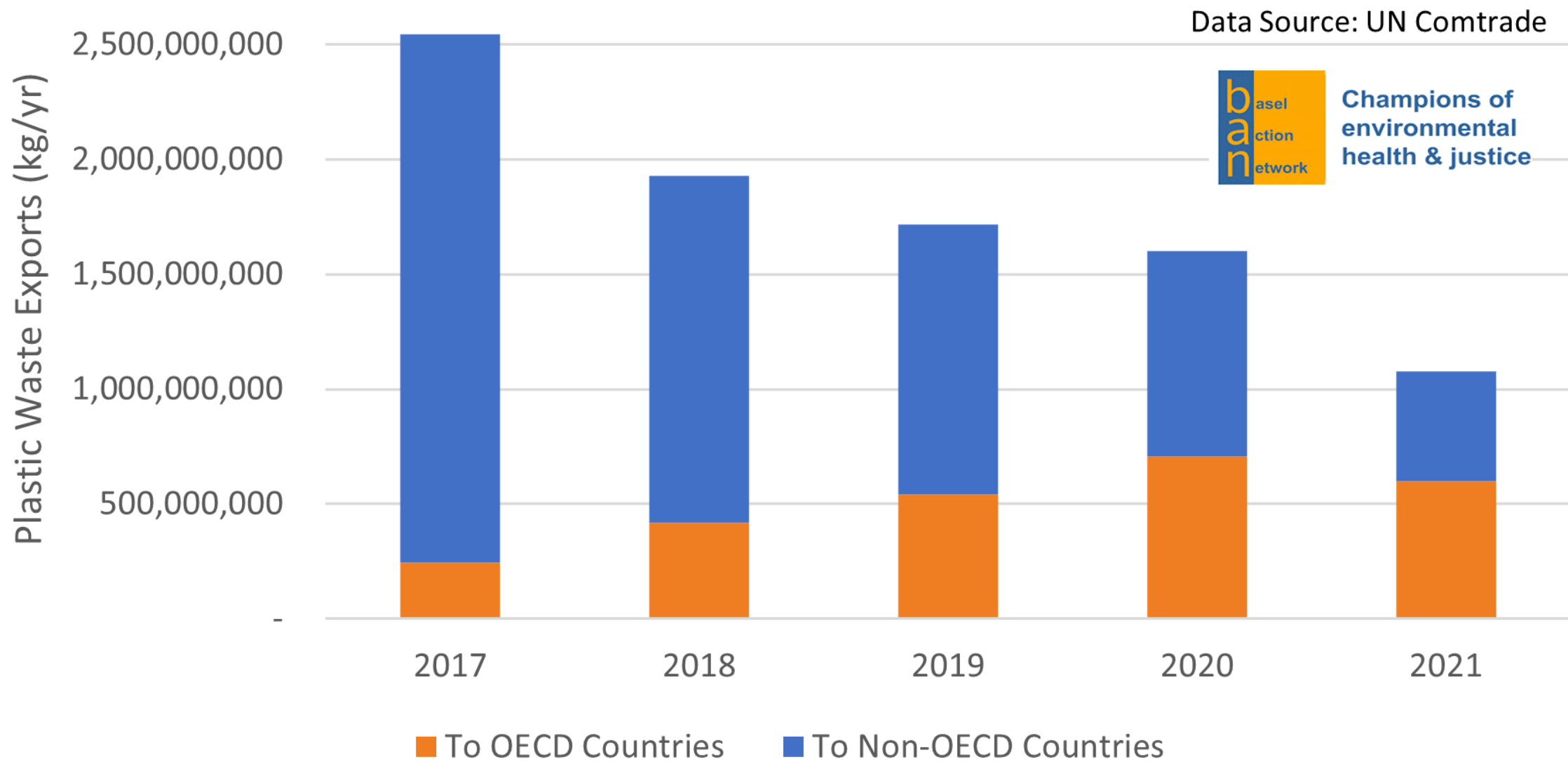
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Summary of Plastic Waste Trade from the UK in the year 2021

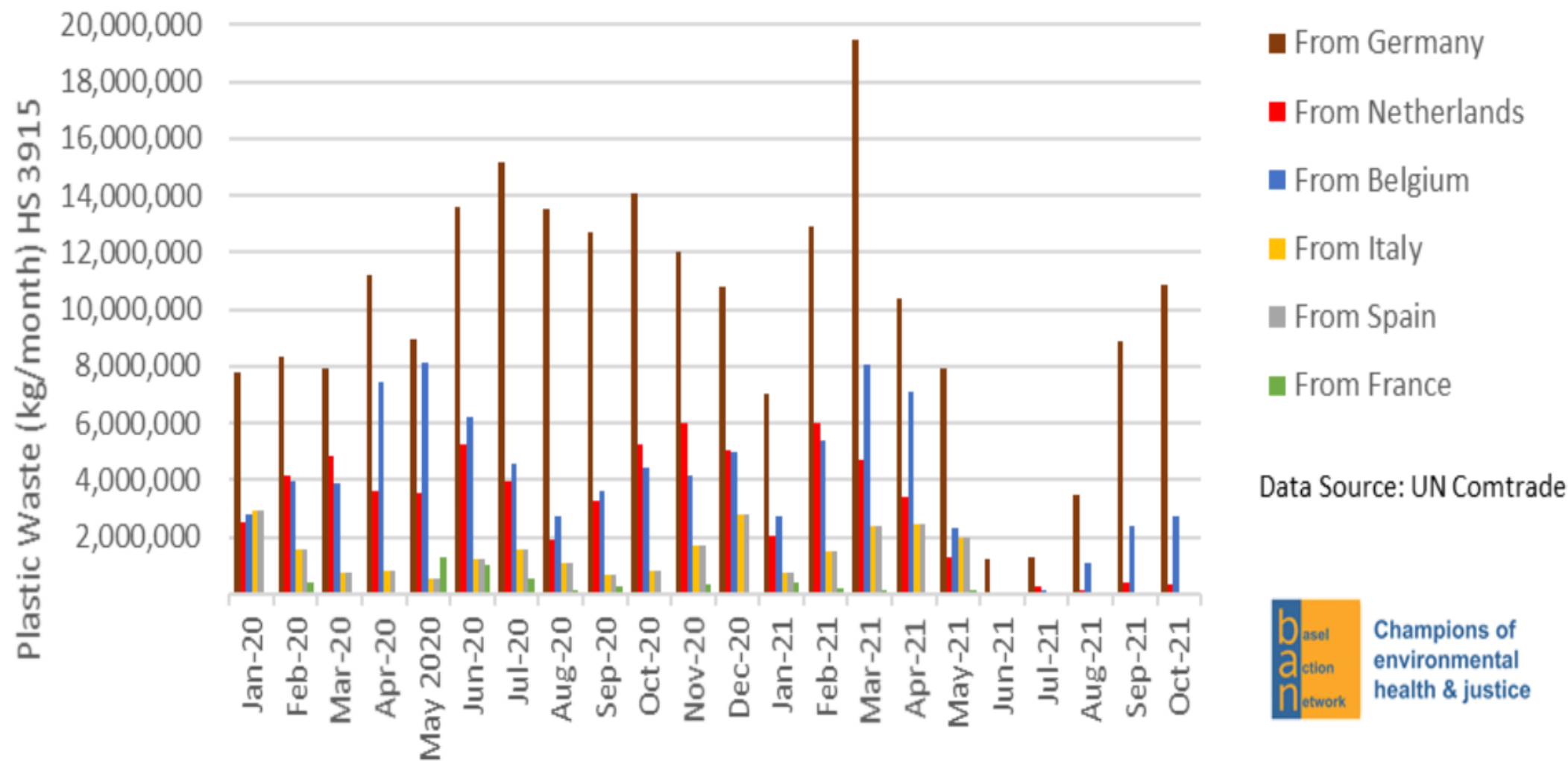
- Overall U.K. exports decreased from 537 million kg (2020) to 467 in (2021).
- Exports to Turkey decreased from 210 million kg (2020) to 123 (2021). But now starting to rise.
- Exports to Malaysia dramatically decreased from to 66 million kg (2020) to 5.83 in (2021).
- Exports to Poland have increased to 53 million kg/yr (2021) from 38 million kg/yr (2020).
- Poland appears to be a UK alternative to Turkey
- Exports to NL increased dramatically -- 101 million kg/yr (2021) from 38 million kg/yr (2020).
- It appears Netherlands is now the trans-shipment country for UK plastic waste to Asia!



2017-2021 EU Plastic Waste Exports (HS3915)



