

Background Information on the “Small Group Brainstorming Meeting on the implementation of takeback procedures in Asia”

5 September 2016

Semarang, Indonesia

The Secretariat of the Asian Network

1. Background

- Takeback issues have been discussed at the past Asian Network Workshops, particularly at the Workshop 2015 in Singapore.
- Some important points discussed/agreed at the previous workshop are as follows (*according to the Co-chairs' summary in 2015*).
 - **The Network agreed to continue this discussion at the next Asian Network Workshop with a view to develop a framework under the Asian Network, and to harmonize the procedure of takeback of illegal shipments of hazardous waste.**
 - The framework will be developed by sharing the elements of good practices and successful prosecution cases, with inputs from relevant experts and resource persons.
 - Co-Chairs proposed that the Secretariat should start the drafting of this framework, taking into account the inputs from participants of the workshop.

2. Objectives and the structure of the small group

This year, the small group brainstorming meeting will be held to discuss the takeback issues as the initial step for the development of the “framework” in order to:

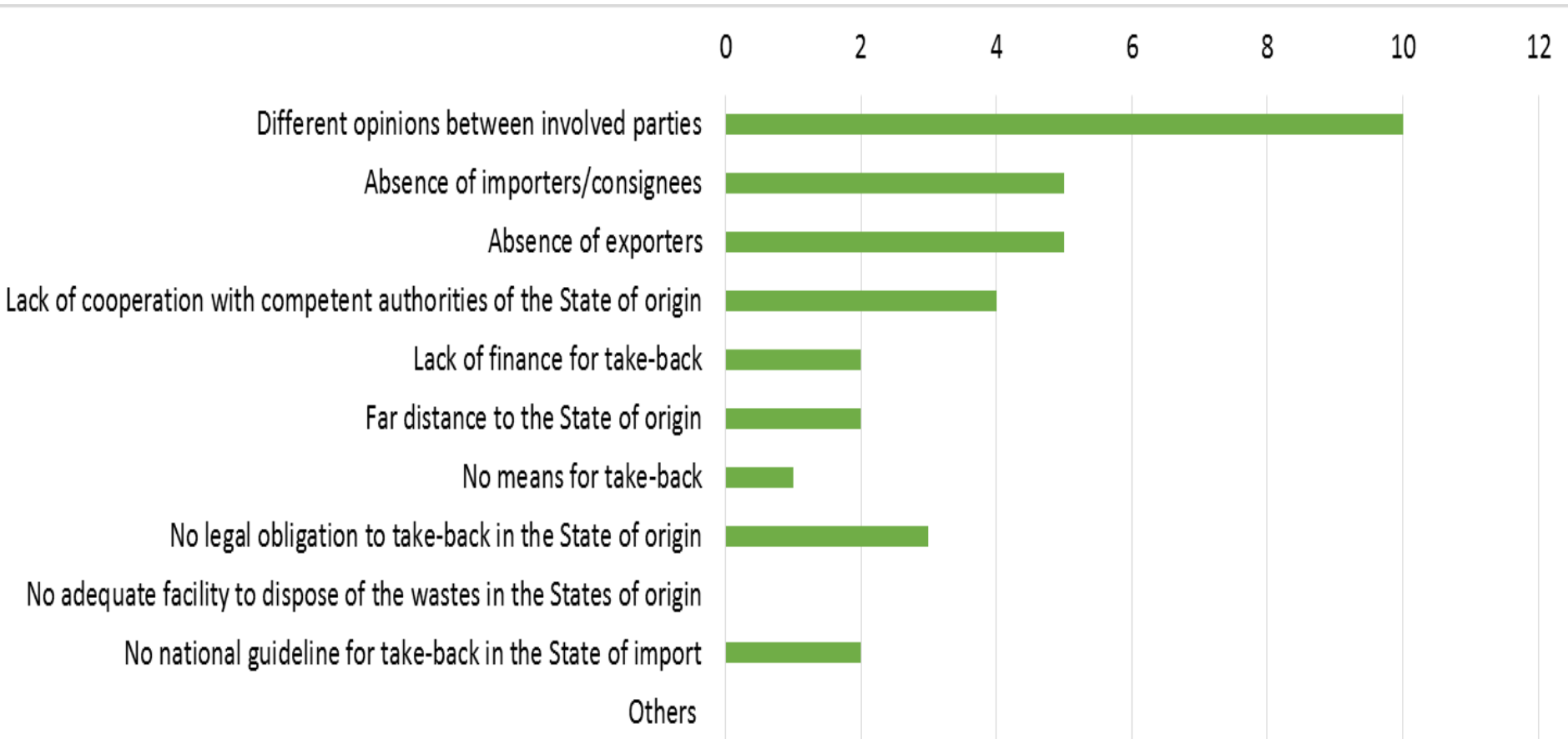
- **Share a clear understanding of the common difficulties** for the implantation of takeback procedures in Asia.
- **Learn good practices from the actual takeback cases** of each country.
- **Identify key elements necessary** for the successful implementation of takeback procedures.
- **Exchange views on necessary measures** to address takeback issues.
- **Develop a draft road map (or a work plan)** for the development of a framework under the Asian Network to harmonize the takeback procedures.

2. Objectives and the structure of the small group

- Participants
 - Facilitator: the BRS Secretariat
 - Countries/regions which have encountered or concerned about takeback issues;
 - ✓ Hong Kong SAR, China
 - ✓ Indonesia
 - ✓ Japan
 - ✓ Malaysia
 - ✓ Philippines
 - ✓ Singapore
 - ✓ Thailand
 - ✓ Vietnam
 - Resource Persons: BCRC-SEA, IDE-JETRO, EXRI
- **The outcomes of the discussions will be reported at the Session 2 of the Workshop by the facilitator of the group**, and further discussions will be held.

3. The result of the workshop 2015 in Singapore

- The Secretariat conducted a questionnaire survey before the workshop 2015, and identified common difficulties Asian countries have faced for the implementation of takeback procedures.



