

PLASTICS AT BASEL CONVENTION

Most countries have taken an interest in acting to mitigate plastic pollution, recognising it as a serious and rapidly growing issue of global concern that needs an urgent global response. Building on the work [done at the United Nations Environment Assembly](#) to foster agreement on strengthening international governance structures for combating marine plastic litter and microplastics, proposals have been made to amend the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal to address plastics more effectively.

Several member representatives of the [#BreakFreeFromPlastic](#) movement issued [positions](#) and [letters of support](#) for the proposed changes in advance of the 11th meeting of the Basel Convention Open-Ended Working Group (OEWG). The BFFP member and partner engagement at the OEWG meeting is in concert with the ongoing work to support development of [an international legally binding agreement on plastics and plastic pollution](#) which should include measures to address the entire life cycle of plastics, including: binding global reduction targets; caps on production and consumption of plastics; and requirements for loss prevention, collection, and recycling of all plastics.

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3 - 6 Sept: Open-Ended Working Group of the Basel Convention

The 11th meeting of the Open-Ended Working Group (OEWG) of the [Basel Convention](#) took place in Geneva, Switzerland on 3 - 6 Sept 2018, bringing together member states, observers, NGOs, and other stakeholders, in a forum to help Parties reviewing and implementing the Convention, including discussion of proposals to amend the Basel Convention in advance of the next Conference of the Parties (COP) in May 2019.

Below, you'll find details on the matters of interest discussed during the OEWG. In sum: [support continues to grow among member countries for additional measures to control plastic waste and plastic pollution.](#)

Plastics & the Basel Convention

Classification of Plastic Waste

At COP 13 (May 2017) it was decided that formulating options for addressing marine plastic litter and microplastics would form part of the OEWG's work program. A range of options for recommendations were presented by the Secretariat, from simply noting the problem to expanding the waste streams considered of concern under Annex II.

A promising proposal was put forward by the Norwegian delegation earlier this year, seeking to amend the annexation of solid plastic wastes: Removing solid plastic from its current listing in Annex IX (non-hazardous waste) and placing it instead under Annex II (wastes that require special consideration). Placement in Annex II would require exporting states to seek prior-informed consent from importing states, effectively putting an end to the unchecked international trade in plastic waste.

Support for Reclassification

The Norwegian proposal received broad support from participating member states, especially amongst countries from the Global South. Many developing states spoke to the impacts the "scourge" of plastics are having upon their countries health, ecosystems and economies. South Africa pointed out that this problem was only going to grow with an increase in production forecast and as Libya put it, "radical solutions" are needed.

The change in annexation for plastics may not be the most radical of solutions to plastic waste, it is an "important first step"

to tackling the plastic crisis, as [#BreakFreeFromPlastic's](#) Von Hernandez said. Island Sustainability Alliance Cook Islands' Imogen Ingram further informed the meeting of the contamination by plastic of the aquatic food web upon which Pacific Islands rely.

This broad support was carried throughout the meeting, with a draft decision formulated to take note of the Norwegian proposal and recommend COP 14 consider it. This decision was adopted with no objection by the member states in plenary.

The OEWG also recommended the adoption of a related proposal by Norway, Canada, Switzerland, and Uruguay to create a new partnership on plastic wastes.

These recommendations will next be considered by the COP. While the OEWG signaled broad support for the amendment, the pressure will have to remain on the parties to ensure they deliver in May next year.

Last Minute Controversy

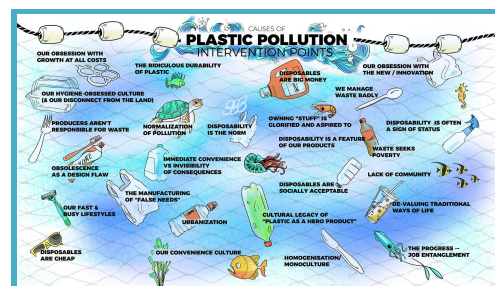
A last minute controversy was brought up by Australia and Canada, who questioned the support for the Norwegian Proposal, clearly witnessed over the preceding days. They succeeded in deleting a reference to the "broad" support in the meeting report. This was opposed by Norway and Switzerland, citing that 21 of 29 speakers expressed their support for the Norwegian proposal. In this exchange, the EU, using the weight of its 28 member states, made its views clear that it should not be counted as supporting the Norwegian Proposal.

