



Fact Sheet

#3

For more information consult “Drowning in Plastics - Marine Litter and Plastic Waste Vital Graphics” publication by UNEP, the BRS Secretariat and GRID-Arendal. Available from link <https://bit.ly/3GOrz8E>

Control of transboundary movements of plastic wastes

The overarching objective of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal is to protect human health and the environment against the adverse effects of hazardous and other wastes. The provisions of the Convention centre around the following principal aims (Figure 1):

- the reduction of generation and the promotion of environmentally sound management (ESM) of hazardous and other wastes requiring special consideration, wherever the place of disposal;
- the restriction of transboundary movements (TBM) of hazardous and other wastes except where it is perceived to be in accordance with the principles of ESM;
- a regulatory system applying to cases

where TBM are permissible based on a Prior Informed Consent (PIC) procedure.

In 2019 the Conference of the Parties decided to enhance control of plastic waste by amending Annexes II, VIII and IX to the Convention through the so-called Plastic Waste Amendments, making the Convention the only global legally binding instrument that currently and specifically addresses plastic waste. From 1 January 2021, 186 States and one regional economic integration organisation around the world are bound by the amendments. The amendments clarify the categories of plastic waste falling within the scope of the Convention and with respect to which proposed TBM must take place in accordance with the PIC procedure (Figure 2).

The Plastic Waste Amendments

With regard to the TBM of waste, the Convention differentiates between three types of waste. The Plastic Waste Amendments introduced new entries to each of the affected Annexes:

- Annex II lists categories of wastes requiring special consideration. The new entry covers all plastic waste, including mixtures of plastic waste, except those covered in the other Annexes;
- Annex VIII lists wastes that are characterized as hazardous. The new entry covers hazardous plastic waste;
- Annex IX lists wastes that are not considered hazardous. The new entry covers plastic waste that is not hazardous provided the waste is destined for recycling in an environmentally sound manner and almost free from contamination and other types of wastes.

The Prior Informed Consent procedure

The Basel Convention Plastic Waste Amendments imply that all plastic waste and mixtures of plastic waste generated by Parties to the Convention, and which are to be moved to another Party are subject to the PIC procedure unless they are non-hazardous and destined for recycling in an environmentally sound manner and almost free from contamination and other types of waste. This procedure requires the Parties to the Convention to ensure the ESM of exported waste. It includes the following stages:

- notification by the exporting country;
- consent and issuance of a movement document;
- TBM;
- confirmation of disposal.

Expected benefits of the Plastic Waste Amendments

The specified categories of plastic wastes are also subject to the Convention's provisions pertaining to waste minimisation and ESM. The Plastic Waste Amendments are therefore expected to have a range of positive impacts across the three pillars of the Basel Convention, namely:

- Increased control of TBM: By establishing a legally binding framework for the trade in plastic waste, the Plastic Waste Amendments create the conditions for the global trade in plastic waste to become more transparent and better regulated;
- Increased ESM: By ensuring that the Convention's provisions on ESM now apply to specified categories of plastic waste, the Amendments provide a powerful incentive to strengthen national infrastructures for the collection, recycling and final disposal of plastic waste;
- Increased waste prevention and minimisation: By bringing the listed types of plastic waste under the Convention's provisions pertaining to waste prevention

and minimization, the Amendments will help create jobs and economic opportunities, not least by incentivizing innovation, such as in the design of alternatives to plastic and in the phasing out of hazardous additives.

The Ban Amendment

In addition, the Basel Convention's Ban Amendment entered into force the same year. For those Parties bound by it, the Ban Amendment prohibits TBM of hazardous wastes covered by the Convention that are intended for disposal operations from members of the Organisation for Economic Co-operation and Development (OECD), the EU and Liechtenstein to all other countries (Basel Convention 2011a and b).

