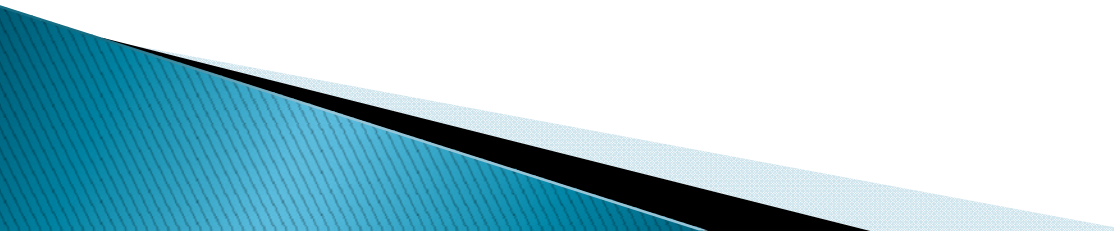


Scope of the Session and Background information of ESM

The Secretariat of the Asian Network



Contents

- ▶ Review of the discussion in the past workshop
 - ▶ Review of the past study
 - ▶ Ongoing discussion, progress, and future schedule of technical expert group for ESM framework under the Basel Convention
 - ▶ Discussion point and expected outcome of the session
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Review of the discussion in the past workshop

- ▶ At the past AN workshops, participants shared common understanding that:
 - Information collection and mapping on the existing ESM facilities in Asian region as well as the existing criteria/guidelines which define or authorize such ESM facilities in Asia and other region would be useful and valuable.
 - It would be practically useful to share those information would support effective PIC procedure as it helps to understand and identify a recycling or treating facility that can ensure ESM of hazardous wastes.
 - Private sectors (such as OEM) also have own criteria and view to chose, evaluate and monitor ESM facilities for their used products which are taken back from the customers. Therefore, industry's perspective is also useful.

The review of the past study (1)

- ▶ In 2009, the secretariat has carried out the “*Analysis of TBM of hazardous wastes in Asia*” based on the national reporting data of the Basel Convention.
- ▶ Among other things, the study found the following items (*full report is downloadable from the network website*):
 - Some Asian non-OECD countries/regions have reached economic level comparable to OECD. Even in countries with a relatively low economic level, a rapid economic growth has been observed in recent years.
 - Non-OECD countries with a higher income level are establishing facilities which are capable of recycling and treatment of hazardous wastes at a comparatively high technological level.
 - The TBM of hazardous wastes among non-OECD countries surpasses that from OECD countries to non-OECD countries. Most TBM is conducted for the purpose of recycling including the recovery and reclamation of metals and inorganic substances.

The review of the past study (2)

- ▶ In 2010, a number of existing guidelines and documents developed and publicly released by organizations related to the Basel Convention and other international organizations were reviewed to identify elements of ESM criteria as recommended by them to ensure ESM.
- ▶ The study can be summarized as follows:

	Basel Convention	OECD	BCRC-SEA	MPPI	PACE	e-Stewards
Compliance with statutory requirements	X		X	X	X	X
Introduction of EMS		X		X	X	X
Identification of risks and toxicity			X	X	X	X
Consideration of occupational health and safety		X	X	X	X	X
Awareness and capacity of workers	X	X	X	X	X	X
Monitoring, recording and reporting	X	X	X	X	X	X
Emergency response	X	X	X	X	X	X
Secured funding source(s)			X	X		X
Securing of evidence of proper use/treatment				X	X	X

The review of the past study (3)

- ▶ In 2010, a questionnaire was sent to the Basel Convention Competent Authorities in selected Asian countries where the trade of hazardous wastes is permitted on the condition that it is recycled or treated by environmentally sound manner, with the objective to clarify the measures, criteria and requirements adopted by Asian countries to ensure the ESM of facilities.

	Republic of Korea	Philippines	Singapore	Japan (export case)
Major ESM components in each country's criteria for ensuring ESM of exported/imported wastes	Korean Basel Law, Waste Management Law	DENR Administrative Order 92-29, 2004-36	Hazardous Waste (Control of Export, Import and Transit) Act	Japanese Basel Law
Occupational and environmental health safety	X	X	X	X
Monitoring, Record, Reporting	X	X	X	X
Awareness and competency of workers	X	X	X	X
Emergency response	X	X	X	X
Securing of finance		X	X	X
Evidence of downstream use and recycling	X	X	X	

The review of past studies (4)

- ▶ In FY 2011, the secretariat carried out the following studies:
 - ESM criteria for selection of waste recycling /disposal contractor by manufacturers (IT manufacturers and OA equipment manufactures)
 - Evaluation mechanism of E-waste recycler in Western and other countries (e.g., WEEELABEX, RQP, R2, e-stewards, etc.)
 - Certification system of excellent industrial waste treatment operator in Japan

