



Treaty Series No. 9 (2024)

Amendments

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

Amendments to Annexes II, VIII and IX, adopted at the 14th Conference of the Parties, Geneva, 29 April - 16 May 2019
Amendments to Annex IX, adopted at the 11th Conference of the Parties, Geneva, 28 April - 10 May 2013
Amendments to Annexes VIII and IX, adopted at the 6th Conference of the Parties, Geneva, 9 - 13 December 2002

[The Amendments adopted in 2019, entered into force 24 March 2020
The Amendments adopted in 2013, entered into force 27 May 2014
The Amendments adopted in 2002, entered into force 20 November 2003]

*Presented to Parliament
by the Secretary of State for Foreign, Commonwealth and Development Affairs
by Command of His Majesty
March 2024*



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ISBN 978-1-5286-4738-0

E03086744 03/24

Printed on paper containing 40% recycled fibre content minimum

Printed in the UK by HH Global on behalf of the Controller of His Majesty's Stationery Office

**AMENDMENTS TO THE BASEL CONVENTION - CONTROL
OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS
WASTES AND THEIR DISPOSAL**

Amendments to Annexes II, VIII and IX

The Conference of the Parties,

Having considered the proposals by the Government of Norway to amend Annexes II, VIII and IX to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal,¹

1. *Decides* to amend Annex II to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal by adding the following entry:

¹ UNEP/CHW.14/27, annex I.

Y482,3	<p>Plastic waste, including mixtures of such waste, with the exception of the following:</p> <ul style="list-style-type: none"> • Plastic waste that is hazardous waste pursuant to paragraph 1 (a) of Article 1⁴ • Plastic waste listed below, provided it is destined for recycling⁵ in an environmentally sound manner and almost free from contamination and other types of wastes:⁶ • Plastic waste almost exclusively⁷ consisting of one non-halogenated polymer, including but not limited to the following polymers: <ul style="list-style-type: none"> ○ Polyethylene (PE) ○ Polypropylene (PP) ○ Polystyrene (PS) ○ Acrylonitrile butadiene styrene (ABS) ○ Polyethylene terephthalate (PET) ○ Polycarbonates (PC) ○ Polyethers • Plastic waste almost exclusively⁷ consisting of one cured resin or condensation product, including but not limited to the following resins: <ul style="list-style-type: none"> ○ Urea formaldehyde resins ○ Phenol formaldehyde resins ○ Melamine formaldehyde resins ○ Epoxy resins ○ Alkyd resins • Plastic waste almost exclusively⁷ consisting of one of the following fluorinated polymers:⁸ <ul style="list-style-type: none"> ○ Perfluoroethylene/propylene (FEP) ○ Perfluoroalkoxy alkanes: <ul style="list-style-type: none"> • Tetrafluoroethylene/perfluoroalkyl vinyl ether (PFA) • Tetrafluoroethylene/perfluoromethyl vinyl ether (MFA) ○ Polyvinylfluoride (PVF) ○ Polyvinylidene fluoride (PVDF) • ¹Mixtures of plastic waste, consisting of polyethylene (PE), polypropylene (PP) and/or polyethylene terephthalate (PET), provided they are destined for separate recycling⁹ of each material and in an environmentally sound manner and almost free from contamination and other types of wastes.⁶
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¹ UNEP/CHW.14/27, annex I.

² This entry becomes effective as of 1 January 2021.

³ Parties can impose stricter requirements in relation to this entry.

⁴ Note the related entry on list A A3210 in Annex VIII.

⁵ Recycling/reclamation of organic substances that are not used as solvents (R3 in Annex IV, sect. B) or, if needed, temporary storage limited to one instance, provided that it is followed by operation R3 and evidenced by contractual or relevant official documentation.

⁶ In relation to “almost free from contamination and other types of wastes”, international and national specifications may offer a point of reference.

⁷ In relation to “almost exclusively”, international and national specifications may offer a point of reference.

⁸ Post-consumer wastes are excluded.

