



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

Geneva, 1–3 September 2020 and Nairobi, 4–6 April 2022

**Report of the Open-ended Working Group of the Basel
Convention on the Control of Transboundary Movements of
Hazardous Wastes and Their Disposal on the work of its twelfth
meeting (face-to-face segment, 4–6 April 2022)¹**

Introduction

1. Owing to the ongoing coronavirus disease (COVID-19) pandemic, it was not possible to convene 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 in Geneva from 22 to 25 June 2020, as had originally been planned. Instead, the Bureau of the Open-ended Working Group agreed that, as an exceptional measure, the meeting would be held in two segments – an online segment and a face-to-face segment. The online segment was held from 1 to 3 September 2020. The face-to-face segment, conducted in a format enabling both in-person and online participation, was held from 4 to 6 April 2022. Comprising discussions in both plenary and contact group settings, it focused on a set of prioritized agenda items in preparation for the resumed fifteenth meeting of the Conference of the Parties, to be held in Geneva from 6 to 17 June 2022.

I. Opening of the meeting

2. The twelfth meeting of the Open-ended Working Group resumed at 10.15 a.m.² on Monday, 4 April 2022, with Ms. Stina Andersson (Sweden), Co-Chair of the Working Group, delivering introductory remarks. Speaking also on behalf of her Co-Chair, Ms. Gillian Guthrie (Jamaica), who was participating online, Ms. Andersson welcomed participants and said that, while the road to the resumed twelfth meeting had been long, Parties and observers had remained committed and steadfast in their efforts to ensure that the work of the Convention continued. Their resolve and resilience would carry them through the negotiations at the current segment as they prepared for the resumed fifteenth meeting of the Conference of the Parties, including in relation to critical matters that would require close cooperation and collaboration.

3. Mr. Rolph Payet, Executive Secretary of the Basel Convention, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade and the Stockholm Convention on Persistent Organic Pollutants, delivered an opening statement. Welcoming participants, he said that it was wonderful to see colleagues and friends in

¹ It was agreed that the report of the Open-ended Working Group on the work of its twelfth meeting would be prepared in two parts, the first part covering the proceedings of the online segment of the meeting held from 1 to 3 September 2020, and a second part covering the face-to-face segment. The report of the online segment is set out in document UNEP/CHW/OEWG.12/16.

² All time references are to Nairobi time (UTC + 3).

person again, although it was necessary to remain prudent and continue to apply pandemic-related hygiene and safety measures. Thanking the Governments of Denmark, Finland, Norway and Switzerland for providing funding to support the travel of eligible participants to the meeting, he expressed his appreciation to the Bureau members and to all those who had contributed their valuable time to further the work of the Convention. Noting that the very full agenda before the Working Group was designed to pave the way for the desired outcomes at the resumed fifteenth meeting of the Conference of the Parties, he wished participants a successful meeting.

4. Following Mr. Payet's remarks, representatives speaking on behalf of groups of countries made general statements.

II. Organizational matters

A. Attendance

5. The meeting was attended by representatives of the following Parties to the Convention: Albania, Algeria, Angola, Antigua and Barbuda, Argentina, Australia, Bahrain, Belgium, Bosnia and Herzegovina, Brazil, Burkina Faso, Cabo Verde, Cambodia, Canada, Chile, China, Colombia, Congo, Côte d'Ivoire, Czechia, Democratic Republic of the Congo, Denmark, Dominican Republic, Ecuador, Estonia, Eswatini, Ethiopia, European Union, Finland, France, Gambia, Georgia, Germany, Ghana, Guatemala, Guinea, Guinea-Bissau, Indonesia, Iran (Islamic Republic of), Ireland, Israel, Jamaica, Japan, Kenya, Lesotho, Liberia, Malaysia, Maldives, Mali, Malta, Mauritania, Mexico, Montenegro, Morocco, Mozambique, Nepal, Netherlands, New Zealand, Nicaragua, Niger, Nigeria, Norway, Oman, Pakistan, Panama, Philippines, Poland, Portugal, Republic of Korea, Russian Federation, Rwanda, Saint Lucia, Serbia, Singapore, Slovakia, Slovenia, South Africa, Spain, State of Palestine, Sweden, Switzerland, Thailand, Togo, Trinidad and Tobago, Tunisia, Uganda, Ukraine, United Arab Emirates, United Kingdom of Great Britain and Northern Ireland, Uruguay, Uzbekistan, Yemen, Zambia, Zimbabwe.

6. The meeting was attended by representatives of the following non-Party State: United States of America.

7. The following United Nations specialized agencies and other intergovernmental bodies were represented as observers: International Telecommunication Union (ITU), Minamata Convention on Mercury, Secretariat for the 10-year Framework of Programmes on Sustainable Consumption and Production (10YFP), United Nations Environment Programme (UNEP), United Nations Institute for Training and Research (UNITAR).

8. The meeting was also attended by representatives of the following Basel Convention regional and coordinating centres: Basel Convention Coordinating Centre for Training and Technology Transfer for the African Region (BCCC-Africa), Basel Convention Regional Centre for Training and Technology Transfer for the South American Region (BCRC-Argentina), Basel Convention Regional Centre for Training and Technology Transfer for the Caribbean Region (BCRC-Caribbean), Basel Convention Regional Centre for Training and Technology Transfer for Asia and the Pacific (BCRC-China)/Stockholm Convention Regional Centre for Capacity-Building and the Transfer of Technology (SCRC-China), Basel Convention Regional Centre for Training and Technology Transfer for Arab States (BCRC-Egypt), Basel Convention Regional Centre for Training and Technology Transfer for French-speaking Countries in Africa (BCRC-Senegal)/Stockholm Convention Regional Centre for Capacity-Building and the Transfer of Technology (SCRC-Senegal), Basel Convention Regional Centre for Training and Technology Transfer for Central Europe (BCRC-Slovakia), Basel Convention Regional Centre for Training and Technology Transfer for the English-Speaking African countries (BCRC-South Africa)/Stockholm Convention Regional Centre for Capacity-Building and the Transfer of Technology (SCRC-South Africa), Basel Convention Regional Centre for Training and Technology Transfer (BCRC-Russian Federation).

9. A number of non-governmental organizations were represented as observers. Observers from business and industry and academia were also represented. The names of those observers are included in the list of participants (UNEP/CHW/OEWG.12/INF/39).

