World Plastics Council (WPC) Comments on the Implementation of the 2019 Basel Convention Plastic Waste Amendments

Submitted to the Secretariat of the Basel Convention
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I. Introduction

The World Plastics Council (WPC) is grateful for the opportunity to comment on the 2019 amendments to the Basel Convention regarding plastic waste, in response to the call for information in Decision BC-14/12. WPC is a global organization of leading polymer and resin manufacturers committed to promoting sustainable plastics management and reducing plastic pollution through practical, science-based, and economically viable solutions. Our members have made significant investments in mechanical and chemical recycling technologies and view environmentally sound recycling as central to a sustainable circular economy for plastics.

WPC recognizes the Basel Convention as a foundational international agreement for governing the transboundary movement of hazardous and other wastes, including plastic waste. We support the Convention's goals and believe that, when well-implemented, it can serve as a powerful enabler of responsible waste trade and recycling. At the same time, we believe that excessively burdensome or inconsistent controls can undermine these goals, particularly by impeding the development of efficient global recycling supply chains.

Our overall concern is that the amendments adopted in Decision BC-17/11—while well-intentioned—have introduced substantial barriers to the international movement of plastic waste destined for environmentally sound recycling. In particular, the constraints imposed by the prior informed consent (PIC) process for many plastic wastes have proven difficult to implement in practice, leading to delays, uncertainty, and in some cases, *de facto* bans on trade in recyclable materials.

Without responsible trade in feedstocks, the global transition to a circular economy for plastics will be severely hampered. Many developing countries, particularly small island developing states (SIDS) and economies lacking domestic recycling infrastructure, depend on access to regional or international recycling hubs. These hubs, many located in developed (OECD) countries, operate at high environmental standards and offer solutions for plastic waste that would otherwise be landfilled, incinerated, or lost to the environment.

A functional and fair global framework must enable, not obstruct, these material flows. WPC stands ready to support Parties, the Secretariat, and other stakeholders in identifying practical improvements to the current framework that protect the environment while promoting legitimate and transparent trade in recyclable plastics.

II. The Role of Plastic Waste Trade in a Global Circular Economy

The development of a circular economy for plastics is contingent upon reliable access to plastic waste feedstock and the ability to move those materials efficiently to appropriate recycling facilities. This includes facilities employing both traditional mechanical recycling and chemical recycling technologies.

Cross-Border Movements Enable Recycling

Plastic waste is generated across all regions of the world, but modern recycling infrastructure remains unevenly distributed. Many countries do not yet have the capacity, technical expertise, or scale to operate economically viable recycling facilities for complex or contaminated plastic waste streams. For these countries, access to regional or global recycling centers is not just a matter of economic efficiency—it is often the only viable environmental option.

While the principle of proximity remains important, its application must be tempered by practical realities. A blanket preference for domestic treatment can result in environmentally inferior outcomes, such as open burning, landfill, or low-value recovery. Conversely, allowing plastic waste to flow to state-of-the-art facilities—where it can be processed responsibly and reintroduced into the value chain—reduces pollution and contributes directly to circularity. Environmentally and economically sound recycling operations—including chemical recycling technologies—require capital-intensive investments with sustained access to plastic waste feedstock.

Mechanical and Chemical Recycling: Complementary Roles

Mechanical recycling is well-established and appropriate for clean, rather single-polymer/mono-material plastic waste streams. However, it is limited in its ability to process contaminated, multi-polymer/material, or flexible plastics, and often yields lower-quality outputs.

Chemical recycling technologies—such as solvolysis(or depolymerization), pyrolysis, hydrothermal treatment, and gasification—have advanced significantly in recent years. They are capable of processing a broader range of plastic waste, including materials that cannot be recycled mechanically. As such, they complement mechanical recycling by handling hard-to-recycle plastics (multi-layer, mixed, or contaminated streams) that mechanical processes cannot economically recycle or because they go into sensitive applications that require a level of quality that cannot be achieved through mechanical recycling (e.g., food contact, medical).

