

BC-12/5: Technical guidelines on transboundary movements of electrical and electronic waste and used electrical and electronic equipment, in particular regarding the distinction between waste and non-waste under the Basel Convention

The Conference of the Parties

1. *Adopts*, on an interim basis, the technical guidelines on transboundary movements of electrical and electronic waste and used electrical and electronic equipment, in particular regarding the distinction between waste and non-waste under the Basel Convention,¹ on the understanding that the technical guidelines are of a non-legally binding nature and that the national legislation of a party prevails over the guidance provided within the technical guidelines, in particular in paragraphs 31, 42 and 43 thereof;
2. *Requests* the Secretariat to disseminate the technical guidelines to parties and others in the six official languages of the United Nations;
3. *Invites* parties and others to use the technical guidelines and to submit, not later than two months before the thirteenth meeting of the Conference of the Parties, through the Secretariat, comments on their experience in so doing;
4. *Requests* the Secretariat to prepare a compilation of the comments referred to in paragraph 3 above for consideration by the Conference of the Parties at its thirteenth meeting;
5. *Acknowledges* the need to look further into the guidance on the distinction between waste and non-waste and agrees to include the further elaboration of work on that issue in the work programme of the Open-ended Working Group for 2016–2017 in order to prepare draft revised guidelines for consideration by the Conference of the Parties at its thirteenth meeting, in particular with reference to paragraphs 31 a and 31 b of the technical guidelines on the following issues:
 - (a) Residual lifetime and age of used equipment;
 - (b) Management of hazardous wastes from failure analysis, repair and refurbishment operations in developing countries;
 - (c) Obsolete technologies, including cathode ray tubes;
 - (d) Presence of hazardous components in used equipment;
6. *Invites* parties and others to provide comments on the issues mentioned in paragraph 5 above to the Secretariat five months before the tenth meeting of the Open-ended Working Group for consideration at that meeting;
7. *Requests* the Secretariat to publish the comments received pursuant to paragraph 6 above on the website of the Basel Convention;
8. *Encourages* parties to inform the Secretariat about any conditions they apply in relation to used equipment that should normally be considered waste or non-waste and requests the Secretariat to publish any information provided by parties in that regard on the Basel Convention website;
9. *Requests* the Secretariat to report on the progress of the implementation of the present decision to the Open-ended Working Group at its tenth meeting and to the Conference of the Parties at its thirteenth meeting.

¹ UNEP/CHW.12/5/Add.1/Rev.1.