Why Does This Matter?

The NGO representatives participating in the Basel Convention OEWG are particularly interested in the technical discussions around plastics, POPs, e-waste, and nanowaste. As covered in the [IPEN and BAN OEWG-11 briefing paper](#), here's why these issues are significant:

Plastics are a multi-dimensional systemic problem.

Previous issues of [Progress on Plastics](#) have cited the dangers of plastic throughout its life cycle and supply chain, even long before plastic pollution becomes waste management issue. ([Image Source](#))

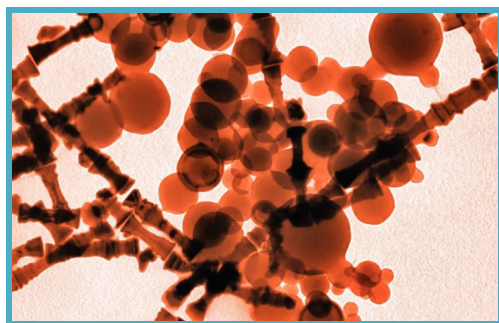
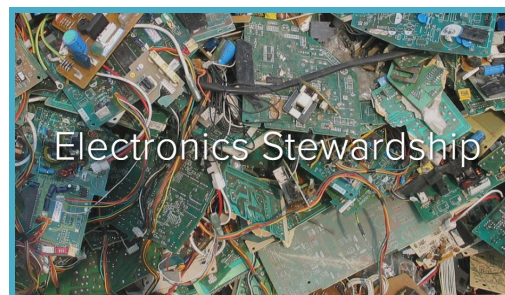


POPs are so harmful that states adopted an international agreement, the [Stockholm Convention on POPs](#), to eliminate them.

Persistent Organic Pollutants (POPs) are toxic to humans and wildlife, accumulating in fatty tissues of animals and humans and persisting in the environment for many years. ([Image Source](#))

[E-waste](#) is the fastest growing waste stream on the planet.

They contain recoverable resources as well as dozens of highly toxic chemicals that can pose a serious health threat to recycling workers all around the world. E-waste are often dumped in less developed countries under the guise of being repairable.



[Nanowaste](#) exposes humans & the environment to a class of substances whose toxicity is not yet known.

This type of microscopic waste material is already appearing in recycling and waste disposal processes with very little information available. Discarded consumer products, industrial and medical waste, and residues from water treatment processes can contain various forms of nanomaterials that are hard to characterise and quantify. ([Image Source](#))

Side Events

Marine litter plastics and microplastics: Experiences on the ESM of plastic wastes towards a Circular Economy

The side event, organized by the Basel and Stockholm regional centres, approached the issue of marine litter and microplastics from multiple perspectives. After an introduction on the negative effects of microplastic on biodiversity, the regional centres described the initiatives carried out at a local level in order to reduce plastic waste. Final remarks came from CIEL's David Azoulay, stressing the need to both support the Norwegian amendment proposal and develop a global instrument to address plastic pollution under the UNEA led process.



Von Hernandez talks global plastic impacts

NGO Perspectives on The Norwegian Proposal

This highly successful event, hosted by [#BreakFreeFromPlastic](#), BAN, GAIA and CIEL, begun with a presentation from BAN's Jim Puckett about the Norwegian proposal on the amendment of Annex IX, highlighting the importance of improved controls on transboundary movement of

