

# Implementation of the Basel Convention in Japan

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# ➤ Outline

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## ✓ Legal Framework

- Domestic laws
- Control system
- Authorities

## ✓ Data of hazardous wastes exported/imported

## ✓ To prevent illegal traffic of wastes

- Measures to prevent
- The next steps

# Domestic Laws for the Basel Convention in Japan

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- **Law for the Control of Export, Import and Others of Specified Hazardous Wastes and Other Wastes (Called “**Basel Law**”)**
- **Waste Management and Public Cleansing Law (Called “**Waste Management Law**”)**
- **Law on the control of Export, Import and Foreign Exchange**

# Relation between the two Laws

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## ➤ The Basel Law

**Point :** Objective to secure effective and smooth implementation of the Basel Convention

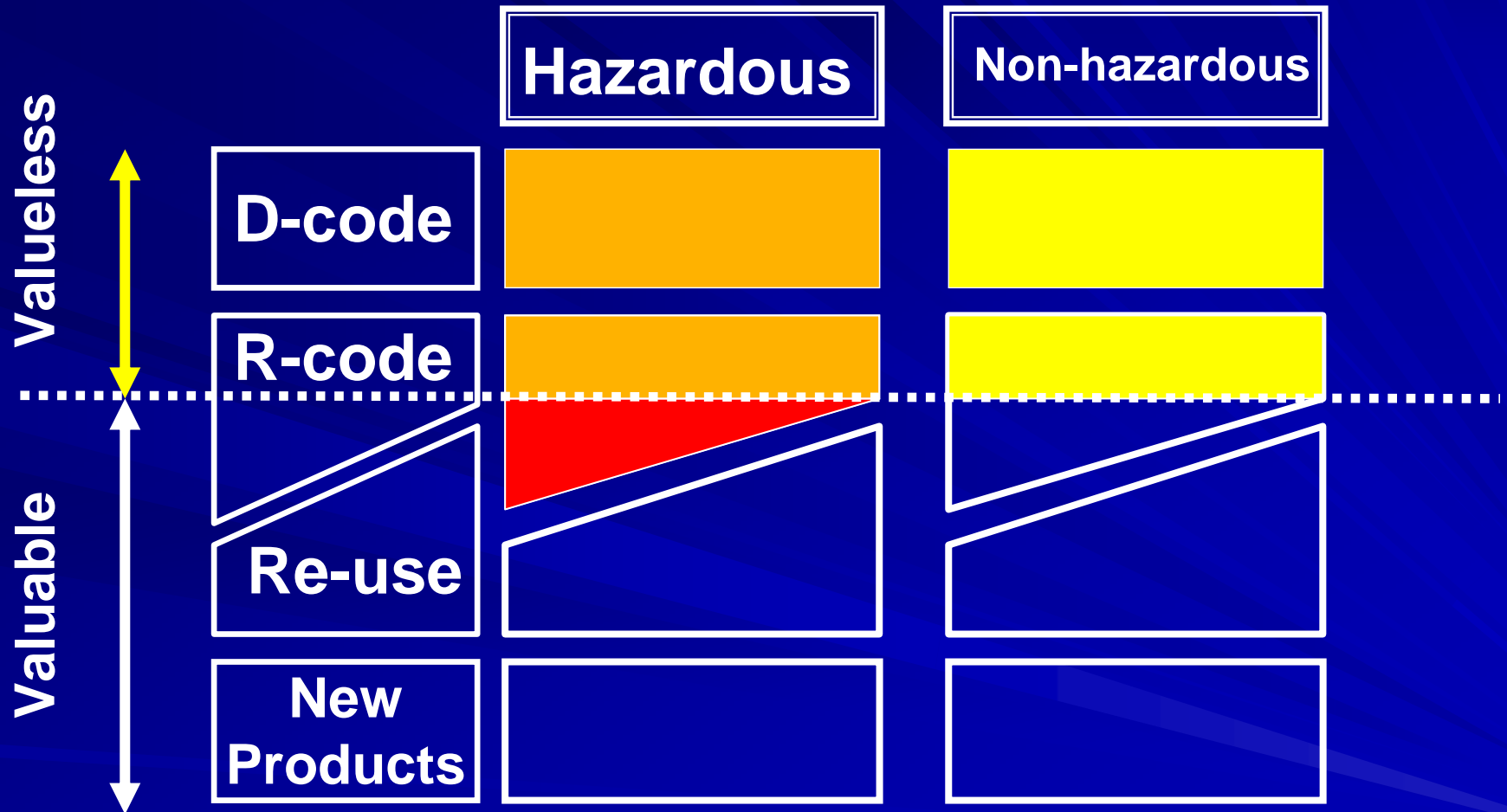
- ☐ To control export/import, transportation and management of hazardous wastes defined by the Convention

