Since 1932 SMART SECONDARY MATERIALS® AND RECYCLED TEXTILES

The Association of Wiping Materials, Used Clothing and Fiber Industries

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RE: SMART Comments on the Regulation of Textile Waste under the Basel Convention

Dear Ms. Wingfield,

The Secondary Materials and Recycled Textiles Association (SMART) appreciates the opportunity to provide comments on the ongoing work under the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal to address textile waste, as led by the United Nations Environment Programme (UNEP).

SMART supports UNEP's overall objective of promoting the environmentally sound management of textiles and advancing the principles of a global circular economy. However, while we share concerns about the ability of some countries to manage end-of-life textile materials, we believe the proposed remedy—subjecting secondhand clothing (SHC) to Prior Informed Consent (PIC) procedures or classifying it as hazardous waste—is not only disproportionate but would risk dismantling the very system that most effectively manages these materials through reuse and recycling.

As we detail below:

1) **Empirical evidence confirms that most secondhand textile imports are reusable, not waste.** Adding textiles as a regulated waste stream under the Basel Convention is based on flawed or incomplete data that substantially overstate the volume of unusable or waste material contained within secondhand textile shipments. Such claims are contradicted by multiple credible and methodologically sound studies, which consistently demonstrate that waste comprises only a small portion of these shipments.

2) **The secondhand clothing trade provides dramatic socioeconomic benefits in receiving countries**. The SHC trade is a cornerstone of economic resilience, social inclusion, and circular growth. Across Africa, Latin America, Asia, and Europe, the trade sustains millions of jobs, supports small and micro-

enterprises, fosters entrepreneurship, enables upward mobility, provides affordable clothing access for low- and middle-income consumers, and contributes measurably to GDP and government revenues in participating countries. Restricting trade would engender grave and sudden socio-economic consequences on receiving economies.

3) **Secondhand textile reuse delivers significant environmental benefits.** Eliminating the option for global SHC reuse will result in adverse environmental outcomes from the loss of the most circular and sustainable outlet for apparel reuse, and setbacks to the global transition toward circular production and consumption systems.

4) **Secondhand textiles do not meet the definition of hazardous waste.** Subjecting SHC to Basel measures perpetuates misinformation that inaccurately portrays these materials as hazardous—an assertion that is incorrect aside from those items legitimately contaminated with hazardous substances.

5) **Global North efforts to dictate textile policy to the Global South amount to policy colonialism.** Measures intended to prevent so-called "waste colonialism" must likewise avoid sliding into "policy colonialism," in which the Global North prescribes, often unilaterally, which materials or trade practices are deemed acceptable for the Global South. Restricting the secondhand clothing trade can inadvertently push activity into grey markets and informal channels that operate outside regulatory and environmental safeguards.

6) **Textile waste should not be treated as plastic waste.**
Some stakeholders are calling for Basel's plastic-waste amendments to extend to apparel and other textile products. The intent of the 2021 amendments was to regulate low-value mixed plastic scrap, not durable goods with established reuse and recycling markets. Textiles, including those with synthetic fibers, are engineered for longevity and circularity and do not constitute plastic waste. Microfiber pollution concerns should be addressed upstream through eco-design and extended producer responsibility programs, not by restricting legitimate secondhand trade.

We therefore urge you to consider following recommendations:

1) **Clearly distinguish waste from goods in international frameworks**. HS Codes 6309 and 6310, which cover materials destined for reuse and recycling, should be explicitly recognized as non-waste trade flows. Annex entry B3030 should be revised to apply solely to materials that are truly contaminated, soiled, or non-recyclable.

2) **Formally recognize distinct used textile flows within Basel guidance.** These flows include: (a) unsorted textiles containing mixed reusable, repurposable, and recyclable items; (b) sorted textiles for reuse; (c) sorted textiles for recycling; (d) sorted textiles for repurposing such as industrial wipers or stuffing.

3) **Oppose the application of the PIC procedure to textile waste and the classification of textile waste as "hazardous" or "other waste".** A PIC requirement would impose new administrative barriers, costs, and delays across supply chains that depend on the efficient cross-border movement of used textiles for sorting, reuse, and recycling.

4) **Focus policy efforts on root causes—overproduction and fast fashion—through strengthened EPR measures**. By focusing on these upstream levers, policymakers can reduce waste generation before it occurs, encourage investment in more sustainable materials and manufacturing practices, and align global textile policy with the true objectives of the Basel Convention—minimizing hazardous waste and promoting environmentally sound management.