3. The result of the workshop 2015 in Singapore

- At the workshop 2015, participants shared the information/knowledge on the cases of illegal traffics.
- Some key points were raised by participants.
 - It is difficult to identify the responsible persons for the takeback procedures and the costs incurred (i.e. absorbing the financial arrangement including transportation and storage throughout the takeback process).
 - It takes time to investigate and prosecute the cases because the definitions of “hazardous waste” are different from country to country.
 - It is important to establish communication channels not only within Asia but also in the other regions.

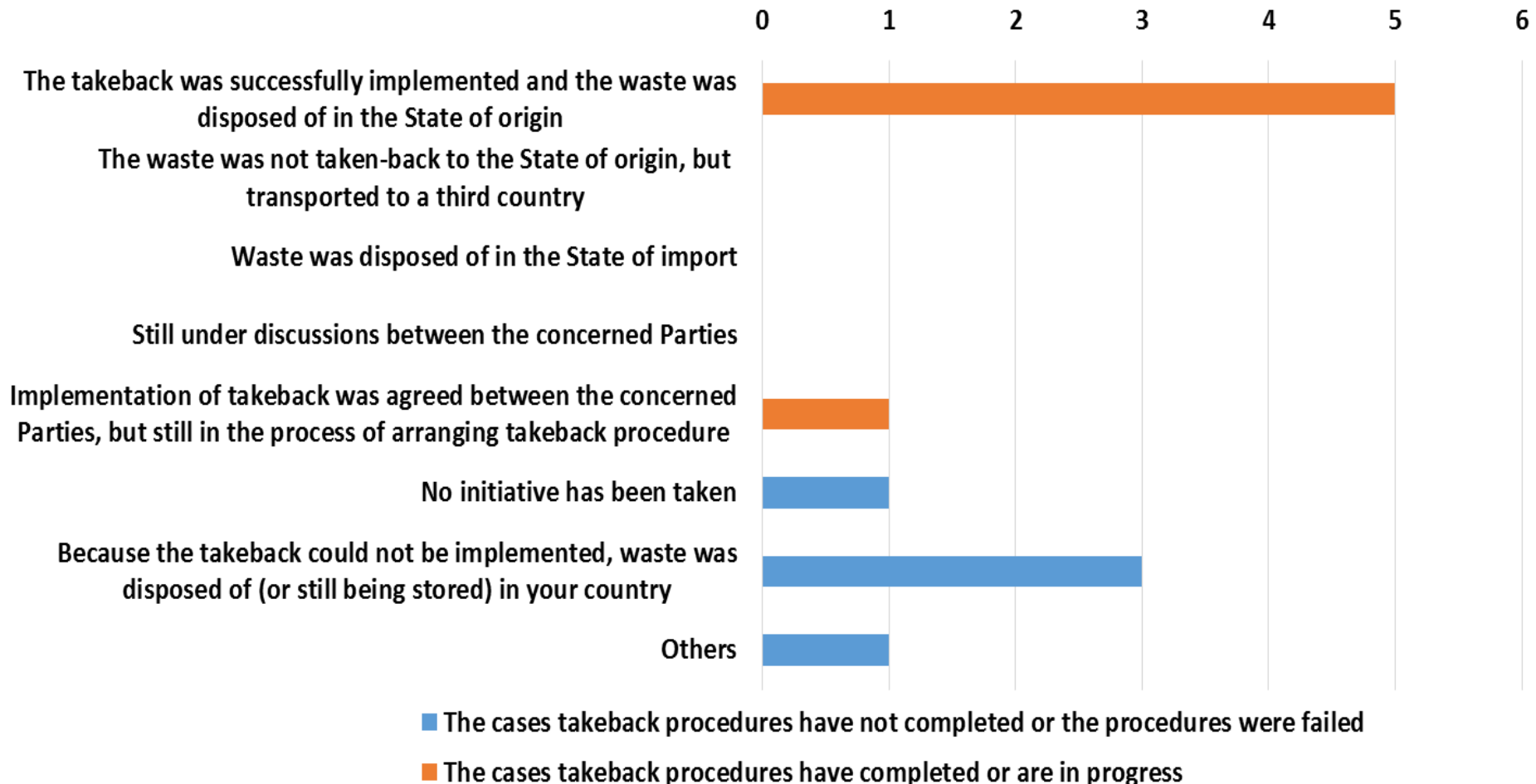
4. Questionnaire Survey in 2016

- In order to identify the elements of good practices and of successful takeback cases, the Secretariat sent out the questionnaire prior to the workshop.
- The following information was gained:
 - **Actual cases of takeback** (succeeded/failed cases)
 - **Countermeasures conducted in order to overcome the difficulties** of the implementation of the takeback procedures
- 11 countries responded to the survey (Brunei, Cambodia, Japan, Korea, Lao PDR, Malaysia, Myanmar, Philippines, Singapore, Thailand and Vietnam).

