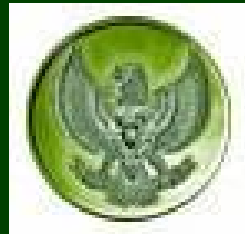


THE IMPLEMENTATION OF THE BASEL CONVENTION IN INDONESIA



Directorate for Manufacture, Infrastructure and Services
Deputy for Environmental Impact Management from Institutional Sources
Ministry of Environment, Republic of Indonesia



Amount of hazardous waste is increasing



Threaten human health and environment



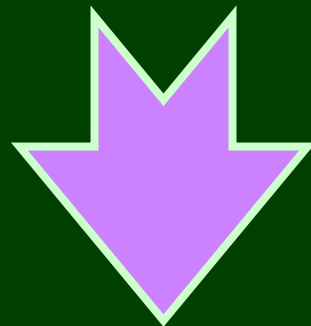
Controlling and Managing of Hazardous Waste



Hazardous waste transboundary movement is increasing



Indonesia's territory is a possible and potentially place as a final disposal of waste



Strict regulations and policies on hazardous waste transboundary movement to prevent the impact of export-import activities



Indonesia's territory is a possible and potentially place as a final disposal of waste

why?

- Geographical Condition of Indonesia
 - Due to its geographical condition as an archipelago, territory of Indonesia was separated by the sea and has a long seashore line. This characteristic opens the chance for illegal waste dumping without being known.
 - Waste disposal in the inhabitant small islands without control
- Field Controlling (esp. in the Custom)
 - Officer Capacity to control the transboundary movement of waste
 - Waste container investigation in random order or only if there are some suspicious reasons of this activities
 - The waste stated in the documents is different with the 'real waste'
 - Many small port/harbor which are not equipped with some appropriate equipments to control transboundary movement of waste into Indonesia
- Local Authority
 - Local Government think that the hazardous waste transboundary movement is in their jurisdiction (totally WRONG!)
 - Instead of making contact with the Central Authority (Ministry of Environment), they issuing the permit to import wastes to Indonesia's territory



Regulations on Export-Import of Waste

- Act Number 23/1997 regarding Environmental Management, Article 20 (2) & Article 21
- Government Regulation Number 18/1999 regarding Hazardous Waste Management, Article 53
- Presidential Decree Number 61/1993 Basel Convention Ratification
- Act Number 10/1995 regarding Custom Policy
- Ministerial Decree Number 230/MPP/Kp/ 07/1997 regarding List of Imported Goods
- SK Menperindag No. 231/MPP/Kp/ 07/1997 regarding Waste Import Procedure



THE IMPLEMENTATION OF THE BASEL CONVENTION IN INDONESIA

Hazardous Waste Export Policies

Government regulation Number 18/1999 and the Basel Convention:

- *export activities of hazardous waste must be in the procedure of notification*
- *hazardous waste can be exported after receiving a formal approval from the importing country and from the authority in Indonesia*



THE IMPLEMENTATION OF THE BASEL CONVENTION IN INDONESIA

Hazardous Waste Import Policies

- Prohibition of all hazardous waste imports, include for used lead acid battery (since September 2002)
- Prohibition of all waste in form dust, sludge, paste and mud
- Prohibition on plastic wastes
- Prohibition on issuing permits for any types of business or activities that uses hazardous wastes imports
- Import for non-hazardous waste for dumping is prohibited, unless for recovery or recycle purposes and for supplement of raw material in production process.



THE IMPLEMENTATION OF THE BASEL CONVENTION IN INDONESIA

Competent Authority

The Ministry of Environment

Focal Point

Deputy for Environmental Impact Management from
Institutional Sources, Ministry of Environment
Republic of Indonesia

The BC Implementation

Directorate for Manufacture, Infrastructure and
Service Affairs

→ **Hazardous Waste Notification Team**



Export Notification Procedure

EXPORTER

1. Submitting a request to the competent authority (Ministry of Environment/KLH)
2. Filling the notification form

Notification from KLH

Competent Authority of Destination Country

Competent Authority of Transit Country

EVALUATION

Based on the Country National's Rule

Approval from KLH

yes

No

Export Process

Import Disallowed





THE IMPLEMENTATION OF THE BASEL CONVENTION IN INDONESIA

Waste Export-Import Controlling

- Responding to import notifications and submitting wastes export notifications
- Evaluating waste imports utilizing industries (until September 2002)
- Issuing permissions or rejections regarding waste export and imports

Promoting Awareness and Capacity Building through Seminars and Training

- Seminars on hazardous wastes control and management
- Trainings on hazardous wastes field control procedures