In the sections that follow, we will first provide an overview of SMART's role and the current policy landscape in the United States. We will then present data that directly address and correct misinformation regarding the proportion of waste contained in secondhand textile shipments. Next, we will share additional evidence demonstrating the economic and environmental benefits of the secondhand clothing trade, as well as the risks that would arise from classifying these materials as hazardous or subjecting them to Prior Informed Consent (PIC) procedures. Finally, we will conclude with a series of recommendations outlining a more balanced and effective framework for managing the global trade in used textiles.

I. Overview of SMART and Its Government/Stakeholder Engagements

The Secondary Materials and Recycled Textiles Association is a U.S.-based trade association representing the global reuse and recycling industry for textiles, clothing, and household goods. Founded in 1932, SMART's membership includes approximately 150 companies across the United States and numerous other countries. Our members handle both post-consumer and pre-consumer textiles—collecting, sorting, reusing, repurposing and recycling materials to extend product lifespans, conserve resources, and divert millions of tons from landfills each year. Collectively, SMART members form a critical link in the global circular economy, facilitating legitimate, trade-based reuse and recycling worldwide.

Because of this critical role, SMART maintains regular engagement with U.S. federal agencies that shape trade and environmental policy affecting our sector, including the Office of the United States Trade Representative (USTR) and the U.S. Department of Commerce. For more than two decades, SMART has served as a member of the U.S. Industry Trade Advisory Committee on Textiles and Clothing (currently ITAC-12), a formal advisory body that provides industry expertise to the U.S. government on international trade negotiations, tariff classifications, and regulatory issues affecting the textile and apparel sectors.

Through this platform, SMART communicates directly with U.S. trade officials on the importance of preserving legitimate, circular trade in used textiles and provides data-driven input on how international measures—such as those under the Basel Convention—may affect global reuse and recycling markets. Across these channels, SMART contributes technical insights on trade flows, market access, and the environmental and economic implications of policies impacting textile reuse and recycling.

In addition to our work with federal agencies, SMART sustains ongoing dialogue with members of the U.S. Congress, particularly those engaged on trade, sustainability, and circular-economy policy. These engagements ensure that policymakers understand the real-world operations of the used and recycled textile industry and its essential role in advancing both U.S. and global sustainability goals.

SMART has also established working relationships with the U.S. Environmental Protection Agency (EPA) and the U.S. Department of State, both of which are involved in the United States' participation in the Basel Convention and related international environmental discussions. These collaborations help ensure

that SMART's practical expertise—and the perspectives of legitimate reuse and recycling operators—are reflected in global policy frameworks.

Through these sustained engagements, SMART works to ensure that evolving international initiatives—such as the UNEP-led Basel Convention work on circularity and textiles—clearly distinguish between waste and valuable secondhand goods, safeguard legitimate trade, and promote balanced, evidence-based approaches to achieving a global circular textile economy.

II. U.S. Policy Developments on Textiles and Extended Producer Responsibility

In the United States, policy activity addressing textile waste and circularity is accelerating across multiple levels of government. At the state level, several jurisdictions are advancing or considering Extended Producer Responsibility (EPR) frameworks for textiles. In 2024, California became the first state to enact comprehensive textile EPR legislation, directing its Department of Resources Recycling and Recovery (CalRecycle) to establish a producer responsibility organization and implement program rules now under development. Building on this precedent, Washington State and New York are actively considering

similar legislation, and both are expected to revisit the issue in upcoming sessions. Additional states have expressed growing interest in pursuing comparable approaches, signaling that textile EPR is poised to expand rapidly across the country.

At the federal level, the U.S. Environmental Protection Agency has begun to examine the broader issue of textile waste prevention and management through its sustainable materials and circular economy initiatives. This work aims to improve national data on textile generation and disposition, identify opportunities to reduce landfill disposal, and support systems for reuse, recycling, and repair.

Members of the U.S. Congress have also demonstrated increasing engagement on the issue. Two new bipartisan caucuses—the Slow Fashion Caucus and the Recommerce Caucus—have been established to promote more sustainable production and consumption practices. These groups are exploring how policy can foster responsible reuse, repair, and recycling, while recognizing the critical contributions of the existing secondhand and recycled textile sectors in advancing these objectives.