Synergies with other conventions

Sharing the common objective of protecting human health and the environment from hazardous chemicals and wastes, the Basel Convention and the Stockholm Convention on Persistent Organic Pollutants (POPs) also have synergies with regard to plastic waste. Plastic waste may contain various POPs, such as some brominated flame retardants and short-chain chlorinated paraffins. The leaching out of POPs from plastic particles may have significant adverse effect on the health of both terrestrial and marine wildlife. Plastic debris can also adsorb POPs such as polychlorinated biphenyls (PCB), DDT and dioxins which, if ingested, exhibit a wide range of adverse chronic effects in marine organisms. The Stockholm Convention controls various POPs which have been used as additives, flame retardants, plasticizers in plastics or manufacture of fluoropolymers.

In early 2021 the POPs Review Committee (POPRC), which is a subsidiary body responsible for reviewing POPs for listing in the Stockholm Convention, found that UV-328, which is a high-volume additive in plastic products such as personal care products and coatings, satisfies all the criteria set out in Annex D, namely persistence, bioaccumulation, potential for long-range environmental transport and adverse effects to humans and/or the environment. UV-328 was found in the environment and biota, even in remote areas such as the Arctic and the Pacific Ocean, far from its production and use. UV-328 has been found to be transported with, and may subsequently be released from plastic debris, which is taken up for example by seabirds with subsequent accumulation in their tissue. Taking into account the recommendations of the Committee, a future Conference of the Parties could trigger its reduction or elimination. Such a listing would strengthen the Stockholm Convention's role as a key global instrument to tackle the plastic waste crisis.

Guidance and manuals relevant to control of transboundary movements of plastic wastes

- Guidance on the implementation of the Basel Convention provisions dealing with illegal traffic (paragraphs 2, 3 and 4 of Article 9) (Basel Convention 2019);
- Guidance Elements for Detection, Prevention and Control of Illegal Traffic in Hazardous Waste (Basel Convention n/a);
- Instruction manual on the prosecution of illegal traffic of hazardous wastes or other wastes (Basel Convention 2012);
- Basel Convention Training Manual on Illegal Traffic for Customs and Enforcement Agencies (Basel Convention 2006);
- Manual for customs officers on Hazardous Chemicals and Wastes under the Basel, Rotterdam and Stockholm Conventions (Basel Convention 2014).