WPC members and others have invested heavily in commercializing chemical recycling technologies, and several facilities are now operational worldwide. These technologies, when implemented under proper environmental controls, offer real and scalable solutions for managing the most problematic plastic waste. Facilitating shipments to these state-of-the-art facilities is part of the solution set needed to tackle the full spectrum of plastic waste. Additional background on these technologies is available here: https://plasticscircularity.org/?resources=chemical-recycling-technologies. We invite Parties to explore these resources.

Regardless of the recycling technology, international shipments can supply high-quality recyclable plastics waste to facilities that need them for processing, improving economies of scale and recycling outcomes while providing environmental sound solutions to countries with missing recycling infrastructure. Facilitating international shipments to both types of facilities is therefore a necessary part of the solution set for addressing the full spectrum of plastic waste challenges. The global plastics industry is prepared to work with regulators to ensure that such trade flows are transparent, compliant, and environmentally sound.

Enabling Investment and Preventing Leakage

Access to feedstock is critical to the viability of recycling investments. If companies cannot secure a consistent, reliable supply of recyclable plastic waste, they will be less likely to invest in new capacity. (This is particularly true for chemical recycling, which often requires high volumes to achieve commercial scale, due to the nature of these facilities.) Overly burdensome trade restrictions—especially those that introduce delays or uncertainty—undermine this investment logic. And restricting the movement of recyclable plastic waste often increases the likelihood that it will be mismanaged, leading to pollution, greenhouse gas emissions, and loss of valuable resources.

By contrast, enabling the movement of plastic waste to well-managed recycling operations promotes market demand for post-use plastics, strengthens collection and sorting systems, and reduces leakage. It is also a key enabler of circularity in regions that lack domestic capacity.

The Current Problem

Unfortunately, the Basel Convention as it currently operates presents a significant obstacle to these opportunities. Although prior informed consent (PIC) requirements do not *in theory* prohibit trade in most instances, in practice they function as a significant impediment to trade flows. Basel requires PIC approvals from exporting, transit and importing countries. Many countries simply do not process PIC notifications in a timely way, and the PIC requirement therefore serves as a de-facto prohibition, particularly in instances where shipping routes need to be adjusted and in the absence of general multi-shipment consents covering up to one year.

The current definitions and their fragmented interpretation on the quality of B3011 plastic waste and the movement procedures for shipments that fall under Y48 create a tremendous burden on the trade of plastic waste for professional recycling. Uncertainty at the national level and in the marketplace creates delays and increases costs, all of which reduces the potential for a global circular economy. Defining environmental sound recycling operations and related certification/control measures would allow identifying save material flows between countries that enroll effective control measures on ESM. Transparent control systems on the movement of plastic waste need to be established without hindering the flows.

This problem is especially acute with respect to impediments to waste shipments from developing (non-OECD) countries to developed (OECD) countries for recycling, for example, to regional hubs. Often, high-performing recycling facilities in OECD countries can safely process plastic waste that origin countries cannot. Facilitating these Northward flows under transparent and efficient controls ensures that plastic

waste from all regions (including the Global South) can be reclaimed as a resource in an environmentally sound manner, rather than accumulating or being openly burned.

III. Overview of the 2019 Basel Plastic Waste Amendments and Early Implementation Experience

The 2019 amendments to the Basel Convention, which entered into force in January 2021, were adopted with the aim of better controlling international trade in plastic waste and ensuring environmentally sound management. These amendments created three primary categories of plastic waste:

- **B3011 (Annex IX)**: Non-hazardous, pre-sorted, clean, almost exclusively single polymer plastic waste (and some mixtures) suitable for recycling. These materials are presumed not to pose significant risk and are not subject to the PIC procedure.
- **Y48 (Annex II)**: Non-hazardous, mixed, contaminated with non-hazardous contaminants, or difficult-to-recycle plastic waste requiring special consideration. These materials are subject to the PIC procedure and virtually all of the Basel Convention control procedures (except the Ban Amendment).
- **A3210 (Annex VIII)**: Plastic waste considered hazardous due to its composition or contamination. These materials are subject to the full Basel controls (including the Ban Amendment).

