

THE OR FOUNDATION

Accra, November 2025

Key Position on Basel Convention & Secondhand Textiles

Point 1) Give Special Consideration to Textiles utilizing the criteria and enabling conditions proposed by UNEP in September of 2025.

Point 2) Do not generically treat all textile waste as plastic or hazardous waste without first ensuring the holistic integration of Point 1.

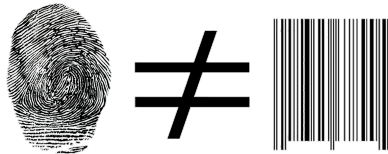
Rationale

Textiles are Special.

To make them circular requires breaking out of binary thinking. To classify every garment as either waste or a product, as either hazardous or non-toxic, grievously overlooks the nuance of the context that makes fashion fashionable, that gives form function, and that lends value to the material we literally hold closest to ourselves as part of our identity. While we are aligned with the ethos of ensuring that there is prior informed consent ahead of shipments of textile waste, the key element of defining what is considered textile waste in a manner that aligns intention with reality and mitigates potential unintended consequences is currently missing from the broadly generalized framework of the Basel Convention and policy frameworks emerging from the Global North where the special consideration of textiles is all but forgotten in the economies that have created a waste crisis through addictive consumption.

In Ghana textiles are handed down for generations. Last wills and testaments can be woven into cloth over months. Such sacred garments are used, but cared for with the highest respect to the loved ones and ancestors they represent. Obviously it is the absence of this emotional durability in garments accompanied by a decay in quality of material, design and manufacturing inversely correlated to the increase in polyester with the same molecular structure as a plastic bottle that has led to a waste crisis over the past few decades. Our organization The Or Foundation, based here in Accra, Ghana, has played a key role in quantifying that waste crisis and most importantly in developing and supporting tangible solutions to it. In addition to collecting and analyzing thousands of ecological samples, our team of more than 100 full-time and part-time team members have worked to remove thousands of tons of waste from coastal ecosystems, to transform thousands of garments through upcycling, remanufacturing, and recycling for both local and international markets. Last week we concluded our Obroni Wawu October Festival celebrating the creativity of transforming what many people may regard as waste into completely desirable new products. (Obroni Wawu is the expression in Ghana for Secondhand clothing, meaning “the white man has died clothes.”) Through this work grounded in community ecological care, we have gained tangible insight.

Despite the best intentions of the proposal, the generic classification of textile waste as plastic waste or as hazardous waste, which would thereby require additional regulatory checks for the transborder shipment (such as prior informed consent from the receiving country), is not part of the long-term solution. Instead, the regulatory framework should embrace the nuanced grey area where garments are considered waste, non-waste or products in the circular economy. Such an embrace will require changes to business as usual through the implementation of Globally Accountable Extended Producer Responsibility moving financial resources with used textiles, new harmonised tariff (HS) codes



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designed for the circular textiles economy, transparent productions volumes to trace the root cause the waste crisis, and inclusive, honest feedback systems where there is no top or bottom to the supply chain. While we appreciate the intent of many allies across the advocacy and policy making space to address the socio-economic and ecological challenges of the textile waste caused by rampant overproduction and consumption, we caution against using the research and industry-wide awareness that we have contributed to as a call to place textiles into a system that is not intended to address the necessary nuance of what should and should not be shipped across borders when it comes to used textiles.

The piecemeal interventions across Europe through the Basel Convention, the Waste Framework Directive, the Waste Shipment Regulation (which already achieves the same PIC status of the Basel Convention for waste shipments leaving Europe) and the End-of-Waste Criteria, are all designed to fit into existing policy tools as a reaction to the consequences of the linear economy at the expense of a cohesive and leaderful approach rooted in circular ambitions for the future. As such, simply treating textiles as plastic waste or hazardous waste, without significant additional frameworks and guidelines, may short circuit and sell short long-range systems level change.

The criteria proposed by UNEP emerging from the global research on Circularity and Used Textiles Trade (CUTT) is a strong step toward adopting a systems-level view of both the challenges and the opportunities inherent in a circular textiles economy. We are proud to have contributed to this research and urge the adoption of the criteria and enabling frameworks as proposed in the public consultation conducted by UNEP on September 30th, 2025. This comprehensive framework prioritizes the waste hierarchy and, unlike the proposed criteria on the End-of-Waste criteria from the European Joint Research Centre, distinguishes between the compressed bales of secondhand clothing used to ship billions of garments around the world and the individual items inside of each bale. The criteria establishes necessary nuance by recognizing that rewearable garments are not necessarily re-worn, and that some garments would be rewearable after undergoing simple repair or preparation for re-use interventions such as de-piling – interventions that have been covered under EPR for Textiles in France, but that so far no EPR program for textiles has covered outside of Europe aside from that which we arranged and steward on a voluntary pre-compliance level. The criteria then distinguishes a separate category of waste, which should not be considered reusable and proposes that a new HS Code system be established to enable customs officers to inspect accurately. Without this nuance and the enabling environment to achieve it, such as Globally Accountable EPR, generically categorizing textile waste as plastic waste or hazardous waste short circuits the system, because there is no clear definition of waste or enforceable customs code for it. Under the Waste Framework Directive, sorters and exporters in Europe can self-declare that garments are not waste. Regardless of the customs coding system necessary to enforce any regulations, this means that the intent of adding Textile Waste to the same process as plastic waste would either be undermined by the self-declaration that garments are not waste or would impede the export of perfectly rewearable garments giving space for the rise of newly and cheaply produced garments to take the place of reuse with very likely a worse environmental impact.

The criteria and enabling factors proposed by UNEP through the CUTT project are the elements called for by the community we serve, and so we call on the parties to the Basel Convention to go further than a piecemeal, well-intentioned but insufficiently ambitious relabelling of an ambiguously defined material. Let's turn toward the future, listen to the feedback, honestly, and hear that in a circular economy with no bottom or top of the supply chain, nothing is black or white.