Together, these efforts illustrate a rapidly evolving U.S. policy landscape, where textiles are emerging as a priority material stream within the broader circular economy agenda and a nationwide movement toward greater textile circularity now seems possible. SMART has been deeply engaged in this work, participating in several multi-stakeholder initiatives that address various critical areas: enhancing traceability and transparency in global textile flows; advancing EPR and other policy measures to ensure they achieve their intended goals; and sharing knowledge and technology innovations to improve the collection, sorting, reuse, recycling, and transport of textiles.

SMART will continue to work closely with policymakers at every level—state, federal, and international—to ensure that new frameworks are practical, evidence-based, and supportive of legitimate reuse and recycling markets, while promoting shared environmental and economic benefits across the value chain.

III. Empirical Evidence Confirms That Most Secondhand Textile Imports Are Reusable, NOT Waste

As noted at the outset, we are concerned that several of the policy proposals under discussion appear to be grounded in assumptions and figures that have not been empirically substantiated.

While an early report—frequently cited and echoed in Basel and other international discussions—suggested that up to 40 percent of secondhand clothing exports wind up as waste, this estimate was based on limited qualitative observations conducted over short timeframes and has not been independently verified. Although these initial efforts were valuable in drawing attention to legitimate concerns about end-of-life management, they were never intended or methodologically equipped to quantify waste at a national or global scale. As a result, the continued reliance on this figure without appropriate context has unintentionally given it disproportionate weight in current policy dialogues, overshadowing a growing body of more robust, data-driven research that paints a markedly different picture. By contrast, a substantial and growing body of recent, data-driven research that has drawn on direct weighing, bale audits, and large-scale trader surveys anchored in customs and market data provides a far more accurate picture.

Collectively, these studies, which span East, West and Southern Africa and Latin America, demonstrate overwhelming empirical alignment, concluding:

1) Between 80 and 95 percent of imported secondhand clothing is wearable, resalable, or repurposed.
2) True unusable fractions rarely exceed 5–10 percent and are often lower.
3) Earlier 40 percent waste estimates lack methodological rigor and are contradicted by direct measurement and survey data.
4) The SHC trade delivers circular, social, and economic value, extending product lifespans, conserving resources, and sustaining millions of livelihoods worldwide.

A summary of these studies and their primary findings are listed below.

- UNCTAD–SMEP (2024): Uganda and the United Republic of Tanzania A joint study by UNCTAD and the Sustainable Manufacturing and Environmental Pollution (SMEP) Programme surveyed 2,020 traders and analyzed over 244,000 garments across Uganda and Tanzania. The study found that about **1–1.5 percent of imported items were waste** and about 3 percent were rags, together accounting for under 5 percent of total secondhand clothing imports**.** More than 95 percent were wearable and recirculated within domestic or regional markets. The authors concluded that broad restrictions on SHC imports are cautioned against because they could adversely impact livelihoods and economic mobility in these regions. Instead, the report recommends interventions aimed at improving waste management and upcycling capacities for textile residues.[1]

- GIZ (2024): Used Textiles at Kantamanto Market, Ghana Commissioned by the German Agency for International Cooperation (GIZ) and conducted by Dr. Kölsch Geo & Umwelttechnik GmbH, this study quantified SHC flows through Kantamanto Market in Accra using digital weighing and sorting trials. The research involved three field missions and a collection trial over 10 days in December 2023. Researchers found that approximately 4 tons of textile waste are generated per day at the Kantamanto market, as opposed to prior claims of '100 tonnes/day' as reported by the OR Foundation, meaning that **10% of imported secondhand textiles leave the market as waste - not**

40%. The study underscores that Kantamanto functions as a highly organized reuse economy and a prime example for a circular economy.[2]

- Garson & Shaw/Full Cycle Resource (2025): Guatemala This 2025 study, conducted by Full Cycle Resource Consulting for Garson & Shaw LLC, provides the first detailed assessment of SHC imports into Guatemala, where the United States supplies 98.6 percent of total imports under HS 6309. Using 382 structured surveys, importer interviews, and field audits across four major markets, researchers found that waste ranged between 9.2 and 11.8 percent of imported secondhand textiles depending on grading. **Sorted clothing averages 5 percent waste and unsorted 12.2 percent.** Thus, 88–95 percent of imports retain direct reuse value. At Guatemala's largest SHC retailer, Megapaca, 91.6 per cent of imports were reused, 7.73 per cent recycled and only 3.27 percent disposed as non-recyclable waste. The study highlights inclusive economic outcomes, with 60.7 percent of participants women and 94 percent reporting improved household income.[3]