2. Recycling/reclamation of organic substances that are not used as solvents (R3 in Annex IV, sect. B), with prior sorting and, if needed, temporary storage limited to one instance, provided that it is followed by operation R3 and evidenced by contractual or relevant official documentation. *Also decides* to amend Annex VIII to the Basel Convention by inserting a new entry, A3210, as follows:

A3210¹⁰	Plastic waste, including mixtures of such waste, containing or contaminated with Annex I constituents, to an extent that it exhibits an Annex III characteristic (note the related entries Y48 in Annex II and on list B B3011).
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3. *Further decides* to amend the entry B3010 in Annex IX to the Basel Convention by adding a new footnote to the entry, as follows: “Entry B3010 is effective until 31 December 2020. Entry B3011 becomes effective as of 1 January 2021.”

4. *Decides* to amend Annex IX to the Basel Convention by inserting a new entry, B3011, as follows:

B3011¹¹	<p>Plastic waste (note the related entries Y48 in Annex II and on list A A3210):</p> <ul style="list-style-type: none"> • Plastic waste listed below, provided it is destined for recycling⁵ in an environmentally sound manner and almost free from contamination and other types of wastes:⁶ • Plastic waste almost exclusively⁷ consisting of one non-halogenated polymer, including but not limited to the following polymers: <ul style="list-style-type: none"> ○ Polyethylene (PE) ○ Polypropylene (PP) ○ Polystyrene (PS) ○ Acrylonitrile butadiene styrene (ABS) ○ Polyethylene terephthalate (PET) ○ Polycarbonates (PC) ○ Polyethers • Plastic waste almost exclusively⁷ consisting of one cured resin or condensation product, including but not limited to the following resins: <ul style="list-style-type: none"> ○ Urea formaldehyde resins ○ Phenol formaldehyde resins ○ Melamine formaldehyde resins ○ Epoxy resins ○ Alkyd resins • Plastic waste almost exclusively⁷ consisting of one of the following fluorinated polymers:⁸
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	<ul style="list-style-type: none">○ Perfluoroethylene/propylene (FEP)○ Perfluoroalkoxy alkanes:<ul style="list-style-type: none">▪ Tetrafluoroethylene/perfluoroalkyl vinyl ether (PFA)▪ Tetrafluoroethylene/perfluoromethyl vinyl ether (MFA)○ Polyvinylfluoride (PVF)○ Polyvinylidene fluoride (PVDF)• Mixtures of plastic waste, consisting of polyethylene (PE), polypropylene (PP) and/or polyethylene terephthalate (PET), provided they are destined for separate recycling⁹ of each material and in an environmentally sound manner, and almost free from contamination and other types of wastes.⁶
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¹⁰ This entry becomes effective as of 1 January 2021.

¹¹ This entry becomes effective as of 1 January 2021. Entry B3010 is effective until 31 December 2020.

AMENDMENTS TO ANNEX IX

The Conference of the Parties,

Considering the applications made by Finland, Ireland and the Netherlands for new entries to Annex IX to the Basel Convention,

1. *Adopts* the following amendments to Annex IX of the Basel Convention:

(a) New entry B3026:

“The following waste from the pre-treatment of composite packaging for liquids, not containing Annex I materials in concentrations sufficient to exhibit Annex III characteristics:

- Non-separable plastic fraction
- Non-separable plastic-aluminium fraction”;

(b) New entry B3027:

“Self-adhesive label laminate waste containing raw materials used in label material production”;

2. *Decides* to include further work on the following draft entry B3025 in the work programme of the Open-ended Working Group for 2014–2015:

“Composite packaging waste consisting of mainly paper and some plastic [and aluminium], not containing residues and not containing Annex I materials in concentrations sufficient to exhibit Annex III characteristics”;²

3. *Invites* Parties and others to submit comments to the Secretariat by 30 October 2013 on the draft entry referred to in paragraph 2 above for consideration by the Open-ended Working Group at its ninth meeting;

4. *Requests* the Secretariat to communicate the amendments referred to in paragraph 1 above to the Depositary and to update and reproduce the amended version of the Convention texts.

² It is noted that there may be national laws controlling the import of waste containing household waste.