For more information, please visit: <http://www.basel.int/>

Figure 1: The Basel Convention

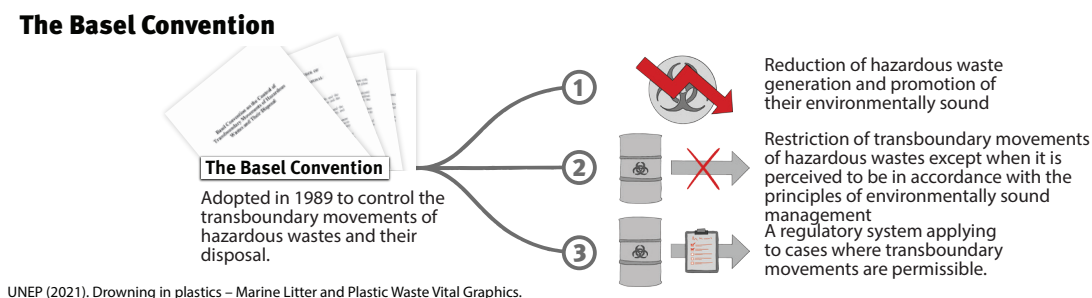
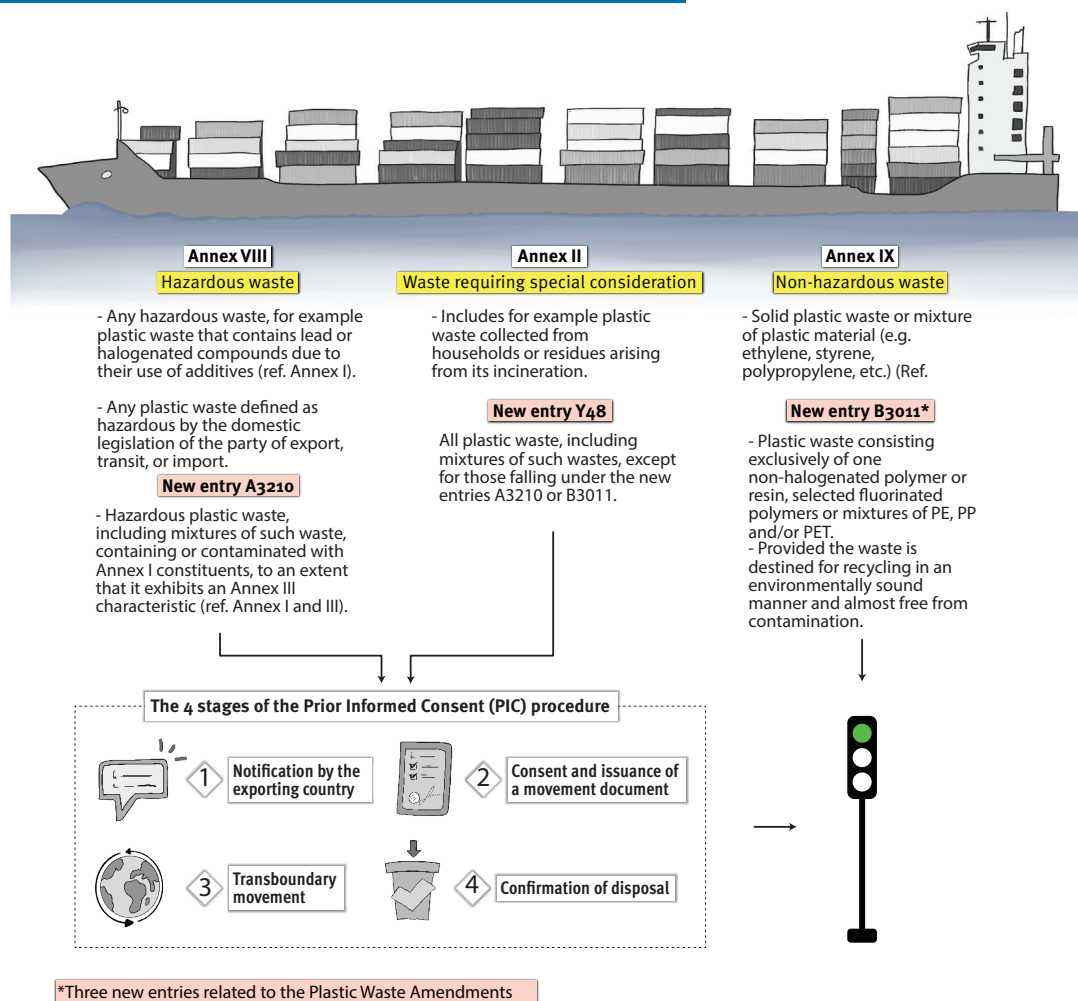
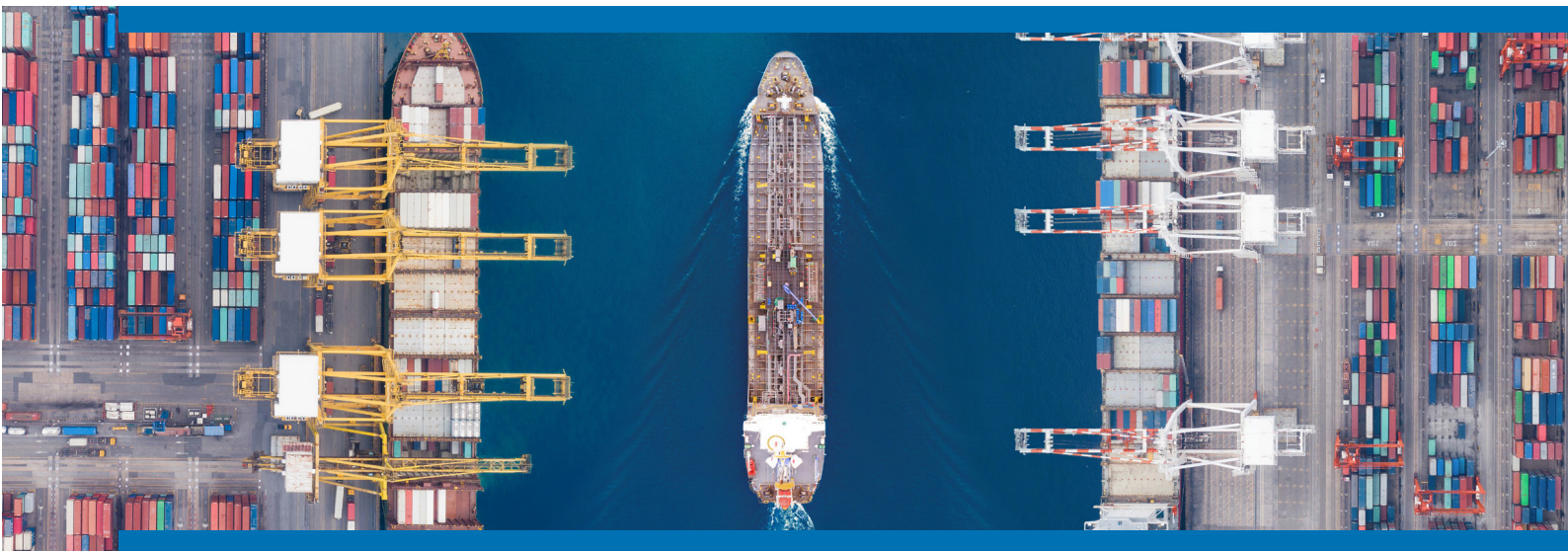