- Mitumba Consortium Association of Kenya (2023): Kenya The Mitumba Consortium Association of Kenya (MCAK) assessed SHC quality and waste impacts through bale inspections at Mombasa and Nairobi, importer surveys, and municipal waste audits. It found that only **1–2 percent of garments in a typical bale are non-wearable** upon import. Overall, approximately 98 percent or more of imported garments are reused, while the sector supports some two million livelihoods and generates approximately KSh 12 billion in annual tax revenue. The report concludes that Kenya's SHC imports are overwhelmingly of good quality and that policy should focus on waste-management and recycling infrastructure, not trade restrictions.[4]

- Ghana Used Clothing Dealers Association (2024): Ghana Produced by the Ghana Used Clothing Dealers Association (GUCDA) with input from academic and policy researchers, this national study examines the economic, social, and environmental effects of Ghana's SHC trade using surveys of nearly 1,000 respondents, as well as importer interviews, and market-level waste assessments. According to the report, the actual amount of textile waste contained within imported secondhand clothing bales typically **does not exceed five percent**, far lower than often claimed. Moreover, a majority of retailers—63 percent—reported that bales they received contain less than two percent waste. The authors stress that waste issues are driven primarily by deficiencies in municipal waste systems, not the SHC trade itself. The study concludes that SHC imports extend product lifespans, reduce household costs, and conserve resources by offsetting demand for new textile production. It recommends policies that preserve open trade while strengthening recycling and collection infrastructure. [5]

These five studies consistently found that the vast majority of imported secondhand textiles are wearable, resalable, repurposed and recyclable, with true unusable fractions typically limited to only 5–10 percent—and, in several cases, even less. This convergence of evidence offers a sound observed foundation for policymaking and clearly demonstrates that the global secondhand clothing trade operates as a reuse-driven circular economy system, not as a conduit for waste disposal. To the extent that any non-reusable material is occasionally included within shipments, it reflects the inherent limits of human sorting accuracy, not any deliberate effort to export waste or circumvent environmental controls.

Taken together, these findings establish a robust, contemporary evidence base for policy discussions under UNEP and the Basel Convention: that **the secondhand clothing trade is not a waste problem, but a critical component of the global reuse economy deserving of supportive, evidence-driven regulation.**

The data clearly demonstrate that estimates suggesting 40% of secondhand clothing exports are waste are inaccurate and unsupported by rigorous analysis. Nonetheless, such figures continue to exert disproportionate influence in policy debates, while far more credible, data-rich studies are often overlooked. Ensuring that policymaking reflects the best available evidence is essential to developing fair, effective frameworks that truly advance circularity and sustainability goals.

IV. The Secondhand Clothing Trade Provides Dramatic Socioeconomic Benefits in Receiving Countries

The global SHC trade is not only a powerful environmental success story, but also a cornerstone of economic resilience, social inclusion, and circular growth. Across Africa, Latin America, Asia, and Europe,

the trade sustains millions of jobs, supports small and micro-enterprises, and provides affordable clothing access for low- and middle-income consumers. Misidentifying these materials under the Basel Convention as "waste," or subjecting them to burdensome controls designed for hazardous materials could have devastating consequences for the people and communities whose livelihoods depend on this trade. Recognizing the secondhand clothing trade for what it truly is—a legitimate, high-value circular economy sector—is essential to understanding its profound economic and social benefits. In fact, a growing body of research spanning academic, institutional, and trade association sources demonstrates that the sector generates employment, fosters entrepreneurship, provides affordable clothing access, and contributes measurably to GDP and government revenues in participating countries.

A summary of this research and their primary findings are listed below.

- A landmark study by Oxford Economics found the secondhand clothing sector is a vital source of income and social stability across many African economies. Ninety-five percent of traders interviewed for this study said they rely solely on SHC sales for their livelihood, and formal employees typically earn above the international poverty line. Informal retailers, meanwhile, reported supporting an average of five family members, underscoring the industry's wide economic reach. Moreover, according to the study, the sector offers low-barrier business opportunities, especially for women and youth. In Ghana, Kenya, and Mozambique, 77% of informal retailers were women, reflecting its strong contribution to gender equality (sustainable development goal or SDG 5), while about 70% were under 45 years old, highlighting its role in youth employment. The industry provides a major social benefit through affordable access to quality clothing—often viewed as better than new garments—directly supporting poverty reduction (SDG 1) and advancing sustainable, inclusive economic growth.[6]