2020-21 E.U. Plastic Waste Exports to Turkey

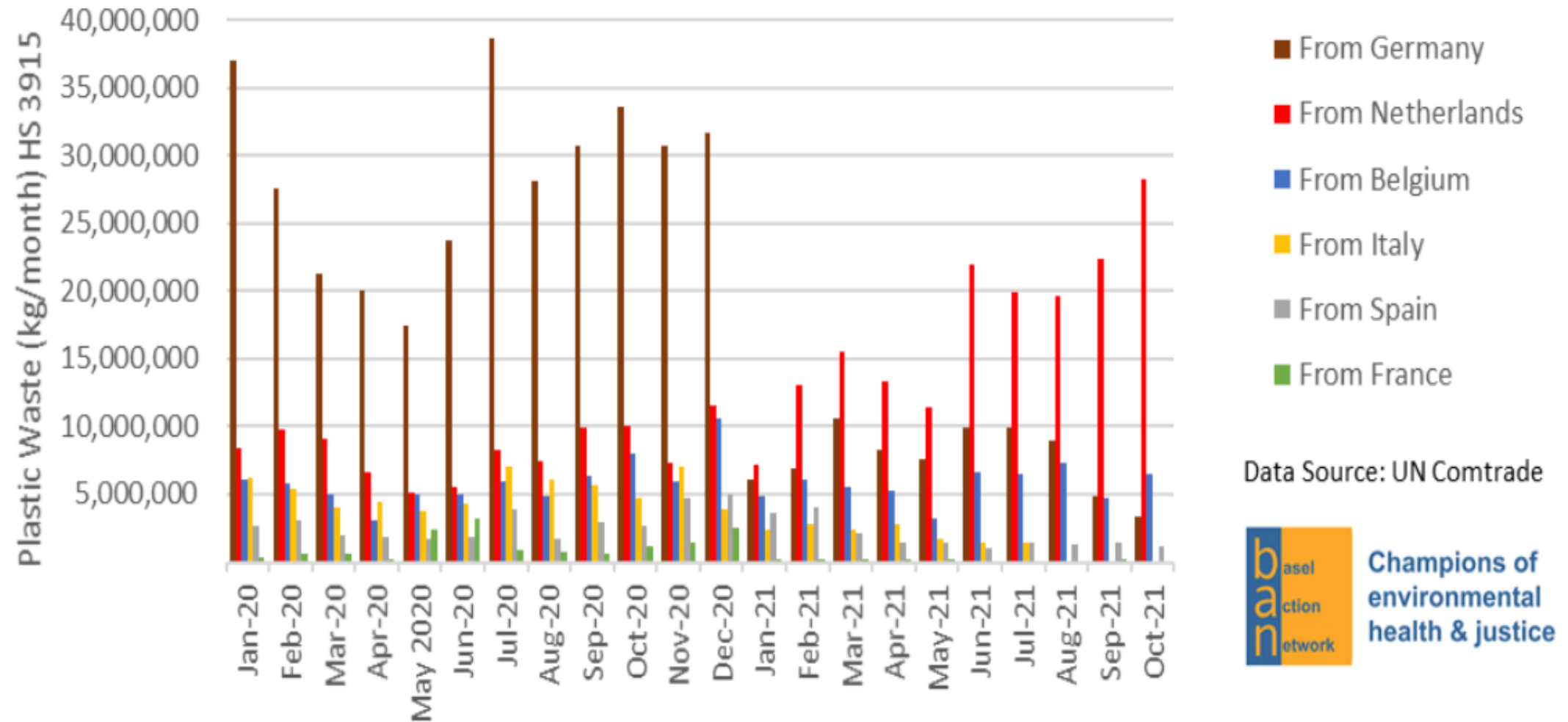


Note: Incomplete 2021 monthly reporting by some countries



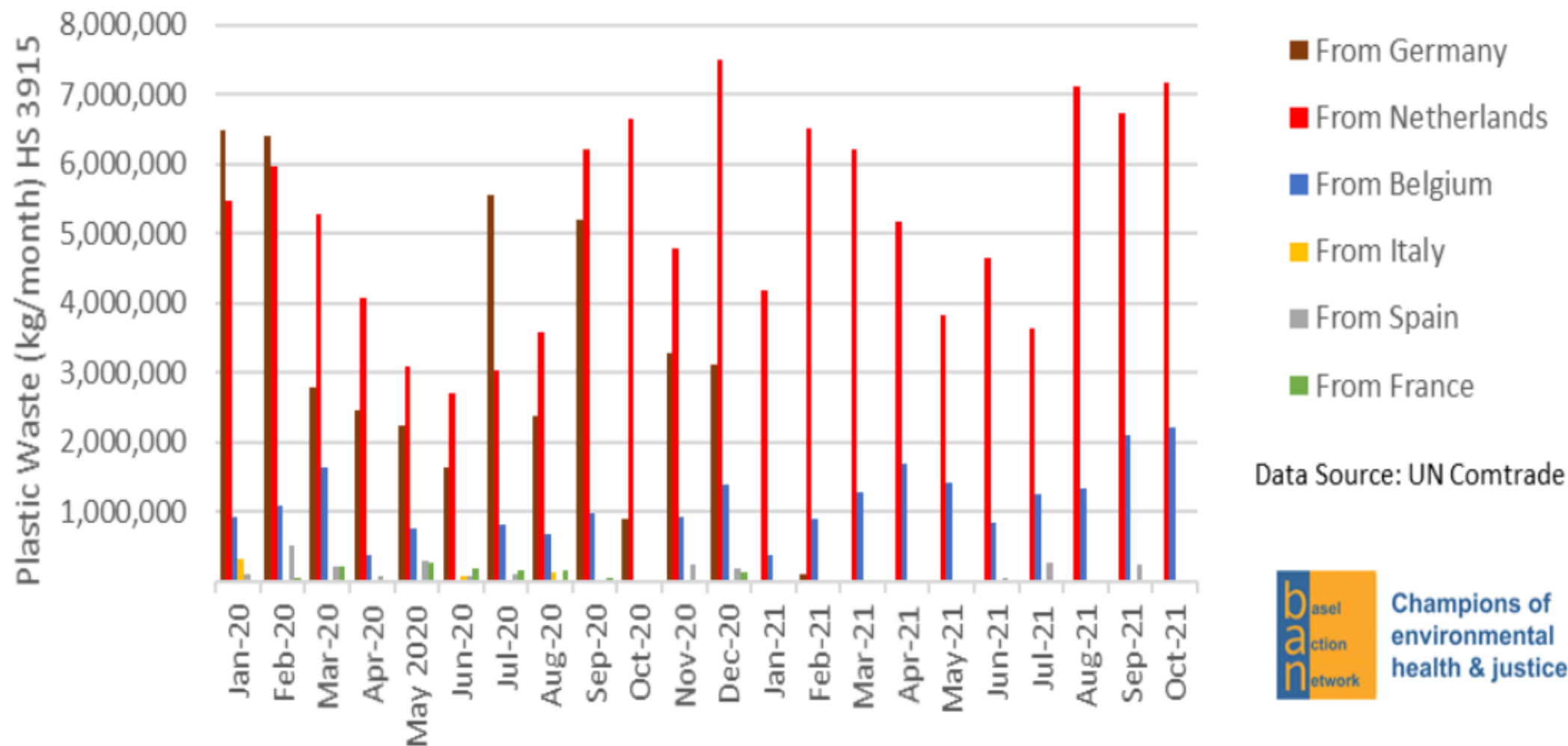
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2020-21 E.U. Plastic Waste Exports to Non-OECD Countries



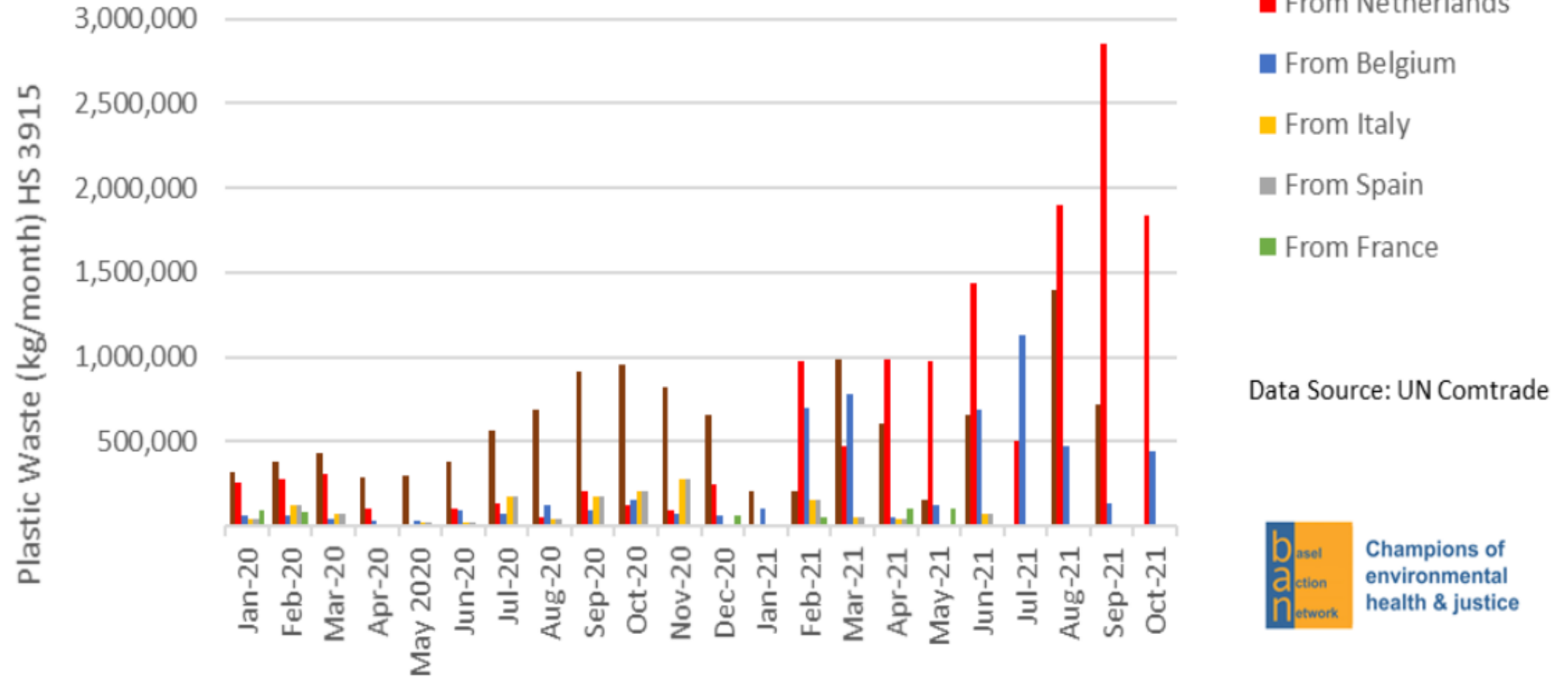
Note: Incomplete 2021 monthly reporting by some countries

2020-21 E.U. Plastic Waste Exports to Indonesia



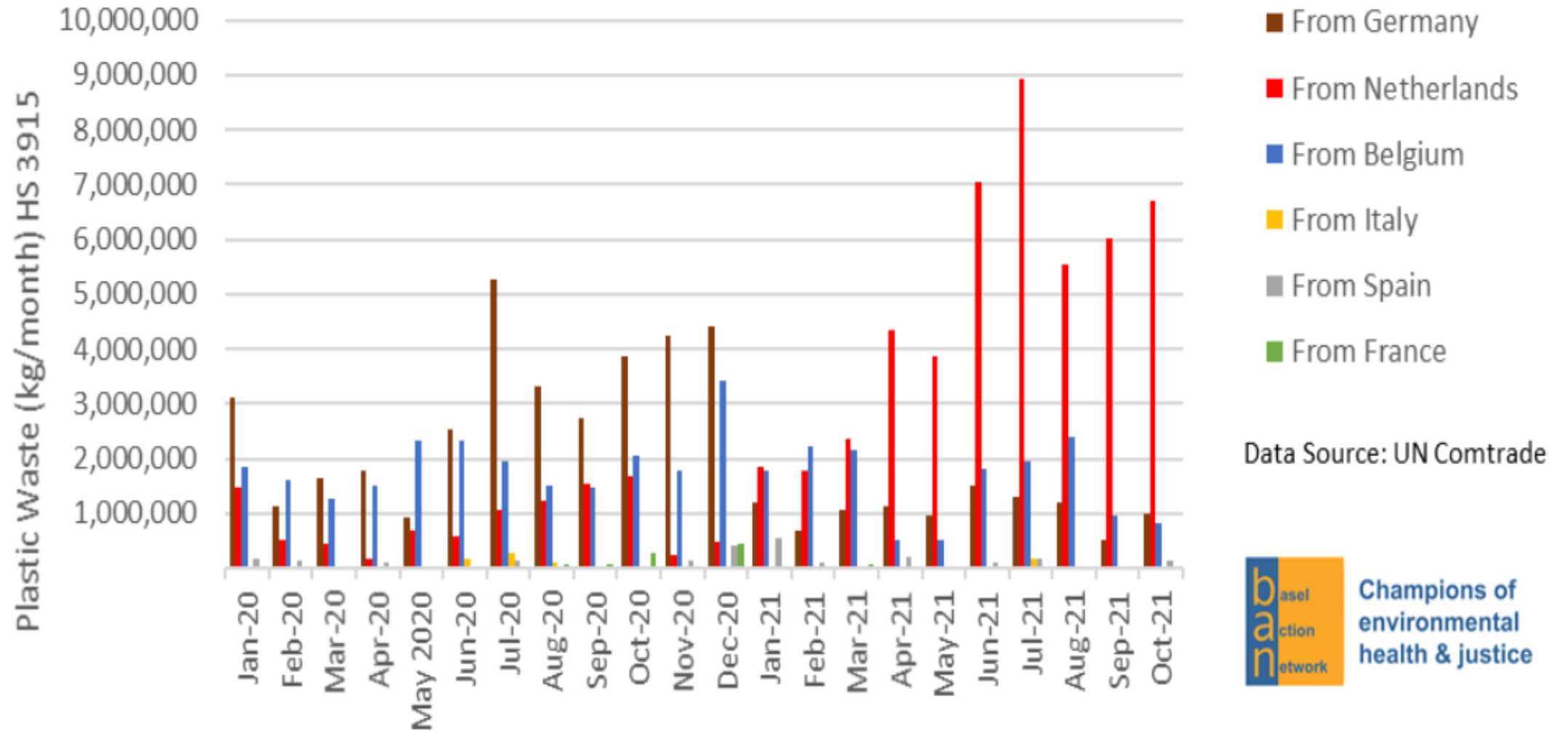
Note: Incomplete 2021 monthly reporting by some countries