In principle, the amendments established a reasonable framework for distinguishing between different categories of plastic waste. In practice, however, their implementation has proven to be far more complex and burdensome than anticipated. For example, Annex II-listed waste – including Y48 – while not classified as hazardous, is subject to virtually the same control procedures as hazardous waste. Coupled with the ambiguous interpretation of what falls under B3011 and Y48, these heavy controls create significant uncertainty and unnecessary burden.

Early Implementation Challenges

The transition to the new listings has been uneven across Parties. Many countries only began processing Y48 notifications in 2021–2022, and some have yet to do so. National authorities have interpreted the new listings differently, resulting in inconsistent classifications and compliance requirements.

The PIC procedure for Y48 plastic waste has emerged as a major barrier to trade. The process is administratively intensive, time-consuming, and often subject to lengthy delays or opaque decision-making. In many cases, exporting and importing authorities, as well as transit countries, are unable to respond within reasonable timeframes. This results in shipment delays, financial losses, and—in some cases—the abandonment of recycling transactions altogether.

As noted above, these challenges are especially acute for future shipments that could be originating in non-OECD countries and destined for OECD recycling hubs. In the absence of efficient multi-shipment or pre-consent arrangements such as those made available under the OECD Decision, and in the face of non-harmonized interpretations of the various plastic waste categories, operators must navigate a case-by-case approval process that is difficult to predict or plan around. Our members face obstacles even for

shipments within the OECD. But the administrative burdens and shipment obstacles for Y48 shipments are particularly acute with respect to shipments from non-OECD to OECD countries. Facilitating such shipments is presumably one of the most important objectives for the Basel Convention today for purposes of ensuring the responsible recycling of plastic waste feedstock globally. But our experience is that many non-OECD jurisdictions have neither begun to establish implementation procedures or decision-making frameworks to facilitate such exports, nor considered the use of Article 11 to enter into bilateral, regional or multilateral agreements for the movement of waste to pre-consented facilities (e.g. regional hubs) that can process these feedstocks in an environmentally sound manner.

The Risk of Premature Reactions

Some stakeholders have proposed expanding the scope of Y48 or imposing even more stringent controls. WPC cautions against such steps, particularly given the early stage of implementation. The current system is not yet fully operational across Parties, and many authorities and businesses are still adapting to the new requirements. It would be premature to tighten controls further before the impacts of the existing amendments are better understood. Instead, Parties should focus on improving clarity, consistency, and functionality within the current framework.

WPC believes the Parties should focus on improving the operations with respect to the current listings, including through better-defined criteria, harmonized interpretations, and streamlined procedures. In the remainder of our comments, we outline concrete steps to improve implementation while safeguarding the Convention's environmental goals.

IV. Improving Clarity and Consistency in National Implementation

One of the most significant challenges encountered in the implementation of the 2019 plastic waste amendments has been the inconsistency in national-level interpretations and procedures, including within the EU region. Companies seeking to move recyclable plastic waste across borders now face a patchwork of requirements, delays, and uncertainty. This undermines the very objective of the Basel Convention to foster environmentally sound management of waste.

Transparency of Domestic Rules

WPC encourages Parties and the Basel Secretariat to prioritize transparency by publishing and regularly updating national guidance on how the plastic waste listings are interpreted and applied. We also urge EU and other regional coordination bodies to improve regional harmonization, including on implementation, interpretation and enforcement. Even within the EU's single market, where uniform legal rules are prescribed under the Waste Shipment Regulation, our members are routinely required to navigate differing interpretations and application of these rules by competent authorities on the ground This need for better harmonization includes clear articulation of:

- Thresholds for contamination in B3011 shipments;
- National requirements or restrictions for Y48 shipments;
- Licensing or consent documentation required for exporters and importers;
- Definitions of key terms (e.g., "clean," "homogeneous," "mixed polymers," "separate recycling");

- Recognition of recycling technologies using a technology-neutral definition.

Such transparency would enable recyclers and traders to comply effectively and would also facilitate enforcement by customs authorities.

End-of-Waste Criteria

Greater clarity is also needed regarding when recycled materials cease to be considered "waste" and re-enter the stream of commerce as commodities. This is important for *all* recycling technologies – mechanical, solvent-based, chemical, organic -- with particular significance for materials produced through chemical recycling processes. A harmonized framework for "end-of-waste" designations would reduce uncertainty, promote legitimate trade, and help prevent regulatory arbitrage or abuse.