- Country-level analyses reinforce these findings. A 2024 evaluation conducted in Ghana found that the secondhand clothing industry underpins thousands of small and micro-businesses operating in markets such as Kantamanto, creating employment for some **2.5 million people** while also contributing tens of millions of dollars to Ghanaian government revenue through fees and taxation.[7]

- A 2023 study from the Institute of Economic Affairs in Kenya found that secondhand clothing and footwear sector in Kenya provides approximately 2 million jobs, about 10 percent of Kenya's extended labor force.[8]

- Earlier policy work by Oxfam documented that secondhand clothing imports play a crucial social function by making **affordable apparel** accessible to lower-income consumers, reducing household expenditure pressures while enabling extensive informal-sector employment.[9]

- Institutional reports such as the UNECE (2024) "Reversing Direction in the Used Clothing Crisis" confirm that the sector provides both **environmental and socio-economic value** when managed through transparent, regulated trade. It supports national and local development goals by diverting usable textiles from waste streams, lowering costs for consumers, and stimulating economic activity through the reuse value chain.[10]

- A May 2025 report from the Secretariat of the Basel Convention report states that the SHC sector provides revenue, supports livelihoods and ensures access to affordable clothing in many emerging economies and notes that the number of jobs in the second-hand sector in Kenya alone nearly tripled between 2013 and 2021, providing **millions of livelihoods** and affordable clothing to many people.[11]

Taken together, these studies demonstrate that the secondhand clothing trade represents a critical intersection of environmental sustainability and socio-economic development. **By enabling affordable clothing access, supporting livelihoods, and creating green, inclusive jobs the SHC sector contributes directly to the achievement of multiple UN Sustainable Development Goals, including SDG 1 (No Poverty), SDG 8 (Decent Work and Economic Growth), and SDG 12 (Responsible Consumption and Production).** Far from being a waste stream, it is a cornerstone of a circular, socially-just global textile economy.

V. Secondhand Textile Reuse Delivers Significant Environmental Benefits

Complementing the extensive socioeconomic advantages of the secondhand clothing (SHC) trade are its significant environmental benefits, rigorously documented through multiple life-cycle assessments (LCAs).

- Among the most comprehensive analyses to date, the EuRIC/Norion/VITO (2023) *LCA-Based Assessment of the Management of European Used Textiles* provides clear quantitative evidence that textile reuse is an impactful circular-economy intervention. The study compares reused textiles with newly manufactured garments and with textiles destined for recycling. Across several product categories the analysis finds that reused garments can reduce environmental impacts by up to 70-fold compared with new equivalents, primarily by avoiding the resource- and energy-intensive processes associated with textile production. Each reused garment yields an average savings of more than 3 kg CO_2-equivalent, alongside substantial reductions in water use, eutrophication, and raw-material demand. The impact connected with transporting reused garments is considered comparably trivial to the impact of producing a new garment, meaning the global second-hand market "makes strong environmental sense".[12]

- A peer-reviewed study by Astrid Klooster et al. (2024) published in *The Circular Economy Journal* reinforces these conclusions using global consumer and product data. This study found that when consumers choose secondhand garments instead of new ones (comparing the average secondhand user to the average primary user), environmental impacts decline substantially. The reduction is up to 42% for climate change (GWP) and cumulative energy demand (CED), and 42–53% for freshwater eutrophication (FE) and 35–53% for the water scarcity footprint (AWARE) per use. The authors

describe reuse as a "high R-ladder strategy" in a circular economy, noting that extending product life through reuse mitigates impacts and is potentially more beneficial than recycling or disposal.[13]

- A comparative life-cycle assessment conducted for thredUP by Green Story (2022) concluded that resale and reuse systems substantially reduce the environmental footprint of fashion relative to linear "buy-new" models. The analysis found that the avoided impacts from new garment production far outweigh the marginal impacts associated with collection, processing, and redistribution.[14]

Collectively, these studies clearly demonstrate that extending the lifespan of textiles through secondhand use is among the most effective and measurable strategies for reducing the fashion sector's environmental footprint. Reuse sits at the top of the waste hierarchy as one of the most efficient means of preventing waste, conserving resources, and reducing greenhouse-gas emissions. These benefits would be seriously undermined if secondhand textiles were mistakenly categorized as "waste" under international frameworks such as the Basel Convention.

VI. Secondhand Textiles Do Not Meet the Definition of Hazardous Waste

Aside from cases in which textiles are contaminated with hazardous substances—such as chemical residues, biological hazards (e.g., bloodborne pathogens or medical waste), or industrial pollutants—they are not hazardous by any technical or scientific measure.