Examination of possible ESM criteria

Concept of ESM Standards

Criteria for Facility relating to Operation

- Environ control measure under laws and regulations
- Occupational health and safety
- Identification of hazards and risks

Criteria for Facility Personnel Competency

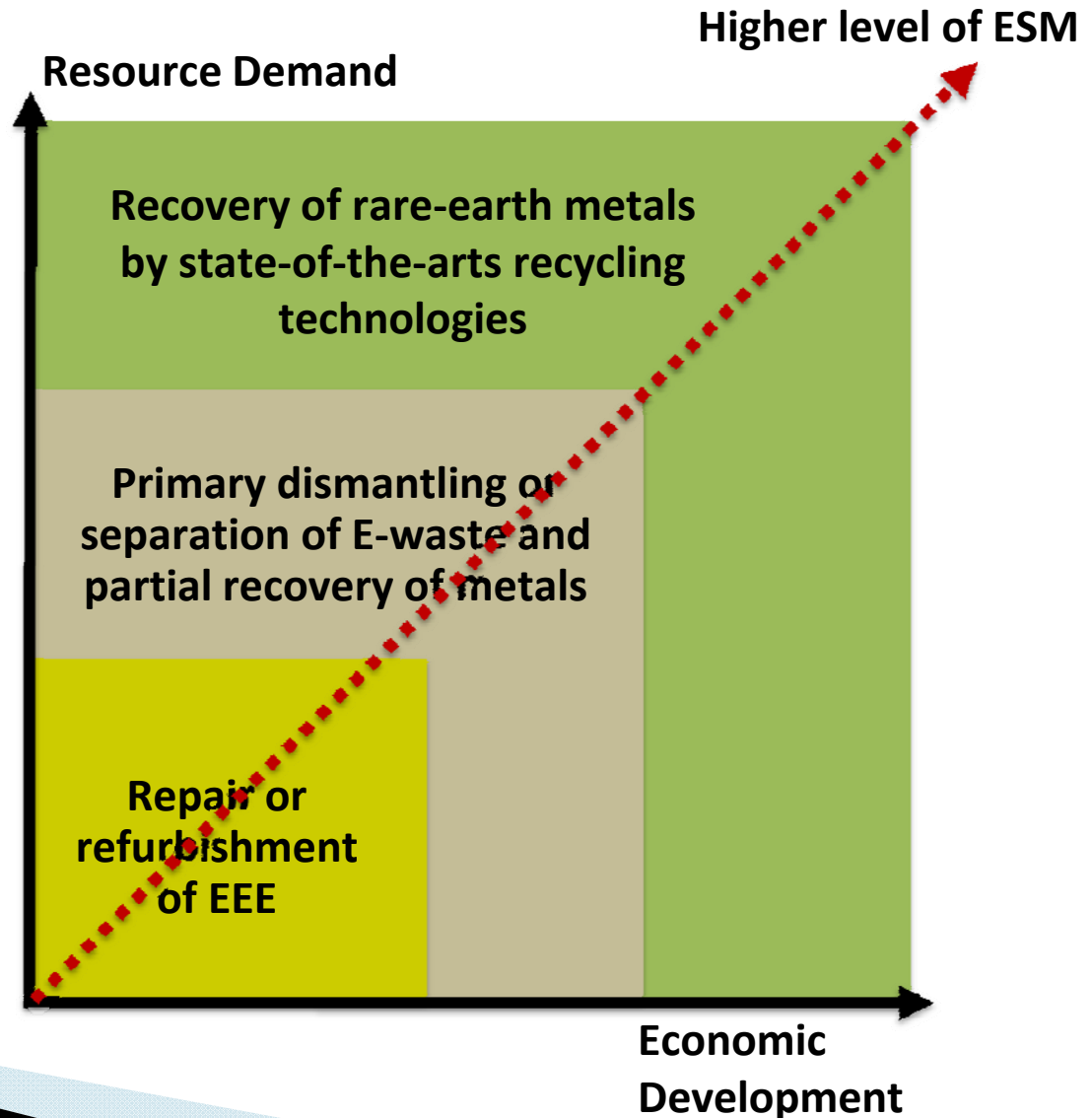
- Awareness and capacity building
- Recruiting of experts

Criteria for Facility relating to Management

- Appropriate Licenses and certification
- Environment management system
- Emergency response plans
- Transparent and Sound Financial stability
- Downstream channel management

ESM level required

- A rise of the economic level is generally accompanied by an increased demand for resources in Asia. As the manufacturing process and waste treatment and recycling processes become more advanced, the requirements for ESM techniques and systems become more stringent as shown below.