2020-21 E.U. Plastic Waste Exports to India



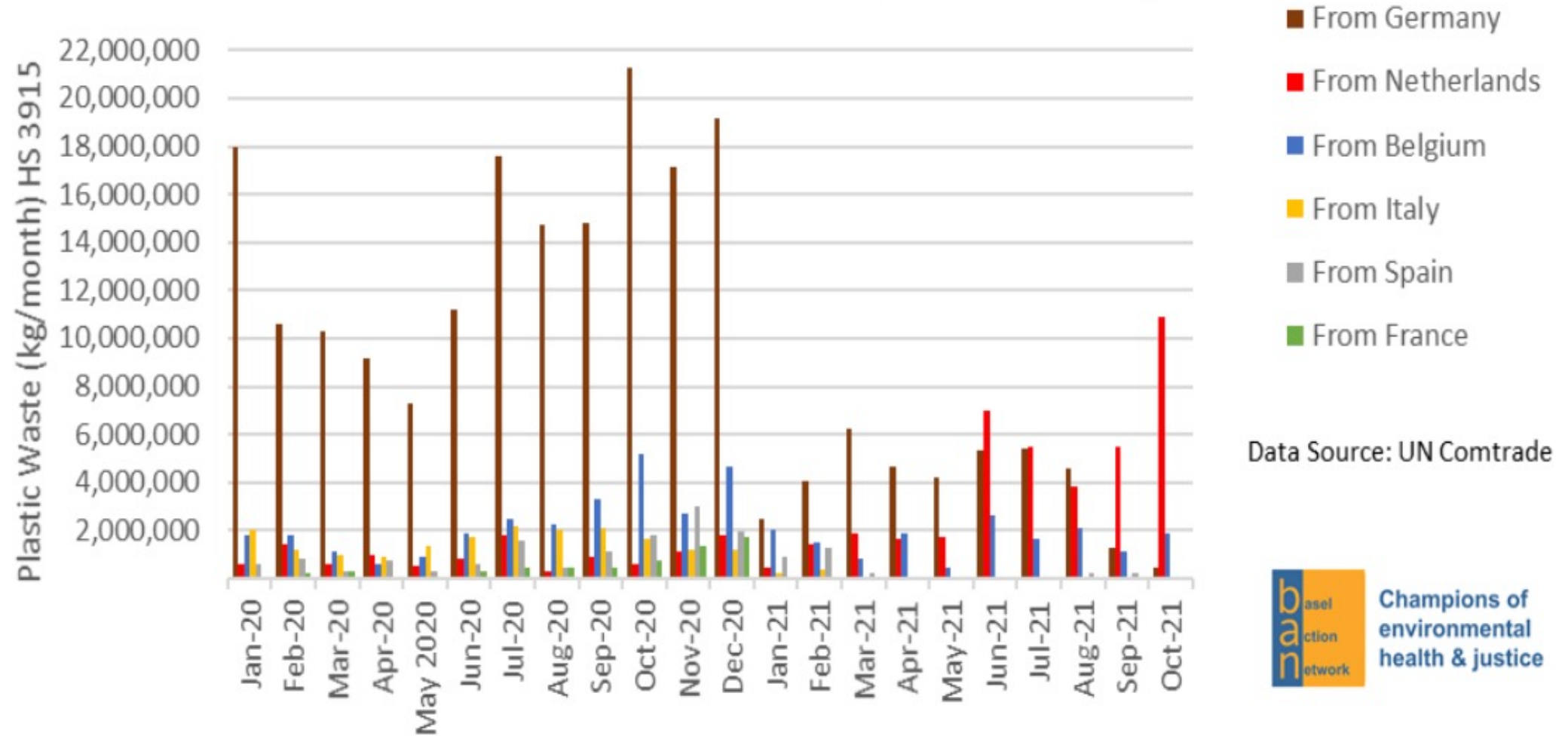
Note: Incomplete 2021 monthly reporting by some countries

2020-21 E.U. Plastic Waste Exports to Vietnam



Note: Incomplete 2021 monthly reporting by some countries

2020-21 E.U. Plastic Waste Exports to Malaysia



Note: Incomplete 2021 monthly reporting by some countries

Summary of Plastic Waste Trade from the EU in the year 2021

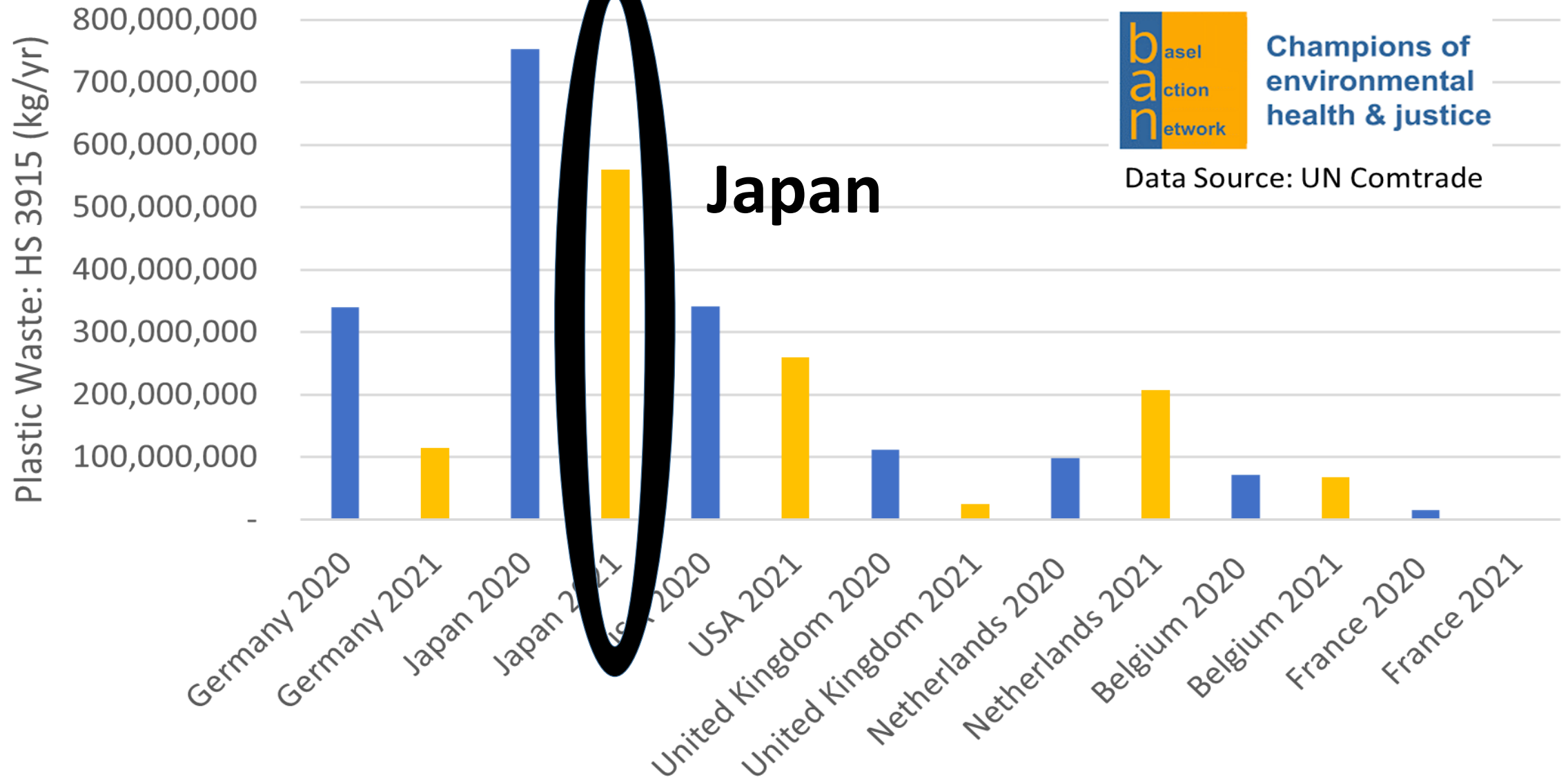
- Exports to non-OECD declined after Plastic Amendment entered into force but has been steadily increasing recently.
- Increase to Turkey from 4.5 million kg/month in June 2021 to 27.9 in October 2021. Primarily German Exports as Turkey's BAN was relaxed.
- Netherlands dramatically increased plastic waste exports to Asian non-OECD in 2021, from an average of 8.3 million kg/month in 2020 to 18.2 in August 2021!
- High levels of Dutch exports to: Malaysia (10.9 million kg/month), Indonesia (7.12 million kg/month) and to Vietnam (6.7 million kg/month) in October 2021.