Post-consumer textiles consist primarily of natural and synthetic fibers—cotton, polyester, wool, nylon, and similar materials—that pose no inherent threat to human health or the environment. While they may contain dyes, finishes, or treatments, these substances were present in quantities deemed safe for human use in the original product and are typical of consumer products already circulating globally, which do not meet the Basel Convention's threshold for hazardous constituents.

Moreover, established regulatory frameworks already recognize that these materials are not inherently hazardous. Under the European Union's REACH Regulation (EC) No 1907/2006, as amended by Regulation (EU) 2018/1513, secondhand textiles are explicitly excluded from restrictions that apply to articles exceeding specific chemical concentration limits. The regulation states that *"Paragraph 1 shall not apply to second-hand clothing, related accessories, textiles other than clothing or footwear."[15] Labeling such materials as "hazardous" would therefore stretch both the scientific and legal meaning of hazard far beyond its intended scope.

Available evidence from U.S. government sources, academic research, and international policy studies also indicates that secondhand textiles are not considered hazardous waste. Federal agencies, including the U.S. Environmental Protection Agency and the Government Accountability Office (GAO), classify textiles as part of the broader municipal solid waste (MSW) stream rather than under hazardous waste categories. This classification reflects the fact that most used textiles do not exhibit the characteristics of hazardous waste—such as toxicity, ignitability, corrosivity, or reactivity—and instead are routinely collected, sorted, reused, or recycled as part of established circular economy systems.

- The GAO's 2025 report on federal management of textile waste confirms that textiles destined for disposal are addressed within MSW systems unless mixed with hazardous waste and that policy efforts should focus on waste reduction, reuse, and recycling rather than hazardous waste management.[16]

- Similarly, the EPA's annual 2024 'Facts and Figures About Materials, Waste and Recycling' places textiles under municipal solid waste statistics and does not classify them as hazardous waste.[17]
- Academic research reinforces this perspective. A widely cited life-cycle analysis by Sandin et al. (2018) in the *Journal of Cleaner Production* examined the environmental impacts of textile reuse and recycling and found no basis for categorizing used textiles as hazardous materials. Instead, the study highlights reuse as one of the most effective strategies for reducing lifecycle impacts. [18]

If there are legitimate concerns about chemical composition, product safety, or fiber shedding that contributes to microplastic pollution, these should be addressed by original producers through frameworks such as chemical safety regulations, product stewardship, or extended producer responsibility (EPR), not by downstream collectors, graders, or recyclers handling materials already on the market. Placing this burden on the reuse and recycling sector, and on consumers in receiving countries who depend on affordable, quality secondhand goods, would misdirect accountability and undermine both economic and environmental goals. It would also discourage investment in circular solutions that extend product lifespans and reduce waste worldwide.

VII. Textile Waste Should Not be Treated as Plastic Waste Under the Basel Convention

SMART is deeply concerned that some stakeholders are increasingly conflating textiles with plastics and suggesting that the Basel Convention's recent plastic-waste amendments should automatically extend to textile materials. This conflation is appearing in NGO statements and policy briefs calling for identical treatment of textiles under plastic-waste controls, based primarily on the growing prevalence of synthetic fibers in apparel and household goods. While this trend reflects legitimate concern about microplastic pollution, it misrepresents the nature, lifecycle, and circularity potential of textiles, and even worse, risks undermining recovery and reuse systems that are critical to global resource efficiency.

It is true that synthetic polymers such as polyester, nylon, acrylic, and polypropylene now account for a substantial share of global fiber production. These materials share certain chemical properties with plastics and, when mismanaged, can contribute to microplastic release. However, textiles and apparel are engineered for long-term performance, reuse, and recyclability, not short-term consumption. They are durable goods with continuing economic value, not packaging waste intended to be immediately disposed. Their reuse and recyclability make them fundamentally distinct from the mixed and contaminated plastic scrap targeted by the 2021 Basel plastics amendments, which were designed to control exports of low-value plastic residues with limited recycling potential, not durable consumer products with established secondary markets and proven circular value.

Efforts to mitigate microfiber pollution from synthetic clothing should be targeted upstream, at the design and manufacturing stages, through eco-design measures that reduce fiber shedding, strengthen polymer integrity, and improve recyclability. From a policy standpoint, well-structured Extended Producer Responsibility (EPR) programs that reward responsible production and discourage poor design practices offer the most effective framework for tackling this issue. By contrast, extending Basel's plastic-waste controls downstream to legitimate secondhand textile trade would do nothing to resolve these manufacturing-stage challenges and would fail to advance the Convention's core environmental objectives.