THE IMPLEMENTATION OF THE BASEL CONVENTION IN INDONESIA

Illegal Transboundary Movement of Hazardous Waste

- Without notification from origin country, transit country (if any) and importing country;
- Without approval from importing country;
- False approval from importing country;
- Shipped wastes are different with waste identification stated in the export-import documents/manifest;
- Waste disposal which do not meet international convention principles and national regulation



Illegal Transboundary Movements of Waste

- Illegal hazardous waste dumping in Indonesia and the discovery of hazardous waste contaminated plastic waste on 1991-1992. Even recently on 1999-2000 illegal hazardous waste importing to Bangka Island and Belawan port - Medan was discovered
- The import of mixed metal scrap for recovery industry in Noro Industry, East Java. Those waste were boxes contains PCB with 1100 ppm concentrated founded.
- Import of material organic contaminated by hazardous waste from Singapore to Batam on 2004
- Taiwan tried also to export their wastes to Indonesia such as:
 - import of briquettes for coast reclamation in Tambarani Faxfax, Irian Jaya;
 - import of mixed metal scrap for recovery industry in Irian Jaya, NTB and Flores. On this case, the waste was smuggled and entered the unmonitored port;
 - Import of radioactive waste from Taiwan which was covered by the importer as an import of used materials
 - import of organic fertilizer for composting;
 - import of mixed industrial scrap for concrete block



Illegal Transboundary Movements of Waste

The such of transboundary movements are not only a kind of waste covering but also by a legal effort to change the definition of hazardous waste itself in order to get a permit of import or export of hazardous waste, like the definition of fly ash which become a non-hazardous waste



THE IMPLEMENTATION OF THE BASEL CONVENTION IN INDONESIA

Handling Illegal Wastes Import Cases

- Returning hazardous waste contaminated plastic waste imports
- Returning excavation waste material to Singapore
- Inspections for hazardous wastes in ports and disposal sites
- Coordinating waste imports management with involved institutions

Gathering and Evaluating Data Regarding Wastes Export-Import



Activities of the Implementation

Basel Convention Meetings

- ✦ Coordinating with involved institutions regarding the guidelines for the Republic of Indonesia representative for the Basel Convention meetings.
- ✦ Attending Basel Convention meetings, such as : Ad Hoc Working Group Legal and Technical Expert, Technical Working Group, Open Ended, COP.

Information Dissemination

- ✦ Submitting a yearly report to the Basel Convention Secretariat regarding the management of hazardous wastes and the implementation of the Basel Convention in Indonesia, as specified in article 13 and 16 of the Basel Convention.
- ✦ Conducting a yearly exchange of information on hazardous waste management and wastes export-import control systems with the other parties of the Basel Convention and other international organizations



RESULTS OF THE IMPLEMENTATION

Result of Waste Export-Import Management Activities

Waste export-import control :

- Waste export-import notification
- Evaluating waste imports utilizing industries
- Acceptance and refusal of waste export-import

Seminar and Training :

- Establishing hazardous wastes management and control seminars
- Establishing waste imports control procedures field trainings
- Increasing the understanding on hazardous waste management and control

Dealing with illegal wastes imports cases :

- The returning of hazardous waste contaminated plastic waste imports
- The returning of excavated materials back to Singapore



RESULTS OF THE IMPLEMENTATION

Result of Waste Export-Import Management Activities

- ✦ In the performance of Basel Convention, Indonesia active in TWG and also COP level. It can see that Indonesia proposal about the waste list had been accepted by other members the Basel Convention
- ✦ The realization of waste export and import notification system

Ban Amendment

Indonesia is in the process to ratify the ban amendment by President Decree to support the regulation which totally prohibit the import of hazardous waste to Indonesia.



CURRENT PROBLEMS

'Under cover' hazardous waste import

→ (stated in waste document as non-hazardous waste),
e.g.:

- plastic waste which were contaminated by hazardous waste
- '*organic material*' as fertilizer which were shipped to Batam, Indonesia
- '*wood chips*' as raw materials for pellet industry and brick manufactory



FUTURE PLANS

- Strict Regulation, to prevent uncontrolled transboundary movements of hazardous waste
- Capacity Building, to increase capacity of local government officer in supervision of hazardous and toxic waste management (esp. in custom as a country's gate-keeper).
- Increase the coordination among involved departments
- Strengthening international cooperation and networking
- Providing facilities of hazardous and toxic waste management more extensive
- Supervise and law enforcement for actors of hazardous waste management started from producer, transporter, collector, user, processor and hoarder
- Enhance public awareness → active public participation on monitoring the activity which can give negative impact for environment