B. Officers

10. The following members of the Bureau of the Open-ended Working Group elected by the Conference of the Parties to the Basel Convention at its fourteenth meeting served during the face-to-face segment of the twelfth meeting of the Working Group:

- Co-Chairs: Ms. Gillian Guthrie (Jamaica) (legal)
 Ms. Stina Andersson (Sweden) (technical)
- Vice-Chairs: Ms. Kristine Vardanashvili (Georgia) (legal)
 Mr. Zaigham Abbas (Pakistan) (technical)
- Rapporteur: Mr. Mduduzi Dlamini, replacing Ms. Hlobisile Sikhosana (Eswatini)

C. Organization of work

11. The representative of the Secretariat drew attention to the annotations to the provisional agenda (UNEP/CHW/OEWG.12/1/Add.1/Rev.2), the scenario note (UNEP/CHW/OEWG.12/INF/1/Rev.2) and the tentative schedule for the meeting (UNEP/CHW/OEWG.12/INF/2/Rev.2), which had been revised to reflect the organization of the face-to-face segment. She also drew attention to the compilation of actions proposed for consideration during the resumed meeting (UNEP/CHW/OEWG.12/17), which outlined the agenda items prioritized for consideration by the working group. The document had been developed in consultation with the Co-Chairs and approved by the Bureau.
12. The Open-ended Working Group agreed to conduct the meeting in accordance with the tentative schedule and to follow the approach outlined in the scenario note.

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

A. Strategic issues

1. Strategic framework

13. Introducing the sub-item, the representative of the Secretariat recalled that, during the online segment of its twelfth meeting, the Open-ended Working Group had considered document UNEP/CHW/OEWG.12/2. During that segment, it had agreed to invite Parties and observers to submit to the Secretariat, by 30 September 2020, comments on the draft report on the final evaluation of the strategic framework for the implementation of the Basel Convention for 2012–2021, prepared by the Secretariat in consultation with the small intersessional working group. The latter group had been invited to take into account the comments received when revising its draft report for submission to the Conference of the Parties at its fifteenth meeting. Those comments had been made available on the Convention website.

14. The Secretariat, in consultation with the small intersessional working group, had subsequently finalized the report on the final evaluation of the strategic framework and had invited Parties and observers to provide, by an original deadline of 17 March 2021 that had subsequently been extended to 1 December 2021, comments on the report and views on whether a future strategic framework and/or an effectiveness evaluation pursuant to paragraph 7 of Article 15 of the Convention should be developed. The comments received were contained in document UNEP/CHW/OEWG.12/INF/36. The final report on the final evaluation of the strategic framework was set out in the annex to document UNEP/CHW/OEWG.12/INF/4/Rev.1.

15. In the ensuing discussion, many representatives, including one speaking on behalf of a group of countries, welcomed the report on the final evaluation of the strategic framework and expressed their desire to engage in further discussions, during the current meeting, on its findings and on the next steps with regard to the potential development of a new strategic framework or effectiveness evaluation. Several representatives expressed agreement with some of the recommendations in the report, and a number of representatives, including one speaking on behalf of a group of countries, supported their reflection, where possible, in the draft decisions for consideration by the Conference of the Parties at its resumed fifteenth meeting.

16. One representative said that in his view the strategic framework did not contain enough key performance indicators, and that for future work it was important to develop indicators in relation not only to results but also to processes, including data collection. Another representative proposed that, on the basis of the report, the Working Group should engage in discussions on how to improve data quality and the centralization of information. A number of representatives, one of them speaking on behalf of a group of countries, mentioned the need to improve the process whereby Parties handled the prior informed consent procedure described in Article 6 of the Convention. One of the representatives

proposed the creation of an electronic procedure. Two representatives highlighted the need to increase training and technical assistance activities for developing countries, with one of them insisting that proper and robust indicators should be developed for evaluating the provision of adequate financing, technical assistance and technology transfer to developing countries to enable them to implement the Convention. One representative welcomed the recommendation related to building capacity for the development of national inventories.

17. Several representatives referred to the recommendation relating to a review of the extent to which Parties had incorporated the provisions of the Convention into national legislation. One representative expressed support for the approach, saying that the further development of national legislation would enable developing countries to access more resources for implementation of the Convention. Other representatives cautioned that any action related to national legislation should remain firmly country-led. A representative speaking on behalf of a group of countries proposed a staged approach, whereby focus was first placed on countries known to lack adequate legislation, instead of a review of the legislation of all Parties, which would be an inordinately large task. Another representative expressed reservations about the recommendation, proposing that the legally binding nature of such an activity be examined, along with its alignment with the rest of the framework of the Convention. The representative speaking on behalf of a group of countries highlighted the need to address the insufficient progress observed in relation to national reporting and to ensure greater dissemination and use of technical guidelines.

18. While one representative advocated the development of a concrete mechanism to assess the extent to which the objectives of the Convention were being met, the representative speaking on behalf of a group of countries, acknowledging the heavy workload arising from the ongoing implementation of the Convention, was not in favour of recommending that the Conference of the Parties start developing a future strategic framework and/or effectiveness evaluation during its resumed fifteenth meeting. He said that the issue should be discussed at a future meeting, and that the priority for the resumed fifteenth meeting should be to decide on concrete actions to follow up on the conclusions and recommendations contained in the report.

19. The Working Group agreed to establish a contact group on strategic matters, co-chaired by Mr. Ole Thomas Thommesen (Norway) and Ms. Keima Gardiner (Trinidad and Tobago), to further consider, in the light of the report on the final evaluation of the strategic framework contained in document UNEP/CHW/OEWG.12/INF/4/Rev.1 and the compilation of comments received on the report on the final evaluation of the strategic framework contained in document UNEP/CHW/OEWG.12/INF/36, whether to develop a future strategic framework and/or effectiveness evaluation under the Convention.

20. Subsequently, reporting on the deliberations of the contact group, Ms. Gardiner said that, during discussions on the implementation of the recommendations in the final evaluation report, the Secretariat had explained that the recommendations of relevance to specific items on the agenda of the fifteenth meeting of the Conference of the Parties had been taken up in the related meeting documentation and, where applicable, in related draft decisions for consideration by the Conference of the Parties. The contact group members had agreed that a strategic framework for the Convention was essential, as it provided both a common vision of what the Convention should achieve and a tool for measuring progress in doing so. Several Parties had supported the idea of enhancing the existing framework – for example, by adding a new objective or revising some of the indicators – rather than developing a new framework, which would be time-consuming.