## ➤ The Waste Management Law

**Point :** Principle of wastes management within the country

- ☐ Wastes generated within Japan shall be appropriately managed within Japan whenever it is possible
- ☐ Imports shall be restricted so as to prevent them from hindering appropriate management of wastes within Japan.

# Regulated Categories under the Laws



-  Controlled by the Basel Law
-  Controlled by the Waste Management Law
-  Controlled by **Both**

# Relevant Authorities to the Basel Convention

[Member authorities of the conference for preventing illegal export of waste]

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## Ministry of the Environment (MOE) - Competent authority

: issue permission of import and confirmation of export of waste under the Waste Management Law

## Ministry of Foreign Affairs (MOFA) - Focal point

## Ministry of Economy, Trade and Industry (METI)

: issue permission of export/import of hazardous waste under the Law on the control of Export, Import and Foreign Exchange

## Ministry of Finance (MOF) - the Customs

: daily inspection at ports

**National Police Agency:** Criminal inspection, arrest

**Ministry of Land, Infrastructure and Transportation:** port control

- **Japan Coast Guard:** criminal inspection on the sea

# **Designated Authorities in Japan**

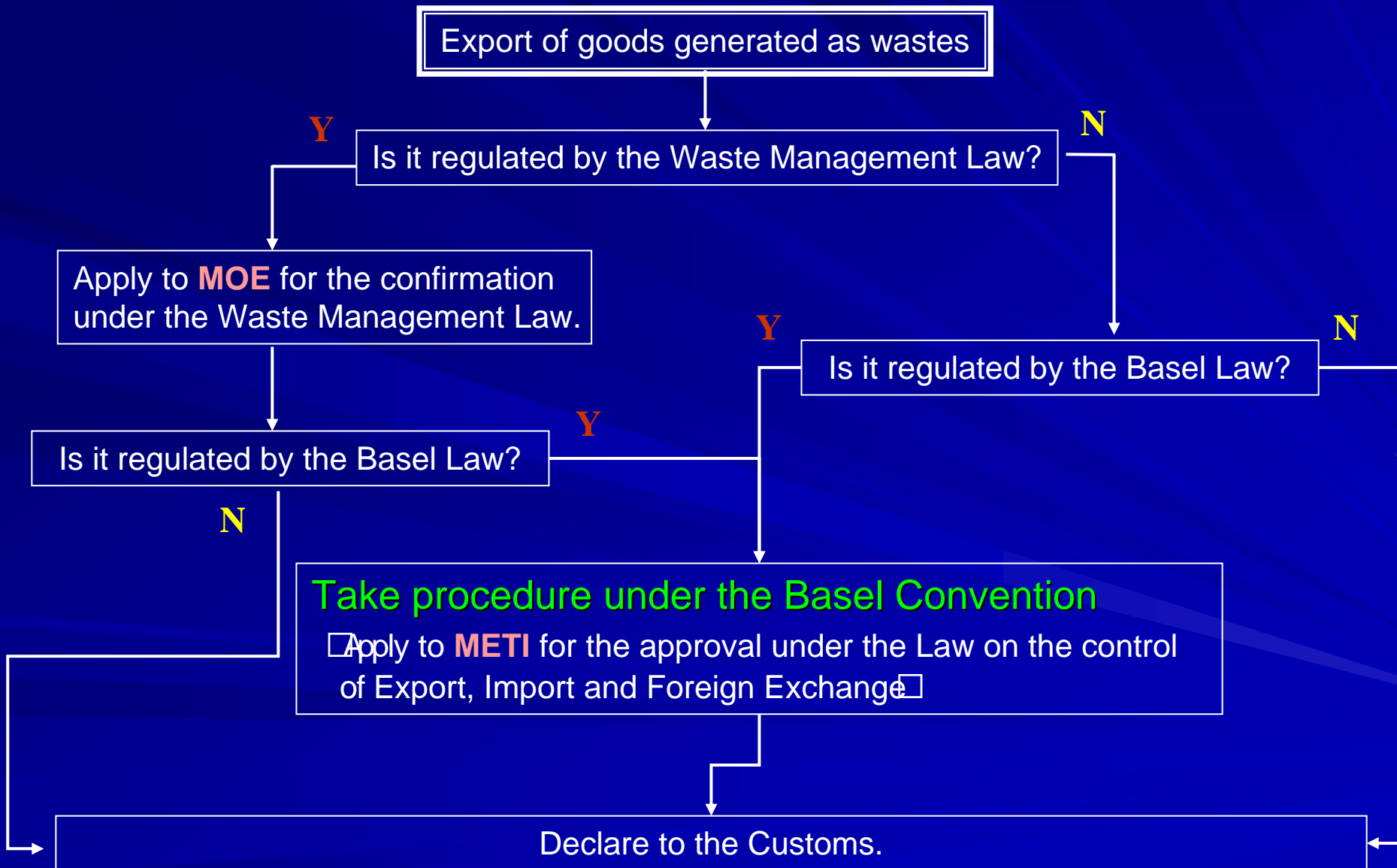
## **Competent Authority**

**Director, Office of Waste Disposal Management,  
Ministry of the Environment**

## **Focal Point**

**Director, Global Environment Division,  
Ministry of Foreign Affairs**

# Control system under the Laws ( Ex. Outline of Export)





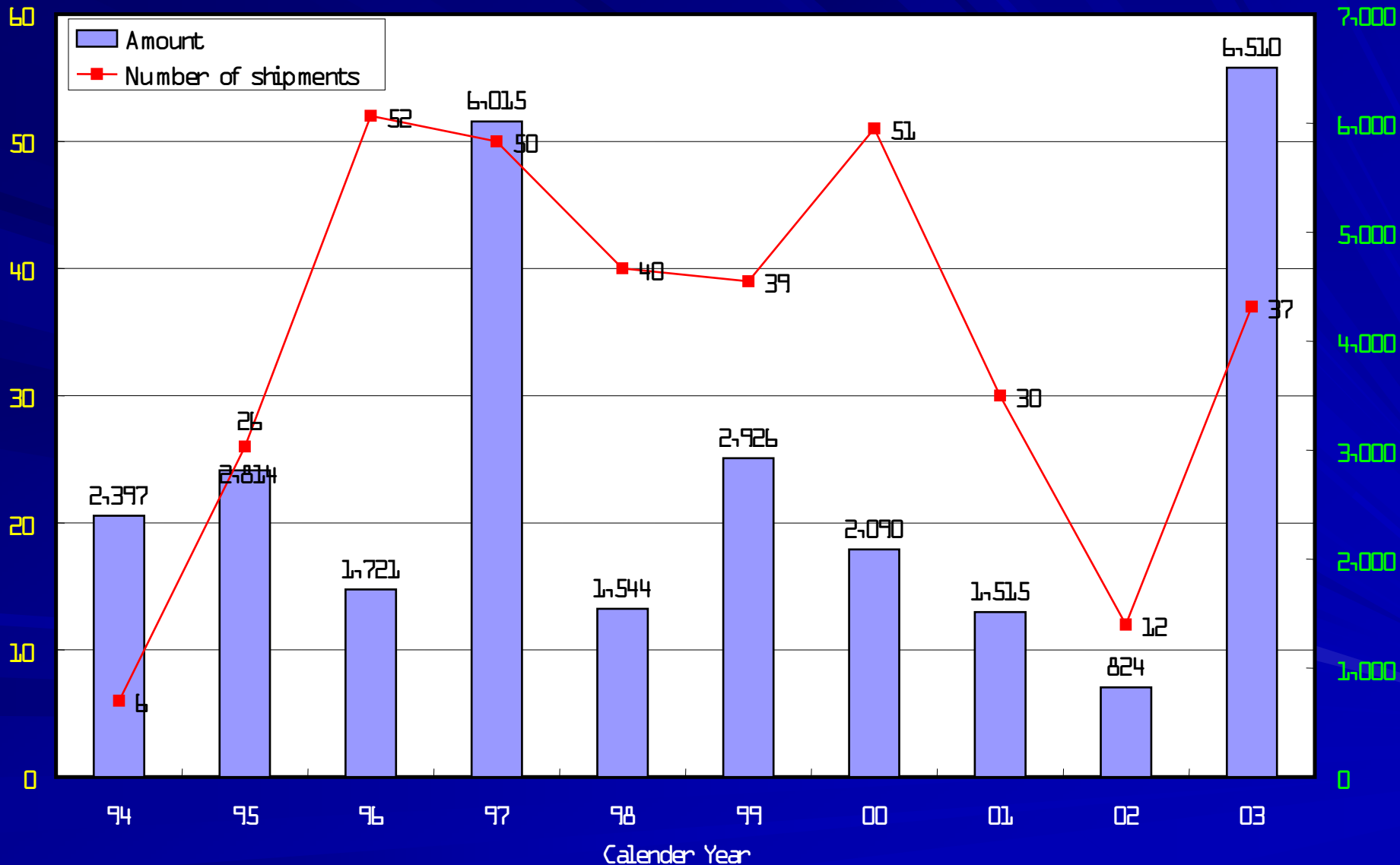
# Procedure on Export of Hazardous Wastes under the Basel Convention