The Plastic Waste Amendments: Examples of Implementation Concerns

Trade from Japan

Top Countries: 2020-2021 Non-OECD Plastic Waste Exports

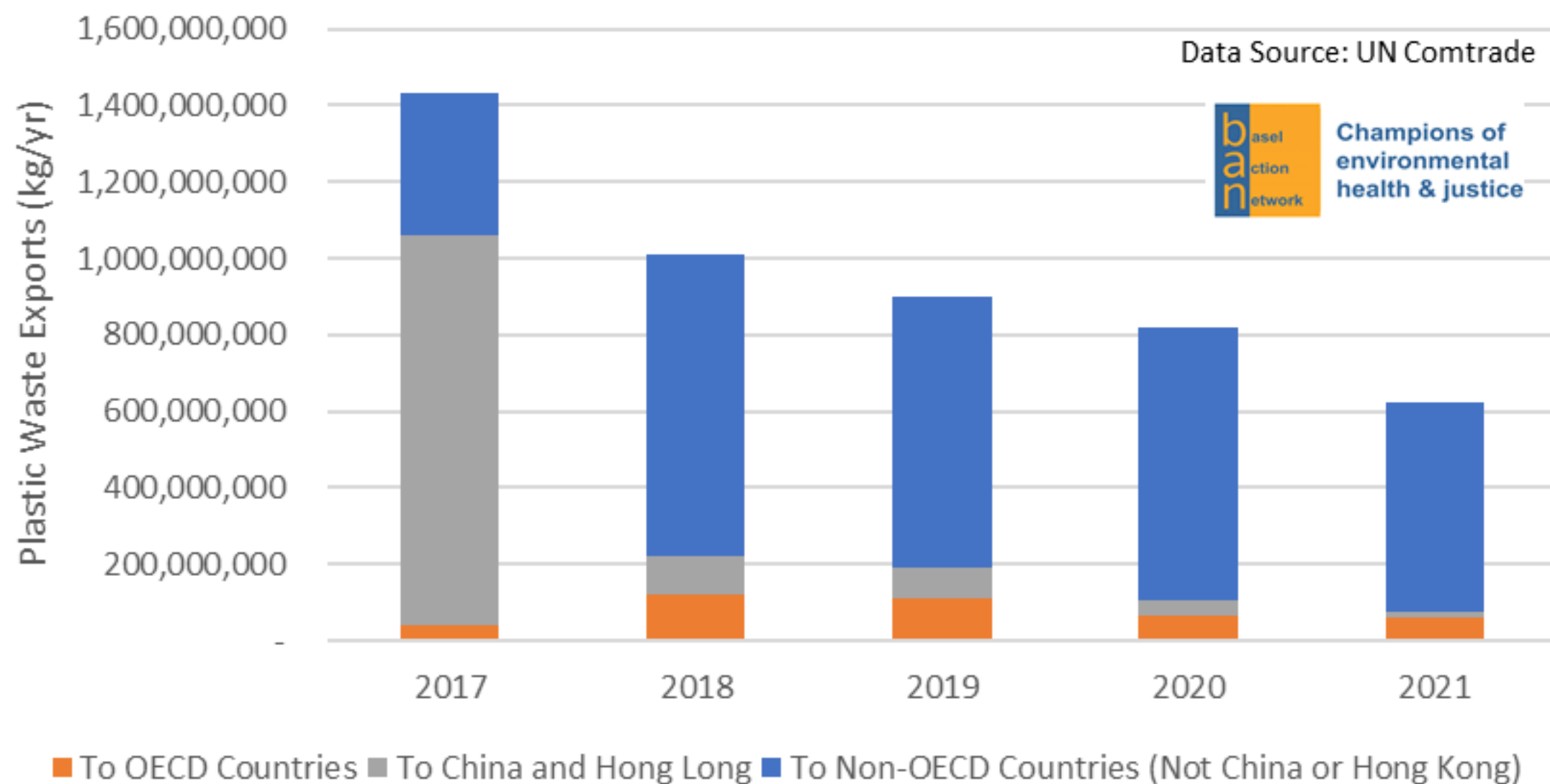


2017-2021 Japan Plastic Waste Exports (HS3915)

Data Source: UN Comtrade



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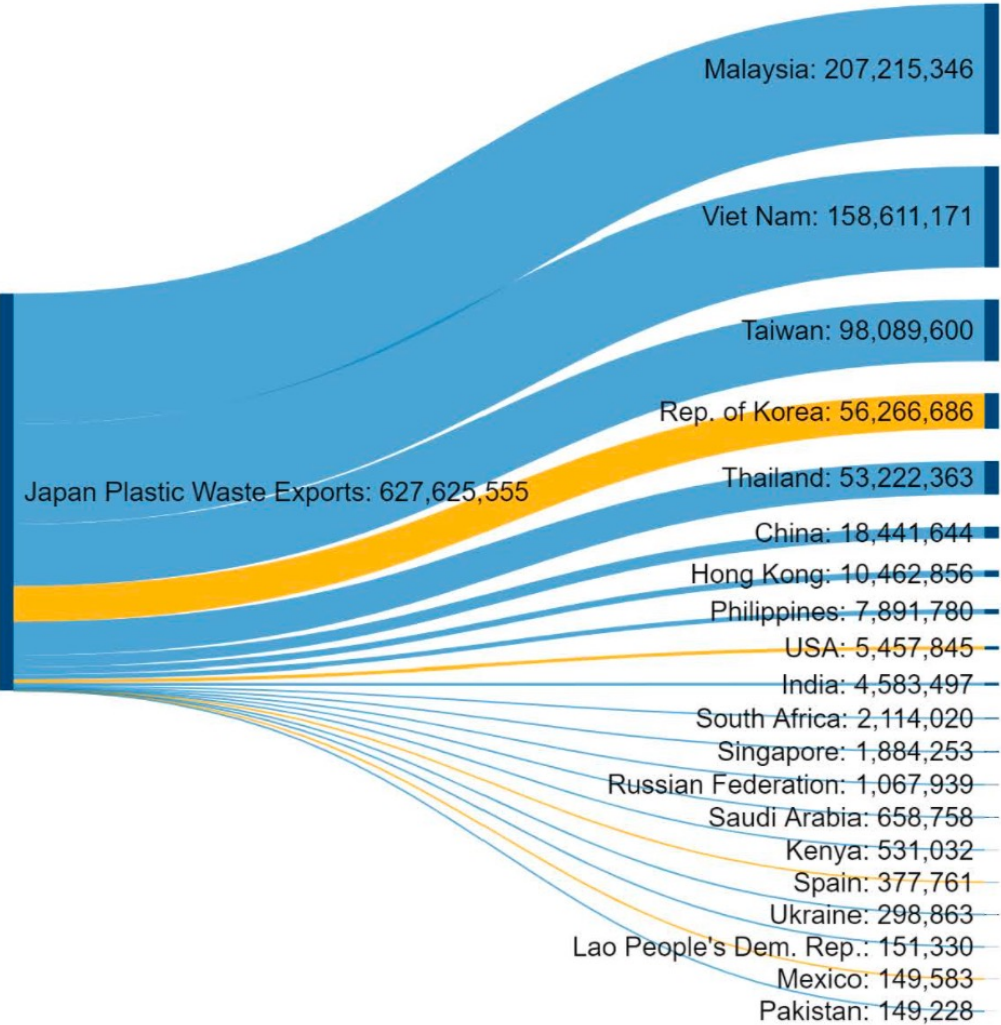


2021 Full Year: Japan Plastic Waste
Exports in Kilograms (HS 3915)

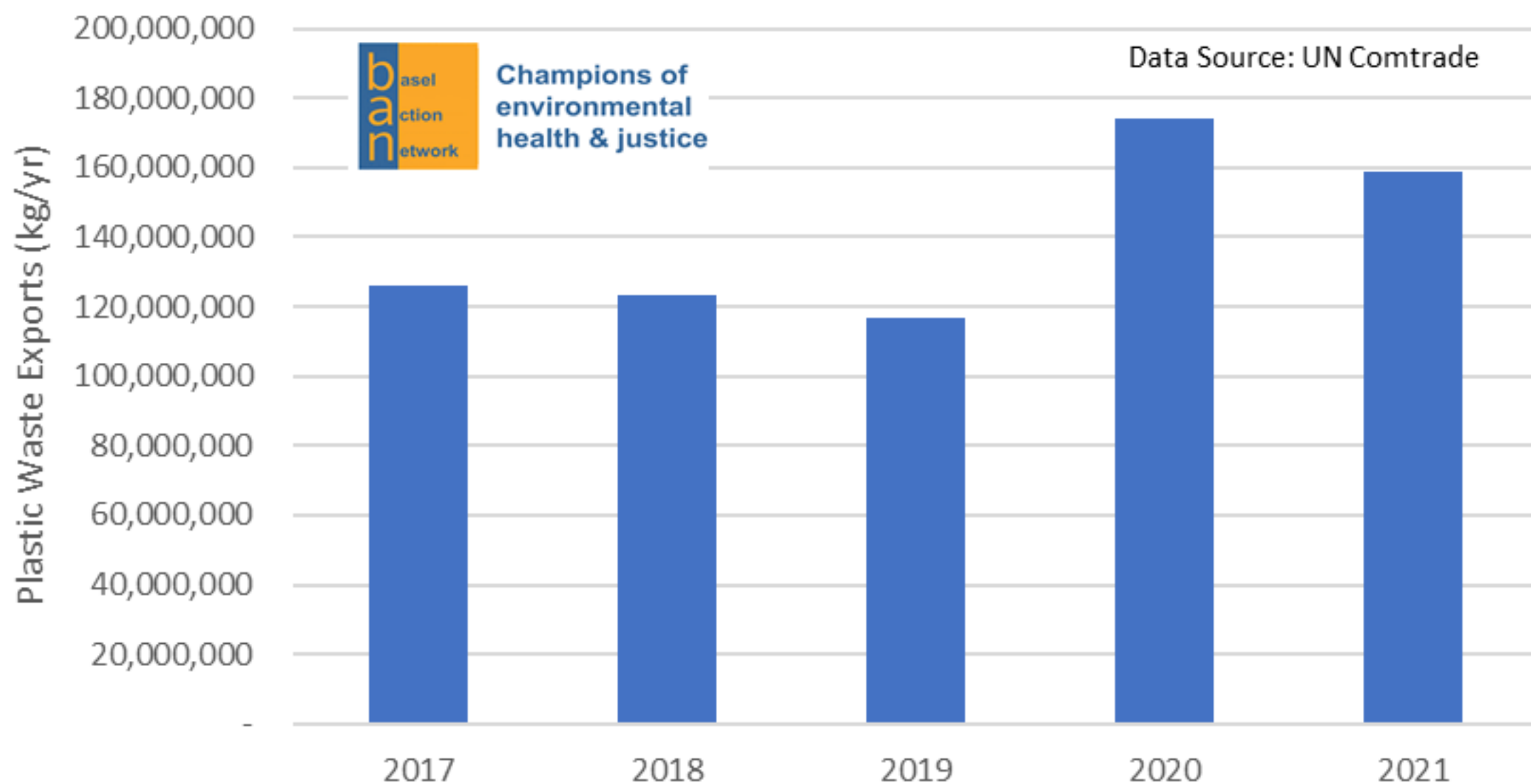
Total: 623,200,342 kilograms
(1,373,921,572 lbs), 58,605 containers