21. A variety of views had been expressed on whether a decision on the next steps concerning the future strategic framework should be taken at the resumed fifteenth meeting of the Conference of the Parties, given the current workload under the Convention. The duration of a future framework had also been debated, and specifically the question of whether the framework should cover a 10-year period or a shorter one. Possible modalities for the development of a future framework had also been discussed. One representative had suggested that a possible outcome of the discussions at the resumed fifteenth meeting of the Conference of the Parties could be the establishment of an expert working group, a small intersessional working group or another group tasked with developing a way forward.

22. The Working Group agreed that the discussions under the sub-item would be reflected in the report of the meeting and would subsequently be reported to the Conference of the Parties for consideration at its resumed fifteenth meeting. It also agreed to invite Parties and observers to submit to the Secretariat, by 13 May 2022, views on whether a future strategic framework and/or effectiveness evaluation should be developed. The responses received would be also made available to the Conference of the Parties for consideration at its resumed fifteenth meeting.

2. Development of guidelines for environmentally sound management

23. Introducing the sub-item, the representative of the Secretariat recalled that, during the online segment of its twelfth meeting, the Open-ended Working Group had considered document UNEP/CHW/OEWG.12/3. At that segment, it had agreed to invite Parties and observers to submit to the Secretariat, by 30 October 2020, comments on the revised draft practical manual for stakeholders to ensure that notifications of transboundary movements met environmentally sound management requirements, and to invite the Secretariat to prepare a further revised version of the draft practical manual for submission to the Conference of the Parties at its fifteenth meeting. The comments received had been made available on the Convention website.

24. Following the online segment of its fifteenth meeting, the Conference of the Parties had invited Parties and observers to submit comments on the revised draft practical manual by 15 October 2021. The comments received had been made available on the Convention website. The further revised draft practical manual for stakeholders was set out in the annex to document UNEP/CHW/OEWG.12/INF/5/Rev.1.

25. In the ensuing discussion, one representative said that some of the comments provided by her Government had not been included in the revised draft practical manual and she would welcome the opportunity to make additional contributions. Two representatives, including one speaking on behalf of a group of countries, spoke in favour of informal consultations to permit those additional comments to be taken into account. The representative speaking on behalf of a group of countries said that the group was of the view that the revised draft practical manual was ripe for adoption and that the Working Group should recommend that the Conference of the Parties adopt it at its resumed fifteenth meeting. Furthermore, the manual should be integrated into the set of practical manuals adopted at the thirteenth meeting of the Conference of the Parties to complete the environmentally sound management toolkit (ESM toolkit).

26. The Working Group entrusted the Secretariat with the preparation, in consultation with interested Parties, of a final version of the revised draft practical manual for stakeholders to ensure that notifications of transboundary movements met environmentally sound management requirements.

27. Subsequently, the Co-Chair introduced a conference room paper, prepared by the Secretariat in consultation with interested Parties, containing a further revised version of the draft practical manual for stakeholders to ensure that notifications of transboundary movements met environmentally sound management requirements.

28. The Working Group agreed to recommend to the Conference of the Parties at its resumed fifteenth meeting that it consider adopting the practical manual for stakeholders to ensure that notifications of transboundary movements meet environmentally sound management requirements as set out in UNEP/CHW/OEWG.12/INF/5/Rev.2.

B. Scientific and technical matters

1. Technical guidelines

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

29. Introducing the sub-item, the representative of the Secretariat drew attention to a note by the Secretariat on technical guidelines (UNEP/CHW/OEWG.12/4). Three sets of draft updated technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants were presented, for consideration by the Parties, in three notes by the Secretariat on 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/Rev.1); on technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with perfluorooctane sulfonic acid (PFOS), its salts and perfluorooctane sulfonyl fluoride (PFOSF) and perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds (UNEP/CHW/OEWG.12/INF/8/Rev.1); and on 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, its salts and perfluorooctane sulfonyl fluoride, technical endosulfan and its related isomers or toxaphene or with hexachlorobenzene as an industrial chemical (UNEP/CHW/OEWG.12/INF/9/Rev.1). Apart from the cover notes, the content of the documents was

identical to the guidelines presented to the Conference of the Parties during the online segment of its fifteenth meeting. The three sets of updated technical guidelines were set out in annexes to the aforementioned notes by the Secretariat.

30. The representative of the European Union and its member States introduced three conference room papers containing, respectively, proposed revisions to the three sets of technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with persistent organic pollutants.

31. The Working Group agreed to establish a contact group on technical matters, to be co-chaired by Mr. Sam Adu-Kumi (Ghana) and Mr. Patrick McKell (United Kingdom of Great Britain and Northern Ireland), with the support of Mr. Timo Seppälä (Finland) and Mr. Roberto Scazzola (European Commission). The contact group would consider the draft updated technical guidelines contained in the notes by the Secretariat (UNEP/CHW/OEWG.12/INF/7/Rev.1, UNEP/CHW/OEWG.12/INF/8/Rev.1 and UNEP/CHW/OEWG.12/INF/9/Rev.1), the proposed revisions to those documents in the conference room papers put forward by the European Union and its member States, and the comments on the matter made available on the Convention website.

32. Subsequently, the Co-Chair introduced three conference room papers submitted by the contact group, setting out revised versions of the three aforementioned technical guidelines.

33. The Working Group agreed to recommend to the Conference of the Parties at its resumed fifteenth meeting that it consider using as the basis for its work the versions of the technical guidelines reflecting the outcomes of the current meeting, as set out in documents UNEP/CHW/OEWG.12/INF/7/Rev.2, UNEP/CHW/OEWG.12/INF/8/Rev.2 and UNEP/CHW/OEWG.12/INF/9/Rev.2. In addition, the Secretariat, a consultant engaged to update the guidelines, and a small intersessional working group would continue to work intersessionally on the guidelines, taking into account new information presented by Parties and observers at the current meeting.

(b) Technical guidelines on incineration on land and on specially engineered landfill

34. Introducing the sub-item, the representative of the Secretariat drew attention to notes by the Secretariat on technical guidelines (UNEP/CHW/OEWG.12/4), on technical guidelines on the environmentally sound incineration of hazardous wastes and other wastes as covered by disposal operations D10 and R1 (UNEP/CHW/OEWG.12/INF/11/Rev.1) and on technical guidelines on the environmentally sound disposal of hazardous wastes and other wastes in specially engineered landfill (D5) (UNEP/CHW/OEWG.12/INF/12/Rev.1). The Secretariat had updated the guidelines, taking into account comments received from Parties and observers, as requested by the Conference of the Parties during the online segment of its fifteenth meeting. The two sets of updated technical guidelines were set out in annexes to the aforementioned information documents.