4. Case studies of takeback

- 10 cases were informed through the questionnaire survey

The Status of the implementation of takeback procedures

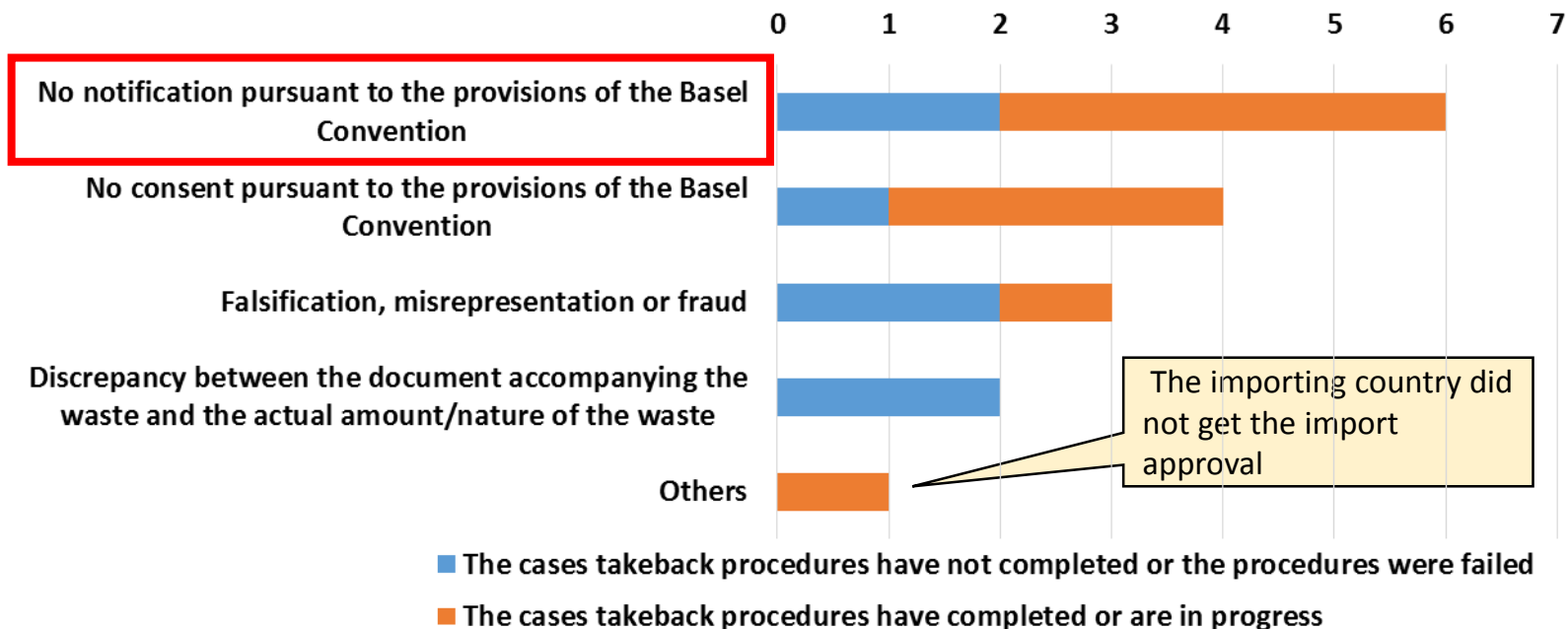


4. Case studies of takeback

Types of waste

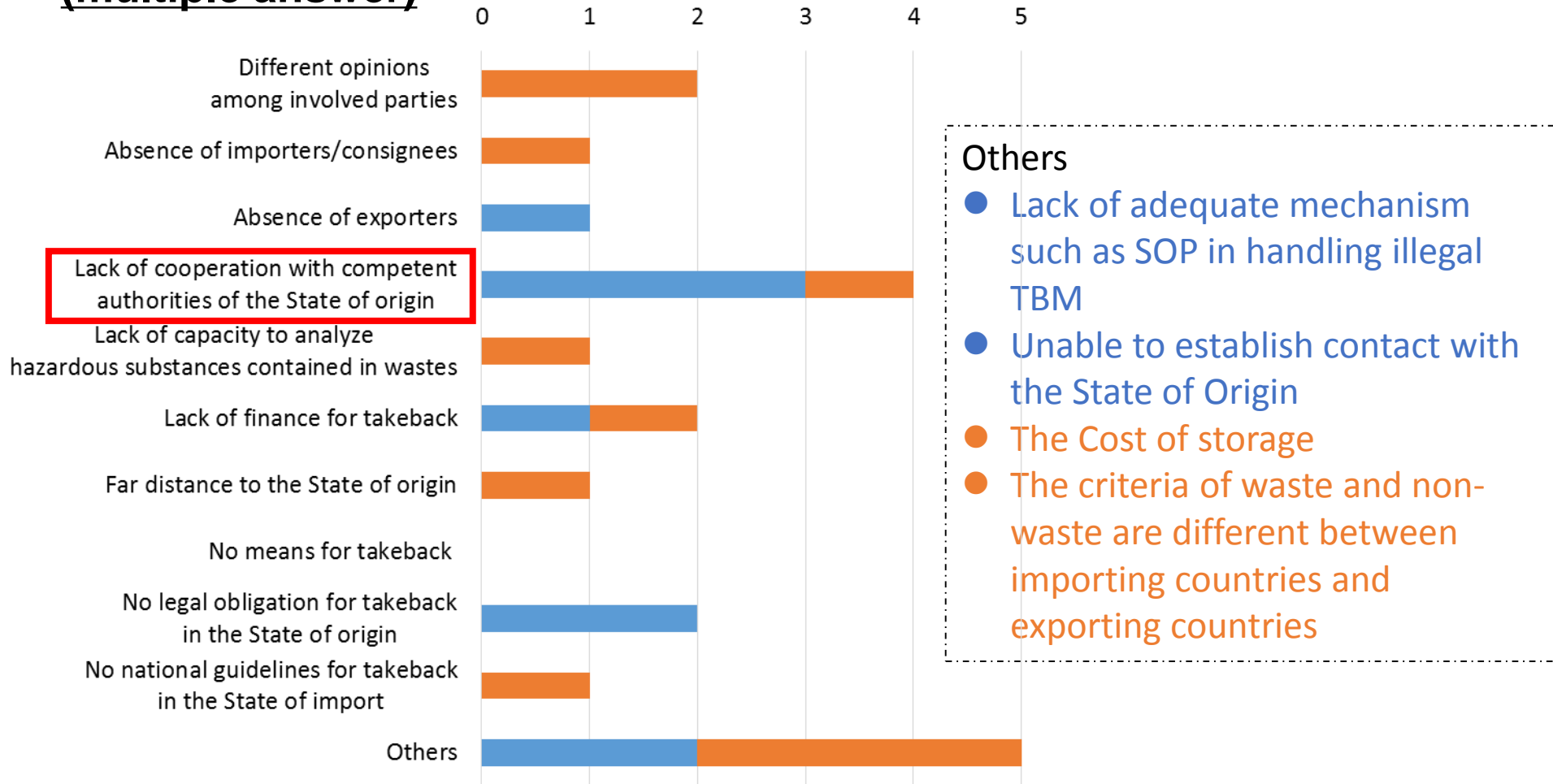
- Metal scraps
- Mixed scrap plastics
- Electronic parts
- Sludge containing metals
- Waste lead acid batteries
- Lithium-ion battery scrap
- Home appliance
- LCD panels