Chart shows top 20 countries Japan is
exporting plastic waste to

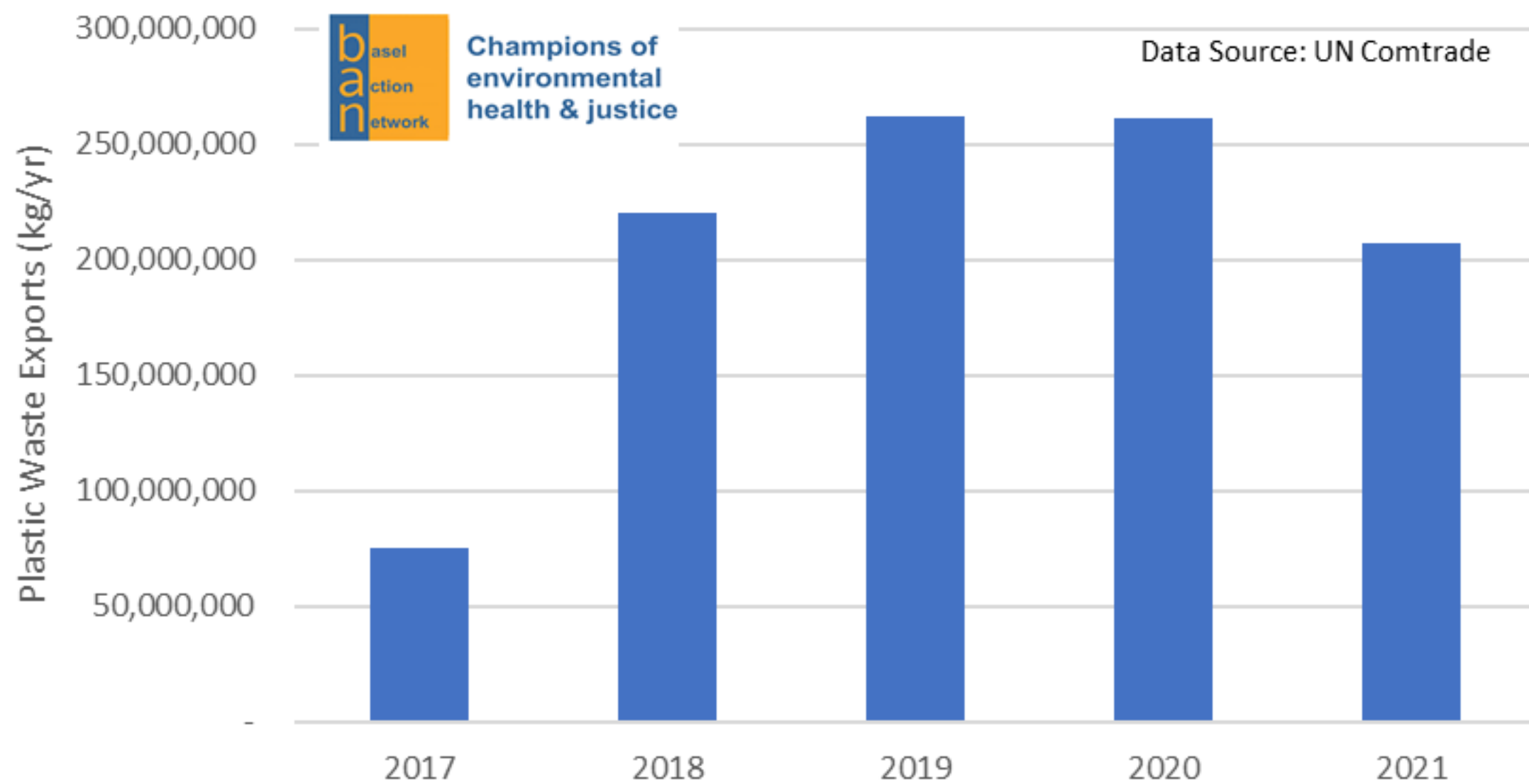
Gold=OECD Country
Blue=Non OECD Country



2017-2021 Japan Plastic Waste Exports to Vietnam



2017-2021 Japan Plastic Waste Exports to Malaysia



Summary of Plastic Waste Trade from Japan in the year 2021

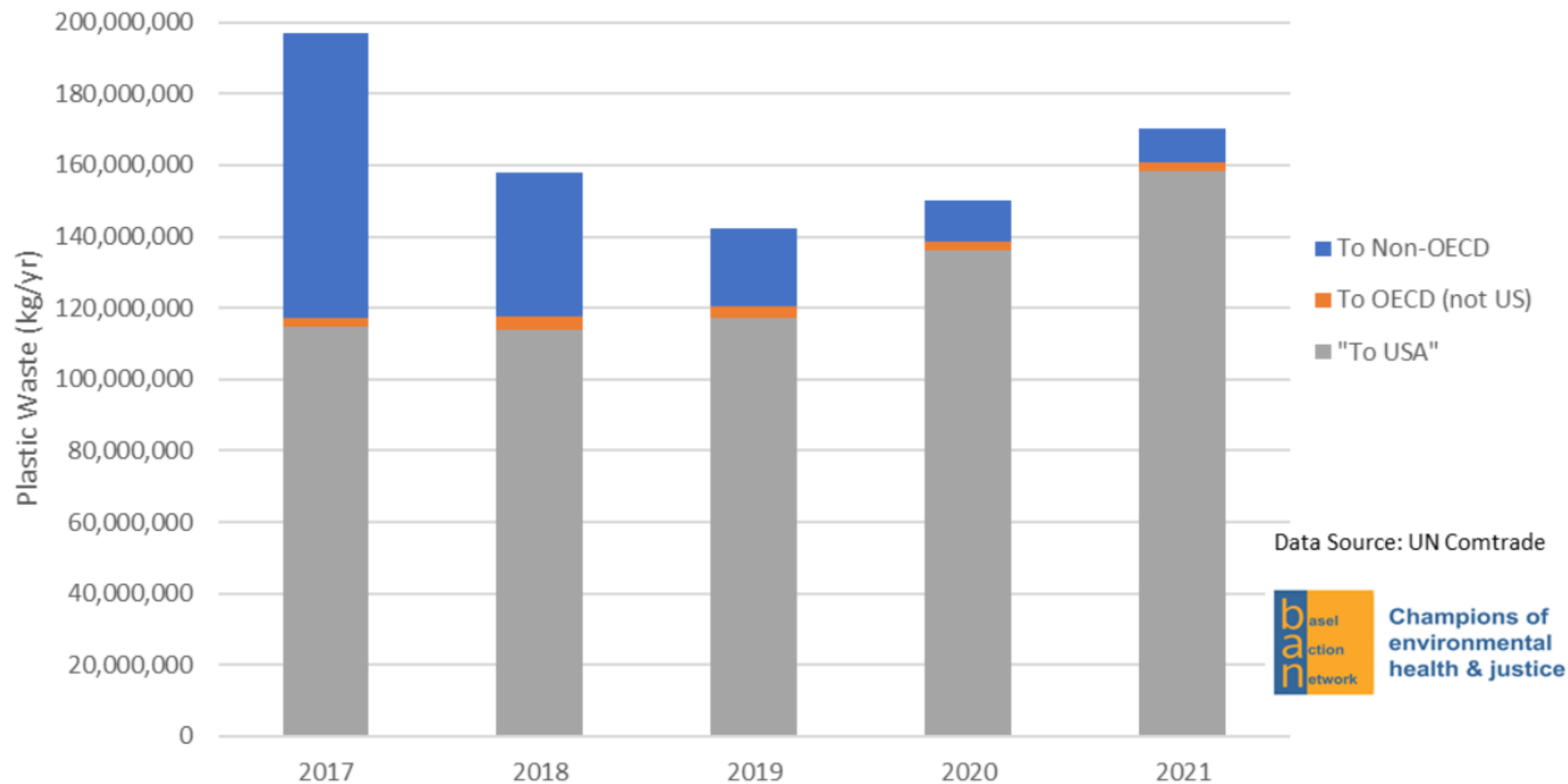
- Overall exports have reduced, not by so much....and...
- Japan continues to lead the world in exports of plastic waste to non-OECD countries. They are world champion plastic waste dumper.
- The leading countries they export to are Malaysia, Vietnam and Taiwan



The Plastic Waste Amendments: Examples of Implementation Concerns

Trade from Canada

2017-21 Canada Plastic Waste Exports (HS 3915)



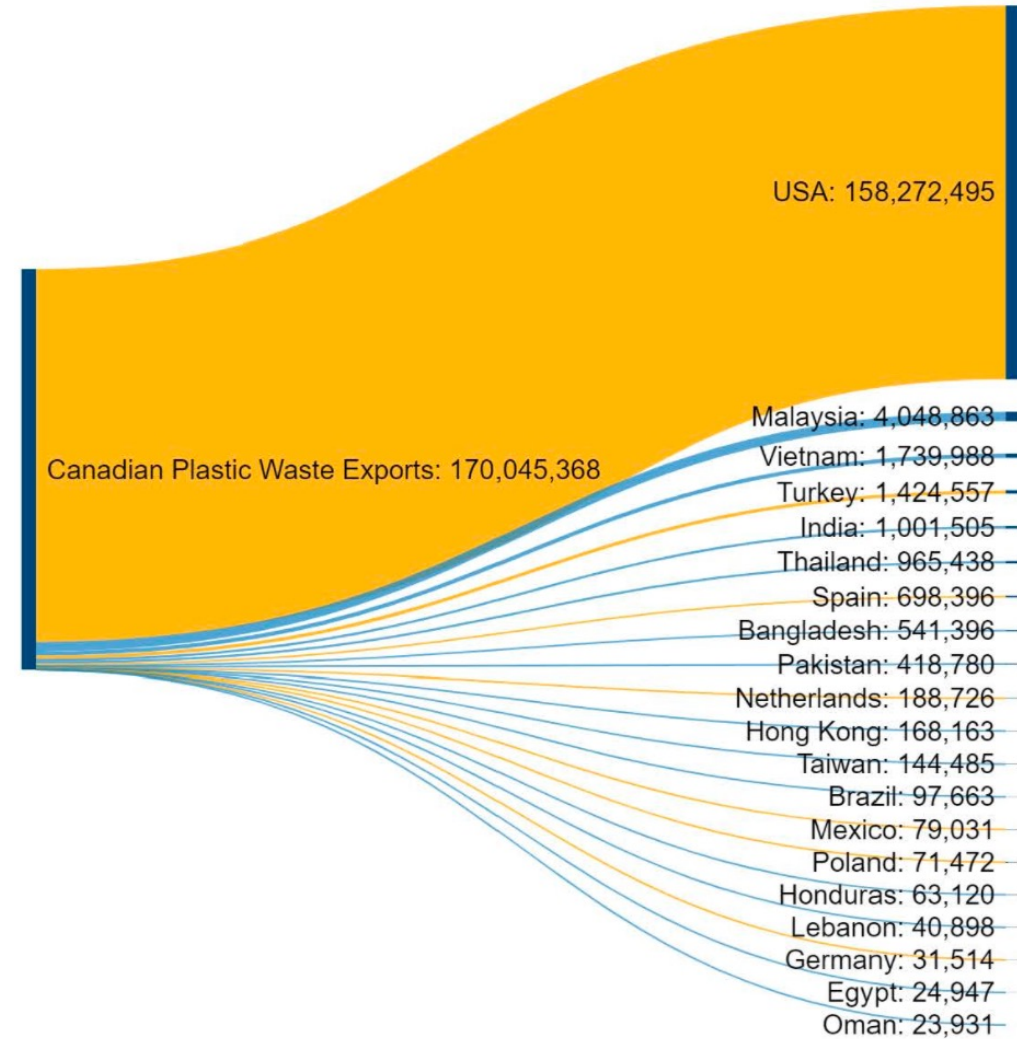
2021 Full Year: Canadian Plastic Waste Exports
in Kilograms (HS 3915)