35. The representative of Canada introduced a conference room paper, submitted by Argentina and Canada, containing, in an annex, proposed revisions to the technical guidelines on the environmentally sound disposal of hazardous wastes and other wastes in specially engineered landfill (D5). She also introduced a conference room paper, submitted by Canada and Japan, containing, in an annex, proposed revisions to the technical guidelines on the environmentally sound incineration of hazardous wastes and other wastes as covered by disposal operations D10 and R1.

36. The Working Group decided to request the contact group on technical matters to consider the matter further, taking into account the updated technical guidelines contained in the notes by the Secretariat (UNEP/CHW/OEWG.12/INF/11/Rev.1 and UNEP/CHW/OEWG.12/INF/12/Rev.1); the proposed revisions to those documents in the conference room papers put forward, respectively, by Canada and Japan and by Argentina and Canada; and the comments on the matter made available on the Convention website.

37. Subsequently, the Co-Chair introduced two conference room papers, submitted by the contact group, setting out revised versions of the aforementioned sets of technical guidelines.

38. The Working Group agreed to recommend to the Conference of the Parties at its resumed fifteenth meeting that it consider adopting the technical guidelines on the environmentally sound incineration of hazardous wastes and other wastes as covered by disposal operations D10 and R1, as set out in document UNEP/CHW/OEWG.12/INF/11/Rev.2. It also agreed to recommend to the Conference of the Parties at its resumed fifteenth meeting that the latter consider using as the basis for its work the version of the technical guidelines on the environmentally sound disposal of hazardous wastes and other wastes in specially engineered landfill (D5), as set out in document UNEP/CHW/OEWG.12/INF/12/Rev.2.

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

39. Introducing the sub-item, the representative of the Secretariat drew attention to a note by the Secretariat on technical guidelines (UNEP/CHW/OEWG.12/4) and to a note by the Secretariat on draft updated technical guidelines on the identification and environmentally sound management of plastic wastes and for their disposal (UNEP/CHW/OEWG.12/INF/14/Rev.1). The technical guidelines had been updated by the small intersessional working group on plastic wastes, taking into account the comments of Parties and observers, and were set out in an annex to the information note.

40. The representative of the European Union and its member States introduced a conference room paper containing, in an annex, proposed revisions to the draft updated technical guidelines on the identification and environmentally sound management of plastic wastes and for their disposal.

41. The Working Group decided to request the contact group on technical matters to consider the matter further, taking into account the updated technical guidelines contained in document UNEP/CHW/OEWG.12/INF/14/Rev.1 and the proposed revisions to that document in the conference room paper put forward by the European Union and its member States.

42. Subsequently, the Co-Chair introduced a conference room paper, submitted by the contact group, on technical guidelines on the identification and environmentally sound management of plastic wastes and for their disposal.

43. The Working Group agreed to recommend to the Conference of the Parties at its resumed fifteenth meeting that it consider using as the basis for its work the version of the technical guidelines on the identification and environmentally sound management of plastic wastes and for their disposal set out in document UNEP/CHW/OEWG.12/INF/14/Rev.2. It also agreed that Parties and observers be invited to submit comments to the Secretariat on the technical guidelines on the identification and environmentally sound management of plastic wastes and for their disposal, as set out in document UNEP/CHW/OEWG.12/INF/14/Rev.2, by 28 April 2022, and that the Secretariat make those comments available for possible consideration by the Conference of the Parties at its resumed fifteenth meeting.

(d) Technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with mercury or mercury compounds

44. Introducing the sub-item, the representative of the Secretariat drew attention to notes by the Secretariat on technical guidelines (UNEP/CHW/OEWG.12/4) and on the 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/Rev.1). Those guidelines had been updated by the lead country, Japan, in consultation with the small intersessional working group on mercury wastes, taking into account comments received from Parties and observers, following the online segment of the twelfth meeting of the Working Group, and were set out in an annex to the information note.

45. The representative of Japan introduced a conference room paper containing, in an annex, proposed revisions to the technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with mercury or mercury compounds, made in response to comments received from Parties and observers following the online segment of the fifteenth meeting of the Conference of the Parties.

46. The representative of the secretariat of the Minamata Convention on Mercury recalled that the Minamata Convention, by its article 11, required parties to manage mercury waste in an environmentally sound manner, taking into account the guidelines developed under the Basel Convention. He summarized the work done by the parties to the Minamata Convention at the third and fourth meetings of the Conference of the Parties to the Convention to define thresholds for mercury wastes, defined as substances or objects (a) consisting of mercury or mercury compounds; (b) containing mercury or mercury compounds; or (c) contaminated with mercury or mercury compounds, in a quantity above the relevant thresholds defined by the Conference of the Parties. Decision MC-3/5 had established thresholds for categories (a) and (b). With regard to category (c) waste thresholds, the Conference of the Parties had not agreed on a threshold and, at its fourth meeting, had requested an expert group to undertake further work, with the goal of facilitating a decision by the Conference of the Parties to the Minamata Convention at its fifth meeting, to be held in 2023. The Conference of the Parties had also decided, at its fourth meeting, that no threshold need be established for tailings from artisanal and small-scale gold mining in which mercury amalgam was used, and that all tailings from such mining should be managed in an environmentally sound manner pursuant to article 7 of the Convention. It had defined two-tier thresholds above which tailings from

mining other than primary mercury mining were not excluded from the definition of mercury waste. The Conference of the Parties had requested the secretariat of the Minamata Convention to transmit its decision to the appropriate bodies of the Basel Convention and to invite them to take the decision into account in its consideration of the environmentally sound management of wastes consisting of, containing or contaminated with mercury or mercury compounds.

47. The Working Group decided to request the contact group on technical matters to consider the matter further, taking into account the updated technical guidelines contained in the note by the Secretariat (UNEP/CHW/OEWG.12/INF/13/Rev.1), the proposed revisions of that document in the conference room paper introduced by Japan, and the comments on the matter made available on the Convention website.