AMENDMENTS TO ANNEXES VII AND IX

The Conference of the Parties,

Referring to its decision V/24 on the classification and hazard characterization of wastes,

Taking note of the procedure for the review or adjustment of lists of wastes contained in Annexes VIII and IX of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal, adopted by the Technical Working Group,

Taking note also of the applications submitted by the Parties to amend the lists of wastes contained in Annexes VII and IX,

1. Adopts the procedure for the review or adjustment of the lists of wastes contained in Annexes VIII and IX of the Basel Convention, as contained in the appendix to the present decision;
2. Invites Parties that are submitting applications for the review or adjustment of lists of wastes in Annexes VIII and IX, to state whether the applications are a formal proposal for amendment of the Annexes to the Basel Convention in accordance with article 17 and 18 of the Convention;
3. Adopts the following amendments to Annexes VIII and IX of the Basel Convention:
 - (a) Entry B2060 in Annex IX: Replace the existing wording by: “Spent activated carbon not containing any Annex I constituents to an extent they exhibit Annex III characteristics, for example, carbon resulting from the treatment of potable water and processes of the food industry and vitamin production (note the related entry on list A, A4160”;
 - (b) New entry B1250 in Annex IX: “Waste end-of-life motor vehicles, containing neither liquids nor other hazardous components”;
 - (c) Entry B1010 in Annex IX: Insert “chromium scrap” as a new bullet point;
 - (d) New entry B3035 in Annex IX: “Waste textile floor coverings, carpets”;
 - (e) New entry B1031 in Annex IX: “Molybdenum, tungsten, titanium, tantalum, niobium and rhenium metal and metal alloy wastes in metallic dispersible form (metal powder), excluding such wastes as specified in list A under entry A1050, Galvanic sludges”;

- (f) New entry A3200 in Annex VIII: “Bituminous material (asphalt waste) from road construction and maintenance, containing tar (note the related entry on list B, B2130)”;
- (g) New entry B2130 in Annex IX: “Bituminous material (asphalt waste) from road construction and maintenance, not containing tar” (note the related entry on list A, A3200);
- (h) New entry B3065 in Annex IX “Waste edible fats and oils of animal or vegetable origin (e.g, frying oils), provided they do not exhibit an Annex III characteristic”;
- (i) Entry B3010 in Annex IX: Replace the existing wording in entry B3010:

“- Perfluoroalkoxy alkane (PFA)
“- Perfluoroalkoxy alkane (MFA)”

With the following new wording:

“- Perfluoro alkoxyl alkane

Tetrafluoroethylene/per fluoro vinyl ether (PFA)
Tetrafluoroethylene/per fluoro methyl vinyl ether (MFA)”

4. Notes that the applications submitted by India concerning the classification of PVC-coated cable scrap will be placed on the agenda of the Open-ended Working Group;

5. Request the Open-ended Working Group to consider issues related to the official translation of the lists of wastes contained in the Annexes to the Basel Convention and to provide guidance as appropriate.

Appendix

PROCEDURE FOR THE REVIEW OR ADJUSTMENT OF LISTS OF WASTES CONTAINED IN ANNEXES VII AND IX OF THE BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL

1. Applications

- (a) Applications must be submitted to the secretariat using the form below. Any Party, observer State non-governmental organization, private company or individual has the right to fill out the application form with the proposed placement of wastes under Annex VIII or Annex IX, or with a proposal for removing wastes from Annex VIII, Annex IX or working list C. Any application submitted to the secretariat shall be by or through a Party or observer state.
- (b) A Party submitting an application shall clearly state whether or not the application is formal proposal for amendment to the annexes to the Basel Convention in accordance with articles 17 and 18 of the Convention.,
- (c) Competent authorities and focal points are requested to make available any information in addition to the form to all focal points of the Basel Convention and to advise the secretariat that this has been done. If a competent authority of focal point is unable to make available any annexes or attachments to all focal points of the Basel Convention, it may request the secretariat to undertake that function.

2. Procedure for transmission of the form

- (a) The applicant must present the application form with any additional information to a national authority for the Basel Convention.
- (b) The competent authority and/or focal point should consider the application form with any additional information and only forward it to the secretariat of the Basel Convention if it is properly completed and is the completed application provides sufficient information for the Open-ended Working Group to reach a decision.
- (c) The Open-ended Working Group will consider the application at its following meeting, provided it is received by the secretariat within the time frame stipulated in paragraph 3 (a) below.

3. Time frame for application.

- (a) The application form for placement or removal of wastes has to be submitted to the secretariat of the Bael Convention at least three months prior to the meeting of the Open-ended Working Group. Any information in addition to the form should also be submitted within that time frame.

- (b) In exceptional circumstance, a Party may submit the application form for placement or removal of wastes two months before the meeting of the Open-ended Working Group, if such proposal(s) cannot be sent to the secretariat within the three-month deadline. The Open-ended Working Group will endeavour to consider such application(s) at its following meeting.