Clarity and consistency around “end of waste” designations are critical. On the one hand, growing a global circular economy requires clarity on the point at which secondary materials that have been subject to recycling operations are now ready to be used as manufacturing inputs (and free of the controls on such materials as wastes). On the other hand, clear parameters and criteria are necessary to avoid sham transactions and illegal traffic in materials that have not been subjected to any recycling or recovery operations and that therefore should not benefit from an end-of-waste designation.

Given the complexity and sensitivity of this topic, WPC suggests that Parties explore piloting regional approaches to end-of-waste criteria under Basel, particularly among countries with shared infrastructure or trade routes. See section VI below.

Survey and Mapping of National Classifications

WPC supports a renewed survey, led by the Basel Secretariat, to gather detailed information on national classification practices. The Secretariat’s initial questionnaires in 2021–2022 were a good start; a more comprehensive update now (several years into the amendments) could identify commonalities and discrepancies. This survey should seek to:

- Identify discrepancies in how countries interpret Y48 and B3011;
- Map national thresholds for contamination or allowable polymer mixes;
- Highlight procedural differences in notification, approval, and transit.

Such an initiative would form the basis for constructive dialogue around harmonization and capacity-building.

Toward Harmonized Criteria and Reference Tools

WPC recommends that Parties consider developing standardized reference materials—such as checklists, decision trees, and polymer-specific guides—to support harmonized classification. These tools could reduce ambiguity in assessments and enhance consistency across jurisdictions.

To the extent possible, WPC encourages Parties to consider harmonizing key definitions and criteria used for Y48 and B3011 classifications. The goal is to minimize confusion, delay, and avoid scenarios where the same shipment might be treated very differently depending on the transit route. Consistency will help industry comply and regulators enforce. WPC suggests exploration of developing clear guidelines or reference standards for such terms under Basel so that all stakeholders have a common understanding. For example, a centralized tool or checklist that helps shippers to evaluate B3011 classifications would be a valuable resource.

Greater clarity and alignment will make it easier for industry to plan recycling supply chains and invest in facilities. It also aids enforcement by customs and port authorities – if the rules are well-defined, it's more straightforward to inspect shipments and detect truly non-compliant waste. WPC is ready to assist by providing data on material flows and quality standards from the private sector perspective.

These consistency improvements are especially important to reduce friction on shipments of mixed plastic waste that are eligible to move under B3011 for processing in chemical recycling operations. Chemical recycling operations are designed for material recovery from mixed wastes, where the content of the mixed material is processed together in recycling operations. It is designed for "hard-to-recycle" plastic waste, including mixed resins. Facilitating the shipment of such materials for processing under B3011 requires consistency in use of terms and common understanding to reduce ambiguity and avoid shipment-by-shipment obstacles that add costs, impose delays, and consume administrative resources.

As with end-of-waste criteria, WPC suggests that harmonization efforts could initially be pursued through regional or ad-hoc coalitions, such as those discussed in greater detail in section VI below.

V. Ensuring the PIC Procedure Works Smoothly for Controlled Plastic Waste

The Prior Informed Consent (PIC) procedure is a foundational mechanism of the Basel Convention intended to ensure transparency and accountability in the transboundary movement of controlled waste. While WPC fully supports the principle that countries must retain the right to approve or decline the import of controlled wastes, we emphasize the need for this system to function efficiently, particularly where the trade in question involves non-hazardous plastic waste destined for environmentally sound recycling.

In its current form, the PIC system introduces significant friction into the recycling supply chain. Although the system is not designed as a prohibition, in practice it can function as one. Delays, administrative burdens, and a lack of clarity in national procedures can deter legitimate shipments, disincentivize investment, and reduce the circularity of plastic materials. These inefficiencies do not serve the environment. On the contrary, they often lead to less desirable outcomes, such as landfilling or incineration of otherwise recyclable materials.