Types of illegality (multiple answer)



4. Case studies of takeback

Major challenges for the implementation of takeback procedures (multiple answer)

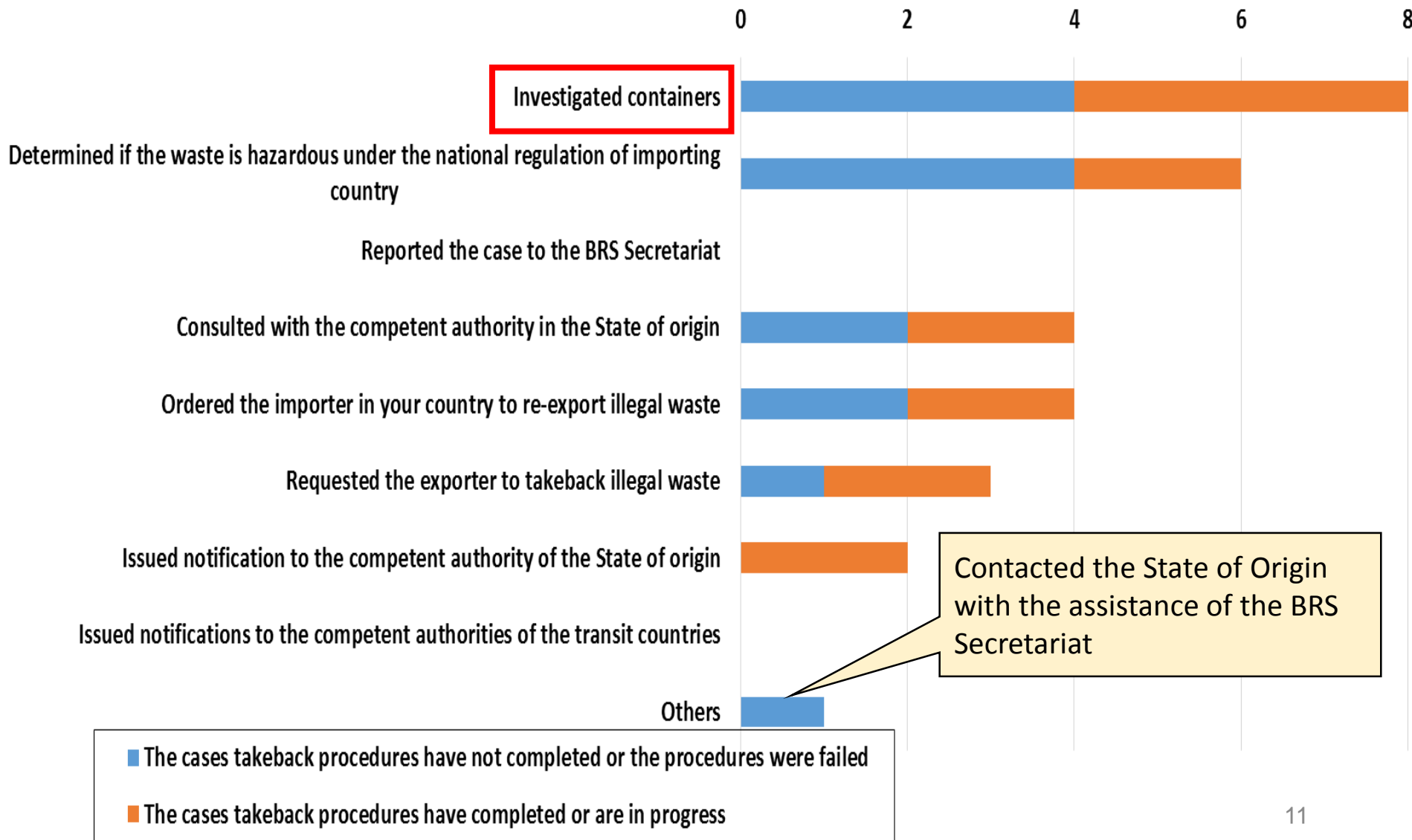


■ The cases takeback procedures have not completed or the procedures were failed

■ The cases takeback procedures have completed or are in progress

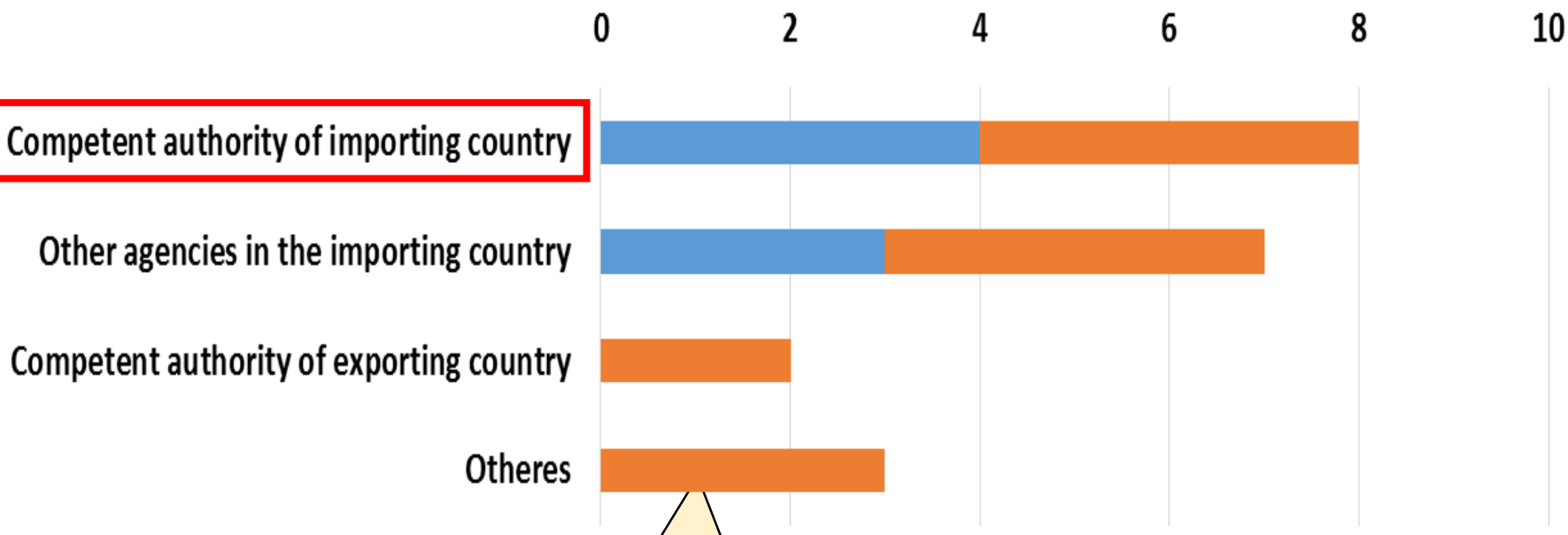
4. Case studies of takeback

Actions taken by your Government (multiple answer)



4. Case studies of takeback

