

Workshop 2010 of the Asian Network for Prevention of Illegal Transboundary Movement of Hazardous Wastes Siem Reap, Cambodia, 30 November-2 December, 2010

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Session 1: Updates on National Regulations and Good Practices for Enforcement of the Basel Convention

Underlying Assumptions

- It is beneficial to understand and share recently established, amended and draft legislation which currently under discussion among member countries on import/export control of hazardous wastes for ensuring better control of hazardous wastes between exporting and importing countries.
- It is important to share the difficulties on implementation of the Basel Convention and share the good practices for overcoming them.
- For more effective implementation of the Basel Convention, it is practically important to share the information on recent takeback cases and reason behind why they happen along with the takeback procedure.
- Considering the recent development of the facilities ensuring Environmentally Sound Management (ESM) of hazardous wastes in Asian countries, it is important to share the information for effective implementation of the Convention on how such facilities are defined in each country and whether they exist and accept imported wastes and others as well as if any its location, treated items, applied technologies, and pollution control measures.

Presentation

Please see the annex (Presentation request diagram).

Discussion

- Questions and answers on rules and regulations as well as domestic definitions and criteria on hazardous wastes
- Recent cases of takeback and illegal transboundary movement (TBM) of the hazardous wastes
- Definition on ESM of hazardous wastes and others and facilities ensuring ESM

Expected Goals

Through the discussion, participants are expected to:

- Learn the latest information on rules and regulations on hazardous wastes, especially those the Secretariat of the Basel Convention is not notified of under the Article 3 of the Convention;
- Enhance mutual understanding among countries regarding good practices for enforcement of the Basel Convention inter alia takeback activity
- Have better understanding on definition and facilities ensuring ESM of hazardous wastes

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Session 2: Measures for Strengthening Border Control and Facilitation of Takeback Procedure

Underlying Assumptions

- It is important to share the effective border control measure to prevent illegal TBM of hazardous wastes.
- Risk profiling is a key activity in order for strengthening border control activity. Especially list of HS code with high risks of deliberate disguised declaration can facilitate custom's inspection and may raise priority of waste issues among many controlled goods (e.g., drug or weapon, etc.) which are required on customs through many law and regulations.
- Takeback of illegal shipment can not only prevent pollution derived from environmentally unsound management of illegally imported hazardous wastes in State of import, but also can raise awareness of the State of export.
- It is also helpful to have more close communication between officers in charge of the Basel Convention and officers of customs section in order to facilitate necessary takeback procedures and to identify the measure for overcoming any difficulties involved with.
- It is even more important to enforce the border control and thus to discuss what specific measure for strengthening the activity can be.

Presentation

Please see the annex (Presentation request diagram).

Discussion

- What are the specific measures for implementing and strengthening border control?
- What kind of intelligence information would be useful if shared among the competent authority and the customs? How can the Asian Network contribute to this issue?
- What are the current practices conducted for takeback in each country and what are difficulties and challenges for arranging takeback? In order to address the issues, what kind of activities can be conducted under the framework of Asian Network?
- What kind of practices or experiences in other region or by international organization can be duplicated in Asian Network for strengthening border control?

Expected Goals

Through the discussion, participants are expected to:

- To understand that the strengthening border control is effective, especially when

collaboration between the competent authority and the customs is successfully made.

- To have clear idea about HS codes with high risks of deliberate disguised declaration in Asian region and other useful information that can be shared among member countries for risk profiling activities.
- To understand difficulty for arranging takeback and learn some practices conducted in member countries, other region or international organization for facilitating takeback.
- To come up with specific measures for promoting collaborating activities such as developing guidelines on facilitating takeback of illegal TBM of hazardous wastes.