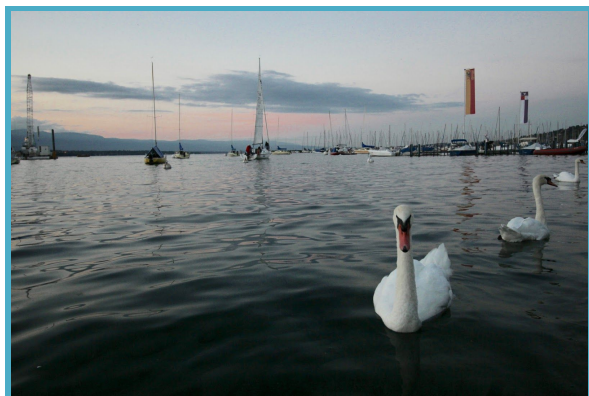
wastes. Von Hernandez, global coordinator of [#BreakFreeFromPlastic](#), focused on illegal plastic waste exports from high income countries to Southeast Asia after China banned import of foreign waste. The presentations gave rise to fruitful discussions amongst delegates and great enthusiasm for the Norwegian Proposal emerged from the meeting, considering it a significant first step to protect developing countries.

BAN Presents 'A Toxic Playground'

Basel Action Network presented the documentary 'A Toxic Playground' to delegates as a timely reminder of why the [Ban Amendment](#)'s ratification is still needed to protect the Global South against the potential for environmental devastation from hazardous waste exports coming from the Global North. The film re-examines the shipment in the 1980s of toxic tailings from Sweden by mining company Boliden, that ended up dumped in the middle of a poor community in Arica, Chile with devastating health impacts upon the local children.

This environmental health disaster occurred with the full consent of the Swedish and Chilean governments, and could happen again, unless the Basel Amendment comes into force, outlawing the export of hazardous waste to the Global South. With only two more of the original parties to the Basel Convention needed to ratify the Amendment, we are closer than ever before to making this a reality.

'A Toxic Playground' can be [watched in full at its website](#).



Just moseying around the marina...

Guidelines on POPs

Updated draft technical guidelines on the environmentally sound management of wastes consisting of, containing, or contaminated with persistent organic pollutants (POPs) were presented for discussion at the OEWG. Of concern in these guidelines was the proposal from EU countries to allow wastes containing a class of chemicals known as SCCPs (for Short Chain Chlorinated Paraffins) to be classed as having “low POP content” even at a concentration of up to 10,000 ppm. The report commissioned by the EU recommended a low POPs content for SCCPs of 100 ppm. “Low POP content” wastes can be disposed of without destroying the qualities that make them persist in the environment and can be freely recycled into new products (recirculating the toxic POPs).

In the first morning plenary, Iran and Cameroon questioned why the limits in the draft technical guidelines put forward by the EU were so high. IPEN’s Jindrich Petrlik brought home the fact that the levels of POPs in the environment continue to rise,

and these dangerously high limits would result in significant amounts of POPs entering the environment.

In further group discussion, parties failed to sufficiently challenge the EU’s high POP content proposals. The issue has instead been passed on to an expert technical group for consideration in October 2018.

E-Waste

Draft updated technical guidelines on transboundary movements of electrical and electronic waste and used electrical and electronic equipment were also presented for discussion. One of the aims of this document is to distinguish between hazardous (and therefore requiring the prior informed consent of importing states) and non-hazardous e-waste. However, included in the update was a new provision that would exempt hazardous e-waste exported for “failure analysis, or for repair or refurbishment”. With no way of ensuring products would actually be repaired in the importing country, this would essentially allow exporters to export e-waste under the guise of being for repair without the checks and balances provided by the Basel Convention.

In the opening plenary India spoke in strong opposition to creating a legal loophole, which it said would open the gates for the unregulated mass dumping of e-wastes in developing countries. Brazil also spoke against the update, cautioning that the guidelines could be in conflict with the purpose of the Basel Convention.

This sentiment was strongly supported by Basel Action Network's Jim Puckett, who urged the OEWG not to support this "conflicted and dangerous" document. In violation of the mandate given to the OEWG by the COP, the EU chair of the contact group refused to open discussion on the content of the draft guideline. COP 14 will further discuss whether amending the Technical Guidelines on transboundary movements of e-waste, in particular regarding the distinction between waste and non-waste under the Basel Convention.