Investigator of the suspected goods (multiple answer)

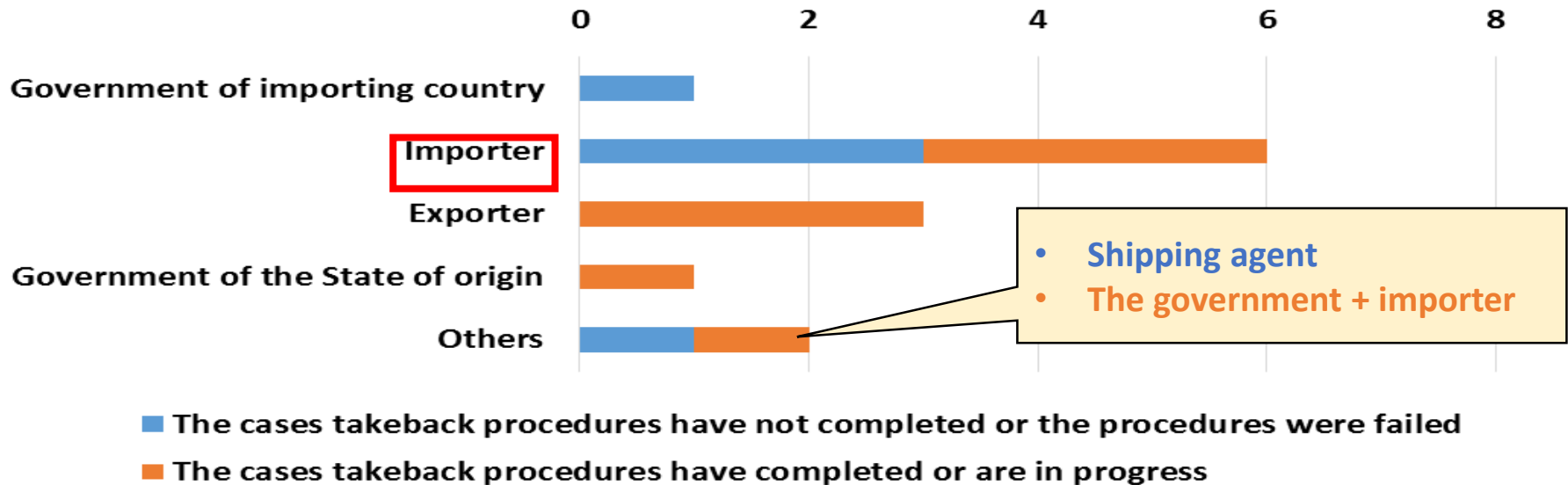


- The cases takeback procedures have not completed or the procedures were failed
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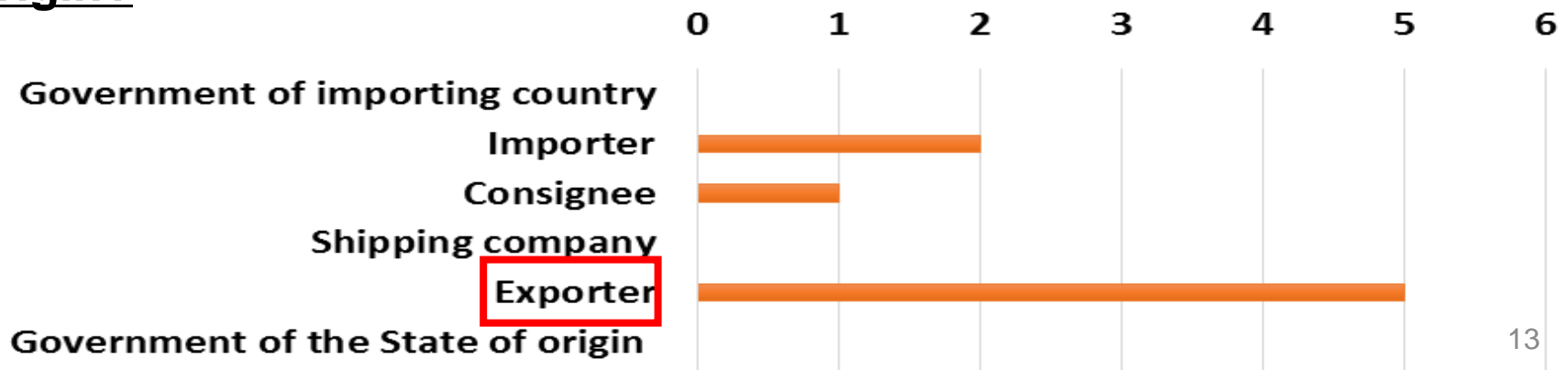
- The government of transit country
- Cooperation among the Competent Authority and other agencies including Customs in exporting countries

4. Case studies of takeback

Who paid the cost for the storage?



