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**AJR-4 Basel Convention: ratification.** (2021-2022)

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**Assembly Joint Resolution No. 4**

CHAPTER 77

Relative to the Basel Convention.

[ Filed with Secretary of State July 15, 2021. ]

LEGISLATIVE COUNSEL'S DIGEST

AJR 4, Cristina Garcia. Basel Convention: ratification.

This measure would declare California to be in favor of the United States' ratification of the Basel Convention at the earliest opportunity and would request the Biden Administration to accomplish this ratification as a matter of urgency.

Fiscal Committee: no

WHEREAS, The Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (1989) was signed but never ratified by the United States; and

WHEREAS, The United States is now one of only a few countries, including South Sudan, Haiti, San Marino, Grenada, East Timor, Fiji, and the Solomon Islands, that have failed to ratify this vital multinational environmental agreement to protect developing countries from the scourge of export and dumping of wastes from rich industrialized countries; and

WHEREAS, Since China banned the import of plastic waste, much of the plastic waste collected for recycling in the United States is sent to mismanaged, highly polluting recycling operations in south and southeast Asia, where it is often dumped and burned rather than recycled safely; and

WHEREAS, The Basel Convention has recently sought to address this problem and has become a vital instrument in the war against global plastic waste pollution when, in May 2019, it was amended to include mixed and contaminated plastic waste shipments within its control procedure; and

WHEREAS, The plastic waste amendments require that, as of January 1, 2021, plastic waste exports will require the notification and consent of receiving countries before export. The United States, not being a Basel Party, will not be able to legally export wastes that are illegal for the importing country to receive, leading to illegal traffic, seizures, lawsuits, and waste repatriation events; and

WHEREAS, California now leads the nation in exports of plastic wastes to developing countries, including mixed wastes of 7,782 metric tons per month in 2020 out of 29,029 metric tons nationally (27 percent), and does not wish to be embroiled in illegal trafficking of wastes, violations of international law, and unsustainable waste trade with its global neighbors; and

WHEREAS, California, as the largest exporter of plastic waste in the nation to countries with poor waste management and with its 75-percent statutory recycling goal, is driving exports without proof that plastic is being properly recycled; and

WHEREAS, California must avoid becoming complicit with or engaged in illegal trafficking in plastic waste, should prevent the use of single-use plastics that create hard-to-recycle plastic waste, and should develop infrastructure to better recycle plastic products and create new sustainable industries and jobs; and

WHEREAS, Rich countries like the United States, rather than dumping their waste problems on countries least able to deal with those waste problems, should prevent the use of single-use plastics that create difficult-to-recycle and difficult-to-collect plastic waste and better recycle their own durable plastic products, and thereby create new sustainable industries and jobs; now, therefore, be it

Resolved by the Assembly and the Senate of the State of California, jointly, That the Legislature supports the goals of the Basel Convention and the May 2019 Amendment to include plastic as a hazardous material for purposes of the convention; and be it further

Resolved, That the Legislature declares California to be in favor of the United States' ratification of the Basel Convention at the earliest opportunity and requests the Biden Administration to accomplish this ratification as a matter of urgency; and be it further

Resolved, That the Chief Clerk of the Assembly transmit a copy of this resolution to the President of the United States, the Congress of the United States, and the Secretary of State of the United States.