Figure 2: The trade of plastic waste under the Basel Convention



Source: Basel Convention (2021c). Illustration by Levi Westerveld / GRID-Arendal (2020).
UNEP (2021). Drowning in plastics – Marine Litter and Plastic Waste Vital Graphics.



References

Basel Convention (2006). Basel Convention Training Manual on Illegal Traffic for Customs and Enforcement Agencies.

Basel Convention (2012). Instruction manual on the prosecution of illegal traffic of hazardous wastes or other wastes. <http://www.basel.int/Implementation/LegalMatters/IllegalTraffic/Guidance/tabid/3423/Default.aspx#>. Accessed 15 November 2021.

Basel Convention (2014). Manual for customs officers on Hazardous Chemicals and Wastes under the Basel, Rotterdam and Stockholm Conventions. <http://www.brsmeas.org/Implementation/TechnicalAssistance/ToolsandMethodologies/ManualforCustomsOfficers/tabid/4457>

Basel Convention (2019). Guidance on the implementation of the Basel

Convention provisions dealing with illegal traffic (paragraphs 2, 3 and 4 of Article 9).

Basel Convention (2021a). The Basel Convention Ban Amendment. <http://www.basel.int/Implementation/LegalMatters/BanAmendment/tabid/1484/Default.aspx>. Accessed 15 November 2021.

Basel Convention (2021b). Amendment to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal. <http://www.basel.int/Countries/StatusofRatifications/BanAmendment/tabid/1344/Default.aspx>. Accessed 21 June 2021.

Basel Convention (n/a). Guidance Elements for Detection, Prevention and Control of Illegal Traffic in Hazardous Waste.

This publication may be reproduced in whole or in part and in any form for educational or non-profit purposes without special permission from the Secretariat of the Basel Convention (SBC), provided acknowledgement of the source is made. No use of this publication may be made for resale or for any other commercial purpose whatsoever without prior permission in writing from SBC.

SBC, UNEP or the UN do not accept responsibility for the accuracy or completeness of the contents and shall not be liable for any loss or damage that may be occasioned, directly or indirectly, through the use of, or reliance on, the contents of this publication.

The designations employed and the presentation of the materials in this publication do not imply the expression of any opinion whatsoever on the part of SBC, UNEP or the UN, concerning the geo-political situations or the legal status of any country, territory, or city or area or their authorities, or concerning the delimitation of their frontiers or boundaries. Mention or representation of the names of companies and commercial products does not imply their endorsement by the UN, UNEP and SBC.

This document is produced with the financial assistance of the Norwegian Ministry of Foreign Affairs. The views expressed herein can in no way be taken to reflect the official opinion of the Norwegian Ministry of Foreign Affairs.