



BASEL CONVENTION



Updates of Regulation and Control Activities to Implement the Basel Convention in Vietnam

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1. Newly amended and currently discussed regulations

Newly amended and currently discussed regulations

- Law on Environment Protection 2014 (Effective on 1 January 2015)
- Decree No. 38/2015/ND-CP of April 24, 2015 by the Prime Minister on the management of waste and scrap.
- Circular of Ministry of Natural Resources and Environment on hazardous waste management.

Law on Environment Protection 2014

- ❖ Definition of waste and scrap
 - ❖ Waste is materials which are discarded from production, business, services and living or other activities.
 - ❖ Scrap is materials which are recovered, classified, selected from materials, products discarded from manufacturing or consumption activities to use as raw materials for other production process.
- ❖ Importation of waste and scrap
 - ❖ Prohibit
 - ❖ Importation and transiting of waste in any forms
 - ❖ Importing machinery, equipment and means that are not meeting environmental standards
 - ❖ Allow
 - ❖ Used marine vessels
 - ❖ Scrap

1. The Law on Environmental Protection 2014

❖ Importation of scraps

- ❖ Imported scraps must meet technical regulation on environment and in the allowable list

❖ Organizations and individuals importing scraps have to meet the following requirements:

- ❖ Having warehouse/area stored scraps, ensuring conditions for environmental protection;

- ❖ Having technology, equipment for recycling and reusing scraps.

- ❖ Importing scraps for production;

- ❖ Treating impurities of scrap under the technical regulations; not for sale these impurities;

- ❖ Re-exporting of scrap not meet the technical regulations on environment; or dealing with the law on waste management;

- ❖ *Making a deposit for imported scraps*

2. Decree No. 187/2013/ND-CP on trading of international goods

- The goods which temporarily imported for re-export must be licensed by the MOIT
- The MONRE stipulates the imported list of scraps.

3. Decree No. 38/2015/ND-CP of April 24, 2015 by the Prime Minister on the management of waste and scrap

- Prescribed at Point c, Clause 1, Article 13: Registration of transboundary transport of hazardous wastes under the Basel Convention on the Control of Transboundary transport of hazardous wastes and their disposal; implementing functional authorities and focal points of the Basel Convention in Vietnam; (contents are detailed in Circular No. 36/2015/TT-BTNMT).
- The regulations import of scrap as raw material industrial production.

4. Circular No 41/2015/TT-BTNMT (replaces Circular No 34/2012/TT-BTNMT) on environmental protection in importing scrap as raw material production

Vietnam allows import of certain categories of scraps for use (or recovery) as secondary materials for industrial production as listed in the appendix of the Circular No 41.

List of scraps allowed to be imported from foreign countries for production (Appendix I).

5. Circular No 36/2015/TT-BTNMT on HW management

- The definition and classification of HW shall comply with the regulations of Annex 8 (the HW list) of this Circular and National Technical regulation QCVN 07:2009/BTNMT on HW thresholds.
- The circular has a regulation on procedure for temporarily import for re-export of waste:
 - + If HW is not domestically transferred within Vietnam's territory, the importer is not required to have a HW transportation license;
 - + If HW is domestically transferred within Vietnam's territory, the importer is required to have a HW transportation license.
- Registration of exporting hazardous waste: Appendix V of Circular No 12 and The Basel Convention.
- The export registration can be done for every single trip or many trips per year. Hazardous waste generator/exporter coordinates with relevant parties applying the registration to VEA.

6. The related National regulations/standards

- National Standard on the classification of normal solid waste TCVN 6705:2009
- National Standard on HW classification TCVN 6706:2009
- National Standard on HW warning signs TCVN 6707:2009
- National Technical regulation on HW thresholds QCVN 07:2009/BTNMT
- National Technical regulation on environment for imported steel scrap QCVN 30:2010/BTNMT
- National Technical regulation on environment for imported plastic scrap QCVN 32:2010/BTNMT
- National Technical regulation on environment for imported paper scrap QCVN 33:2010/BTNMT