The Importance of a More Efficient PIC

Plastic waste shipments falling within the scope of Y48 (Annex II) or A3210 (Annex VIII) require prior informed consent from both the importing and any transit countries before the export can proceed.

While this requirement provides oversight, it also introduces a number of structural and procedural challenges that must be addressed.

Many jurisdictions face resource constraints or lack the infrastructure to efficiently process PIC notifications, leading to long approval timelines or failure to respond within the required period. For businesses depending on consistent access to plastic waste feedstock, this creates severe planning challenges. Uncertain timelines, incomplete communication, and the risk of rejection or non-response often make it impractical to rely on PIC-controlled shipments.

The result is a chilling effect on legitimate trade, particularly for those trying to establish new recycling partnerships or respond to market signals. Over time, this deters investment in collection, sorting, and recycling infrastructure—especially in the very countries that most need to grow their capacity. We urge Parties to consider how PIC can be modernized to better distinguish between higher-risk and lower-risk trade flows, and to align regulatory effort with actual environmental risk.

Alignment with Environmental and Economic Objectives

A smoother PIC process for Y48 wastes (i.e., mixed wastes that are non-hazardous) would not compromise environmental protection. Rather, it would enhance the Convention's objective of promoting the environmentally sound management (ESM) of wastes. It is essential to remember that in the case of Y48 plastic feedstock shipments:

- The material is not hazardous and will be subject to responsible treatment;
- The exporting country lacks comparable treatment options;
- Delays in approval could lead to environmentally inferior outcomes (e.g., burning or landfilling).
- Recycling facilities in the OECD destination countries ensure ESM of plastics waste in a highly regulated environment.

In these cases, the costs of delay or rejection far outweigh the potential environmental risks. A more streamlined approach to PIC for such shipments will lead to better environmental outcomes.

Recommendations for Improving PIC Functionality

To that end, WPC supports the following improvements, which could be implemented as soon as possible:

1. **Enhanced Use of Digital Systems:** Broader adoption and full utilization of the e-PIC platform, electronic signatures, real-time tracking, and standardized digital forms would streamline operations, reduce errors, and increase transparency.
2. **Central Coordination Hubs:** Regional coordination centers could assist smaller or less-resourced countries in managing PIC notifications efficiently and consistently.
3. **Transit State Approvals:** Transit approvals are a disproportionate burden when plastic waste merely passes through a country without being offloaded. More efficient procedures should be adopted, including tacit consent or automatic clearance for specified routes.

4. **Capacity Building:** PIC system improvements must be accompanied by targeted investment in administrative and technical capacity for national authorities. WPC supports voluntary donor-backed programs to train competent authorities, improve notification systems, and enhance cross-border collaboration.

As explained in more detail in Section VI below, we also believe that there are additional steps that could be taken, perhaps initially through pilot projects, to improve the procedures for Basel controlled wastes, including multi-shipment approvals, pre-consent mechanisms, and default consent arrangements.

Preventing De Facto Bans Through Inefficiency

Without these types of reforms, the PIC procedure risks becoming a de-facto trade ban, particularly for countries with limited capacity. We have observed many cases where delays and lack of response have resulted in legitimate shipments being cancelled, to the detriment of both exporter and importer—and ultimately the environment.

Examples of PIC inefficiency or tremendous delays under the current Basel Convention which our members have experienced (for materials subject to Basel control procedures, although not necessarily all for Y48 materials alone) include (among others):

- In several cases the competent authority of the receiving state caused delays in the processing of the permit application (e.g., no acknowledgement of receipt of application, or late notices of acknowledgement). When contacted, authorities referred to workload and capacity limitations. Recent (2025) experiences showed a duration of 9 month for a “re-application” of a notification permit for a known material stream to a known outlet for processing.
- In one case a permit was withdrawn because of late payment of notification process fees to a transit state. The competent authority of the transit state initiated a withdrawal of an already issued permit approval referring to a missing payment of fees they charge for approval, only weeks after the approval was issued, and despite attempts to correct the payment and communicate with the authority in the meantime. (The fee was ~500 EUR.)
- Dis-harmonization in the interpretation of terms like “recycling” and the related conditions for approval have led to situations where – even within EU – a competent authority does not accept recycling permit of the recycling facility, e.g., R1 or R5, and waste export permits had to be addressed under D10.
- Redundant bank guarantees requested by the competent authority of the receiving country.
- Inconsistency in management of application requests: some competent authorities accept digital forms, whereas some require paper versions with a wet-signature submitted via mail.
- The level of detail in information required on the waste varies tremendously among competent authorities (and sometimes even within the same authority, depending on the individual working on it).