Total: 170,235,616 kilograms (375,305,290 lbs),
16,009 containers

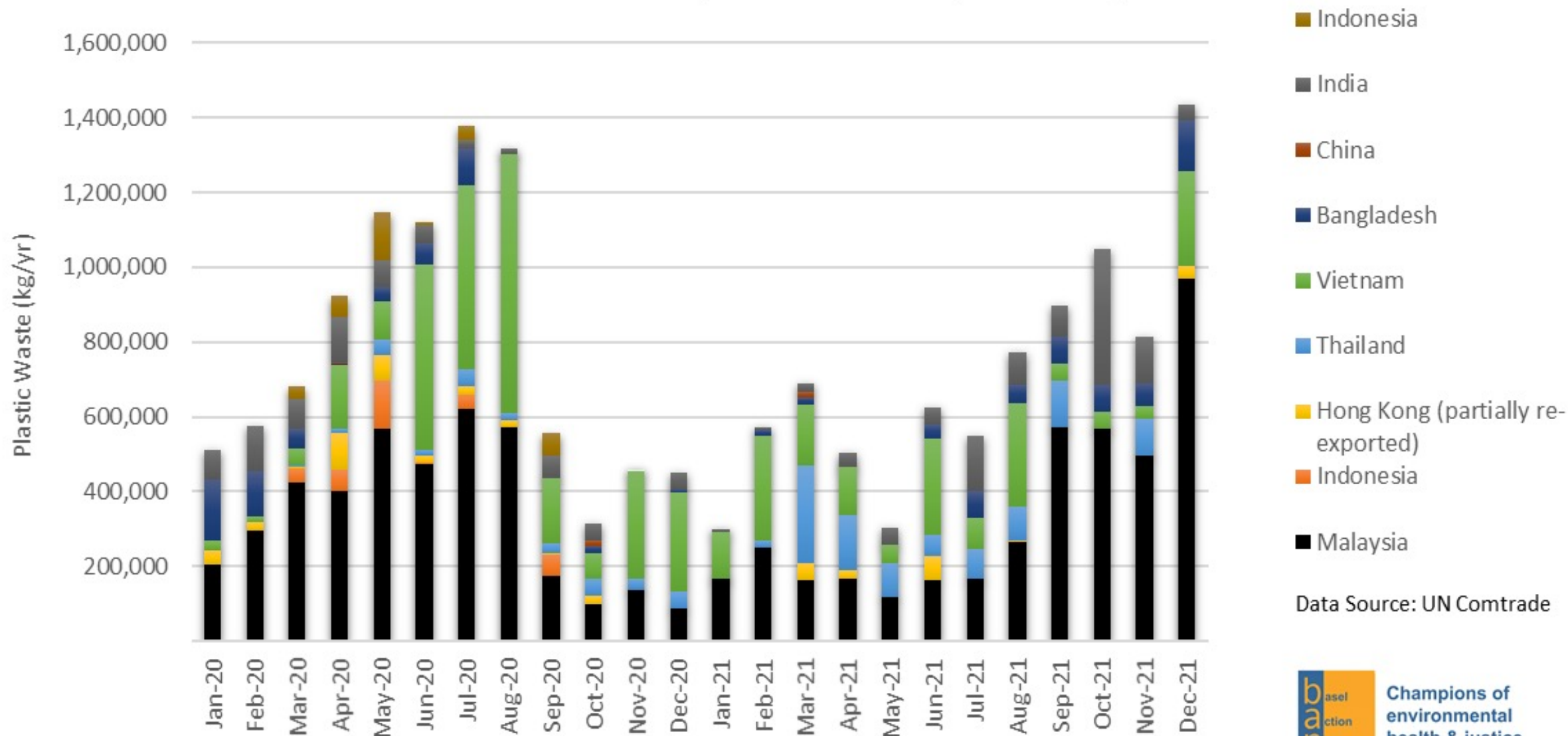
Chart shows top 20 countries Canada is
exporting plastic waste to

Gold=OECD Country

Blue=Non OECD Country



Canada Plastic Waste Exports to Asia (HS 3915)



A photograph of a massive pile of plastic waste in a landfill. A man in a plaid shirt and dark pants stands in a small pool of water in the center of the waste pile, providing a sense of scale. The waste is a mix of brown, grey, and colorful plastic fragments. In the background, there are some buildings and trees under a cloudy sky.

**Plastic Waste Exported to Southeast Asia from
Canada as 25% of “Paper Scrap”**

Summary of Plastic Waste Trade from Canada in the year 2021

- Full Year 2021: One of few countries to actually increased its exports.
- Increases to Asia
- Increases to USA, creating a concern that Canadian waste brokers may be using the US as a non-Basel transshipment country.
- Also, apart from HS3915, recent Radio Canada and CBC reporting reveals Exports of as much as 25% plastic waste mixed into bales of paper waste reported.
- This should type of export should be considered Y48 plastic waste subject to Basel control.



The Plastic Waste Amendments: Some Examples of Poor Implementation

Trade from Australia

Australia's waste export ban undermined by its plans to export plastic waste as a fuel.

Lee Bell

IPEN Mercury and POPs Policy Advisor

OEWG 12 Nairobi, April 2022

Indonesia: a case study in Australian 'export model of waste recycling'



<https://ipen.org/documents/plastic-waste-poisons-indonesia-food-chain>



When the story of plastic waste contaminating the Indonesian food chain made front page of the New York Times, Indonesia, Malaysia and the Philippines started rejecting Australian waste shipments.

The New York Times

*To Make This Tofu, Start
by Burning Toxic Plastic*



Indonesia sends rubbish back to Australia and says it's too contaminated to recycle

Indonesian officials say containers of paper contaminated by electronic waste, used cans and plastic bottles



Malaysia sends our rubbish back

Malaysia will “immediately” ship back to Australia two containers of maggot-infested waste.



Manila objects to waste dumping

The Philippines has accused Australia of using it as a “dumping ground”.

The Australian government reacted and was applauded for announcing a waste export ban and pumping billions into domestic recycling

Joint media release: World-first ban on waste plastic exports

1 July 2021

The Hon Sussan Ley MP, Minister for the Environment

The Hon Trevor Evans MP, Assistant Minister for Waste Reduction and Environmental Management



Australian Government

The Hon Sussan Ley MP
Minister for the Environment



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Joint Media Release: \$1 billion waste and recycling plan to transform waste industry

6 July 2020

But it turned out the plan was to export “refuse derived fuel” (RDF)

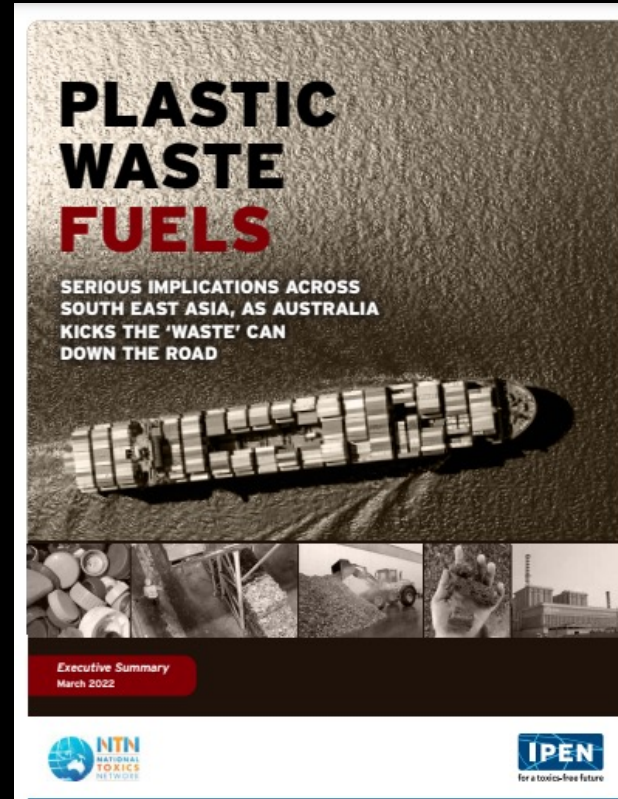
- RDF and Process Engineered Fuel (PEF) are shredded plastics, paper, timber etc. compressed for burning in cement kilns and incinerators.

Australia is allowing these to be exported from as ‘product’ (i.e. fuel) and not waste, in this way they avoid the restrictions of the Basel Convention

- Australia produces more than 250,000 tonnes annually.



- Refuse Derived Fuels should be classified as 'waste shipments' not products.
- They should be assigned an HS code so there is trade transparency.
- RDF must eventually be prohibited as an environmentally unsound practice with toxic emissions and high carbon footprint.



