



(7) Request for comments on the definitions and explanations of certain terms and on the options for further steps towards the consistent interpretation of terminology

Reference: OEWG-9/8: Providing further legal clarity

Background:

At its ninth meeting, the OEWG welcomed the work undertaken by the SIWG on legal clarity. Following its consideration of the glossary of terms set out in annex I to document UNEP/CHW/OEWG.9/INF/20, the Working Group agreed that the following 16 terms that should be defined:

- Direct reuse
- Disposal
- Final disposal
- Hazardousness
- Hazardous waste
- Intent to dispose
- Non-hazardous wastes
- Non-waste
- Prevention
- Recovery
- Recycling
- Reduction
- Refurbishment
- Repair
- Reuse and wastes

The Working Group also agreed that the following 9 terms should be part of explanations of the definitions:

- By-product
- Charitable donation
- End of waste status
- Fully functional
- Good/product
- Preparing waste for reuse
- Upgrading
- Use
- Used good/product

Requests:

Parties are invited to submit comments on the definitions and explanations, set out in annex II to document UNEP/CHW/OEWG.9/INF/20, of the above mentioned terms, and on the options for further steps towards the consistent interpretation of terminology, including possible voluntary and legally binding options, set out in annex III to document UNEP/CHW/OEWG.9/INF/20 by 31 October 2014.

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Argentina comments:



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Argentina participates in the SIWG and agrees with the way the SIWG developed the wording and structure of the outcome document UNEP/CHW/OEWG.9/INF/20 developed in the face-to-face meeting held in Montreux, Switzerland, in June 2014: Annex I "Glossary of Terms" and its sections I "Introduction", section II "Explanations" and section III "Definitions". The explanatory section is extremely important because it is complementary to the glossary of terms and relate to each other. Without this introduction would be very cumbersome and difficult to understand every term in the glossary in isolation.

We recognize that each result can be improved and we are willing to go beyond in the framework of the SIWG. However, it is inappropriate for us to separate terms from the glossary and include them in the explanations of the definitions. As each dictionary has definitions-but also explanatory and examples that make them most deserving and understandable-, we suggest that each term must be part of the glossary and any necessary further explanation be part of the special section. Each term, but some more than others, are extremely relevant to the current status of the Convention and will be more important in the coming years, especially those related to the circular economy, sustainable production and consumption, the principle of cradle to the cradle and the Strategic Framework for the implementation of the Basel Convention 2012-2021 such as life-cycle approach, extended producer responsibility, sustainable use of resources and the hierarchy of waste management, among others.

Regarding Annex III and options, Argentina prefers the legally binding option. Like Annexes VIII and IX of the Basel Convention are reviewed and updated periodically, Annexes III and IV of the Basel Convention should be updated with the activities, disposal operations, which now apply to various waste streams that not were relevant 20 years ago or more. For the development and adoption of Annexes III and IV of the Basel Convention, studies and technical and scientific documents were taken into account with 25 years of age and 30 inclusive. In addition, since the adoption of the text of the Basel Convention, these annexes have been never revised or amended. The modification of the aforementioned Annexes will allow a better waste classification and qualification by the Competent Authorities of the activities associated with the management of hazardous waste.