

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

Chair' Summary DRAFT

1 March 2010

1. The Workshop 2010 of the Asian Network for Prevention of Illegal Transboundary Movement of Hazardous Wastes was held in Yokohama, Japan on January 27-29, 2010. The workshop was attended by 22 participants from competent authorities and focal points to the Basel Convention as well as 12 customs officers from nine member countries and a special administrative region (SAR), the Basel Convention Coordinating Centre in China (BCRC China) and the Basel Convention Regional Centre for South-East Asia (BCRC-SEA). The workshop also invited 14 observers from five non-member countries, five international organizations and researchers.
2. In the opening session, Mr. Nobumori Otani, Parliamentary Secretary of the Environment, Ministry of the Environment of Japan (MOEJ), expressed deep gratitude for the large attendance from the member countries and the relevant organizations and highlighted the importance of the “reinforced collaboration between officers of the Basel Convention Competent Authority and the Customs”, which is the main theme of the workshop. The adoption of agenda was followed by the nomination of the Chairperson and Session Coordinators. The workshop was chaired by Ms. Junko Nishikawa (Japan) and three sessions (Session 1, 2, and 3) were facilitated by Mr. Aboejoewono Aboeprajitno, Director of BCRC-SEA, Mr. Gary C. W. Tam (Hong Kong Special Administrative Region, China), and Ms. Rohaya Saharom (Singapore), respectively. The chairperson reviewed the history of the Asian Network activities and outlined the overall objectives and expected outputs of the workshop.
3. In the Session 1, the representative of the Secretariat of the Basel Convention (SBC) summarized the recent activities and programmes undertaken by the Secretariat including the coming Simultaneous Extraordinary Meetings of the Conferences of the Parties to the Basel, Rotterdam and Stockholm Convention (ExCOPs) as well as PACE and E-waste projects in the region. The competent authorities of member countries presented the update on implementation activities of the Basel Convention including the newly introduced and recently amended regulations on hazardous wastes, trade statistics as well as relevant policies on recycling and environmentally sound management (ESM) of hazardous wastes including E-waste.
4. Through the session, the participants learned the latest information on rules and

regulations on hazardous wastes and secondhand electrical and electronic equipment (EEE) of member countries. Some participants sought for the clarification regarding the control on the transit and transshipment of hazardous wastes and the treatment of end-of-life equipment which was originally imported as secondhand EEE to the countries without technology or facility to treat.

5. The Session 2 was started with the introduction by Japan of the current situations of transboundary movement (TBM) of hazardous wastes and secondhand EEE in Asia for the purpose of providing an overall picture of the material flow. The customs representatives from member countries made the presentations about their border control activities for tackling illegal TBM of hazardous wastes. The presentations by the World Customs Organization (WCO), the Regional Intelligence Office for Asia and the Pacific (RILO/AP), and the International Criminal Police Organization (INTERPOL) introduced their operations and programmes for tackling environmental crime, such as Operation DEMETER, Project Sky-Hole-Patching and Ecomessages.
6. Through the discussion, some difficulties were highlighted in ensuring the returned shipment to the country of origin and several possible measures for improvement were proposed. Some participants pointed out another difficulty caused by the difference in definitions and criteria of regulated wastes in each country. The importance to ensure the national definitions notified to the SBC (Article 3) was reiterated in order for the state of export to take necessary legal actions. Since the customs officers need to verify the fulfillment of requirements of many laws and regulations in the trade control of goods, some participants noted the challenges to raise the profile of the hazardous wastes out of the list of regulated goods as well as to provide more focus to the export control compared to the import control.
7. During the first half of the Session 3, the representatives from China, Hong Kong SAR, and Thailand presented their own noteworthy practices for effective enforcement of the Basel Convention. The secretariat of the Asian Network then presented a draft of an e-handbook (web-based handbook for sharing good practices), which was initiated based on the agreement at the last workshop 2009. Welcoming the Secretariat's works so far and recognizing it as effective tool to learn from others, the participants agreed to take more part in providing necessary information and preparing the draft. The format of the e-handbook will be reviewed based on the comments raised from the participants. Any member country who will draft his/her good practices was requested to inform the secretariat of the accessibility of information (open to the general public or limited to member

countries, etc) so that the secretariat can work on the system accordingly. S of AN will seek the way to collaborate with BCRCs on the development of proposed e-handbook.