48. Subsequently, the Co-Chair introduced a conference room paper, submitted by the contact group, on technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with mercury or mercury compounds.

49. The Working Group agreed to recommend to the Conference of the Parties at its resumed fifteenth meeting that it consider adopting the technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with mercury or mercury compounds as set out in document UNEP/CHW/OEWG.12/INF/13/Rev.2.

(e) **Consideration of whether to update the technical guidelines for the environmentally sound management of waste lead-acid batteries**

50. Introducing the sub-item, the representative of the Secretariat drew attention to a note by the Secretariat on technical guidelines (UNEP/CHW/OEWG.12/4).

51. In the ensuing discussion, there was general consensus on the need to update the technical guidelines for the environmentally sound management of waste lead-acid batteries. One representative, speaking on behalf of a group of countries, said that the Conference of the Parties, at its resumed fifteenth meeting, should initiate the process, and should also consider expanding the scope of the guidelines to address the rapid expansion of the use of other types of batteries, for which guidance on environmentally sound management was needed. Another representative said that the guidelines needed to reflect best practices and recent technological advances, though more time was needed to determine whether new types of batteries should be included in the existing guidelines or merited a separate set of guidelines. Another representative said that the guidelines should focus on lead-acid batteries and that a separate guideline on lithium batteries could be developed later if needed. The representative of Uruguay announced her country's willingness to take the lead in updating the guidelines.

52. The Working Group agreed that the discussions under the agenda item would be reflected in the report of the meeting and would subsequently be reported to the Conference of the Parties for its consideration at its resumed fifteenth meeting.

2. National reporting

53. Introducing the sub-item, the representative of the Secretariat drew attention to a note by the Secretariat on draft practical guidance for the development of inventories of priority waste streams (UNEP/CHW/OEWG.12/5), and to notes by the Secretariat presenting draft practical guidance on the development of inventories of plastic waste (UNEP/CHW/OEWG.12/INF/15/Rev.1), the development of an inventory of obsolete pesticides and pesticide-container waste (UNEP/CHW/OEWG.12/INF/16/Rev.1), and the development of inventories of waste batteries containing lithium (UNEP/CHW/OEWG.12/INF/17/Rev.1). The guidance had been updated by the Secretariat, taking into account comments received from parties and observers, as requested by the Working Group during the online segment of its twelfth meeting. The latest drafts of the practical guidance were set out in the annexes to the notes by the Secretariat.

54. In the ensuing discussion, one representative, speaking on behalf of a group of countries, welcomed the draft practical guidance on the development of inventories for plastic waste, obsolete pesticides and pesticide-container waste, and waste batteries containing lithium, and suggested that further comments be sought from parties and others for submission to and consideration by the Conference of the Parties at its resumed fifteenth meeting. Another representative said that it could be worthwhile to allocate time at the current meeting to further discussion of the documents, particularly their scope, before their submission to the Conference of the Parties.

55. The Working Group decided to request the contact group on technical matters to consider the matter further, taking into account the draft practical guidance contained in the notes by the Secretariat (UNEP/CHW/OEWG.12/INF/15/Rev.1, UNEP/CHW/OEWG.12/INF/16/Rev.1 and UNEP/CHW/OEWG.12/INF/17/Rev.1) and the comments on the matter made available on the Convention website.

56. Subsequently, the Co-Chair introduced three conference room papers, submitted by the contact group, presenting draft practical guidance on, respectively, the development of inventories of plastic waste; the development of an inventory of obsolete pesticides and pesticide-container waste; and the development of inventories of waste batteries containing lithium.

57. The Working Group agreed to recommend to the Conference of the Parties at its resumed fifteenth meeting that it consider using as the basis for its work the versions of the draft practical guidance set out in documents UNEP/CHW/OEWG.12/INF/15/Rev.2, UNEP/CHW/OEWG.12/INF/16/Rev.2 and UNEP/CHW/OEWG.12/INF/17/Rev.2. It also agreed that Parties and observers be invited to submit comments to the Secretariat on the draft practical guidance on the development of inventories of plastic waste, on the development of an inventory of obsolete pesticides and pesticide-container waste, and on the development of inventories of waste batteries containing lithium, as set out in the conference room papers, by 28 April 2022, and that the Secretariat make those comments available for possible consideration by the Conference of the Parties at its resumed fifteenth meeting.

3. Plastic waste

58. Introducing the item, the representative of the Secretariat drew attention to notes by the Secretariat on further actions to address plastic waste under the Basel Convention (UNEP/CHW/OEWG.12/7), 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/Rev.1), and 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/Rev.2). The document relating to a possible future assessment of the effectiveness of the measures taken under the Basel Convention to address plastic waste had been revised by the Secretariat, taking into account comments received from Parties and observers, as requested by the Working Group during the online segment of its twelfth meeting, as well as the adoption by the United Nations Environment Assembly, at its recently concluded fifth session, of resolution 5/14 entitled “End plastic pollution: towards an international legally binding instrument”, which requested the Executive Director of UNEP to convene an intergovernmental negotiating committee to develop an international legally binding instrument on plastic pollution, including in the marine environment.

59. In the ensuing discussion, there was consensus on the importance of plastic waste management for environmental and human health. Several representatives stressed the need to conduct further work on plastic waste under the Convention, including through the Partnership on Plastic Waste. Such work would recognize that plastic pollution was a global problem requiring global solutions supported by ambitious, dedicated and sustained action involving a comprehensive approach throughout the life cycle of plastics.

60. One representative pointed out that Environment Assembly resolution 5/14 had stressed the urgent need to strengthen the science-policy interface at all levels. Further activities under the Basel Convention should promote cooperation and coordination – for example, by strengthening the contribution of the Basel Convention to minimizing the generation of plastic waste globally; by providing robust guidance on the environmentally sound management of plastic waste; and by ensuring effective implementation by Parties of decision BC-14/13 on further actions to address plastic waste under the Convention. A number of representatives said that the overall ambition of the Convention regarding plastic waste should be to develop a clear role for the Convention that was aligned with and complementary to a possible future global instrument on plastic pollution.

61. Given the urgency and high priority of those recent developments, several representatives, including one speaking on behalf of a group of countries, said that it was premature to undertake an effectiveness evaluation of the measures taken under the Convention to address plastic waste. More time was also needed to consider the wide-ranging proposals presented in annex II to document UNEP/CHW/OEWG.12/INF/20/Rev.1 and how they were linked to existing initiatives under the Convention, such as the technical guidelines and the Partnership on Plastic Waste. Greater priority

should be given to the development of national policies and strategies to combat plastic waste and to building the capacity of developing countries in such areas as plastic waste collection and recycling.