We believe a renewed focus on operational efficiency within the PIC process will better align the Basel Convention with the goals of the circular economy and the broader agenda of global environmental cooperation.

VI. Exploring Pilot "Opt-In" Arrangements for Streamlined Procedures

In addition to improving the PIC procedure, WPC urges Parties to consider the full use of Article 11 of the Basel Convention as a tool for innovation, flexibility, and cooperation. Article 11 allows Parties to enter into bilateral, multilateral, or regional agreements or arrangements for the transboundary movement of waste, provided that such arrangements ensure environmentally sound management (ESM) and offer levels of protection no less stringent than the Basel Convention itself.

We believe this provision offers an underutilized opportunity for like-minded countries to develop streamlined, well-governed systems for the movement of recyclable plastic waste to pre-approved facilities.

The Case for Pilot Arrangements

Many challenges within the current system are best addressed not through sweeping global reforms, but through targeted, cooperative initiatives among countries with aligned standards and shared interests. This includes countries:

- Within a common customs union or regional trading bloc;
- With direct trade relationships involving plastic waste shipments for ESM;
- That are part of established waste treatment and certification networks.

Article 11 provides the legal foundation for such arrangements, enabling experimentation without undermining the Convention's broader framework.

For example, in the e-waste sector, Basel Parties have discussed or implemented projects to facilitate movement of used electronics to certified refurbishers and recyclers in certain regions. Similarly, regional arrangements or pilot programs for plastic waste could allow a group of neighboring countries to send recyclable plastic to a central processing facility under agreed, less cumbersome procedures that involve agreement *ex ante* by Parties that opt-in to this arrangement. Such controlled experiments can demonstrate that environmental safeguards are maintained even as administrative burdens are reduced.

With respect to plastic waste shipments, the scope of such an arrangement could be tailored to reflect the objectives and capabilities of participating countries. It could include only certain categories of such waste (e.g., only specified sorted and differentiated wastes that meet certification criteria), or, for other Parties, it could potentially encompass movements of *all* plastic wastes.

Suggested Features of Opt-In Arrangements

WPC recommends that Parties consider piloting Article 11 arrangements that provide, for example, for measures to facilitate and effectively pre-authorize plastic waste flows that meet agreed criteria, and could include the following features:

1. **Opt-In:** Procedures by which parties could easily and quickly "opt-in" to regional or global arrangements that permit and expedite the flow of plastic waste feedstock to pre-approved facilities
2. **Pre-Consent and Facility Certification:** Participating countries could maintain a shared registry of pre-consented facilities that meet high environmental standards. Facilities could be pre-consented for specific types of plastic waste. Shipments to these facilities would benefit from expedited approval processes.
3. **Multi-Year Multi-Shipment Notifications:** Exporters operating under an Article 11 arrangement could receive standing approvals for regular shipments, reducing repetition and administrative burden (e.g., up to or exceeding three-year approval durations).
4. **Time-Bound Approvals and Default Consent:** Where appropriate, Parties could consider applying default consent mechanisms when no response is received within a designated timeframe, provided the shipment is to a certified facility and complies with agreed documentation requirements.
5. **Standardized Criteria and Definitions:** Harmonized definitions of B3011-eligible plastics, contamination thresholds, and end-of-waste criteria would ensure consistency and reduce disputes over classification.
6. **Simplified Transit Notifications:** Arrangements could include provisions for automatic clearance of transit shipments that meet documentation and routing criteria – i.e., procedures to allow exporters to "notify and proceed" without the need for transit country affirmative consents -- thereby eliminating redundant administrative hurdles.
7. **Information Transparency and Clear, Standardized and Efficient Audit Provisions:** Participating countries would commit to publishing shipment data and conducting regular audits of facilities and exporters to ensure ongoing compliance and build trust.
8. **Provisions for Intermediate Products and End-of-Waste Clarity:** Arrangements should clarify when partially processed or recovered materials cease to be waste, especially in the context of multi-step chemical recycling processes.