8. During the second half of the Session 3, the representatives from Canada and Australia explained their legal and enforcement measures for the purpose of ensuring the transboundary movement of hazardous wastes conducted in an environmentally sound manner. The representatives of Implementation and Enforcement of Environmental Law Transfrontier Shipments of Waste (IMPEL-TFS) and the United States of America (USA) introduced their recent activities with special focus on the expanded collaboration with Asian countries such as a planned EU-Asia collaboration project and the Seaport Environmental Security Network of the International Network for Environmental Compliance and Enforcement (INECE). The United Nations Environment Programme, Regional Office for Asia and the Pacific (UNEP/ROAP) reviewed activities under the Multilateral Environmental Agreements, Regional Enforcement Network (MEA-REN) and introduced the planned Partnership Against Transnational crime through Regional Organized Law-enforcement (PATROL) for enhanced cross-border cooperation. She encouraged that target countries (China, Cambodia, Thailand and Vietnam) of the PATROL project to review the project proposal and seek for the possible cooperation with the project activities for strengthening cross-border cooperation mechanism.
9. Through the discussion, the participants deepened the understanding of several initiatives undertaken by various players and recognized that close and continuous communication among them is quite important in order to keep each other updated of the implementation status of the relevant activities and to enable more active involvement. In this regard, contact point of each organization has been identified so that the member countries will be able to make inquiry and seek additional information.
10. In the Session 4, the participants were divided into two breakout groups for discussing different topics: Group A, facilitated by Mr. Hui Fu (WCO) and Dr. Juliette Vořnov Kohler (SBC), discussed possible approaches taken by the Asian Network for enhancing collaboration between the customs and competent authorities of the Basel Convention, based on the difficulties and obstacles in the frontline enforcement activities identified in the Session 2. Group B, facilitated by Mr. Damien ScottHall (Australia) and Mr. Keli Yu (BCRC China), discussed possible effective measures taken by the Asian Network for ensuring ESM of

hazardous wastes, based on the current status of TBM of hazardous wastes as well as reasons for TBM where ESM cannot be ensured.

11. The summary of Group A and B discussion was reported by Mr. Gary C. W. Tam (HK SAR) and Mr. Solon Collado Rativo (Philippines), respectively. Through the discussion, the importance of risk profiling approach was highlighted to trigger the enforcement process. Idea of sharing the intelligence information with a secure system was proposed including the HS code with high risks of deliberate disguised declaration as well as the information on trading company and treatment facility with high risks of inappropriate activities. The participants would consider the possibility of providing such intelligence information based on their respective conditions.
12. The importance of strengthening the communication and collaboration between customs and competent authorities was reiterated. It was agreed among the participants to improve the structured communication system at the national level and to promote communication among CAs both bilaterally and multilaterally at the regional level using the framework of the Asian Network, SBC and WCO such as the development of guidelines on the collaboration between environmental and customs authorities.
13. The issue of ship-back procedures was actively discussed and the participants agreed to map the obstacles and practices on arranging return shipments in the future workshops in order to explore the feasibility of specific activities / guidelines to improve the situations.
14. The importance of ensuring the national definitions, import and export prohibitions of hazardous wastes notified to SBC was highlighted and the participants agreed to notify their regulations which have not been done yet and also to keep the notified information up-to-date.
15. In addition, taking into account current good initiatives conducted by relevant international organizations, the participants were encouraged to expand the cooperation with other forums and activities, while keeping the scope of the focus in line with the original purposes of the Asian Network.
16. In the closing remarks, Mr. Shinichi Araki, Director, Office of Waste Disposal Management, MOEJ, has acknowledged all the contributions and efforts made by the participants for the workshop.