Who paid the cost for the transportation of illegal waste to the State of origin?



4. Case studies of takeback

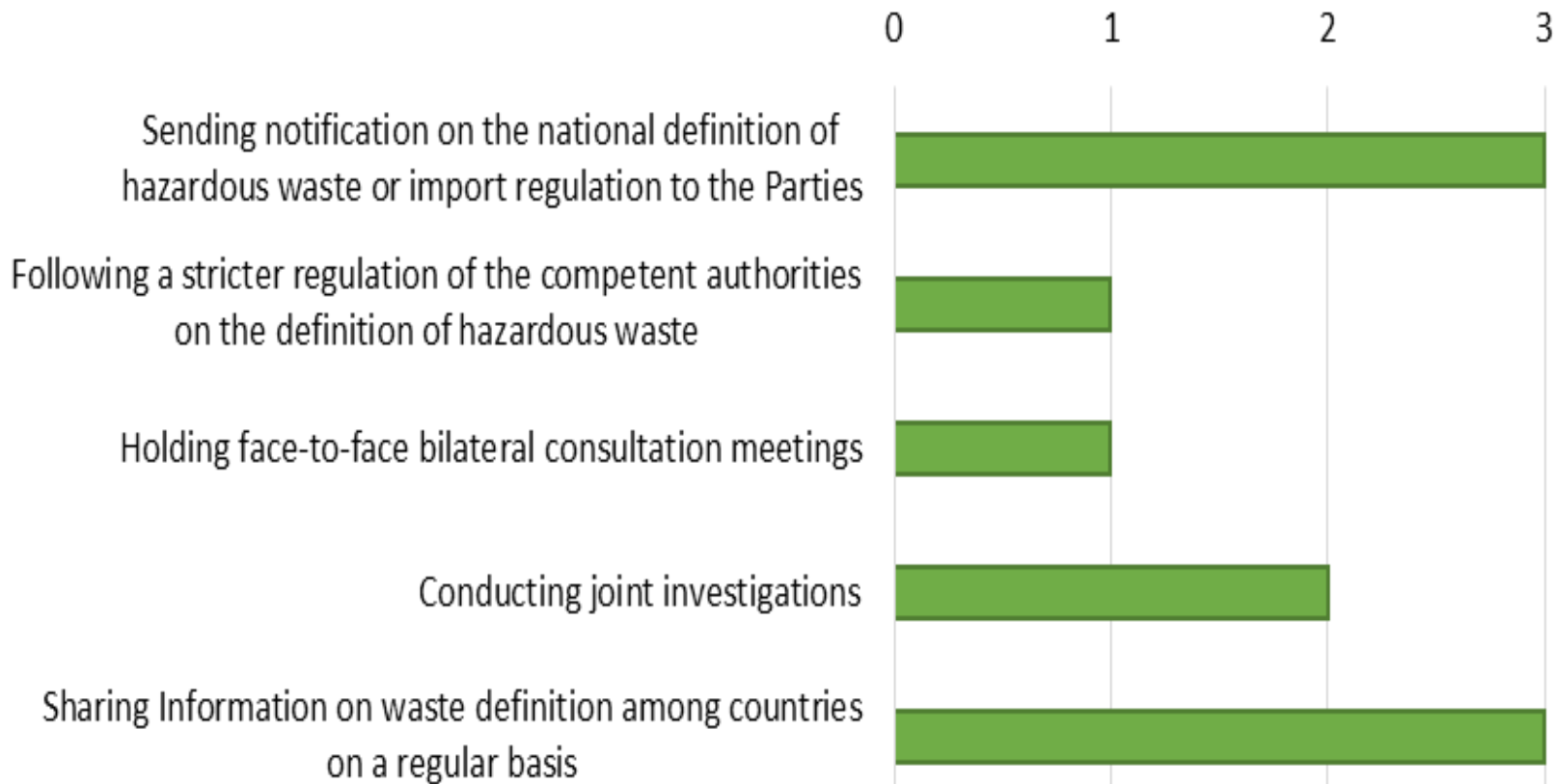
Following factors are key elements according to the countries which successfully implemented takeback

- Cooperation among competent authorities, the exporter, importer or consignee and supporting agencies
- Information and evidence that had been collected during the investigation
- Sharing intelligence on TBM of hazardous waste among the relevant authorities
- Cost contribution from the government
- Clear and effective framework for the takeback procedures in both the State of origin and State of import/transit
- Sharing the information on the definition of hazardous waste in importing countries with exporting countries

4. Countermeasures to overcome difficulties in implementing takeback procedures

Has your country taken any countermeasures in order to overcome difficulties for the implementation of takeback procedures? (Multiple answer)