Pre-consented Facilities

We specifically envision a pilot program in which Parties could opt-in to agree to streamline the PIC procedure for non-hazardous plastic feedstock shipments – which would otherwise be subject to Y48 controls -- by allowing expedited approvals for shipments to pre-consented facilities that have been identified as operating at high standards of environmental performance, multi-year multi-shipment approvals, and reduced paperwork and financial guarantee provisions, while enhancing transparency regarding plastic waste trade under these arrangements. If a particular facility in an importing country is known to meet high ESM standards, the authority could expedite or pre-approve multiple shipments to that facility (perhaps via a single notification covering several loads, or a fast-track for repeat trade). This approach has precedents in some regimes (e.g., OECD waste trade rules) and could be tested within other broader article 11 arrangements for plastic waste shipment.

Environmental and Economic Benefits

By creating a more flexible and efficient framework for trusted recycling partnerships, Article 11 arrangements would reduce costs, increase transparency, and expand recycling capacity. They would

enable developing countries to participate more fully in the global circular economy, while ensuring that environmental safeguards remain in place. We view these arrangements not as a substitute for global rules, but as a vital complement to them—allowing practical progress while more comprehensive reforms are developed. WPC stands ready to work with Parties interested in piloting such frameworks and can offer guidance based on existing industry certification programs, material tracking platforms, and international waste trade models.

VII. Improving the Clarity of Waste Listings in the Convention

While enhancing procedural implementation and regional cooperation is vital, WPC also encourages Parties to consider whether some plastic waste streams that can be safely and beneficially recycled remain unnecessarily subject to burdensome control procedures. The 2019 amendments reflected the best available compromise at the time, balancing environmental concerns with the realities of plastic recycling systems. However, practical experience now provides an evidence base for improving and clarifying the listings. If certain waste streams prove to be consistently safe and suitable for recycling, then those streams should be reclassified to allow trade under less restrictive terms, subject to appropriate oversight mechanisms. As Parties gain more experience with the practical outcomes of the 2019 listings, they should be encouraged to propose updates to clarify which materials qualify for Annex IX treatment. This includes clarifications to B3011 or new entries in Annex IX for additional polymer categories or processing conditions.

Clarifying and Potentially Expanding the Scope of B3011 to Promote Circularity

B3011 currently covers pre-sorted, clean, and "almost exclusively" single polymer plastic wastes, as well as certain limited mixed waste shipments (of PE, PP, and PET), that are intended for mechanical and chemical recycling. While this category works well in principle, there is a practical risk that narrow interpretations of the scope of the current listing may exclude feedstock that, in practice, is highly suitable for environmentally sound recycling with modern techniques that ensure full recovery of these materials. For example, some competent authorities might misinterpret the references in B3011 to "separate" recycling and "sorting" of mixed PE, PP and PET feedstock shipments to require that each polymer within such a mixed shipment be subject to a distinct treatment operation at the recovery facility -- even if the receiving facility is capable of processing mixed feedstocks together efficiently and responsibly. Instead, these terms should be understood as intended: to ensure that all components of the mixed shipment will be recycled (i.e., to preclude a situation where a some polymers would be separated out and *not* recycled in an R3 operation).

An overly narrow interpretation of these terms could inhibit the efficient and environmentally beneficial movement of such mixed feedstocks. Parties should therefore make it clear plastic waste that is destined for recycling in high-quality facilities that are capable of ensuring the direct utilization of all of the feedstock materials in responsible recovery operations without preparatory treatment processes -- independently of separation of recycling stages or any specific technique that is used, --has access to the B3011 regime.

Parties should also remain open to *expanding* the scope of the B3011 listing in Annex IX, particularly with respect to shipments from non-OECD countries to facilities (including preconsented facilities) in

OECD jurisdictions. Focusing only on the quality of waste without considering the facilities' capabilities to recycle with different techniques remains an obstacle to boosting circularity at global level. More pointedly, if these materials must be shipped under the Y48 listing, the resulting burden on authorities and industry alike is significant and may deter recycling altogether.