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Session 3: Current Discussion and Future Direction on BAN Amendment and Measures for Promoting Environmentally Sound Management of Hazardous Wastes

Underlying Assumptions

- It is important to know the background, purpose and progress of the Country-Led Initiative (CLI) which has been led by Government of Indonesia and Switzerland based on the statement of the President of the 9th Conference of the Parties of the Basel Convention (COP 9) that called for a process to explore means by which objectives of the Ban Amendment might be achieved.
- Having an overall picture of recent TBM of the hazardous wastes and recyclable items such as used electrical and electric products in Asia can be a base to understand the series of discussion under the CLI as well as to help for considering a view on BAN amendment.
- It is important to exchange various views on the outcomes of CLI among member countries and to provide inputs toward COP 10, scheduled in October 2011, considering the current situation in the region, such as trend of TBM and recent development of hazardous waste recycling facilities with high level of technology ensuring ESM.
- Among many things suggested by CLI, development of ESM facility criteria would be a key element for ensuring objectives of the BAN Amendment and affect trend of TBM in Asia and each country. Therefore, it is important to have a common view on ESM criteria among member countries and to have clear map of ESM facilities located in the regions in advance.

Presentation

Please see the annex (Presentation request diagram).

Discussion

Discussion 1 (closed to government representative)

- Views on the outcomes of the 3rd CLI meeting (held in September 2010)¹
**Please note that this session is not aimed to discuss ratification of BAN Amendment. The session is aimed to exchange views on rationale of the BAN Amendment and proposal drafted by CLI members for achieving the original objective of the BAN Amendment.*

Discussion 2 (open to observers)

- What measures would be practical and appropriate for Asia in order for achieving TBM of hazardous wastes where ESM is ensured?

¹ The detailed information of the CLI can be found at the following website (<http://www.basel.int/convention/cli/index.html>).

- What is the expected effect of ESM facility criteria on Asia?
- What ESM facility criteria can be possibly introduced in Asia?
 - What are necessary components of ESM? (e.g., occupational health and safety requirement, monitoring/record/reporting, adequate competency of staffs, etc.)
 - Which level of ESM requirement can be practical and appropriate in Asia? (should be high standard or flexible to the situation of each country?)
 - ESM criteria should be uniform to all the waste streams or should be changeable by waste categories?
- What is the current status of development of ESM facilities in Asia?
 - How facilities are located in Asia by each waste category? (e.g., E-waste, used lead acid batteries, waste fluorescent lamp, etc.)
 - Do the facilities identified above have the previous cases or actual needs of import of hazardous wastes for recycling?
 - How the governments of each member country ensure ESM of hazardous wastes at the facilities identified above? (e.g., through license, EIA (environmental impact assessment) report, or on-site inspection, etc.)
- What would be a necessary measure and action to promote ESM at a recycling facility?

Expected Goals

Through the discussion, participants are expected to:

- Acquire an overall picture of TBM of hazardous waste and ESM facility in Asia
- Come up with some inputs for CLI and recommendation for COP10
- To have a common understanding to study the ESM criteria which can possibly introduced in Asia to identify ESM recycling facility.

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Session 4: Future direction of Asian Network

Underlying Assumptions

- It is appropriate to review the work has been conducted since the inception of the Asian Network and discuss its future direction now on.
- It is also appropriate for the Basel Convention Regional Centre for Asia and the Pacific (BCRC China) and BCRC South-east Asia (BCRC-SEA) to take over the Secretary function so that more creative and practical activity can be conducted utilizing Asian Network as an effective regional tool for implementing the Basel Convention.
- Website of the Asian Network is one of the most important tools for exchanging information among members and periodic improvement should be made based on the voice of the user.

Presentation

Please see the annex (Presentation request diagram).

Discussion

- What the future direction of the Asian Network would be?
- What is the appropriate mechanism of the new secretariat and management mechanism and transition should be taken placed?
- What kind of information or contents would be useful for member countries if uploaded to the website of the Asian Network?

Expected goals

Through the discussion, participants are expected to:

- Exchange various views on the future direction of the Asian Network.
- Share some ideas of possible new management mechanism of the Asian Network.