

BAN Plastic Waste Amendments Intervention

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

Thank you madame co-chair. Last night BAN, BFFP and IPEN held a side event to take stock of the situation we face now, 3 years after the plastic waste Amendments went into force in 2021. A recording of the event will be placed onto the Geneva Environmental Network site for those who missed it. At the event, we were forced to conclude that we are not fulfilling the promise of these vital amendments.

By comparing trade data before and after entry into force of the Amendments, we can see that while there was an initial small reduction in exports in 2021, we have now see a rise in exports showing only an 8 % over reduction in plastic waste trade with some countries such as Mexico, Indonesia and Vietnam actually now receiving more plastic waste than before the entry into force. Countries like Malaysia, Indonesia, India and Mexico are receiving Y48 plastics from the US despite the US not being a Party. We are seeing very little effort being made on diligent enforcement with spot checking of containers at the ports to ensure that plastic exports and imports are in fact being exported in accordance with the new rules.

At Basel meetings to date it appears we are also resting on our laurels and remain under the pretense that the job is over. Meanwhile we have failed to recognize that many plastic wastes are still allowed free trade as they sit on legacy Annex IX listings and thus move freely even while they meet the criteria of A3210 and Y48. These include textile waste, rubber waste, refuse derived fuel, plastic mixed in paper bales etc. We are exempting many fluorinated plastics from control without justification. Further, Parties to date have failed to control plastics as hazardous waste plastic on the basis of it containing hazardous additives. Indeed the Convention states that plastics must be controlled when they contain constituent materials on Annex I unless it can be demonstrated they do not possess a hazardous characteristic. But we continue to allow mixed plastic waste shipments without any knowledge of the hazardous additives they contain. These additives then are released in the recycling process or become part of new products after recycling and their toxic legacy continues to harm the environment, communities, and all of us.

Further, Parties continue to consent to shipments moving to recycling facilities that do not recycle large percentages of the incoming waste and rather dump and burn it in nearby informal dumpsites. Most of the importing plastics recycling operations also release massive amounts of micro and nano plastics whose generation and release is accelerated by the operations of shredding, chopping, washing and use of sink-float tanks. We must view such plastics recycling facilities as micro/nano plastics factories and as such are not ESM.

Distinguished delegates a lot of work remains with respect to the international trade in plastic waste. It is clear that we must dramatically improve enforcement and implementation. We must close the loopholes allowing very significant amounts of plastic waste including hazardous plastic waste now falling outside or the scope of what we are controlling. We believe it would be very wise for time to be set aside at the next COP and intercessionally, as the EU has recommended, to assess and review the status of the Amendments and consider proposals to ensure that they fulfill their original promise to protect human health and the environment. I thank you.

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