62. The Working Group agreed that the discussions under the agenda item would be reflected in the report of the meeting and would subsequently be reported to the Conference of the Parties for consideration at its resumed fifteenth meeting. The Working Group suggested that Parties and observers be invited to comment, by 13 May 2022, on the text provided in annex II to document UNEP/CHW/OEWG.12/INF/20/Rev.1, and it requested the Secretariat to make those comments available on the website of the Convention for possible consideration by the Conference of the Parties at its resumed fifteenth meeting.

C. Legal, governance and enforcement matters

1. Consultation with the Committee Administering the Mechanism for Promoting Implementation and Compliance

63. Introducing the sub-item, the representative of the Secretariat outlined the information on the matter set out in 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) and on a compilation of actions proposed for consideration during the current meeting (UNEP/CHW/OEWG.12/17). She drew attention to revised versions of the draft guidance on the implementation of paragraph 4 of Article 6 of the Convention on transit transboundary movements (UNEP/CHW/OEWG.12/INF/23/Rev.1, annex) and the draft guidance to improve the implementation of paragraph 11 of Article 6 of the Convention on insurance, bond and guarantee (UNEP/CHW/OEWG.12/INF/24/Rev.1, annex), which had been prepared by the Committee Administering the Mechanism for Promoting Implementation and Compliance at the invitation of the Working Group, following the online segment of its twelfth meeting. The Working Group was invited to consider the two documents and to recommend to the Conference of the Parties at the face-to-face segment of its fifteenth meeting that it consider using as the basis for its work the versions of the draft guidance documents reflecting the outcome of the meeting.

64. In the ensuing discussion, representatives thanked the Secretariat and the Committee Administering the Mechanism for Promoting Implementation and Compliance for the work conducted on the two guidance documents. A number of representatives, including one speaking on behalf of a group of countries, said that they would like to propose some minor amendments to the draft guidance on transit transboundary movements.

65. One representative, requesting that his statement be reflected in the present report, proposed an amendment to paragraph 9 of the draft guidance in order to add continental shelves to the list of zones over which coastal States had jurisdiction, in line with the wording of paragraph 12 of Article 4 of the Convention. He said that, while his country supported the general intent of the United Nations Convention on the Law of the Sea (UNCLOS) and agreed with all its provisions, with the exception of articles 3, 33 and 121, it was important to recognize that some Parties to the Basel Convention were not parties to UNCLOS.

66. With regard to the draft guidance on insurance, bond and guarantee, one representative, speaking on behalf of a group of countries, said that the Working Group should recommend its adoption by the Conference of the Parties at its resumed fifteenth meeting.

67. Following the discussion, the Working Group agreed to ask the Secretariat to revise the draft guidance on the implementation of paragraph 4 of Article 6 of the Convention on transit transboundary movements (UNEP/CHW/OEWG.12/INF/23/Rev.1, annex), in consultation with interested delegations for consideration by the Working Group later during the meeting.

68. Subsequently, the Co-chair, on behalf of the Secretariat, informed the Working Group that one representative had noticed an error in the information relating to her Party in the draft guidance on insurance, bond and guarantee. The correction had been made and a further revised version of the draft guidance had been issued as document UNEP/CHW/OEWG.12/INF/24/Rev.2. The Working Group agreed to invite the Conference of the Parties at its resumed fifteenth meeting to consider adopting the draft guidance to improve the implementation of paragraph 11 of Article 6 of the Basel Convention on insurance, bond and guarantee as set out in document UNEP/CHW/OEWG.12/INF/24/Rev.2.

69. In relation to the draft guidance on the implementation of paragraph 4 of Article 6 of the Convention on transit transboundary movements, the Co-Chair introduced a conference room paper, prepared by the Secretariat in consultation with interested Parties, containing a revised version of the annex to document UNEP/CHW/OEWG.12/INF/23/Rev.1 on draft guidance on the implementation of

paragraph 4 of Article 6 of the Convention. The Working Group agreed to invite the Conference of the Parties at its resumed fifteenth meeting to consider adopting the draft guidance on the implementation of paragraph 4 of Article 6 of the Convention on transit transboundary movements as set out in document UNEP/CHW/OEWG.12/INF/23/Rev.2.

2. Providing further legal clarity

70. Introducing the sub-item, the representative of the Secretariat outlined the information on providing legal clarity set out in notes by the Secretariat on providing further legal clarity (UNEP/CHW/OEWG.12/10) and on a compilation of actions proposed for consideration during the current meeting (UNEP/CHW/OEWG.12/17, para. 13). In particular, she drew attention to the annex to document UNEP/CHW/OEWG.12/INF/25/Rev.1, which had been prepared by the expert working group on the review of annexes, taking into account comments provided by Parties and observers following the online segment of the current meeting. The annex contained the expert working group's recommendations for possible amendment proposals to Annex IV and to entries A1180 and B1110 in Annexes VIII and IX to the Basel Convention, along with the group's findings on the consequential implications of the review of Annex IV. The Working Group was invited to consider the expert group's recommendations with a focus on the recommendations regarding entries A1180 and B1110, as set out in the annex to document UNEP/CHW/OEWG.12/INF/25/Rev.1, and to recommend to the Conference of the Parties at the face-to-face segment of its fifteenth meeting that it consider using as the basis for its work the version of the recommendations reflecting the outcome of the meeting.

71. The Conference of the Parties was also expected to consider two amendment proposals submitted by Parties as a follow-up to the work of the expert working group on the review of annexes. The first proposal, submitted by the European Union, related to amendments to Annex IV and certain entries in annexes II and IX to the Convention; the other proposal, submitted by Ghana and Switzerland, related to amending the entries on electronic and electric waste (e-waste) in Annexes VIII and IX to the Convention and adding a new e-waste entry to Annex II to the Convention. While the two amendment proposals were outside the scope of the work programme of the Working Group, there were substantive links between the expert working group's recommendations on possible amendments to entries A1180 and B1110, which related to e-waste, and the amendment proposal by Ghana and Switzerland.

