

Submission by Australia

1. The fourteenth meeting of the Conference of the Parties to the Basel Convention, held in 2019, adopted amendments to Annexes II, VIII and IX to enhance the control of the transboundary movements of plastic waste by decision BC-14/12. These entries became effective on 1 January 2021.
2. This resulted in a disjuncture between the materials controlled by the Basel Convention and the Waigani Convention.
3. At the Conference of the Parties to the Waigani Convention (COP) in 2021, a Working Group was formed. The members of the Working Group were Australia, New Zealand, Papua New Guinea and Samoa.
4. Under the Terms of Reference agreed by the Scientific and Technical Advisory Committee (STAC) in May 2022, the Working Group undertook intersessional work investigating options to incorporate the plastic waste amendments into the Waigani Convention.
5. The Terms of Reference also asked the Working Group to investigate possible automatic adoption mechanisms to simplify the procedure for future amendments to the Waigani Convention.
6. The Working Group presented the Final Report to the STAC on 9 February 2023. The Working Group developed 4 options to incorporate the plastic waste amendments and 2 automatic adoption mechanisms.
7. Australia is proposing two amendments to the Waigani Convention based on the recommendations by STAC-9:
 - a. Creation of new plastic entries to control plastic in the same way as the Basel Convention by:
 - i. Inclusion of a new Annex II for 'other wastes' that includes the entries for household wastes (Y46), ashes from the incineration of household wastes (Y47), and the new entry for mixed non-hazardous plastics (Y48)
 - ii. Inclusion of a further two new Annexes that duplicate Annex VIII and Annex IX of the Basel Convention. These Annexes provide additional guidance on wastes that are presumed to be hazardous or non-hazardous and include the new entries for sorted plastics (B3011) and hazardous plastics (A3011).
 - iii. Renumbering Annexes to the Waigani Convention, and minor subsequential amendments throughout the Convention text.
 - b. an automatic adoption mechanism added to Article 18, paragraph 4.
8. The attached proposal also includes changes to the definition of household waste (Y46) that was not considered by STAC-9. This change will remove the exclusion of clean recyclables from Y46 as these entries are reflected in the new Annexes and overlap with the new plastic entry (Y48).

9. The proposed automatic adoption mechanism will only function if the text of the Annexes of the Basel Convention is adopted into the Waigani Convention, and if the Annexes of the Waigani Convention are renumbered to align with the numbering of the Annexes of the Basel Convention.