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- MOE shall examine whether sufficient measures will be taken for preventing environmental pollution, and thereafter notify METI of the result of its examination.
- METI is not able to issue export permission without the notification by MOE certifying that necessary measures will be taken for preventing environmental pollution.

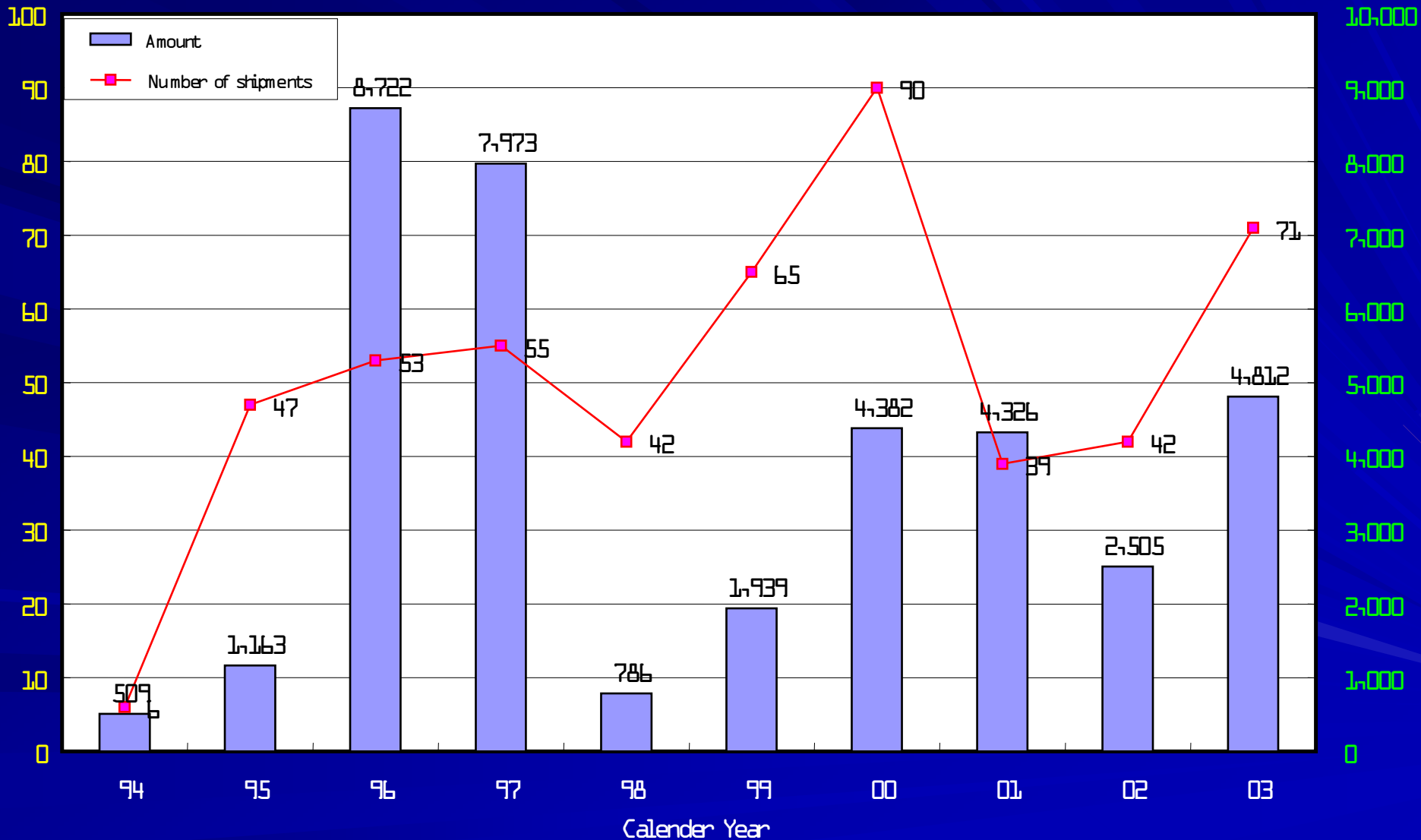
# Amount of Exported Hazardous Waste

(Number of shipments)



# Amount of Imported Hazardous Waste

(Number of shipments)



# Exported Hazardous Wastes (2003)

Categories of Waste			Annex III	Amount exported (metric tonnes)	Country of import	Annex IV A Final disposal operation: D code	Annex IV B Recovery operation: R code
Annex I and II	Annex V	H code					
Y code	Waste stream s/ wastes having as constituents						
25-31	Solderball		12	20	Belgium		4
31	Lead scrap		13	750	Republic of Korea		4
31	Lead scrap		13	210	Republic of Korea		4
31	Solderball		11	187	Belgium		4
25-31	Solderball		12	280	Belgium		4
22-23-31	Shredder dust		11	0.3	Switzerland		5
31	Lead scrap		11	1400	Republic of Korea		4
31	Lead scrap		11	3661	Republic of Korea		4
29	Mercury (Fluorescent light)		11	2	Germany		4

# Imported Hazardous Wastes (2003)

Categories of Waste			Annex III H code	Amount imported (metric tonnes)	Country of origin	Annex IV A	Annex IV B