Alternative Approach – New Annex IX Plastic Waste Listings -- Reviving Decision VIII/15

As an alternative to B3011 improvements, WPC highlights Decision VIII/15 as an underutilized mechanism for updating and clarifying Basel waste listings. This decision enables Parties and observers to submit proposals for adding or amending listings based on technical evidence and defined procedures.

We encourage Parties to make use of this mechanism, possibly in collaboration with industry and technical experts, to consider developing polymer-specific entries in Annex IX that reflect modern recycling capabilities, as well as entries that provide carve-outs for intermediate materials or partially processed feedstocks that are demonstrably recyclable. Greater use of this process will allow the Convention to remain responsive, science-based, and aligned with both environmental and economic realities.

VIII. Relationship with the Global Plastics Treaty

WPC emphasizes that the Basel Convention is only one piece of a broader global strategy for reducing plastic pollution. We support an integrated approach that includes upstream and downstream measures to improve plastic sustainability across its lifecycle.

These include:

- Design for recyclability standards on an applications basis, building on existing international standards (e.g., ISO);
- Mandates or incentives for recycled content in plastic products at the national level (as part of national action plans);
- Enabling circularity policies that drive investments in waste collection, sorting and recycling infrastructure;
- Public-private partnerships for education, capacity building, and technology transfer.

The Basel Convention's role should be to complement and reinforce these broader efforts. Its procedures must not inadvertently discourage participation in circular economy initiatives or penalize innovation in recycling technologies.

As the international community continues negotiations on a global agreement to end plastic pollution, WPC underscores the need for coherence between this new instrument and the Basel Convention. Specifically, the Parties to both processes should work to ensure:

- Consistent definitions of key terms such as "waste," "resource," "recyclable material," and "plastic feedstock";

- Alignment on tracking, reporting, and transparency standards;
- Mutual recognition of certification schemes and compliance frameworks.

The principles of the Basel Convention—particularly environmentally sound management and transparency—should serve as a foundation for the new plastics treaty. At the same time, the treaty should help modernize Basel's tools and procedures to reflect 21st-century realities.

IX. Preventing Illegal Trade and Sham Recycling

WPC reaffirms its strong opposition to illegal waste shipments, sham recycling operations, and the misuse of recycling classifications to disguise improper disposal. Our proposals for streamlined procedures and more efficient controls apply only to legitimate recycling operations subject to robust oversight.

To that end, we support:

- Expanded use of facility certification and audit schemes;
- Public registries of compliant recyclers and brokers;
- Coordinated customs enforcement and data sharing among Parties;
- Disqualification of repeat offenders from simplified trade regimes;
- Clear definitions and implementation of the scope for each plastic waste category.

The Convention must retain strong enforcement tools and safeguards, even as it becomes more flexible and enabling.

X. Conclusion

The 2019 Basel amendments were a pivotal step in bringing plastic waste more fully under international control. They reflected global recognition that plastic pollution is a transboundary challenge requiring coordinated solutions. However, the early years of implementation have shown that additional refinement is needed to achieve the Convention's environmental objectives without stifling legitimate recycling.

WPC urges Parties to focus on improvements in four key areas:

1. Improving clarity and consistency in national implementation of the listings;
2. Streamlining the PIC procedure for shipments of non-hazardous plastic waste destined for responsible recycling;
3. Using Article 11 to develop innovative pilot agreements that facilitate trusted trade flows;
4. Updating the Convention's listings to reflect implementation experience and evolving recycling technologies.

We believe these changes will allow the Basel Convention to become not only a guardrail against harmful waste trade, but also a platform for global circularity. The Convention can and should

promote—not just regulate—the safe and sustainable movement of materials needed to power the transition to a low-carbon, resource-efficient economy.

WPC appreciates the opportunity to share these comments and stands ready to work collaboratively with Parties, the Secretariat, and other stakeholders to implement pragmatic, science-based solutions to the plastic waste challenge.

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