

**Regional Workshop on Prevention of Illegal
Transboundary Movement for Hazardous Waste in Asia
28-29 March 2007, Beijing, China**

Summary (Final Version)

1. The Regional Workshop on Prevention of Illegal Transboundary Movement for Hazardous Waste in Asia was held in Beijing, China on 28-29 March, 2007. The workshop was attended by 35 delegates from the competent authorities or focal points to the Basel Convention from 11 countries or administrative regions; 13 observers, including resource persons from the Secretariat of the Basel Convention (SBC), the Netherlands, IMPEL-TFS network, Basel Convention Regional Centre for Southeast Asia (hereinafter referred to as the BCRC-SEA), EX corporation, RILO A/P; and 9 observers including secretary support to the workshop from Basel Convention Coordinating Center for Asia and the Pacific (hereinafter referred to as the BCRC China) and Tsinghua University.
2. The regional workshop was organized by BCRC China with the contribution of State Environmental Protection Administration of China (hereinafter referred to as SEPA China) and the Ministry of the Environment of Japan (MOE) with the guidance of SBC.
3. In the opening Session, Mr. Hao Jiming, representing BCRC China warmly welcomed the participants and expressed high gratitude for many officers' attendance to share and exchange the information and experiences for the effective implementation of the Basel Convention as well as the support by SEPA, MOE, and SBC. Mr. Fan Yuansheng, Director General of the Department of Pollution Control, SEPA expressed his gratefulness to have an opportunity to share China's experience in the implementation of the Basel Convention with the participants in his welcome address. Mr. Ibrahim Bin Shafii, Programme Officer, SBC pointed out that the holding of this regional workshop on illegal traffic and E-waste after the Nairobi Declaration and Ivory Coast incident is

very timely in his welcome address.

4. For the two-day workshop, participants agreed to focus on exchange of information, regulation and experience, cooperation and capacity building for preventing illegal transboundary movement of hazardous wastes for Asia. The participants had frank, direct, extensive and fruitful discussions in all these areas.
5. During Session 2, the participants shared up-to-date information with regard to implementing the Basel Convention. The delegates from Japan, China, Bangladesh, Cambodia, Indonesia, Laos, Malaysia, Singapore, Sri Lanka, Thailand, and Vietnam made presentations to share information in terms of the legal framework, institutional setup, statistics, illegal traffic cases, environmental and/or human health damages caused by the transboundary movements of hazardous wastes, including e-wastes. Many delegates also talked about major challenges that they are facing and the need for more forceful measures to crack down on illegal transboundary movements of wastes. Some participants introduced that their countries have banned the import of all e-wastes regardless of their hazardousness, while others have banned used EEE import and/or considered e-waste as hazardous wastes.
6. During Session 3, SBC presented on the progress of the management of transboundary movement of waste under the framework of the Basel Convention with an emphasis on the project on ESM of E-waste in the Asia and Pacific region. The General Administration of Customs of China (GAC) and General Administration of Quality Supervision, Inspection and Quarantine of China (AQSIQ) introduced the efforts to prevent and control the illegal transboundary movement of wastes in China. The representatives from EU IMPEL-TFS and the Netherlands made presentations on their latest activities and accomplishments, expressed the expectation to cooperate with Asian countries on information exchange and networking for controlling waste transboundary movement. Some participants expressed their concerns for considering waste EEE destined for recycling as second-hand EEE.
7. The session 4 discussion was first led by the issue raising presentation from Japan and followed by presentations on the controlled second-hand items, legal frameworks,

different criterion from Hong Kong S.A.R. of China, Indonesia, Thailand and Vietnam which have the regulations on second-hand EEE. The presentations helped the participants to understand that there are different regulations in each country with regard to distinguishing second-hand EEE and e-wastes, hazardous e-waste and non-hazardous e-waste. Some participants emphasized that the regulations and policies of the importing country should be respected and called for immediate action by the exporting country to stop and control the shipments of such wastes. Some participants thought that these differences on the regulations may cause illegal trade as the importing and exporting countries respectively may have different viewpoints. The participants agreed to consider the practical mechanism to cooperatively implement export and import control under the different regulations, and on this issue, the experience of EU can be learned, such as following the stricter procedure when there are different regulations among the concerned states. Also some participants stressed that the exporting state should strengthen their inspection and control on waste destined for transboundary movements and proposed to follow the PIC procedure when there is a concern that the shipment may be subjected to control by the importing country or illegal. During the discussion, ideas such as using existing information sharing system and regional actions for reporting suspected shipment were raised. Some participants were of the view that some non-hazardous e-waste, if they come from household, should be considered as the “other waste” (Annex II) in the Basel Convention. In addition, Japan provided information about markets for used EEE in Asia. EU delegate introduced a draft guidance document to guide customs officers to judge whether the item in question is WEEE.

8. During the discussion in Session 4, it was emphasized that it was the responsibility of exporting countries to control those wastes regulated by the importing countries in their domestic law. The Japanese delegation reiterated that Parties are required to report to the SBC as required under Article 3 of the Basel Convention which stated each party shall, inform SBC of the waste, other than those listed in Annexes I and II, considered or defined as hazardous under its national legislation. Hong Kong S.A.R. of China suggested to use the EU guidance document to distinguish reusable EEE from waste. While the need for strict control of transboundary movement of E-waste was

emphasized by all Parties, one participant whose country is importing used EEE expressed their concerns with regard to the affordability of new EEE.

9. During Session 5, all the participants agreed on the need for the establishment of information and communication network. Many countries expressed their needs for capacity building in the control of E-waste in terms of development of E-waste inventory, legal framework, practical guidance and other tools, etc. Information that is useful to be exchanged include definitions of and regulation on E-waste, effective communication between importing and exporting countries, regularly updated contact information and names of companies that conducted illegal transboundary movement of hazardous wastes. Japan introduced the Asian Network for Prevention of Illegal Transboundary Movement of Hazardous Wastes and suggested to make use of the workshops held and the website developed under the network for future information exchange. Singapore suggested to publicize the Network's website so that countries outside the Network would also know about the legislations and requirements imposed by the various members of the Network pertaining to hazardous wastes. Many participants pointed out that the exchange of information on especially suspicious import/export cases by email was very effective. Some participants expressed their expectation that BCRCs play key roles in the issues of capacity building and operation support for countries in the region. A representative from RILO/AP introduced the Sky-Hole-Patching project on information exchange to prevent illegal trade of ODS, including hazardous waste. A representative from IMPEL-TFS emphasized the importance of designating a contact person in each country for effective communication among the network countries and having volunteer countries to do groundwork for joint actions.
10. In the latter part of Session 5, Hong Kong S.A.R. of China requested the BCRC-SEA to distribute BCRC-SEA's draft technical guidelines on e-waste inventory and 5 R, and requested to distribute HK's proposal on regional management of e-waste submitted to Asian Network in 2005 for comments. Japan proposed to host the next workshop in 2007. Hong Kong S.A.R. of China emphasized the importance of cooperation with Customs officers. BCRC China proposed more training on the Basel Convention and making use of the workshop materials prepared by BCRCs as found on the website. The

workshop welcomed the attendance of the representatives of IMPEL-TFS and proposed to further strengthen communication with that network.

11. At the end of the workshop, BCRC China on behalf all of the Chairs in this workshop and the organizer expressed its gratitude for all the participants for the active participation during the two days workshop and hoped continuous work for preventing illegal transboundary movement of hazardous wastes. Then BCRC China invited the representative of the MOE Japan to deliver closing remarks.