72. The representative of Switzerland said that the amendment proposal submitted by Ghana and Switzerland would remove the non-hazardous e-waste entry (B1110) from Annex IX to the Convention and add non-hazardous e-waste to Annex II in order to ensure that all e-waste transboundary movements were covered by the Convention's prior informed consent procedure. The main objective of the proposal was to enable the Parties to control all e-waste transboundary movements and ensure that even non-hazardous e-waste was sent to facilities where it was managed in an environmentally sound manner. The proposal recognized that, if not properly treated, even non-hazardous e-waste could harm the environment and human health, and that substantial volumes of non-hazardous e-waste were moving across borders without being managed safely. Because the proposal related to the expert working group's work on the Convention entries on e-waste, it was desirable that the Working Group reflect on it with a view to advancing the discussion in the lead-up to the resumed fifteenth meeting of the Conference of the Parties.

73. The representative of Ghana said that international trade in e-waste, often in the form of second-hand electrical and electronic equipment, was prevalent in many developing countries, especially in Africa. Much of that trade was unmonitored and uncontrolled, so the proposal was timely and in the interest of developing countries, human health and the environment, as it would enable those countries to ensure that all imported e-waste was managed in an environmentally sound manner.

74. Many representatives expressed support for the amendment proposal by Ghana and Switzerland, which one representative said he wished to co-sponsor, and many suggested that the Working Group discuss it at the current meeting. They said that adding non-hazardous e-waste to Annex II to the Convention was timely and necessary, as it would enable the Parties to control the transboundary movement of e-waste, which in many cases was happening illegally, and which was leading to soil and other forms of pollution in importing countries, and to contribute to developing a circular economy in the e-waste sector. One representative said that developing countries lacked the capacity to distinguish between hazardous and non-hazardous e-waste, and that uncontrolled dumping of e-waste in countries that lacked the capacity, infrastructure and technical and financial resources to deal with such waste had devastating consequences for those countries. Another representative said that, in tandem with the proposed amendment, consideration should be given to the provision of technical support to the relevant authorities of importing countries to help them control all movements of e-waste.

75. One representative, speaking on behalf of a group of countries, while welcoming the proposal by Ghana and Switzerland, said that it should be discussed during the resumed fifteenth meeting of the Conference of the Parties, together with the proposal to review Annex IV to the Convention. He said that, at the current meeting, the Working Group should focus on the expert working group's recommendations for entries A1180 and B1110 on e-waste, with a view to presenting recommendations for improving the wording of both entries for consideration by the Conference of the Parties.

76. One representative suggested that improving the wording of entries A1180 and B1110 to enhance their clarity was critical to ensure that all e-waste was properly managed and controlled. She expressed interest in discussing the amendment proposals by Ghana and Switzerland to make all e-waste subject to the prior informed consent procedure, and by the European Union on Annex IV.

77. Following the discussion, the Working Group agreed to establish a contact group on legal matters, co-chaired by Mr. Florisvindo Furtado (Cabo Verde) and Ms. Mari-Liis Ummik (Estonia), to consider the recommendations by the expert working group regarding possible amendment proposals to entries A1180 and B1110 as contained in document UNEP/CHW/OEWG.12/INF/25/Rev.1, taking into account the discussion that had just been held.

78. Subsequently, the Co-Chair introduced a conference room paper, submitted by the contact group, containing a revised version of appendix II to the annex to document UNEP/CHW/OEWG.12/INF/25/Rev.1 on recommendations by the expert working group on the review of annexes for possible amendment proposals to Annex IV and to entries A1180 and B1110 in Annexes VIII and IX to the Basel Convention, and the findings of the expert working group on the consequential implications of the review of Annex IV to the Convention as at 13 January 2022.

79. The Working Group agreed to recommend to the Conference of the Parties at its resumed fifteenth meeting that it consider using, as the basis for its work on appendix II to the annex to document UNEP/CHW/OEWG.12/INF/25/Rev.1, the version of the recommended option for possible amendments to A1180 and B1110 that reflected the outcomes of the current meeting, as set out in document UNEP/CHW/OEWG.12/INF/25/Rev.2.

80. The representatives of Ghana and Switzerland thanked the Working Group for the opportunity to outline their amendment proposal in plenary session and at a side event. They said that considerable interest in and support for the proposal had been expressed. The representative of Switzerland said that the contact group had confirmed the general principles that should guide the drafting of the revision of the entries A1180 and B1110 as recommended by the expert working group. Progress had been made in clearly indicating that all electrical and electronic waste would be covered by the entries, and there was also a clear proposal on how to ensure that clean fractions listed in other entries in list B would not be included in their scope. Some issues required more work, such as how to word the concept that electronic equipment would be deemed hazardous if it contained a hazardous component; how best to describe wastes derived from operations such as the shredding of electronic equipment or its compounds; and the possible use of the term "scrap" in the entries. All the deliberations would be useful in assisting Ghana and Switzerland in preparing for the resumed fifteenth meeting of the Conference of the Parties. Though the contact group had not discussed the aspect of the proposal concerning the listing of non-hazardous e-waste in Annex II, the proponents were grateful that they had had the chance to explain its benefits in plenary session.

D. International cooperation and coordination

Basel Convention Partnership Programme

81. In considering the sub-item, the Open-ended Working Group had before it a note by the Secretariat on the Basel Convention Partnership Programme (UNEP/CHW/OEWG.12/12), which covered the follow-up partnership to the Partnership for Action on Computing Equipment, the Household Waste Partnership and the Partnership on Plastic Waste.

(a) Follow-up partnership to the Partnership for Action on Computing Equipment

82. Introducing the sub-item, the representative of the Secretariat recalled that during the online segment of its twelfth meeting the Open-ended Working Group had invited Parties and observers to provide comments on the terms of reference for the follow-up partnership to the Partnership for Action on Computing Equipment and its programme of work for the biennium 2020–2021 by 15 October 2020 and had requested the working group of the follow-up partnership to take the comments into account in revising the terms of reference and programme of work. The revised terms of reference and programme of work for the biennium 2020–2021 were set out in annexes I and II to document

UNEP/CHW/OEWG.12/INF/32/Rev.1. In addition, a report on the implementation of activities in the programme of work for 2020–2021 was provided in document UNEP/CHW/OEWG.12/INF/38.

