

Workshop 2010 of the Asian Network for Prevention of Illegal Transboundary Movement of Hazardous Wastes

ISSUES PAPER

Session 1: Update on Implementation Activities of the Basel Convention

Underlying Assumptions

- It is essential to understand newly established, recently amended and currently discussed legislation of member countries on import/export control of hazardous wastes for ensuring better control of hazardous wastes between exporting and importing countries.
- Having clear understanding of definitions and criteria of hazardous wastes that are subject to regulations, especially those defined under the national legislation (Article 1.1b of the Convention) assists the Basel officers and customs in preventing illicit transboundary movement caused by the lack of clarity.
- It is also important to encourage national efforts in developing capacity of environmentally sound management of hazardous waste by sharing the latest policies and ongoing activities by member countries.

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 trend of transboundary movement based on import/export statistics and identified illegal cases
- Up-to-date activities for environmentally sound management of hazardous wastes

Expected Goals

Through the discussion, participants are expected to:

- Learn the latest information on rules and regulations on hazardous wastes and secondhand electrical and electronic equipment (EEE), especially those the Secretariat of the Basel Convention is not notified of under the Article 3 of the Convention;
- Have common understanding of clear definitions and criteria of hazardous wastes that are subject to regulations
- Stimulate national efforts in developing capacity of environmentally sound management of hazardous wastes

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Session 2: Border Control Activities for Tackling Illegal Transboundary Movement of Hazardous Wastes

Underlying Assumptions

- It is important to deepen the understanding about current situations of the transboundary movement of hazardous wastes, and to analyze the reasons behind for illegal cases where environmental sound management cannot be ensured.
- Customs authorities plays a key role in tackling illegal transboundary movement of hazardous wastes, as they are often the first to be in a position to discover illegal traffic in the course of their normal control activities at the border;
- It is essential for the customs officials to share experiences and difficulties in enforcing the Basel Convention and to discuss possible joint control measures with competent authorities of the Convention.
- It is also valuable to understand ongoing activities of international organizations for combating environmental crime, which are relevant to the scope of the Basel Convention.

Presentation

Please see the annex (Presentation request diagram).

Discussion

- What are reasons for illegal/illicit transboundary movement where environmentally sound management cannot be ensured?
- What are difficulties and obstacles in frontline enforcement activities of the Basel Convention?
- How can we mitigate those difficulties for better monitoring and detection of illegal transboundary movement of hazardous wastes?
- What are necessary measures for strengthening cooperation between the customs and competent authorities at the national level?
- What can be learned from experiences of the international organizations combating for environmental crime, and what can be shared and utilized for the Asian Network?

Expected Goals

Through the discussion, participants are expected to:

- Learn the latest information on customs regulations and border control activities by customs authorities in member countries
- Share the understanding of difficulties and obstacles in frontline enforcement activities of the Basel Convention and discuss possible mitigation measures in cooperation with the

competent authorities

- Understand several ongoing activities undertaken by the international organizations for combating environmental crime, which can be supportive to the Basel enforcement activities.
- Identify possible area of collaboration among national authorities, international organizations and the Asian Network

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Session 3: Good Practices for Effective Enforcement in Asia and other Regions

Underlying Assumptions

- It is valuable to share good practices among member countries in effective implementation of the Basel Convention and to make use of lessons for improving relevant activities in each member country with the purpose of enhancing the overall enforcement capability of the region
- Having an overall picture of relevant important activities in Asia and other regions helps Asian network avoid duplicates and enhance coordination among them
- Synergy effects can be expected by promoting cooperation among member countries and other stakeholders through establishing a system to share good practices in a timely and effective manner

Presentation

Please see the annex (Presentation request diagram).

Discussion

- Are there any other good practices to be shared in the region?
- What kind of improvement can be made on E-handbook so that it can be more widely, frequently and effectively used?
- What can be learned from the experiences of other countries and regions?
- What can we consider the better coordination and collaboration among relevant projects and initiatives undertaken by various stakeholders and how can the Asian Network contribute it?

Expected Goals

Through the discussion, participants are expected to:

- Acquire an overall picture of various good practices by member countries as well as partnering countries and international organizations.
- Get tips and ideas for improving relevant enforcement activities in each member country through learning good practices being uniquely conducted by other countries.
- Approve the E-handbook as one of the effective tools for sharing good practices and applying them into national policy measures
- Have better idea of coordination and collaboration among stakeholders and the Asian Network avoiding duplication and bringing synergy effects

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Session 4: Effective Collaborative Measures between Asian Network, Customs Authorities, and International Organizations

Underlying Assumptions

- With progress of globalization and rapid economic development in Asia, transboundary movement of hazardous wastes remains and even increases its importance in the international agenda of cross-border environmental crime.
- In order for tackling illegal transboundary movement of hazardous wastes, an independent effort by the competent authorities of the Basel Convention is not sufficient: there is a growing need for the concerted efforts by the customs and competent authorities for stricter joint control at the both national and international levels.
- It is therefore essential to strengthen cooperation and collaboration among the national relevant authorities and international organizations in order for better enforcement of the Basel Convention.
- The Asian Network can provide a functioned platform focusing on the transboundary movement of hazardous wastes upon which those collaborative measures be expanded.
- The ultimate goal should be to ensure that transboundary movement of hazardous wastes, especially to developing countries, constitutes an environmentally sound management of those wastes as required by the Basel Convention.

Discussion

The following topics are discussed in two breakout groups

Group A <Enhanced collaboration between the customs and competent authorities of the Basel Convention>

- Based on the identified difficulties and obstacles in the frontline enforcement activities and ongoing activities by relevant organizations, how the Asian Network can address those issues?
 - a. Priority areas to be addressed among the enforcement difficulties/obstacles
 - b. Control measures to be undertaken for tackling those difficulties/obstacles at the national and regional levels
 - c. Activities (or project) to be considered and formulated for strengthening cross-border and regional collaboration
 - d. Possible coordinated system for intelligence sharing and international framework for collaboration

Group B <Effective measures for ensuring environmentally sound management of hazardous wastes>

- Based on the current status of transboundary movement of hazardous wastes and reasons for transboundary movement where environmentally sound management cannot be ensured, what kind of measures the Asian Network should seek for?
 - a. Situations of transboundary movement of hazardous wastes in the region
 - b. Reasons for the transboundary movement of hazardous wastes where environmentally sound management cannot be ensured
 - c. Necessary measures to be undertaken for addressing the reasons identified above
 - d. Activities to be considered and formulated for monitoring and confirming the completion of environmentally sound management in the destined facilities

Expected goals

Through the discussion, participants are expected to:

- Come up and agree with some effective collaborative measures the Asian Network should promote including;
 - ✧ Strengthening cooperation at the national level
 - ✧ Strengthening cross-border and regional collaboration
 - ✧ Promoting intelligence sharing
 - ✧ Confirmation system that environmentally sound management of exported/imported hazardous wastes can be ensured
- Identify next steps the Asian Network and member countries should undertake