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Energy and Communications DETEC

Federal Office for the Environment FOEN
International Affairs Division



The Republic of Ghana

Environmental Protection Agency Ghana



PIC-Procedure for all e-waste

**A proposal of Ghana and Switzerland for
an amendment of the Basel Convention**

Overview and explanations

Basel Convention COP 15

Side event 27 July 2021



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Submission



Ghana and Switzerland have forwarded an official amendment proposal concerning the classification of e-waste for discussion and possible adoption by the Parties at the physical part of COP 15 planned for June 2022.

Consultation Procedure: 19 January – 17 March 2021

- **19 comments/reactions received from:**
 - **11 individual Parties**
 - **the EU and its 27 Member States**
 - **1 Signatory**
 - **6 Industrial Associations**

Amendment proposal and comments see:

<http://www.basel.int/TheConvention/Amendments/Proposedamendments/tabid/7906/Default.aspx>



The amendment proposal

- **In short**
- **Goal**
- **Reasoning**
- **Benefits**



The proposal in short



Situation Today

Hazardous e-waste



- PIC-procedure
- TBMs controlled



• BAN amendment

Non Hazardous e-waste



- No PIC-Procedure
- TBMs not controlled
- No monitoring / no transparency

Amendment Proposal

Hazardous e-waste



- PIC-procedure
- TBMs controlled



• BAN amendment

Non Hazardous e-waste



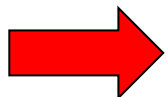
- PIC-Procedure
- TBMs controlled
- Monitoring and transparency



The proposal in short

Classification of non-hazardous WEEE on Annex II of the BC

- **Add a new entry Y49 on ANNEX II for WEEE its components and constituents not characterized as hazardous**
- **Delete B1110 on ANNEX IX - this entry is captured by the new entry Y49 as mirror entry of A1180**
- **Delete entry B4030 (single use cameras...) – this entry is captured by the new entry Y49**
- **Reword entry A1180 on ANNEX VIII for WEEE characterized as hazardous**



The proposal introduces a mandatory PIC procedure for TBMs of all WEEE!



Goal of the proposal

ESM for all WEEE



Directing all WEEE its components and constituents moved transboundary to

- **Environmentally sound management**
- **Recycling with state-of-the-art technology**
- **A maximum of resource recovery**



Applying the PIC procedure to *all WEEE* is a prerequisite for the assurance of the *ESM of all such categories of wastes*



Reasoning of the proposal



E-waste situation today

➤ **WEEE – huge and growing volumes**

2019: 53.6 Mio metric tons produced
 2030: estimated 74.7 Mio metric tons
 3-5% annual growing rate



➤ **Minimize uncontrolled transboundary movements**

7 - 20% or 3.8 – 10.7 Mio metric tons are moved transboundary as second-hand products or e-waste (estimation)

➤ **Improve management**

WEEE not treated with state-of-the-art technology harms human health and the environment

17.4% of the WEEE generated worldwide is treated in an environmentally sound manner and documented;
 82.6% is undocumented.

➤ **Avoid huge losses of resources**

Value of raw material in e-waste generated in 2019: 57 Billion US \$

The Global E-waste Monitor 2020: Quantities, flows and circular economy potential
 Forti V., Baldé C.P., Kuehr R., Bel G.
 E-Waste in the international context, 2018 Elsevier
 I.M.S.K. Ilankoon, Y. Ghorbani, Meng Nang Chong, G.Herath, T. Moyo, J.Petersen



Benefits of the proposal



- Strengthens the transparency and tracking/monitoring of TBMs *of all WEEE its components and constituents*
- *Protects* vulnerable countries *from unwanted imports*
- *Results in a better protection* of the environment and human health
- Ensures esm and *state of the art recovery*
- Increases the sustainability of the *whole recycling chain* and system with a more valuable recovery
- Assists the *integration* of the *informal sector*
- Contributes to *circular economy*



The amendment proposal in detail



Proposed classification of WEEE

Add a new entry Y49 on ANNEX II for e-waste not characterized as hazardous in the BC