Annex I and II		Annex V III				Final disposal operation: D code	Recovery operation: R code
Y code	Waste streams/ wastes having as constituents						
31	Glass cullet	A2010	11	516	Singapore		4,5
17	Metalscrap	A1050	13	20	Singapore		4
22-31	Ash containing copper	A1150	11	13	Singapore		4
24-31	Coppersludge		11	360	Philippines		4
17-22	Silversludge	A1050	11	119	Philippines		4
17	Galvanic sludge	A1050	6.1	8	Indonesia		4
31	Electronic scrap	A1180	11	379	Thailand		4
31	Circuitboard scrap	A1180	11	39	Philippines		4
17-21-24	Coppersludge	A1050	12	978	Malaysia		4
17	Silversludge	A1050	12	20	Philippines		4
17-22	Silversludge	A1050	11	34	Philippines		4
26	Waste battery	A1170	11	196	China		4
31	Printed circuitboard	A1180	11	15	Philippines		4
21	Used ion exchange resin		11	4	Republic of Korea		4
22-31	Ash containing copper	A1150	11	122	Singapore		4
17	Galvanic sludge	A1050	6.1	50	Indonesia		4
17-22	Silversludge	A1050	11	416	Philippines		4
31	Glass cullet	A2010	11	1418	Singapore		4,5
17-22	Silversludge	A1050	11	101	Philippines		4
21	Ion-exchange resin		11	4	Republic of Korea		4

# **Problem Case Japan Faced under the Basel Convention**

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## **Illegal export by Nisso**

