

**Conference of the Parties to the Basel Convention
on the Control of Transboundary Movements of
Hazardous Wastes and Their Disposal**

Thirteenth meeting

Geneva, 24 April–5 May 2017

Agenda item 4 (a) (ii)

**Matters related to the implementation of the Convention:
strategic issues: follow-up to the Indonesian-Swiss
country-led initiative to improve the effectiveness of the
Basel Convention**

**Follow-up to the Indonesian-Swiss country-led initiative to
improve the effectiveness of the Basel Convention**

**Review of Annexes I, III and IV and related aspects of Annex IX to the
Basel Convention**

Submission by Canada

Note by the Secretariat

The annex to the present note sets out a submission by Canada on the follow-up to the Indonesian-Swiss country-led initiative to improve the effectiveness of the Basel Convention, review of Annexes I, III and IV and related aspects of Annex IX to the Basel Convention. The submission is reproduced as received. The present note, including its annex, has not been formally edited.

Annex

Review of the Annexes

Submission for consideration of the Legal Matters contact group

The Conference of the Parties may wish to adopt a decision along the following lines:

The Conference of the Parties

1. *Welcomes* with appreciation the report from Canada, as lead country, on the review of Annexes I, III, IV and related aspects of Annex IX to the Convention (UNEP/CHW.13/INF/10) which includes compiled and analysed information Parties and others and *agrees* that it should form the basis for further work on the review of the Annexes;
2. *Notes* the contribution of information from 27 Parties, the European Union and its member states and 3 organisations which supported the lead country's analysis;
3. *Decides* to establish [an Expert Working Group with limited participation of Parties with balanced regional representation that is open to observers] [an Expert Working Group with open-ended participation of Parties that is open to observers] with the mandate and terms of reference specified in the appendix to the present decision. The Expert Working Group will operate under the guidance of the Open-Ended Working Group of the Basel Convention and the authority of the Conference of the Parties to the Basel Convention;
4. *Requests* [each regional group to nominate through its Bureau representative by 21 August 2017 experts in the field] [Parties to nominate experts];
5. *Requests* the Secretariat to support the work of the Expert Working Group;
6. *Request* the Expert Working Group to report back on progress at the OEWG on the review of the Annexes in accordance with the agreed objectives.

Appendix

Terms of reference for the review of the Annexes

1. Mandate:

Review Annexes I, III and IV and related aspects of Annex IX to the Basel Convention.

2. Overarching objectives:

[Improve legal clarity of the Basel Convention to protect human health and the environment against the adverse effects of hazardous wastes and other wastes.]

3. Specific objectives:

[For Annex IV and the related aspects in Annex IX:

- a) Improve/update the description of disposal operations in Annex IV;
- b) Improve environmental controls by including additional disposal operations that occur in practice or could occur in practice in Annex IV; and
- c) Clarify the descriptions in Annex IV and in Annex IX (B1110) to address conflicts or overlaps.]

[For Annex I and III:

- a) Improve/update the description of categories of wastes in Annex I and the list of hazardous characteristics in Annex III;
- b) Improve environmental controls by including any additional categories of wastes in Annex I and any additional hazardous characteristics in Annex III that occur in practice; and
- c) Clarify the descriptions in Annexes I and III to address conflicts or overlaps.]

4. Membership and participation

Membership of the Expert Working Group is open to:

- a) [Nominated Experts from Parties to the Basel Convention; and]
- b) [Non-Parties and other organisations as observers.]

[The Expert Working Group may decide to invite additional experts on an ad hoc basis possessing specialized technical knowledge on an issue to be discussed at a meeting to participate in that meeting, or parts thereof.]

5. Co-Chairs

[The Expert Working Group shall elect its co-chairs.]

6. Working Methods

[The Expert Working Group will work by electronic means and conference calls. Face to face meetings will be at the discretion of the co-chairs and be subject to the availability of resources.]