# Submission by Basel Action Network to the Basel Convention on Textile Waste Pursuant to Call for Information at COP 17 Under Work Programme of the Open-Ended Working Group for the Period 2026–2027, No. 18

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## I. THE CRITICAL PROBLEM OF TEXTILE WASTE

The global textile industry generates an estimated 92 million tonnes of textile waste annually, with projections of up to 134 million tonnes by 2030 with current production and consumption patterns.[1] The textile industry has significant impacts on the environment, including being water and energy-intensive, and often causing pollution to waterways.

Natural fibres such as cotton or wool are treated with chemical agents, including flame retardants and water repellents, that often contain persistent organic pollutants such as per- and polyfluoroalkyl substances. As petroleum- and plastics-derived synthetic fibres such as polyester, nylon, and acrylic are increasingly being used in fashion and textile industries, more problems have arisen due to the inherent nature of these plastics, including the propensity to release chemical additives and microplastics during use recycling and final disposal, as well as the inability of many of these synthetic textile waste to safely biodegrade.

According to a report by Changing Markets, synthetic, plastic textiles now account for more than two-thirds (69 percent) of textile production, a figure projected to rise to 73 percent by 2030. Polyester is the most widely used synthetic fibre in the fashion industry, accounting for 125 million tonnes of carbon dioxide emissions in 2022. The fashion industry also generated 8.3 million tonnes of plastic pollution in 2019.[2] These materials have been found to shed half a million tonnes of plastic microfibres into ecosystems and food chains, especially in the marine environment,[3] while microplastics from nylon and polyester have been linked to lung diseases.[4]

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[1] Ellen MacArthur Foundation (EMF) (2017). A new textiles economy: Redesigning fashion's future. Available at https://www.ellenmacarthurfoundation.org/a-new-textiles-economy

[2] Changing Markets (2024). Fashion's Plastic Paralysis. Available at https://changingmarkets.org/report/fashions-plastic-paralysis/

[3] Vassilenko, E., et al. (2021). Domestic laundry and microfiber pollution: Exploring fiber shedding from consumer apparel textiles. PLoS One, 16(7). Available at https://pmc.ncbi.nlm.nih.gov/articles/PMC8270180/

[4] Song, S., et al. (2024). Inhalable textile microplastic fibers impair airway epithelial differentiation. American Journal of Respiratory and Critical Care Medicine. 209(4):427-443. Available at https://pubmed.ncbi.nlm.nih.gov/37971785/

In Kenya, Nairobi's Gikomba Market is the largest secondhand clothing market in East Africa, where mounds of imported clothes are often burnt or dumped nearby due to poor quality, resulting in clogged waterways, floods, and the release of toxic smoke into communities when the clothes are burnt.[5] In Chile's Atacama Desert, at least 39,000 tonnes of discarded clothing are illegally dumped each year, creating visible waste mountains that contaminate fragile desert ecosystems.[6]

In Ghana, it was estimated that every week up to about half a million items of clothing waste from Kantamanto Market end up in open spaces and informal dumpsites in the city and further afield in the countryside. Piles of clothing waste are dumped and burned in open areas such as the Densu Delta protected wetlands, destroying biodiversity and leaching toxins into the groundwater and soil. Old clothes are also washed out to sea in heavy rains.[7]

Jamestown Beach in Accra, Ghana, October 7, 2024, covered in imported textile waste. Credit: Upcycle It Ghana

[5] Greenpeace (2022). Poisoned Gifts: From donations to the dumpsite: textiles waste disguised as second-hand clothes exported to East Africa. Available at https://www.greenpeace.org/static/planet4-international-stateless/2022/04/9f50d3de-greenpeace-germany-poisoned-fast-fashion-briefing-factsheet-april-2022.pdf

[6] Al Jazeera (2021, November 8). Chile's desert dumping ground for fast fashion leftovers. Available at https://www.aljazeera.com/gallery/2021/11/8/chiles-desert-dumping-ground-for-fast-fashion-leftovers; Morell-Delgado, G., Talens Peiró, L. & Toboso-Chavero, S. (2025). The journey of a discarded t-shirt: From the Global North to the Atacama dumpsite. *Circular.Economy and.Sustainability.* (2025). Available at https://link.springer.com/article/10.1007/s43615-025-00618-z

[7] Greenpeace (2024). Fast fashion slow poison: The toxic textile crisis in Ghana. Available at https://www.greenpeace.org/static/planet4-africa-stateless/2024/09/925601ff-fastfashionslowpoison_reportbygreenpeace.pdf; The Guardian (2025, June 18). Discarded clothes from UK brands dumped in protected Ghana wetlands. Available at https://www.theguardian.com/world/2025/jun/18/discarded-clothes-from-uk-brands-dumped-in-protected-ghana-wetlands

Imported textiles found in Ojobi, Gomoa East landfill, Ghana, on May 11, 2024. Credit: Upcycle It Ghana

Much of these textiles were shipped to developing countries, presumably to be marketed or donated as secondhand clothing. However, for many reasons, including poor quality or an already saturated local market, they were ultimately discarded.