Moreover, the reuse of synthetic garments extends product life and directly reduces demand for virgin polyester and other petrochemical fibers, thereby mitigating—rather than exacerbating—plastic

pollution. Keeping these fibers in circulation through the global secondhand textile trade prevents plastic leakage, reduces greenhouse-gas emissions associated with virgin fiber production, and supports affordable access to quality clothing worldwide.

For these reasons, SMART urges Parties to the Basel Convention to distinguish clearly between "synthetic composition" and "plastic waste." The mere presence of synthetic polymers does not render a material hazardous under Basel definitions, nor does it justify applying the same regulatory regime developed for single-use packaging plastics. Misclassifying textiles as plastic waste would impose unnecessary administrative burdens, disrupt legitimate circular trade thereby worsening the problem, and jeopardize the livelihoods of thousands of small and medium-sized enterprises that anchor global reuse and recycling networks.

The Convention's objectives are best advanced by recognizing textiles as durable goods with circular value, not as extensions of the plastics sector. Effective policymaking in this area must remain evidence-based, distinguishing between upstream design issues and downstream recovery systems, and focusing on interventions that support reuse, recycling, and reduced virgin production, rather than constraining these through inappropriate classification.

VIII. Global North Efforts to Dictate Textile Policy to the Global South Amount to Policy Colonialism

In advancing global frameworks for the management of used textiles, it is vital to ensure that well-intentioned reforms do not inadvertently reproduce historical inequities in new forms. Efforts to prevent so-called "waste colonialism" must likewise avoid sliding into "policy colonialism," in which the Global North prescribes, often unilaterally, which materials or trade practices are deemed acceptable for the Global South.

A truly sustainable approach demands collaborative, evidence-based policymaking that upholds national sovereignty, fosters equitable participation in global trade, and affirms the legitimate contribution of reuse and recycling industries to circular economy objectives.

Policies that restrict the secondhand clothing trade risk eliminating millions of jobs and removing critical sources of income in developing economies, particularly for women, while simultaneously fueling the growth of grey markets and informal trade channels outside regulatory oversight or environmental safeguards. Such restrictions could also have a disproportionate negative impact on small and medium-sized importers who lack the resources to comply with complex procedures such as Prior Informed Consent (PIC), effectively consolidating the trade in the hands of larger companies and squeezing out smaller operators. In addition, limiting access to affordable secondhand clothing would drive consumers—especially those in lower-income markets—toward cheap, fast-fashion alternatives with far higher environmental costs. Presumably, this is the exact opposite of what is intended by these policies. Rather than empowering importing countries, these measures would undermine their economic resilience, reduce transparency, and disrupt well-established circular systems that already deliver significant environmental and social benefits.

IX. Recommendations

Recommendation 1: Clearly Distinguish Waste from Goods in International Frameworks

The Basel Convention should clarify that items that are destined for reuse, repair, recycling or repurposing should not be treated as waste. These materials have clear economic and environmental value and should therefore be regulated under product and trade frameworks, not under the Basel Convention. The secondhand textile industry does not trade in or profit from waste—such materials have no market value, and neither exporters nor buyers would support their shipment. The continued success of this global market depends on the movement of usable, in-demand goods, not discarded materials.

Accordingly, HS Codes 6309 and 6310, which cover materials destined for reuse and recycling, should be explicitly recognized as non-waste trade flows. Annex entry B3030 should be revised to apply solely to materials that are truly contaminated, soiled, or non-recyclable—those with no economic value and requiring proper disposal.

This clarification would ensure that Basel Convention controls remain focused on genuine waste streams, while protecting the legitimate global trade in secondhand textiles, which are commodities that drive environmental sustainability, economic opportunity, and circular growth.

Recommendation 2: Formally Recognize Distinct Used Textile Flows Within Basel Guidance

To operationalize the principle that reusable, recyclable, and repurposable textiles are goods—not waste—it is essential that the Basel Convention explicitly recognize the existing, legitimate flows of used textiles that circulate through global reuse and recycling markets.

These flows include:

- Unsorted textiles: post-consumer clothing, shoes, and accessories collected and baled for export containing mixed reusable, repurposable, and recyclable items.
- Sorted for reuse: materials prepared for secondhand markets that retain commercial and functional value.
- Sorted for recycling: post-consumer and post-industrial textiles destined for fiber recovery and remanufacture.
- Sorted for repurposing: Materials converted into other products such as industrial wipers or stuffing.