1. Different opinions between exporting and importing countries



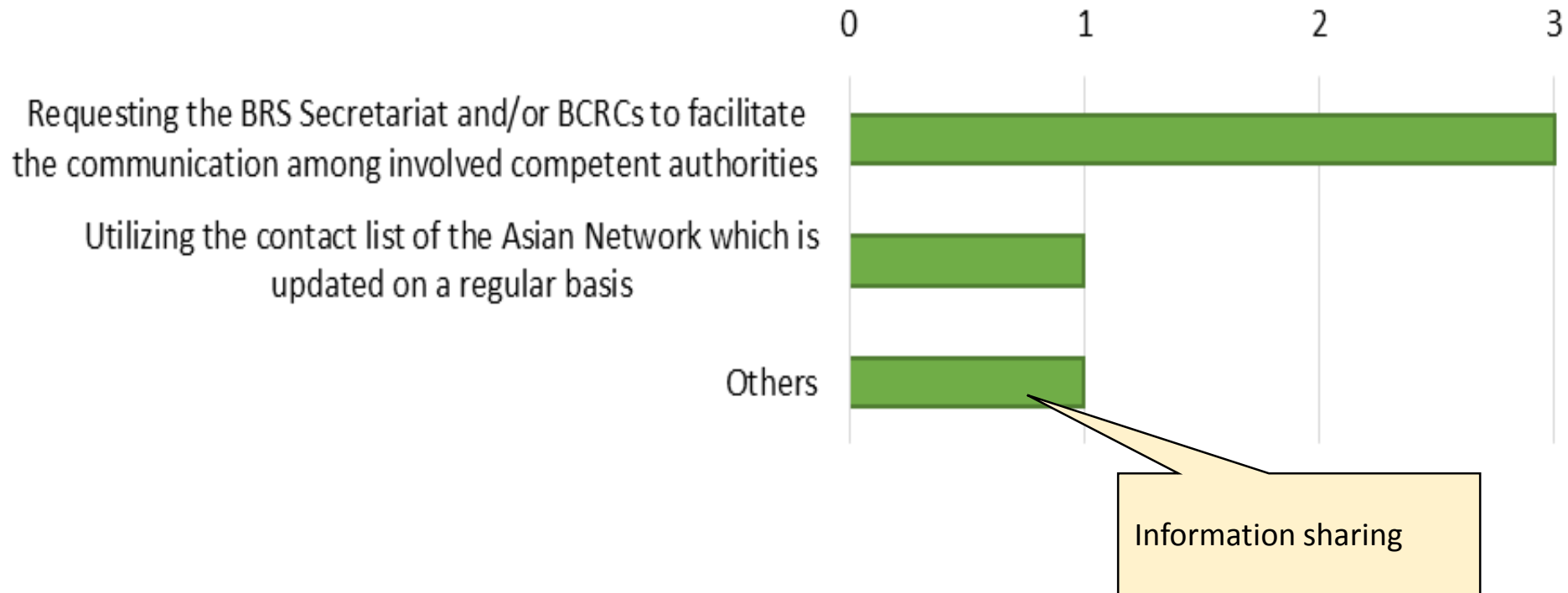
4. Countermeasures to overcome difficulties in implementing takeback procedures

2. *Absence of exporter, importer or consignee*



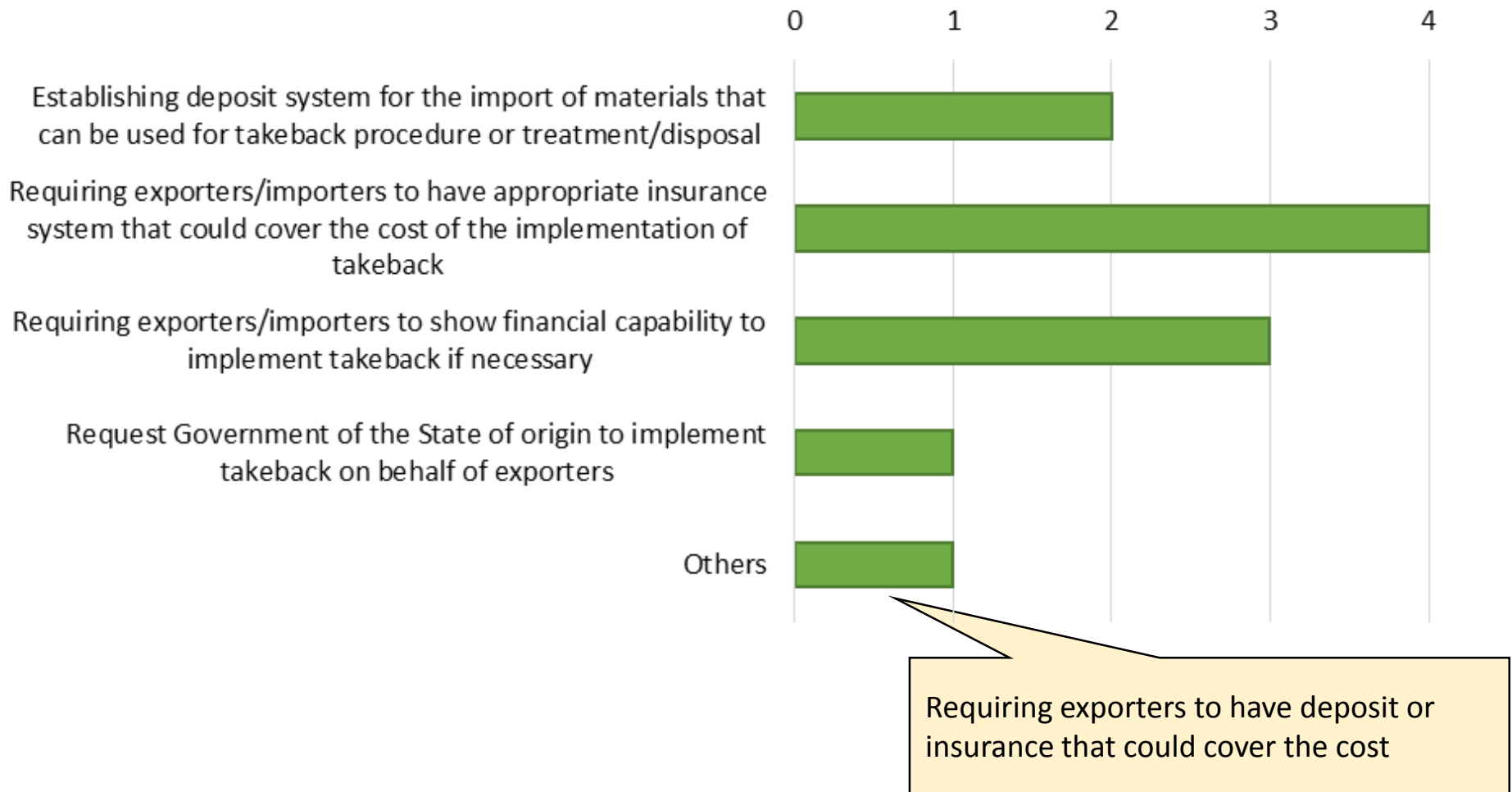
4. Countermeasures to overcome difficulties in implementing takeback procedures