Below, we posit that most shipments of textiles already qualify as Y48 under the Basel Convention, due to the mixtures of textile types and blended fabrics, which can be defined as mixed or contaminated plastic wastes. However, the Basel Parties have not yet interpreted Y48 in this logical manner, nor have they amended the Annex IX listings for textiles, which, by definition, include Y48 plastics. Further, there is currently no listing on Annex VIII for hazardous textile waste, despite the known usage of many hazardous chemicals in textile production such as plastic additives or textile treatments. Ultimately, despite the adoption of the Plastic Waste Amendments and the presence of hazardous chemicals in textiles, the Basel Convention does not control global textile waste flows, which must be addressed with amendments to the Annexes.

## II. REGULATORY GAPS ON TEXTILE WASTE ARE CAUSING SERIOUS HARM

### a. Textiles are not meaningfully controlled under the Basel Convention

#### i. Annex IX textile listings are inadequate

Textiles are only explicitly named under Basel in two Annex IX List B listings:

- B3030 textile wastes; and
- B3035 waste textile floor coverings, carpets.

B3030 encompasses a broad array of natural and synthetic materials. Materials on Annex IX are presumed not to be hazardous and appropriate for recycling or reuse.[8] Under the current

[8] Annex IX states that "Wastes contained in the Annex will not be wastes covered by Article 1, paragraph 1 (a), of this Convention unless they contain Annex I material to an extent causing them to exhibit an Annex III characteristic."

B3030/B3035 listings, vast amounts of plastic waste in the form of textiles are escaping PIC controls. In addition, hazardous textiles are not addressed by the Basel Ban Amendment.

### ii. The Plastic Waste Amendments created ambiguity as B3030/B3035 were left unchanged

In 2019, the Parties to the Basel Convention adopted three new waste listings for plastic waste:

- A3210 - hazardous plastics;
- B3011 - non-hazardous plastics; and
- Y48 - plastics for special consideration.

These were intended to comprehensively address all plastic waste. Norway made this clear in its explanatory note on the amendments[9]:

- (1) *"With our proposal plastic waste will fall into three categories under the Basel Convention – single polymer uncontaminated plastic waste, plastic waste requiring special consideration, and hazardous plastic waste, the latter two categories falling under the prior informed consent procedure."*

- (2) *"Plastic waste not fulfilling the requirements of B3011 will fall under a new entry Y48 of Annex II triggering the PIC procedure. In order to avoid misunderstandings, a new entry A3210 of Annex VIII is proposed setting out when plastic waste is hazardous."*

It is well-documented that synthetic textiles or blends are made with plastics, such as polyester, nylon, and acrylic. A plain-language reading of Y48 and A3210 reveals that synthetic/plastic textiles or mixtures should have been considered either Y48 or A3210. Thus, the pre-existing Annex IX listings for textile waste, B3030 and B3035, should have been amended to make clear that they only cover natural fibers, and that any amount of synthetic material in textiles should be covered by Y48 or A3210.

Unfortunately, B3030 and B3035 listings were not amended to align with the Plastic Waste Amendments, leading to the current ambiguity where Y48 or A3210 and B3030/B3035 could apply to the same materials. Since no meaningful controls apply to B3030 or B3035, exporters need only give textile waste a List B classification to escape PIC procedures, no matter how much synthetic or toxic material may be within the textiles.

Despite the fact that a plain-language reading of Y48 and A3210 should include synthetic textiles, to date, we know of no Party that has adopted this interpretation. Thus, it is clear that changes are required to the Basel Convention text and/or guidance, to clarify how potentially harmful textiles are to be controlled.

[9] "Explanatory note from the Government of Norway on its proposals to amend Annexes II, VIII and IX to the Basel Convention", UNEP/CHW.14/INF/18.

### iii. Most textile wastes require control beyond Annex IX

Since synthetic textiles are plastic, the same reasons that led to the creation of Y48 and A3210 should apply. The Y48 listing was created to address plastic wastes that, due to their consisting of mixed polymers or contamination, are difficult to safely recycle and manage. The A3210 listing was created to address plastic wastes that possess an Annex I constituent and cannot be demonstrated to not possess an Annex III hazardous characteristic. Many textiles are treated with or contain hazardous chemical additives that should merit control as hazardous waste and be listed under Annex VIII.

Only truly clean, non-toxic, natural fibers free of contaminants do not need to be elevated to Annex II or VIII listings, and only these fibers should be listed on Annex IX. Although this is currently a very small stream of tradable waste, such a listing is important to incentivize a toxic-free circular economy for natural fibres over time.

## b. The Basel Convention's repair loophole

Even if it was clarified that hazardous textiles are to be controlled under the Basel Convention, either as Annex II or Annex VIII wastes, these much-needed Basel controls could still be easily circumvented by exporters who claim that used textiles are not wastes as they will be reused either directly or after repair.

