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

Geneva (online), 22–25 June 2020**

Item 3 (d) (ii) of the provisional agenda***

**Matters related to the work programme of the
Open-ended Working Group for the biennium
2020–2021: international cooperation and coordination:
cooperation with the World Customs Organization on the
Harmonized Commodity Description and Coding System**

Cooperation with the World Customs Organization on the Harmonized Commodity Description and Coding System

Note by the Secretariat

I. Introduction

1. In paragraph 3 (a) of its decision BC-14/9, the Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal requested the Secretariat to submit to the World Customs Organization a proposal for amending the Harmonized Commodity Description and Coding System (hereinafter the Harmonized System) to allow the identification of 13 types of wastes, 8 of which were to be afforded higher priority and 5 of which were to be afforded medium priority.
2. In paragraph 3 (b) and (c) of the decision, the Conference of the Parties requested the Secretariat to continue, under the guidance of the Open-ended Working Group, its cooperation with the Harmonized System Committee and relevant subcommittees of the World Customs Organization in order to facilitate the inclusion of wastes covered by the Basel Convention in the Harmonized System and to report on progress in that regard to the Open-ended Working Group at its twelfth meeting and the Conference of the Parties at its fifteenth meeting.

II. Implementation

3. Having considered proposed amendments to the Harmonized System to allow for the identification of electrical and electronic waste since its forty-eighth session, held in April 2015,¹ the Harmonized System Review Subcommittee at its fifty-fifth session, held in November 2018, agreed to amendments to the Harmonized System in respect of electrical and electronic waste and scrap. At its

* Reissued for technical reasons on 16 April 2020.

** Owing to the electronic correspondence procedure to be applied during the twelfth meeting of the Open-ended Working Group, the meeting may run beyond 25 June (but no later than 5 July 2020).

*** UNEP/CHW/OEWG.12/1.

¹ As summarized in documents UNEP/CHW.13/INF/19, UNEP/CHW/OEWG.11/INF/34 and UNEP/CHW.14/INF/14.

sixty-third session, the Harmonized System Committee provisionally adopted amendments to the Harmonized System in respect of the identification of electrical and electronic waste and scrap in the Harmonized System nomenclature. The recommended amendments were adopted by the World Customs Organization Council at its 133rd and 134th sessions, in June 2019, and notified to the Contracting Parties to the International Convention on the Harmonized Commodity Description and Coding System on 4 July 2019. Since there was no objection from any Contracting Party to the recommended amendments after the period of six months allowed for such objections, the recommended amendments were deemed to have been accepted² and are to enter into force for all Contracting Parties on 1 January 2022. As a result, the seventh edition of the Harmonized System nomenclature (HS 2022) will contain codes that allow for the identification of two of the types of waste identified as being of higher priority in paragraph 3 (a) of decision BC-14/9, namely electrical and electronic assemblies (B1110 and A1180), and waste lead-acid batteries, whole or crushed (A1169), which was included as a sub-heading under electrical and electronic waste and scrap.³

4. At its fifty-sixth session, held in November 2019, the Harmonized System Review Subcommittee considered proposed amendments to the Explanatory Notes for the new code for electrical and electronic waste and scrap. A summary of the discussions at that meeting is set out in annex I to document UNEP/CHW/OEWG.12/INF/10. The text of the proposed amendments to the Explanatory Notes, including revisions submitted by the Secretariat to the World Customs Organization for consideration by the Harmonized System Review Subcommittee at its fifty-seventh meeting, to be held in May 2020, are set out in appendix I to annex I to document UNEP/CHW/OEWG.12/INF/10.

5. Pursuant to decision BC-14/9, the Secretariat also submitted to the World Customs Organization, for consideration by the Harmonized System Review Subcommittee at its fifty-seventh meeting, a proposal on amendments to the Harmonized System to allow for the identification of waste mineral oils unfit for their originally intended use (A3020), together with wastes, substances and articles containing, consisting of or contaminated with polychlorinated biphenyls, polychlorinated terphenyls, polychlorinated naphthalenes or polybrominated biphenyls or any other polybrominated analogues of those compounds (A3180).⁴ The proposal is set out in annex II to document UNEP/CHW/OEWG.12/INF/10.

6. The Secretariat has further developed a draft proposal on amendments to the Harmonized System in respect of plastic waste, taking into consideration the amendments to annexes to the Basel Convention adopted by decision BC-14/12. The draft proposal is set out in annex III to document UNEP/CHW/OEWG.12/INF/10. It is anticipated that the Secretariat will submit a proposal to the World Customs Organization for consideration by the Harmonized System Review Subcommittee at its fifty-eighth meeting, to be held in November 2020.

7. With regard to the other types of wastes identified as higher priority for the Secretariat to submit a proposal to the World Customs Organization for amending the Harmonized System to allow for their identification, those proposals are under development.

III. Proposed action

8. The Open-ended Working Group may wish to consider the draft decision related to agenda item 3 (d) (ii) set out in the compilation prepared by the Secretariat of proposed actions to be considered by the Open-ended Working Group at its twelfth meeting (UNEP/CHW/OEWG.12/15).

² <http://www.wcoomd.org/-/media/wco/public/global/pdf/topics/nomenclature/instruments-and-tools/hs-nomenclature-2022/ng0262b1.pdf?la=en>.

³ <http://www.wcoomd.org/-/media/wco/public/global/pdf/topics/nomenclature/instruments-and-tools/hs-nomenclature-2022/ng0262b1.pdf?la=en>.

⁴ For the full entries, see Annex VIII to the Basel Convention.