Further
information:
www.ipen.org

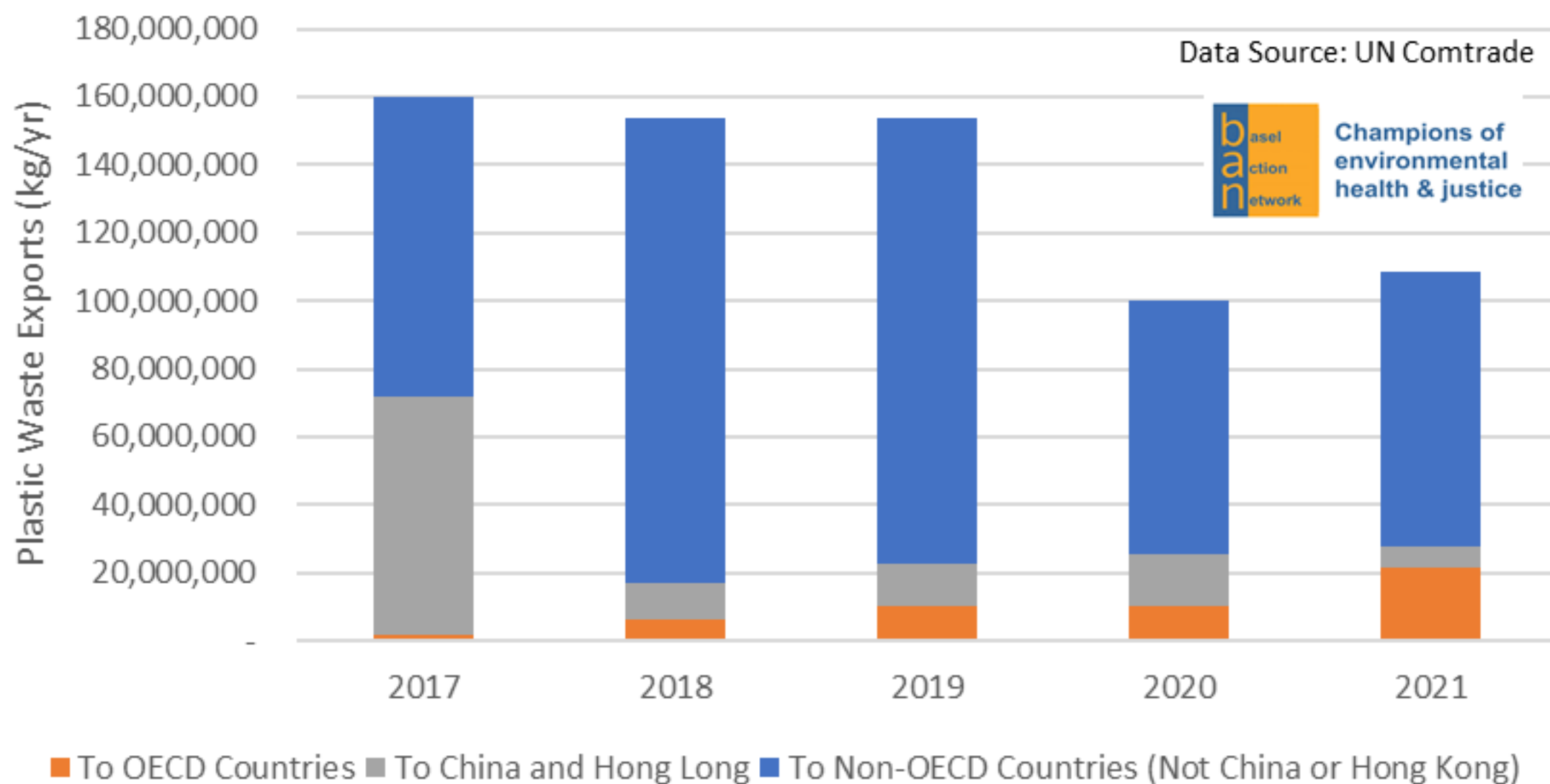


2017-2021 Australia Plastic Waste Exports (HS3915)

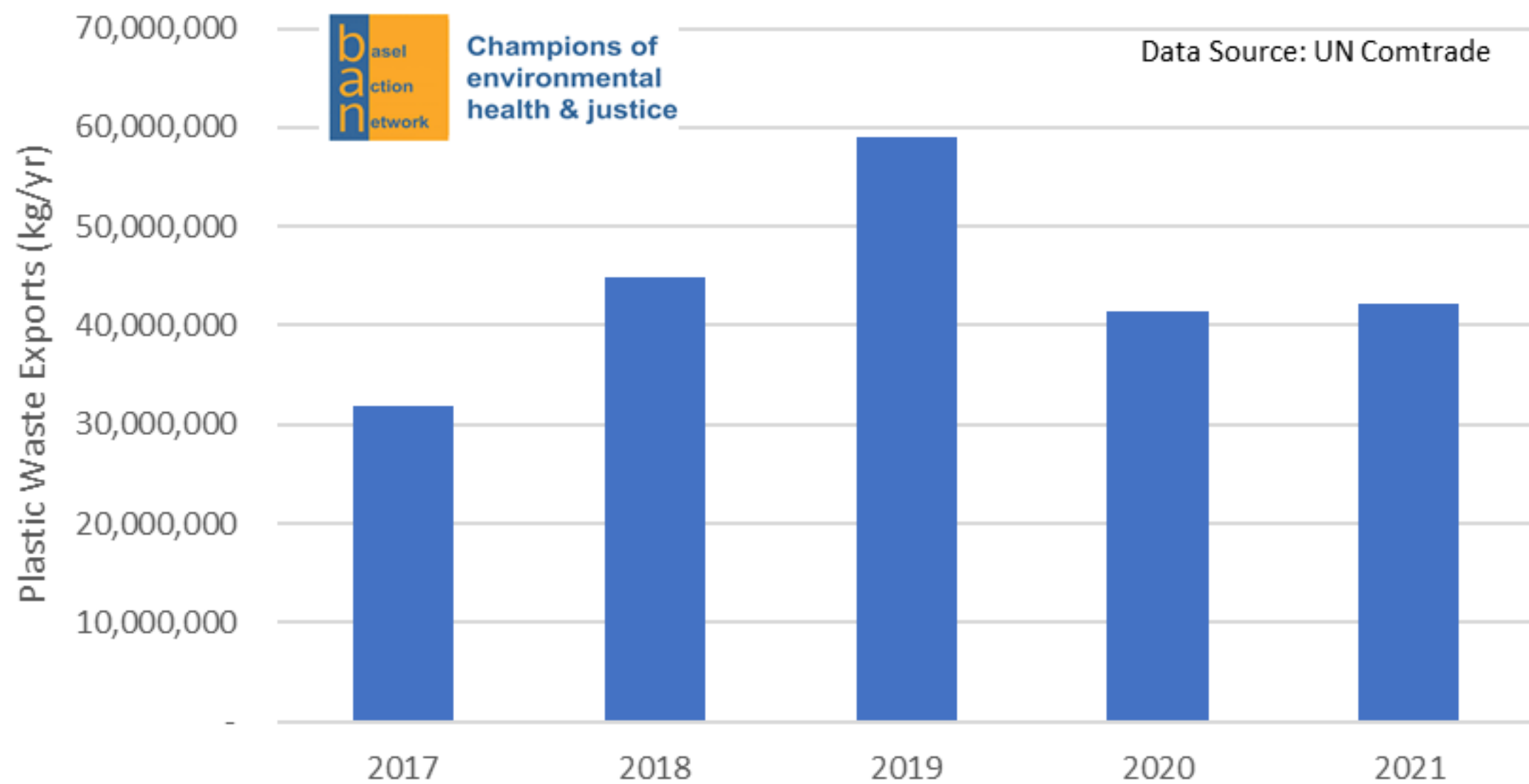
Data Source: UN Comtrade



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2017-2021 Australia Plastic Waste Exports to Malaysia