2. HW import and export statistics

II. Statistic data on export of HW from Vietnam

Year	Exporter	Importer	Waste	Quantity (kg)
2010	Cat Son Trading Co. Pte.Ltd.	TES-AMM Pte Ltd, Singapore	Electronic waste	200,000
2012	COVI Recycling Co. Ltd	Waste recycling company, Korea	Waste lead batteries	1,000,000
2012-2013	Schlumberger Vietnam Company	Toxco Waste Management Company, Canada	Waste lithium batteries	15,000
2012-2013	WRC Vietnam Limited Liability Company	WRC Company, Germany	Industrial sludge contained metal	500,000
2013	Green Metal Co.Ltd.	LS-Nikko Copper Inc Co., Seoul, Korea	Waste circuit board	200,000
2013-2014	WRC Vietnam Limited Liability Company	WRC Company, Germany	Industrial sludge contained metal	800,000
2013-2014	VIHA Service and Trading import-export Company	Waste recycling company, Korea	Waste lead batteries	8,000,000
2013-2014	Hai Thong Import Export Trade Co., Ltd.	Joong-il Metal Inc, Gyeonggi-do, Korea	Waste lead batteries	500.000
2014-2015	Vietnam Greystone Data Systems Co.	Shan Poornam Metals Sdn., Bhd. Malaysia	Waste HDD	400.000
2014-2015	Vietnam ESTELLE Co., Ltd.	Asahi Pretec Co., Japan	Ion exchange resins	600
2014-2015	Minh Ton Investment and International Trade Jsc.	Nippon Magnetic Dressing Co.,Ltd, Kitakyushu, Japan	Waste circuit board	600.000
2014-2015	Vietnam TES-AMM Co, Ltd	TES-AMM Pte Ltd, Singapore	Waste lithium batteries and Electronic waste	60.000
2014-2015	WRC Vietnam Limited Liability Company	WRC Company, Germany	Industrial sludge contained metal	800.000
	Total			13.075.600

III. Challenges and difficulties

- ✓ Collaboration among relevant national authorities from central to local level is not always smooth and effective, particularly without a prompt and effective information mechanism among national authorities, mostly still with paper-based system.
- ✓ Loose coordination among related agencies of law enforcement , especially in the sharing of information for smuggling illegal waste (Vietnam Customs Administration, Environmental Police Department, Vietnam Environment Administration)
- ✓ Abetting of law enforcement forces
- ✓ Low transparency in customs procedures and limited knowledge of customs officials and police is a barrier to the discovery of illegal smuggling.



3. Newly established and currently discussed regulations on E-waste collection and recycling

Newly established regulations

- In accordance with the Decision No. 16/2015/QĐ-TTg dated May 22, 2015 of the Prime Minister on regulations on recall and treatment of discarded products, from July 01, 2016, accumulators of all types, batteries of all types, compact light; fluorescent light, desktop or laptop; computer monitor; CPU (micro processor), printer; fax machine; scanner, photo camera; movie camera, cell phone; tablet computer, DVD, VCD, CD recorder and other tape or disc player, photocopier, television; refrigerator...which are out of date shall be formally recalled. Particular, discarded motorcycles, motorbikes of all kinds, automobiles of all kinds shall be recalled and treated from January 01, 2018.

Newly established regulations

No	Waste type	Effective time
I	Battery	01/07/2016
II	E-waste	
1	Fluorescence lamp	01/07/2016
2	Computer, printer, camera, camcorder, cell phone, scanner	01/07/2016
3	Photocopier, TV, air conditioner, refrigerator, washing machine	01/07/2016
III	Waste oil	01/07/2016
IV	Tyre	01/07/2016
V	Vehicle (motor, car)	01/01/2018

Other HW Management Activities

- Set-up of licensing system for hazardous waste collection, transport and disposal
- Grant license for hazardous waste collectors, transporters and disposers: 78 (last year was 64)
- Development of e-manifest system for hazardous wastes
- Exchange of information with some BC focal point, especially receiving information from Basel Action Network to have the notification and inform illegal HW transboundary movements.
- Frequently exchange of information among customs, environment, industry and trade authorities
- Inspection mission to ports, provinces and facilities

4. Challenges and difficulties

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4. Challenges and difficulties

- ✓ Lack of human resource and capacity to control in-land border. The Government established environment police and marine police forces, but the authorities have not adequate capacity for their effective implementation.
- ✓ Difficulty in handling the founded illegal shipments, particularly returning illegally imported waste because the export country don't respond/not a Basel Party/Forgery of sender address .
- ✓ Incapacity to treat and dispose hazardous waste of illegal cases safely.
- ✓ The State have to pay the disposal costs of illegal waste shipments (no consignee).



Thank you for your attention!

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