4. Procedure before consideration in the Open-ended Working Group.

- (a) After receiving an application, the secretariat will place the application on the internet web site of the Basel Convention within 30 days (www.basel.int).
- (b) The secretariat will send an e-mail to all focal points announcing that the application is available. Those parties which have no access to Internet or e-mail facilities will be sent the application by mail or facsimile.
- (c) The secretariat will invite the Parties to comment on the application within 20 days directly to the applicant (by mail, facsimile or e-mail).
- (d) The Applicant will make, as necessary, an addendum to the application containing answers to the questions within 20 days.
- (e) The secretariat will make the addendum available to the Parties at least 20 days before the meeting.
- (f) In the exceptional cases mentioned in paragraph 3 (b) above, the time frames stipulated in paragraphs 4 (a) and (d) above are reduced to 10 days.

5. Action by the Open-ended Working Group.

- (a) The Open-ended Working Group will consider and review the applications for placement or removal of wastes in Annexes VIII and IX,. The applications must be based on sound scientific assessment in accordance with article 1, paragraph 1 (a), of the Basel Convention.
- (b) The Open-ended Working Group should arrive at a decision by consensus.
- (c) The decisions of the Open-ended Working Group on the placement or removal of wastes on lists contained in Annexes VIII and IX shall be transmitted in a report of the Open-ended Working Group through the secretariat to the following meeting of the Conference of the Parties. In cases where no formal proposal for amendment to the Annexes to the Basel convention has been made by a Party when submitting an application, the Open-ended Working Group should invite other Parties to submit such a formal proposal to the Conference of the Parties in accordance with articles 17 and 18 of the Convention.

6. Effective review procedure.

Costs of review should be kept to a minimum. Restricting the summary of cases to eight additional pages would help save costs, although a Party wishing to provide more information could do so at their own cost.

7. Reporting

The secretariat of the Basel Convention should provide a report to Parties on the status of lists of wastes in Annexes VII and IX of the Basel Convention on a regular basis, and when changes have entered into force.

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

A. WASTE IDENTIFICATION

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

1. Name of the waste: _____
2. Origin of the waste: _____
3. Physical form: _____
4. Major constituents: _____
5. Typical contaminants: _____

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

7. Enter all relevant Y numbers

8. Hazardous characteristics

<input type="checkbox"/> H1	<input type="checkbox"/> H4.3	<input type="checkbox"/> H6.2	<input type="checkbox"/> H12
<input type="checkbox"/> H3	<input type="checkbox"/> H5.1	<input type="checkbox"/> H8	<input type="checkbox"/> H13
<input type="checkbox"/> H4.1	<input type="checkbox"/> H5.2	<input type="checkbox"/> H10	
<input type="checkbox"/> H4.2	<input type="checkbox"/> H6.1	<input type="checkbox"/> H11	

B. PROPOSED PLACEMENT

PROPOSED REMOVAL

List A of Annex VIII	<input type="checkbox"/>	From list A of Annex III	<input type="checkbox"/>
List B of Annex IX	<input type="checkbox"/>	From list B of Annex IX	<input type="checkbox"/>

C. NATIONAL DEFINITION

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

Yes No

D. COMMERCIAL CLASSIFICATION

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

Yes No

SUMMARY OF REASONS FOR PROPOSED PLACEMENT

NB: a detailed case study (no more than eight additional pages) should be attached, taking into consideration the category (ies) in Annex I to the Basel Convention under which the waste falls and with evidence demonstrating that the waste does nor does not exhibit any of the hazardous characteristics in Annex III to the Convention (guidance documented to be drafted) . Additional material may be submitted in the form of annexes or attachments. All such annexes or attachments must be listed in the application form, together with instruments on how to obtain the documents.

E. NAME OF APPLICANT

Name: _____
Address: _____
Tel: _____
Fax: _____
E-mail: _____

Party	<input type="checkbox"/>
Observer State	<input type="checkbox"/>
NGO	<input type="checkbox"/>
Company	<input type="checkbox"/>
Individual	<input type="checkbox"/>

(Signature)

(Stamp)

F. AUTHORITY TRANSMITTING APPLICATION

Name: _____
Address: _____

Tel: _____
Fax: _____
E-mail: _____

(Signature)

(Stamp)

Date of transmission: _____

This application form may include up to 8 additional pages.

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978-1-5286-4738-0