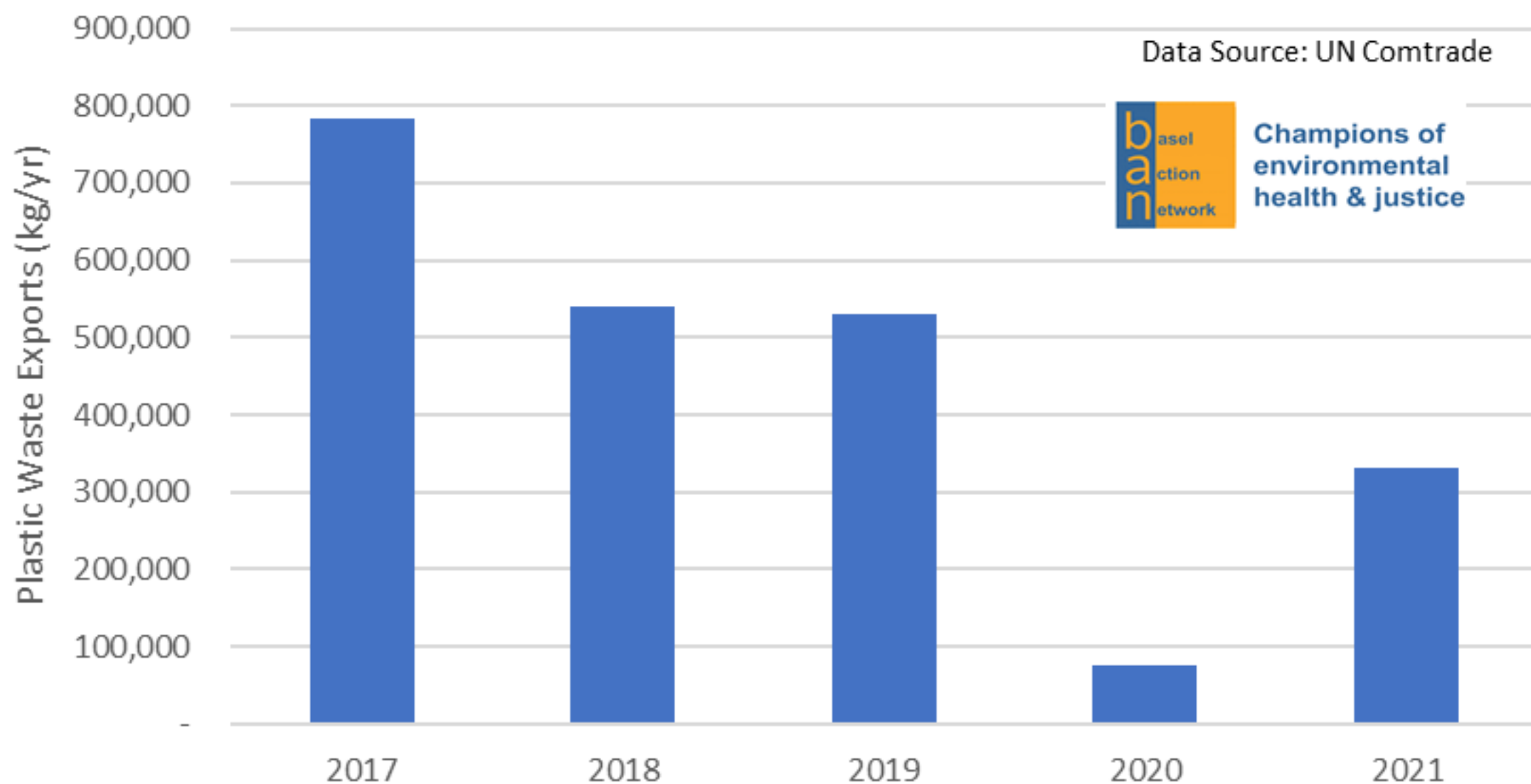


2017-2021 Australia Plastic Waste Exports to India

Data Source: UN Comtrade



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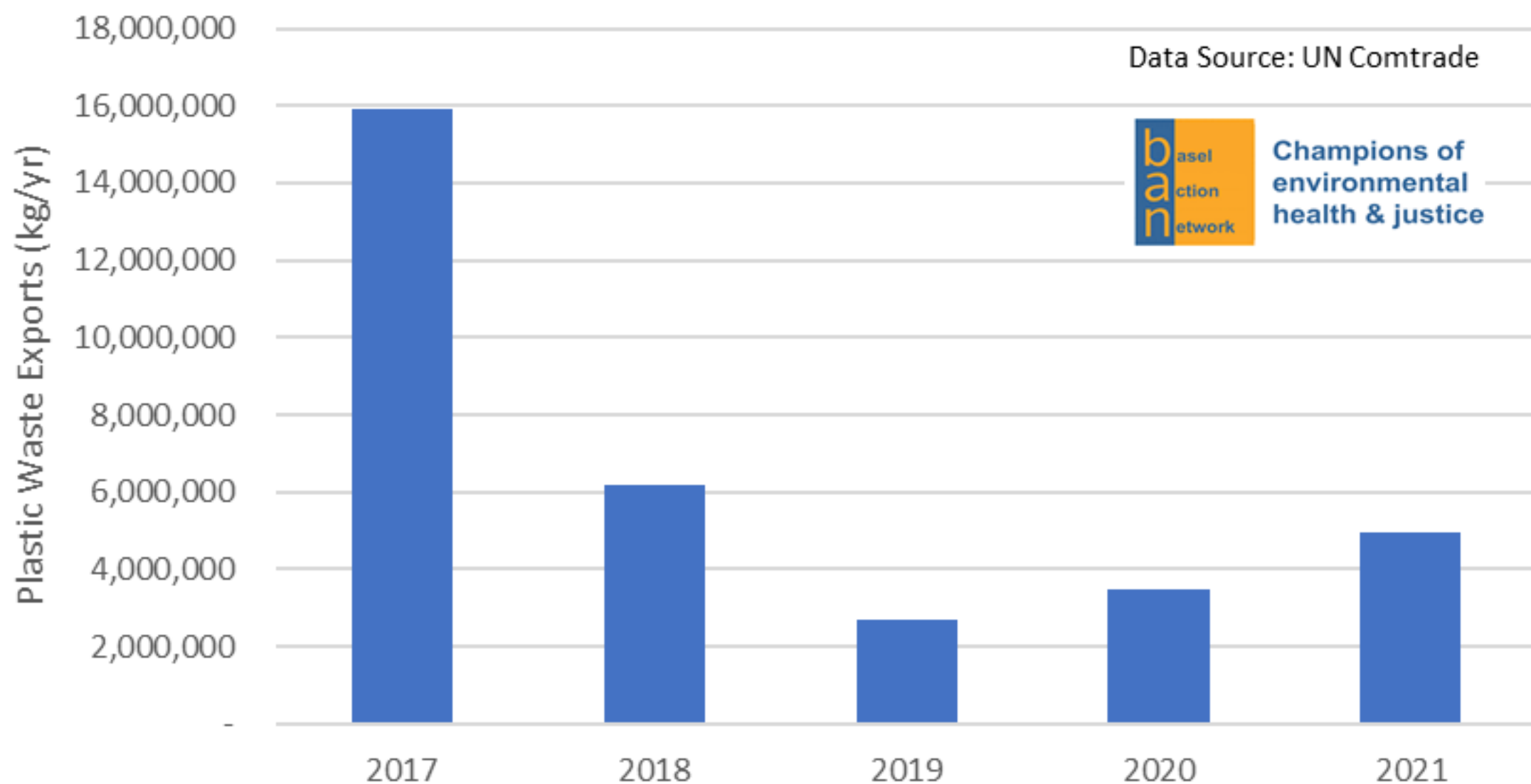


2017-2021 Australia Plastic Waste Exports to Vietnam

Data Source: UN Comtrade



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Summary of Plastic Waste Trade from Australia in the year 2021

- Australia is another country that actually increased its exports in 2021 from 2020.
- Increased destinations included India, Vietnam and Malaysia.
- And this was in the context of announcing a national Ban on Plastic Waste Exports on July 2021!
- Another frightening development is a unilateral determination by Australia to Consider RDF (refuse derived fuel) as a non-waste. Basel never agreed to this!

We Encourage the Following Actions:

1. All OECD Countries must strictly enforce against uncontrolled exports of Y48.
2. All countries should establish low Contamination Levels (e.g. .5%)
3. All countries must strictly enforce against illegal party to non-Party trade with the US.
4. Countries should enforce against Hidden Plastic Trade (e.g. RDF, plastics in paper, polyester in textile waste, plastics in electronic waste, auto fluff etc.)



The Russian Federation Amendment

To amend Article 6

Proposal: COP 15, June 2022

Russian Federation Proposal:

Paragraph 2 of Article 6 should read as follows:

“The State of import shall respond to the notifier in writing **within 30 days**, consenting to the movement with or without conditions or denying permission for the movement or requesting additional information. A copy of the final response of the State of import shall be sent to the competent authorities of the States concerned which are Parties.”

Pros

- Requires a time frame for more rapid implementation of the PIC regime.

Cons

- Fails to stipulate what happens if there is no response from the importing country after 30 days.
- Time frame does not correspond to the Convention's 60 day requirement for transit states to respond.
- Could take years for this to go into force as it will need 141 ratifications.

We Encourage the Following Actions:

1. Support the Russian Federation Proposal.
2. Support a new Guidance Document on Recommended norms for efficient and timely Implementation of the PIC procedure.
3. Support moving as soon as possible to an electronic system of PIC implementation which includes automatic reminders and warnings over overdue responses.
4. Empower the Secretariat to report overdue responses on the BRS website.



EU Amendment for a New Annex IV

Proposal: COP 15, June 2022

Pros

- Very well considered re-organization of Annex IV.
- Includes for the first time, “releases to the atmosphere”
- Specifically categorizes pre-treatment operations
- Includes “catch-alls” (safety nets) for each section to ensure that the Convention closes unforeseen loopholes.
- **Includes a new listing (R20 “Preparation for Reuse”) which is vitally important to close “repair loopholes”**

Why R20 “Preparation for Reuse” and closing the “repair loophole” is essential

1. Exports for repair almost always include recycling or final disposal:
 - Repairs involve replacement and thus disposal of parts.
 - Market conditions can easily and suddenly make repair uneconomic.
 - Fraudulent claims of repair with no intent to do so.
2. Original Intent / the title of Annex IVB includes “direct-reuse”, and “alternative use”
3. The Glossary of Terms clearly states that *“Repair is an operation that can be applied to both waste and non-waste.”*
4. Further, the glossary defines possibilities for waste to cease to be waste. One of these possibilities is listed as: *“It has been prepared for reuse.”*

Why R20 “Preparation for Reuse” and closing the “repair loophole” is essential

5. Without this, a large loophole for unscrupulous trading is created.
Until something has been repaired so that it is fully functional and readied for re-use, it needs to be considered as a waste.
6. Loopholes in the Convention do not enhance Circularity but defeat it.
The circular economy cannot exist in a landscape riddled with opportunity for externalities.
7. Harms Legitimate Recyclers with Unfair Export Advantage. When a loophole is created to allow some to circumvent the Convention’s rules, legitimate recyclers suffer an unfair competitive advantage.

Why R20 “Preparation for Reuse” and closing the “repair loophole” is essential

8. Finally, the view to consider all non-functional electronic equipment as waste is consistent with the Viewpoint of the Bamako Convention, which in Decision 3/9 stated in paragraph 3:

3. To call upon parties and other African States that have not yet done so to legally consider all non-functional or untested, used electronic equipment as hazardous waste and to prevent the import into Africa of such equipment, and to consider the addition to annex I of all non-functional electronic equipment, bearing in mind the procedures to be followed under article 18, to ensure that traders do not make the African continent a target for foreign plastic waste;

Cons

- **R21 Recycling of organic substances (e.g. physical/mechanical treatment, chemical treatment)**
 - conflates Mechanical recycling with Chemical Recycling. This is a bad idea. They should be listed separately.

Why Organic material recycling should be divided into Mechanical and Chemical Recycling

1. The discussion at COP19 which resulted in R3 (R21 in EU) being used to confine the allowed destinations for B3011 (non-hazardous) plastics was mean to be all about mechanical recycling. It is not appropriate to enlarge the intended exemption to include the unproven, climate damaging and toxic -- chemical recycling.
2. “Chemical Recycling” is as different to “mechanical recycling” as night and day. Chemical recycling changes the polymer molecule entirely, and is often used to create fuels leading to negative climate impacts rather than cleaning and refining the existing polymer.

We Encourage the Following Actions:

- 1. Adopt the EU's proposed EU Annex IV with the one change indicated below.**
- 2. Revise R21, and create a new R21 (bis) as follows:**

R21 Physical/mechanical recycling of organic substances (e.g. shredding, pelletizing and remelting)

R21 (bis) Chemical Recycling of organic substances by changing chemical compound (e.g. pyrolysis, gasification, solvolysis)



Swiss-Ghanaian e-Waste Amendment

To amend Article 6

Proposal: COP 15, June 2022

Proposal for a New Entry Y49

Y49 Waste electrical and electronic equipment, including scrap thereof
-- without a component containing Annex I constituents to an extent that it exhibits an Annex III characteristic (e.g. with glass from cathode ray tubes or a battery included on list A, a mercury switch, a fluorescent tube containing mercury, a capacitor containing PCBs, a component containing asbestos) and without a component (e.g. a circuit board, a plastic component containing a brominated flame retardant) containing Annex I constituents to an extent that the waste exhibits an Annex III characteristic; or
-- not containing or contaminated with Annex I constituents to an extent that the waste exhibits an Annex III characteristic; or
waste components of electrical and electronic equipment, including scrap thereof, not containing or contaminated with Annex I constituents to an extent that the waste exhibits an Annex III characteristic (note the related entry on list A A1180)¹

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

Pros

- Controls more e-waste exports which have a propensity and track records of causing harm in developing countries.
- Avoids having to go through expensive testing to prove something is non-hazardous before one can exercise control on e-Waste.
- Prevents massive dumping of electronic equipment in future when it is expected electronic waste will be less likely to be considered hazardous, but like household and plastic wastes, still an environmental problem particularly when not processed in an environmentally sound manner.

Cons


- Fails to address the most fundamental e-Waste problem remaining – which is controlling exports for hazardous, non-functional electronic equipment shipped for alleged or actual “Repair” which can not be 100% repaired.
- Fails to ensure that fractions that have been separated and cleaned and are currently found on Annex IX, that are derived from e-waste are allowed to be freely traded.

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We Encourage the Following Actions:

Change (add new paragraph):

Non-hazardous waste fractions derived from waste electrical and electronic equipment or their components following initial dismantling or separation, which are listed in another Annex IX entry other than B1110 or B4030, e.g. B3011, or B1010, are excluded from this listing.

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Thank You!



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