Nanowaste

In accordance with a request by COP 13, the Secretariat presented a report, 'Waste Containing Nanomaterials' for consideration by the OEWG. The report recommends further work towards the classification of nanowaste, as well as activities to minimize the presence of nanomaterials in waste streams among other recommendations.

In the Monday afternoon plenary session The Centre for International Environmental Law's David Azoulay spoke of the [joint NGO declaration on waste containing nanomaterials from 2016](#), and called for increased producer responsibility.

In contact groups it was resolved to invite further comments from parties on the report. A draft resolution will be prepared in view of the COP.

Bamako Convention

The Bamako Convention is a treaty of African nations prohibiting the import into Africa of any hazardous waste. The convention came into force in 1998 and is a response to Article 11 of the Basel Convention which encourages parties to enter into bilateral, multilateral and regional agreements on Hazardous Waste to help achieve the objectives of the convention.

Side Event: How can the effective implementation of the Bamako Convention be accelerated?

After France guaranteed financial support for capacity building initiatives addressed to Bamako Convention parties, on the 5th of September, a side event on the implementation of the Bamako Convention has been organized by the French Ministry for an Ecological and Solidary Transition and Secretariat of the Bamako Convention. Ways to articulate the Bamako Convention with the BRS Conventions have been discussed, stressing how a coordinated approach to Basel and Bamako can complement and reinforce each other in the achievement of the set goals. Special focus has been on the EU procedure to ensure access to information on banned chemicals. Thanks to specific provisions in the Bamako Convention banning the import in Africa of any substance banned for health and environmental reason in the country of manufacture, [it could play a major role in ending the shameful double standard exports to Africa](#).

Ban Amendment

The [Ban Amendment](#) prohibits all exports of hazardous waste from Organisation for Economic Co-operation and Development (OECD) countries to all non-OECD countries. It protects developing countries from becoming trash bins for the most industrialised countries' hazardous waste. It was adopted in 1994, and requires 62 ratification to enter into force.

In the close Namibia presented the OEWG with the news that it had ratified the Ban Amendment, meaning there are only two more original parties that need to ratify for the amendment to come into force. When this amendment comes into force, the export of hazardous waste from the Global North to the Global South will be banned.

These countries were present in 1995 and have yet to ratify the Amendment:
Australia, Bahamas, Bangladesh, Brazil, Canada, Comoros, Costa Rica, Croatia, Cuba, Democratic Republic of Congo, India, Israel, Japan, Mexico, New Zealand, Pakistan, Philippines, Republic of Korea, Russian Federation, St. Kitts and Nevis, Senegal, United Arab Emirates, Vietnam.



Strategizing and planning... (image: [ENB](#))



Better make sure to #BYOBottle!

Upcoming Events of Interest

15 SEPT

World Cleanup Day - use BFFP
[Brand Audit toolkit!](#)
Worldwide

29-30 OCT

[Our Ocean, Our Legacy Conference](#)
Bali, Indonesia

TBC NOV

2nd Meeting of the [AHOEEG](#)
Nairobi, Kenya or Geneva,
Switzerland

11-15 MAR 2019

[United Nations Environment Assembly 4](#)
Nairobi, Kenya

29 APR - 10 MAY 2019

[COP to the Basel, Rotterdam, & Stockholm Conventions](#)
Geneva, Switzerland

Progress on Plastics Update Issue 6 (6 September 2018)

Partners in Progress on Plastics Update:



**#break
free
from
plastic**

[#BreakFreeFromPlastic](#) is a global movement envisioning a future free from plastic pollution. Since its launch in September 2016, over 1,000

non-governmental organisations from across the world have joined the movement to demand massive reductions in single-use plastics and to push for lasting solutions to the plastic pollution crisis. These organisations share the common values of environmental protection and social justice, which guide their work at the community level and represent a global, unified vision. Sign up at www.breakfreefromplastic.org.

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Remember to Share!

Get the word out about the work being done on plastics and plastic pollution on the international stage by the [#BreakFreeFromPlastic](#) members and supporters.

Short link for newsletters: bit.ly/2wQwbsh

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