Existing entry

**WEEE classified as hazardous
ANNEX VIII Entry
A 1180**



- PIC-procedure
- TBMs controlled
- BAN amendment applies

Additional entry

**WEEE not classified as hazardous
ANNEX II *new* Entry
Y 49**



- PIC-Procedure
- TBMs controlled
- Monitoring / transparency



The concrete proposal I

Proposal for a new entry Y49 on ANNEX II



- Y 49 Waste electrical and electronic equipment, including scrap thereof
- without a component containing Annex I constituents to an extent that it exhibits an Annex III characteristic (e.g. with glass from cathode ray tubes or a battery included on list A, a mercury switch, a fluorescent tube containing mercury, a capacitor containing PCBs, a component containing asbestos) and without a component (e.g. a circuit board, a plastic component containing a brominated flame retardant) containing Annex I constituents to an extent that the waste exhibits an Annex III characteristic; or
 - not containing or contaminated with Annex I constituents to an extent that the waste exhibits an Annex III characteristic; or
- waste components of electrical and electronic equipment, including scrap thereof, not containing or contaminated with Annex I constituents to an extent that the waste exhibits an Annex III characteristic (note the related entry on list A1180)¹

¹ PCBs or PBBs are at a concentration level of less than 50 mg/kg in equipment including scrap thereof or in a component.



The concrete proposal II



Proposal for a new wording of entry A1180 in ANNEX VIII

- A1180* Waste electrical and electronic equipment, including scrap thereof
- with a component containing Annex I constituents to an extent that it exhibits an Annex III characteristic (e.g. with glass from cathode ray tubes or a battery included on list A, a mercury switch, a fluorescent tube containing mercury, a capacitor containing PCBs, a component containing asbestos) or with a component (e.g. a circuit board, a plastic component containing a brominated flame retardant) insofar this is containing or contaminated with Annex I constituents to an extent that it exhibits an Annex III characteristic; or
 - containing or contaminated with Annex I constituents (e.g. cadmium, lead, mercury) to an extent that the waste exhibits an Annex III characteristic; or
- waste components of electrical and electronic equipment containing or contaminated with Annex I constituents to an extent that the waste exhibits an Annex III characteristic (note the related entry Y49¹)

¹ PCBs or PBBs are at a concentration level of less than 50 mg/kg in equipment including scrap thereof or in a component.



The concrete proposal III



Proposal for the deletion of entries B1110 and B4030

B1110 entry deleted

Since this entry is captured by the new entry Y49.

B4030 entry deleted

~~Used single use cameras, with batteries not included on list A.~~

Since this entry is covered by the new entry Y49



Answers and explanations to reactions / questions from the consultation procedure



Themes



- **Interrelation with the work of the EWG on Annexes**
- **Difference between electrical and electronic equipment**
- **Scrap of WEEE**
- **Classification of:**
 - **pieces / materials / fractions of WEEE**
 - **components**
 - **cables**
- **E-waste captured by entry Y49**
- **Not functional EEE**



EWG on Annexes I, III and IV



What is the interrelation of the amendment proposal with the Expert Working Group on Annexes?

- The mandate of the EWG Annexes includes the review of the WEEE entry B1110 (Annex IX) and entry A1180 (Annex VIII) (Decision BC-14/16)
- The EWG will make recommendations for a revised wording for entries B1110 and A 1180

The proposal of Ghana and Switzerland intends:

- ***picking up wording for entry A1180 and B1110 recommended by the EWG; and***
- ***additionally moving the reworded entry B1110 from Annex IX to Annex II as new entry Y49***

The current wording of the amendment proposal reflects the discussion of the EWG as per now



Electrical and electronic equipment



What is the difference?

- There is no international definition or even a globally agreed definition making a difference between electrical and electronic equipment
- Today almost all devices contain at least one electronic component (e.g. a capacitor) / the differentiation is historical



Not state of the art-recycling harms the environment and human health no matter whether a WEEE is an electrical or electronic equipment or classified as hazardous or not



The amendment on purpose includes waste electrical and electronic equipment in its proposed e-waste entries (A1180 and B1110).