83. In line with the activity in the revised programme of work for 2020–2021 on further development of the terms of reference and the preparation of a draft workplan for the biennium 2022–2023, the working group of the follow-up partnership had made suggestions for amendments to the terms of reference for the follow-up partnership, including the addition of new types of e-waste to the scope of the partnership and a proposed new name for the partnership; those suggestions were set out in annex I to document UNEP/CHW/OEWG.12/INF/37. Furthermore, the working group had developed a draft programme of work for 2022–2023 (UNEP/CHW/OEWG.12/INF/37, annex II), which included various options for consideration by the Open-ended Working Group and the Conference of the Parties, in particular regarding the development of guidance documents on the environmentally sound management, repair and refurbishment of the new types of e-waste proposed for addition to the scope of the partnership. Finally, a draft decision on the matter was set out in paragraph 30 of document UNEP/CHW/OEWG.12/17.

84. Several representatives, including one speaking on behalf of a group of countries, voiced support for the revised terms of reference and programme of work for the biennium 2020–2021. They also welcomed the suggestions for further amendments to the terms of reference for the follow-up partnership and to the programme of work for the biennium 2022–2023, while indicating a desire to engage in discussions on both matters at the current meeting.

85. The representative speaking on behalf of a group of countries, while acknowledging the added value of the partnership, encouraged the Working Group to stay focused on addressing specific challenges related to the used and waste equipment within the scope of the partnership in order to best use the limited resources available. Another representative said that he was pleased to see development of the follow-up partnership at the regional and practical levels and thanked the regional centres for their engagement and the directors of the centres in Argentina and Slovakia for leading the work on the follow-up partnership. A third representative encouraged the pursuit of pilot projects already committed to by the regional centres in China and Indonesia.

86. The Working Group agreed to request the contact group on strategic matters to consider the revised terms of reference and programme of work set out in annexes I and II to document UNEP/CHW/OEWG.12/INF/32/Rev.1, the suggested amendments to the revised terms of reference and proposed draft work programme for 2022–2023 set out in document UNEP/CHW/OEWG.12/INF/37, and the draft decision on the matter.

87. Subsequently, the Co-Chair introduced three conference room papers containing, respectively, a draft decision on the follow-up partnership to the Partnership for Action on Computing Equipment; revised terms of reference for the follow-up partnership; and a revised programme of work for the partnership for the biennium 2022–2023. The Open-ended Working Group adopted decision OEWG-12/1 on the follow-up partnership to the Partnership for Action on Computing Equipment, through which it adopted the revised terms of reference and programme of work of the Partnership for the biennium 2020–2021 (UNEP/CHW/OEWG.12/INF/32/Rev.2) and recommended that the Conference of the Parties at its fifteenth meeting consider adopting the amendments to the terms of reference of the Partnership for the inclusion of new types of e-waste and the proposed draft programme of work for the biennium 2022–2023, as revised by the Open-ended Working Group (UNEP/CHW/OEWG.12/INF/37/Rev.1). The decision, as adopted, is set out in the annex to the present report.

(b) Household Waste Partnership

88. Continuing her introduction of the sub-item, the representative of the Secretariat recalled that during the online segment of its twelfth meeting the Open-ended Working Group had invited Parties and observers to provide comments on the revised draft overall guidance document on the environmentally sound management of household waste by 15 October 2020 and had requested the working group of the Household Waste Partnership to revise the guidance document on the basis of the comments received. The newly revised draft overall guidance document on the environmentally sound management of household waste was set out in the annex to document UNEP/CHW/OEWG.12/INF/29/Rev.1.

89. A representative speaking on behalf of a group of countries said that, while the new draft guidance document was of interest, his delegation had not had enough time to review it in detail. He recommended that the guidance be made consistent with other guidance documents and technical guidelines under the Convention and that duplication be avoided.

90. The Working Group agreed that the discussions under the sub-item would be reflected in the report of the meeting and would subsequently be reported to the Conference of the Parties for consideration at its resumed fifteenth meeting. It also agreed to invite Parties and observers to provide comments on the document to the Secretariat by 13 May 2022 and to recommend to the Conference of the Parties that it take such comments into account when considering the guidance document.

IV. Adoption of the report

91. The Working Group adopted the report of the face-to-face segment of its twelfth meeting on the basis of the draft report set out in document UNEP/CHW/OEWG.12/L.2, as orally amended, on the understanding that the finalization of the report would be entrusted to the Rapporteur with the assistance of the Secretariat.

92. The present report is an addendum to document UNEP/CHW/OEWG.12/16, which contains the report of the online segment. Together, the report of the online segment and the report of the face-to-face segment form the report of the twelfth meeting of the Open-ended Working Group in its entirety.

V. Closure of the meeting

93. Following the customary exchange of courtesies, the twelfth meeting of the Open-ended Working Group overall was declared closed at 4.40 p.m. on Wednesday, 6 April 2022.

Annex**Decision adopted by the Open-ended Working Group at its twelfth meeting****OEWG-12/1: Follow-up partnership to the Partnership for Action on Computing Equipment**

The Open-ended Working Group,

Recalling that, in part I of decision BC-14/19 on the follow-up partnership to the Partnership for Action on Computing Equipment (hereinafter “the Partnership”), the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal established a working group of the Partnership that would operate under the guidance of the Open-ended Working Group,

Also recalling that, in the same decision, the Conference of the Parties requested the working group of the Partnership to prepare a revised version of both the terms of reference and the programme of work, including to prioritize tasks in the programme of work and outline the structure of the leadership of the Partnership, and, taking into account comments from Parties and others, to submit them for consideration by the Open-ended Working Group at its twelfth meeting,

Further recalling that, in the above-mentioned decision, the Conference of the Parties mandated the Open-ended Working Group to adopt, at its twelfth meeting, the terms of reference and the programme of work of the Partnership on behalf of the Conference of the Parties,

1. *Adopts* the revised terms of reference and programme of work of the Partnership for the biennium 2020–2021;¹
2. *Recommends* that the Conference of the Parties, at its fifteenth meeting, adopt the amendments to the terms of reference of the Partnership for the inclusion of new types of e-waste and the proposed programme of work for the biennium 2022–2023;²
3. *Takes note* of the progress in the implementation of the activities of the programme of work for the biennium 2020–2021;³
4. *Requests* the working group of the Partnership to report, through the Secretariat, on its progress to the Conference of the Parties at its fifteenth meeting.

¹ UNEP/CHW/OEWG.12/INF/32/Rev.2.

² UNEP/CHW/OEWG.12/INF/37/Rev.1.

³ UNEP/CHW/OEWG.12/INF/38.