**Ongoing discussion, progress, and
future schedule of technical expert
group for ESM framework under
the Basel Convention**



TEG to develop a framework for the ESM (1)

- ▶ The Section B of COP10 decision (BC10/3) decided to establish the technical expert group (TEG) to develop a framework for the ESM of hazardous wastes and other wastes.
- ▶ 6 technical experts are nominated from each UN region. From Asia Pacific region, China, Indonesia, Japan, Jordan, Republic of Korea, Syria were nominated.
- ▶ So far, two TEG meetings have been already held as follows;
 - TEG1: Tokyo, 17 - 19 April 2012
 - TEG2: Geneva, 30 September - 2 October 2012

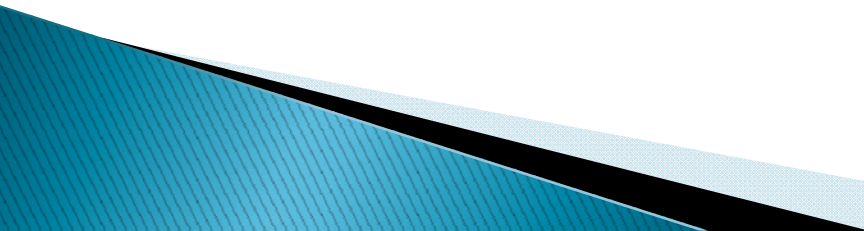
<http://www.basel.int/Implementation/LegalMatters/CountryLedInitiative/OutcomeofCOP10/DevelopingguidelinesforESM/TechnicalExpertGroup/tabid/2670/Default.aspx>



TEG to develop a framework for the ESM (2)

- The third meeting (TEG3) will be held in 21-23 January 2013 for further development of ESM framework. The draft framework will be submitted to COP11 to be held in May 2013 for consideration and possible adaptation.
- Major discussion points of TEG3 are expected as follows;
 - ✓ Strategy under the Basel Convention for addressing challenges parties are facing for achievement of ESM
 - ✓ Link between ESM and Transboundary movement (TBM) of hazardous wastes and other wastes
- Discussing this issue at the Asian Network workshop is timely since we can provide inputs to TEG from the perspective of the Asian region.

Summary of questionnaire of AN country (1) –challenges for achievements of ESM–

- ▶ Weak law enforcement, no efficient import/export procedure
 - ▶ Lack of policies to encourage private sector involved in HW management
 - ▶ Lack of human resource and technical and financial support
 - ▶ No participation of waste generator (lack of EPR)
 - ▶ Challenge for procuring sufficient materials to be treated due to the lack of the take back mechanism and the proper collection network.
 - ▶ Due to the prohibition of the import of the materials in some cases, producers face some difficulties not being able to collect sufficient materials
- 

Summary of questionnaire of AN country (2)

–Link between ESM and TBM–

- ▶ In case of poor developing countries, TBM should be minimized/strictly prohibited in any case, however in case of import/export of waste/material for the purpose of reuse and recycling should be allowed but need to identify the quantity and quality of materials
- ▶ The following two groups should be classified
 - Parties who prohibits import of HWs pursuant to the Article 4-1(a) and (b)
 - Parties who do not prohibit the import of HW
- ▶ TBM between developed and developing countries should ensure ESM

**Discussion point and expected
outcome of the session**



Discussion point of the Session

- ▶ What is the definition of ESM in general?
- ▶ What are the elements for ESM and what kind of tools (or instruments) are used to operationalize those ESM elements?
- ▶ What is the current status of development of ESM facilities in your country and what wastes are treated (e.g., E-waste, ULBs)?
- ▶ How can the information about ESM facilities and good practices on promoting ESM be utilized for effective implementation of the Basel Convention?
- ▶ What can be shared or learned from the practices to ensure ESM at a recycling and treating facility for hazardous wastes as well as the practices of industry?
- ▶ What is the most significant challenge for realizing ESM in your country and what kind of strategy would be necessary to address the issue under the Basel Convention?
- ▶ How ESM issues and TBM can be linked?

Expected outcomes of the Session

- ▶ Through the discussion, participants are expected:
 - To acquire an overall understanding on concept of ESM as well as legal framework and practice carried out in each country for operationalizing ESM.
 - To obtain clear picture of the current status of ESM facility development in Asian region.
 - To have better understanding about the ongoing discussion to develop ESM framework by TEG under the Basel Convention.
 - To exchange views about ESM framework and possible link between ESM and TBM.

Thank you

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