

BAN Intervention on e-Waste Technical Guidelines

14th OEWG, Basel Convention, Geneva, June 26, 2024

Thank you very much Madame Co-chair. The Basel Action Network (BAN) is pleased to report that the e-Waste amendments formerly known as the Swiss-Ghana proposal, are now adapted and placed within the e-waste Technical Guidelines readied for entry into force of the amendments at the beginning of next year.

On January 1, 2025 all e-waste trade will require at least the prior informed consent procedure for all e-waste hazardous or not -- all that is, except for one glaring exception.

That misguided exception is not found in the Convention itself, nor in the new amendments, but has been placed some years ago within the e-Waste Technical Guidelines still adopted on an interim basis -- and that is the misguided exception granted for any e-waste that one might simply claim as being repairable. This loophole sits in paragraph 32b of the Guideline and now more than ever will offer a pathway of exploitation for unscrupulous traders, as it remains the only available avenue left to avoid the Basel Convention and its controls on e-waste trade. As we know, it is all too easy to simply make a claim that the e-waste you want to export, no matter how hazardous, or how dysfunctional, is being exported for repair. By doing this and following 5 very easily accomplished, unenforceable steps, any unscrupulous trader, can still find a way to export hazardous e-waste with impunity outside of Convention controls.

As we've noted, next year this "repairable" loophole will be the last remaining means of e-waste trafficking. As such, it is a certainty that it will be increasingly exploited. BAN has in the past offered numerous solutions to close this loophole. The Bamako Convention Parties have called for its closure at its 3rd COP. Further, at COP15, 22 Parties took the floor to call for further action to reform the interim Guideline to correct this matter and perhaps in so doing allow the Guideline to finally be permanently adopted. Distinguished delegates, we ask, what is the point of closing the front doors of the e-waste dumping problem, and in closing the side doors of the e-waste dumping problem while leaving the backdoor provided by paragraph 32b open wide. We must resolve at the next Conference of Parties to firmly shut this door, once and for all. I thank you.

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