Scrap of WEEE



What exactly includes scrap of WEEE?

- The current entries for e-waste entries A1180 and B1109 mention “waste electrical and electronic assemblies or **scrap**”.
- **Scrap** seems to be used as a kind of synonym for waste material and may lead to unclarities.
- The Convention does however not give a definition for “scrap”



As clarification the new proposed wording for e-waste entries A1180 and B1109 uses the term waste electrical and electronic equipment, including scrap thereof



Scrap of WEEE is the material of WEEE which was mechanically reduced in size and volume



Individual components or mixtures of components of WEEE, which were mechanically reduced in size would also constitute scrap of WEEE



Materials / fractions of WEEE



When would pieces of WEEE cease to be captured by the potential entry Y49 in Annex II and would be categorized as materials such as metals, plastic, glass or ceramic?



Individually recovered clean fractions of materials from WEEE, e.g., a metal -, a plastic -, a ceramic or a glass fraction would not be anymore classified as WEEE. If such a fraction is still classified as a waste it is necessary checking if this waste is falling under the Basel Convention.




Mixed fractions deriving from a treatment of WEEE would still be falling under the entry Y49 (or A1180). Exception if such a mixed fraction is falling under another waste entry listed in the BC, e.g., a mixed plastic fraction.




Components of WEEE



What about components?



Components which are dismantled from an WEEE and which are not fully functional would remain being classified as a WEEE and thus fall under the entry Y49 or A1180.



Components which are dismantled from an EEE or WEEE and which are fully functional and destined for direct re-use would be classified as a (second-hand) product, e.g., a fully functional hard disk. Such components would not fall under the entry Y49 or A1180.



Classification of cables



Why are cables not included in the amendment proposal?

- The Basel Convention covers waste cables with the entries A1190 for cables characterized as hazardous (list A) and B1115 for non-hazardous waste cables (List B)

The amendment proposal on purpose does not include waste cables. Reasoning:

- ***It is unclear whether waste cables are belonging to e-waste or are simply cables?***
- ***There are already two entries A1190 and B1115 waste for cables***
- ***In addition, the entry B1115 for the non-hazardous waste cables explicitly excludes open burning (unsound management)***

For an inclusion of waste cables not characterized as hazardous an additional new Y-entry on Annex II may be more reasonable



E-waste captured by entry Y49



Define precisely what waste are captured by Y49

- In principle the wording of the proposed e-waste Y49 is giving the description and the definition
- Concept of the amendment proposal:
E-waste not characterized as hazardous (not falling under entry A1180) automatically falls under the new proposed e-waste entry Y49.



Developing a dynamic guidance tool listing concrete WEEE with its classification as hazardous or not hazardous could be helpful



Such lists would facilitate the implementation and enforceability



Not functional EEE

Does the amendment proposal classify not fully functional EEE as a waste?

- The wordings of the proposed e-waste entries A1180 and Y49 do not intend and are not intended to be the basis for making the decision whether something is a waste or not.
- This is valid for all waste entries on the Annexes II, VIII and IX .
- The legal basis for decision tacking waste/non-waste is Article 2 of the BC which defines “*Waste*” as *substances or objects which are disposed of or are intended to be disposed of or are required to be disposed of by the provisions of national law.*



The ad interim adopted BC-guideline on e-waste assists in taking waste / non-waste decisions



It is up to the Parties of the BC to further elaborate and review the conditions set out in the e-waste guideline



Next steps



- **Continuing dissemination and explanation of the amendment proposal**
- **Collecting comments**
- **Seeking for support**
- **Discussion of the amendment proposal at the face-to-face segment of the OEWG 12 meeting planned before COP15**
- **Further discussion and possible adoption of the amendment proposal at the face-to face part of the COP 15 of the Basel Convention scheduled for June 2022**



Contacts



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