

INTERVENTION

RE: Two Failures following Adoption of the Basel Plastics Amendments

Thank you Mr. Co-chair. Following the 2019 COP14 passage of the landmark Basel Plastics Amendments, two very concerning story lines have now emerged today in year 2023:

The first is that very unfortunately, to a very large degree, the new amendments are not being implemented or enforced. Several highly industrialized developed countries including the EU and the US and Canada and Mexico have sought to ignore the amendments for trade amongst themselves, seeking refuge to do so in questionable use of Article 11 agreements.

But it is not just developed countries which we find are avoiding implementation and enforcement. Recently, BAN working together with NGOs in Asia with our Operation Can-Opener have been able to warn several governments with active shipment data from subscription-based data services, about shipments of suspected contraband plastics en-route to their countries. These warnings come with plenty of time to inspect the shipments and with great detail -- named by vessel and by container number, and arrival dates. However, this enforcement intelligence we have provided has too often been ignored by customs or other agents in the importing countries. Indications reveal these governments are not in need of education about the new rules, but rather reveal governments lacking in the political will to enforce the new rules in light of economically powerful operators receiving the wastes on a daily basis.

Lack of political will to properly enforce the new Plastic waste controls after their adoption, by all Parties will greatly harm the Convention and international governance generally.

Secondly, as I noted earlier, the Basel Convention is failing to address vast quantities of plastic wastes traded under other Basel waste stream codes other than B3011, Y48 and A3210. These are currently moving uncontrolled. I am talking about the massive amounts of plastic moving in waste paper bales -- often making up to 30% of the shipments that are dumped and burned upon separation at pulp mills. I am talking about mixed computer plastics moving as part of e-waste listings. I am talking about plastic textile wastes, which is already showing up being dumped on beaches and in deserts in developing countries. I am talking about plastic waste being burned as part of refuse derived fuels, which are often re-classified as commodities instead of wastes. And as mentioned earlier, we are talking of rubber waste and tyres which are very clearly a form of plastic waste.

All of these plastics are just as problematic to the environment as the plastics we chose to control at COP14. And the volumes of these are comparable. There can be no good reason for us not to ensure that these plastics are not controlled as well.

In sum, we call upon the Parties at the earliest opportunity to address these two major Basel concerns. If we do not, the laudable achievement made at COP14 to finally control plastic waste and its trade will not be fully realized and our worthy efforts these last years greatly diminished.

We thank you.