Formally identifying and defining these categories would bring greater precision and transparency to Basel's regulatory framework—ensuring controls target only true waste streams rather than inadvertently restricting trade in valuable secondary materials.

This approach would allow parties to harmonize customs classifications (e.g., HS Codes 6309 and 6310) with Basel entries such as B3030, ensuring consistent treatment across national and international systems. It would also provide a practical implementation pathway for the Convention's objective of environmentally sound management, while safeguarding circular trade and livelihoods.

Recommendation 3: Oppose the Application of the PIC Procedure to Textile Waste and the Classification of Textile Waste as "Hazardous"

Aside from materials that are contaminated, textile waste is not hazardous by any technical or scientific measure. Classifying it as "hazardous" or subjecting it to the Prior Informed Consent (PIC) procedure

would create unnecessary disruption to legitimate trade in secondhand and recyclable textiles—trade that underpins global circularity, resource efficiency, and livelihoods worldwide.

A PIC requirement would impose new administrative barriers, costs, and delays across supply chains that depend on the efficient cross-border movement of used textiles for sorting, reuse, and recycling. These materials move through established commercial channels where facilities assess quality, separate reusable items, and process residuals into new inputs such as fibers or industrial wipers. Treating these flows as hazardous waste would subject them to complex export notifications and consent procedures, threatening the economic viability of a sector that already operates on thin margins. The result would be fewer pathways for reuse and recycling and greater volumes of textiles sent to landfill or incineration—the opposite of the Basel Convention's environmental objectives.

Moreover, applying PIC to textiles would conflict with the Convention's core purpose: controlling the movement of genuinely hazardous waste while promoting environmentally sound recovery. The international trade in used textiles directly supports these aims by preventing waste generation, reducing demand for virgin fiber, and sustaining circular economy jobs worldwide.

In short, secondhand textiles are appropriately managed under standard solid waste and circular economy frameworks—not hazardous waste systems. Redefining them as hazardous would contradict scientific evidence, international regulatory precedent, and the Basel Convention's own sustainability principles.

Recommendation 4: Focus Policy Efforts on Root Causes—Overproduction and Fast Fashion—Through Strengthened EPR Measures

Rather than pursuing blunt regulatory instruments such as subjecting secondhand textiles to Prior Informed Consent (PIC) procedures or classifying them as hazardous waste—measures that would carry severe socio-economic and environmental consequences—governments and international organizations should focus on addressing the root causes of today's textile waste challenges: overproduction and overconsumption, particularly within the fast-fashion model.

The problems observed in global textile markets are not primarily the result of the legitimate reuse trade, but of a linear production system that prioritizes abundant, cheap, short-lived garments and unsustainable material choices. Targeting the movement of reusable textiles would do nothing to curb these upstream drivers. Instead, effective solutions must originate where the problem begins—at the point of design, production, marketing, and sale of new textiles.

SMART therefore recommends that UNEP and national governments strengthen Extended Producer Responsibility (EPR) frameworks and deploy policy tools that directly influence product design and material choices. Instruments such as eco-modulation, which rewards durable, recyclable, and environmentally sound products, and malus fees, which impose higher costs on products made from cheap, non-recyclable, or low-quality materials, can drive the transition toward sustainability and circularity at the source.

By focusing on these upstream levers, policymakers can reduce waste generation before it occurs, encourage investment in more sustainable materials and manufacturing practices, and align global textile policy with the true objectives of the Basel Convention—minimizing hazardous waste and promoting environmentally sound management.

X. Conclusion

SMART appreciates the opportunity to contribute to the Basel Convention's ongoing dialogue on the global management of used textiles. We share UNEP's commitment to advancing circularity, reducing waste, and ensuring environmentally sound practices across the textile value chain.

As this submission demonstrates, the secondhand clothing trade plays a critical role in achieving these shared goals, delivering measurable environmental, social, and economic benefits while supporting millions of livelihoods worldwide. We urge the Secretariat and Parties to adopt a balanced, evidence-based approach that distinguishes reusable goods from waste, safeguards legitimate circular trade, and addresses the true upstream drivers of textile waste through design and producer-focused measures.

We thank the Secretariat for its leadership on this important issue and welcome continued collaboration to ensure that future global frameworks reflect both scientific evidence and real-world circular economy practice.

Respectfully submitted,

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