Many Basel Parties believe that the claims that anything might someday, in some circumstance, be reused and should therefore be considered a non-waste are extremely dangerous for a variety of post-consumer wastes. They proposed to close this loophole through the adoption of a listing on Annex IV of "Preparation for Reuse", which would ensure that repairables can be considered a waste up until they are fully repaired. This would enable Parties to bring repairables within the scope of the Basel Convention and its control procedures and obligations. This concern was raised at Basel COP17, particularly during the finalization of the review of Annex IV, but Parties failed to reach an agreement on how this loophole should be closed. Further discussion has been postponed to 2028.

Until the "Preparation for Reuse" listing on Annex IV is finally adopted, there must be guidance by the Basel Convention to ensure that very strict criteria must be met before any Party can consider textiles for repair or reuse as non-waste. One key criteria is that there must be a proven, viable market for such textiles. Without such an amendment to Annex IV or strict guidance criteria, we foresee many dubious claims that the waste is reusable, is therefore a non-waste, and does not need to be controlled. Many types of textiles could arguably be reusable or repairable, technically or theoretically. This would swing the doors wide open to allow almost all used textiles to fall outside of the scope of Basel as non-waste. The determinant of a Basel-controlled textile waste must not be "reusability", but rather guarantees of actual reuse, with mechanisms for return to the exporting state should the material be deemed as "waste" and not reused.

## III. RECOMMENDATIONS TO BASEL PARTIES TO ADDRESS THE TRANSBOUNDARY MOVEMENT OF TEXTILE WASTES AND THE HARM CAUSED

### a. Immediate application of Y48 and A3210 by Basel Parties at the national level to textile waste containing plastic

As a stop-gap measure before the Basel Convention collectively improves the ambiguity that currently exists in the Annexes with respect to textile waste, BAN recommends that the Parties consider at the national level any shipment of textiles or used clothing that consists of any amount of synthetic material to be Y48 as a minimum. If there is reason to believe the textiles may be hazardous, then they should be considered A3210. Each Party following this course of action should also publish guidance that the Annex IX listings of B3030/B3035 can only be used for textiles that do not qualify as Y48 or A3210.

This approach is legally sound due to the adoption of the Basel Plastic Waste Amendments and their original intent to cover all plastic wastes, as well as Article 4(11) of the Basel Convention, which provides as follows:

> Nothing in this Convention shall prevent a Party from imposing additional requirements that are consistent with the provisions of this Convention, and are in accordance with the rules of international law, in order better to protect human health and the environment.

This immediate action by Parties at the national level is vital to prevent further extensive harm to the environment and human health that will occur until more comprehensive changes to the Basel Annexes are adopted, which could take years.

### b. Close textile loopholes by establishing a new Annex II Y50 textile listing, establishing a new Annex VIII A listing, and amending Annex IX listings

Although the near-term fix above is legally justifiable and immediately necessary, it is not the ultimate solution. This is because some are resistant to considering textiles to be plastic, and many textiles contain dyes and treatments that may escape controls unless textiles are a separate category. Thus, just as Basel has done with plastic waste and with electronic waste, a new package of stricter listings is necessary to protect human health and the environment from textile wastes. BAN recommends the following:

- Amend Annex IX listings B3030 and B3035 to include only natural fibers free of contaminants such as chemicals, metals, or plastics, and destined only for mechanical recycling.
- Establish a new Annex II Y50 listing that covers all textiles not included in the revised B3030/B3035. Criteria should be included in the Y50 listing that any textile waste must have a guaranteed-responsible end-market certified by the importing country. A technical guidance document should be developed that establishes strict criteria to be used whenever used textiles are to be considered as non-waste, as was done with e-waste.
- Establish Annex VIII List A listing for hazardous textiles.

This proposal would ensure that:

- Hazardous textiles are subject to strict controls and Basel Article 4A(1), the Basel Ban Amendment.
- All synthetic textiles and natural textiles contaminated with embedded materials such as buttons and zippers are subject to Annex II controls like PIC.
- Trade in safe, clean, natural textile materials is "incentivized" by a revised Annex IX listing, while trade in synthetic or hazardous materials is "penalized" by being subject to controls like PIC or the Ban Amendment.

### c. Adopt "Preparation for Reuse" listing in Annex IV

Even with the clarifications in III(b), Basel's controls can be exploited by exporters who could improperly classify material as going for repair to escape PIC procedures. Parties must close this loophole through the adoption of an Annex IV "Preparation for Reuse" listing to bring this category of waste materials under Basel controls. Until the "Preparation for Reuse" listing on Annex IV is finally adopted, there must be guidance by the Basel Convention to ensure that very strict criteria must be met before any Party can consider textiles for repair or reuse as non-waste. One key criteria is that there must be a proven, viable market for such textiles.

## IV. CONTACTS


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