April 26, 2024

The Basel Action Network, as a watchdog organization working to prevent harmful trade in wastes, supports the mandate and competency of the Basel Convention. And believe that we should not attempt to duplicate here what they do. But the vital role of the Basel Convention does not prevent us from proposing measures that go beyond Basel. Basel can then later take steps to harmonize their instrument accordingly.

Already, the zero draft calls properly for providing more diligent controls on plastic waste than the Basel Convention, by proposing that all plastic waste including what has been called non-hazardous plastic waste, be subject to prior-informed-consent.

Indeed, we argue that we should go further and consider all shipments of plastic waste as hazardous waste subject to such trade control, unless proof can be provided by exporters that they are not in fact hazardous. This is necessary because the Basel Convention currently fails to consider hazardous plastic additives as triggering trade controls and as we know, almost all shipments contain hazardous plastics due to hazardous additives.

More than three years after the new Basel plastic amendments came into force, we sadly find the unsustainable waste trade situation largely unimproved. The complex definitions separating the differing Basel categories are difficult to understand and enforce by customs or border authorities. Further, there is widespread failure to ensure that receiving facilities are in fact environmentally sound.

In sum, we believe there are compelling reasons to support the current option 1 with one additional amendment. We call on members to consider all plastic waste as shipments of hazardous waste without proof to the contrary. This will invoke Article 4a of the Basel Convention banning the waste exports of most plastic wastes to developing countries. This kind of prohibition is consistent with recent action taken at the EU in their Waste Shipment Regulation. Extending this prudent action globally will level the playing field and prevent unscrupulous traders from placing disproportionate burdens of plastic pollution on developing countries.