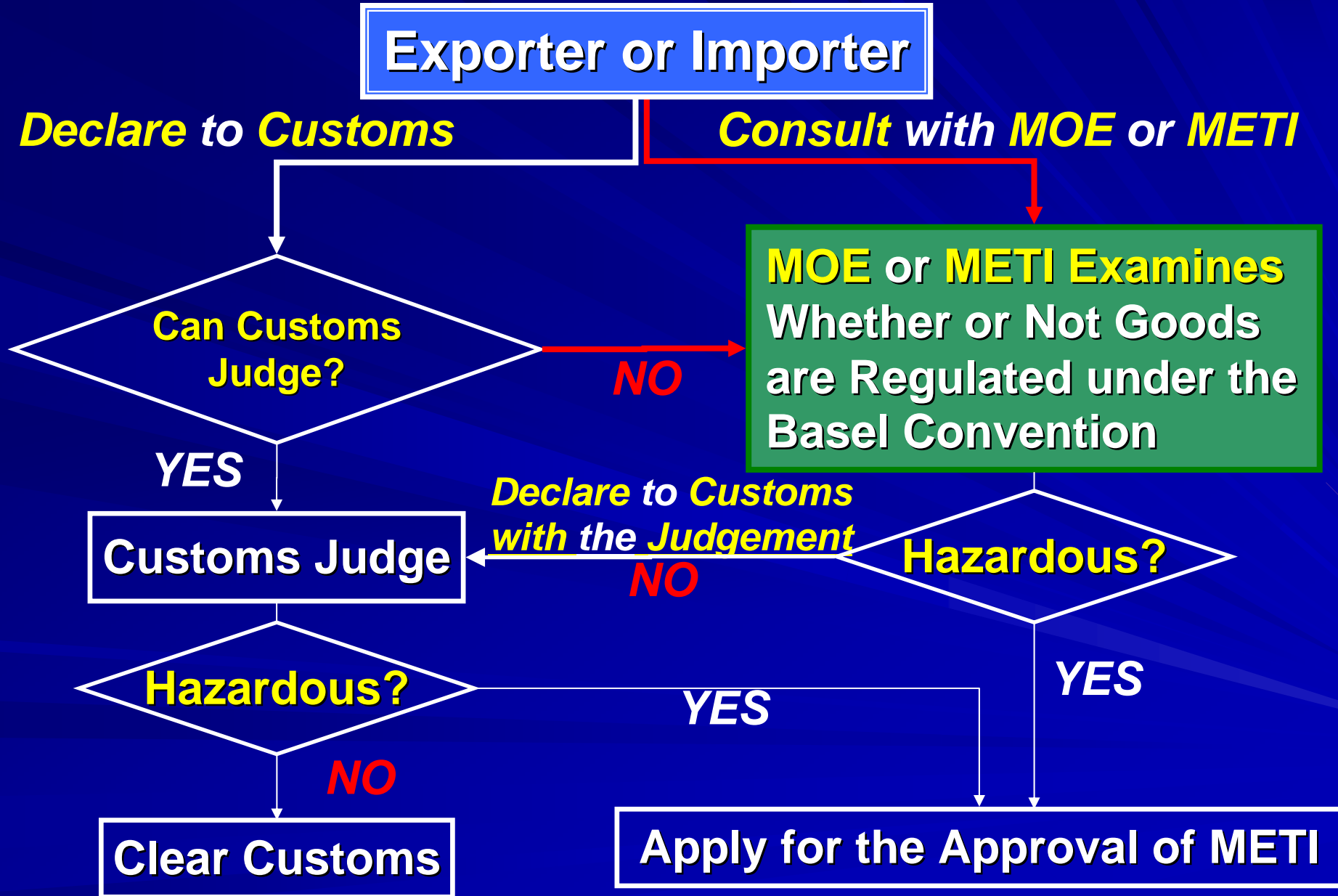
- 1999.12 Government of the Philippines required Japan to re-import illegal wastes.  
Japanese investigators visited the Philippines.  
Ministers ordered the exporter to re-import the shipment.
- 2000.1 Japanese government took back the wastes to Japan and disposed (incinerated) them.
- 2000.5 The police arrested the CEO of Nisso

# **Measures to Prevent Illegal Traffic of Wastes Currently Implemented in Japan**

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- 1. Prior Consultation System Introduced in Year 2000**
- 2. Cooperation with Customs**
- 3. Seminar for Related Actors**

# Prior Consultation- the scheme





# Prior Consultation -the number

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# Cooperation with Customs

- **Sharing Information**
- **Exchanging Opinions for Better Cooperation System among Customs, MOE, and METI**



*Specifically...*

- **MOE and METI send records of Prior Consultation every week / every day.**
- **Customs call MOE and METI if there seem to be any problems during inspection before clearance.**
- **Have Workshops 7 times a year with Major Customs offices**

# **Seminar for Related Actors**

- **Hold 8 Workshops in Major Cities**
- **Objectives:**
  - **Give Information for Compliance**
- **Target:**
  - **Companies (Future Exporter and Importer)**
  - **Municipal Government Officers**
  - **Customs Agent**
  - **Citizens**

# The next steps

## □ Some problems)

- Delay of procedure
- Ship back trouble
- Difference of interpretation between countries about hazardous wastes or re-use , etc

## □ Due to lack of enough Information and recognition



- Necessity to share our Information and knowledge for better management



- Establishment of the network in Asian region

*Thank you*

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