3. *Lack of contact or cooperation among involved competent authorities*



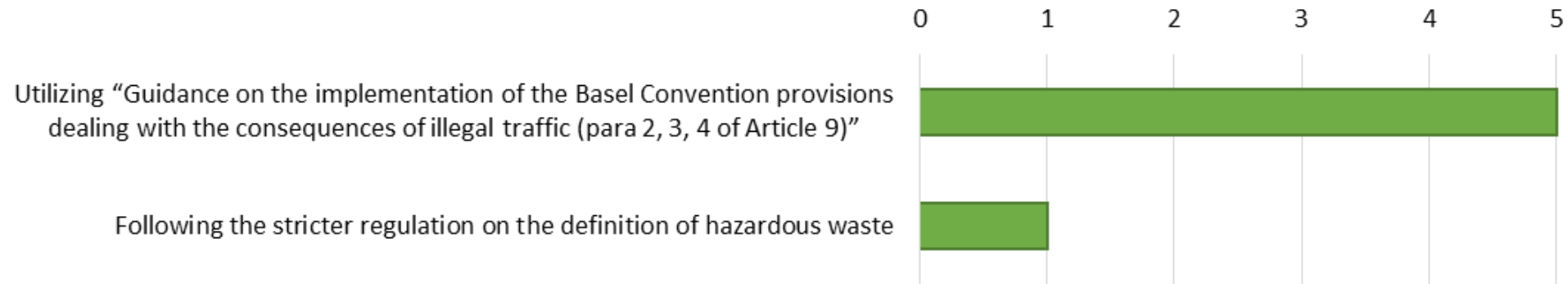
4. Countermeasures to overcome difficulties in implementing takeback procedures

4. *Lack of financial/technical capacity to implement takeback*



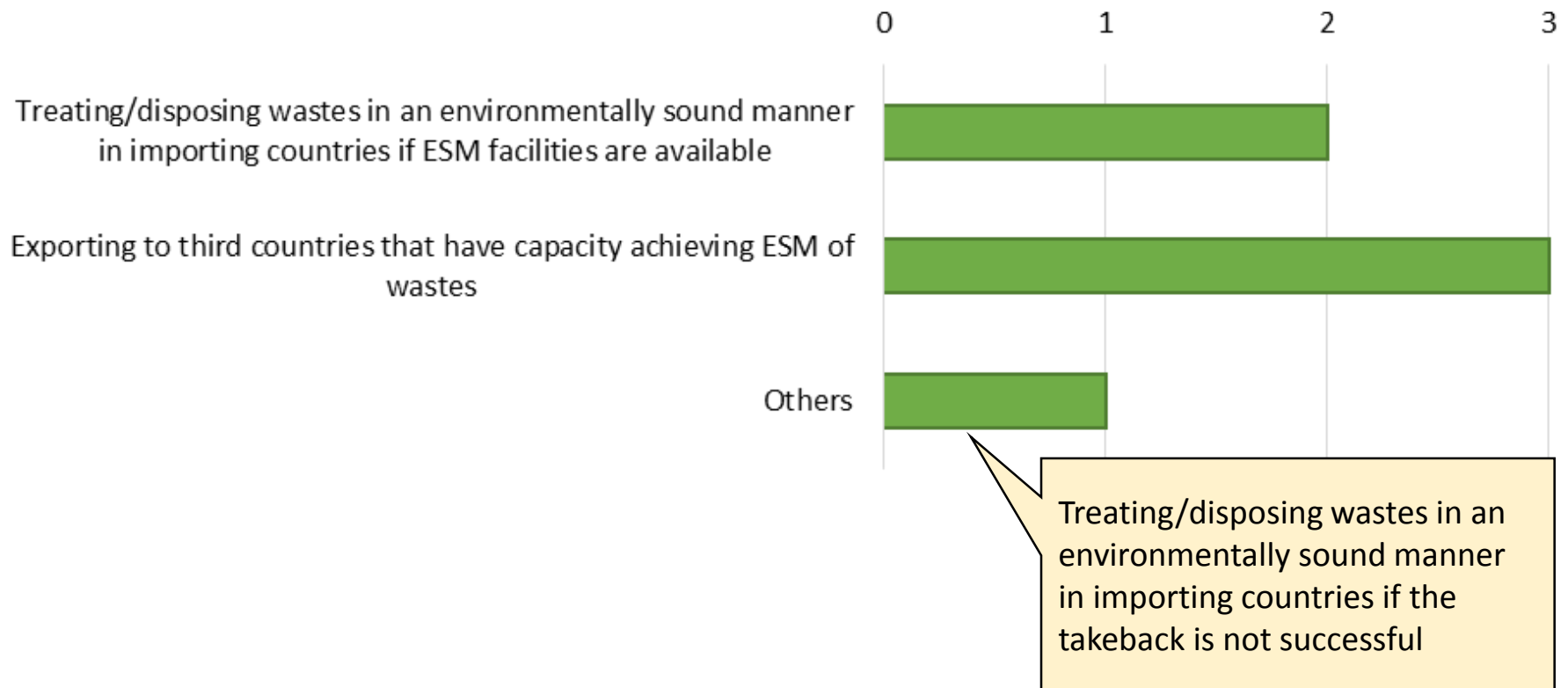
4. Countermeasures to overcome difficulties in implementing takeback procedures

5. No legal obligation to takeback in the State of Origin



4. Countermeasures to overcome difficulties in implementing takeback procedures

6. *Far distance to the State of Origin and/or lack of capacity to deal with waste in the State of Origin*



Discussion points

- What are common difficulties for the implementation of the takeback procedures?
- What are elements necessary for successful implementation of the takeback procedures?
- What are necessary actions to address the takeback issues?
- What are possible activities way forward under the Asian Network to harmonize the takeback produces in Asia?
- What the Secretariat of the Asian Network could do until the next workshop for facilitating the proper implementation of the takeback in each country or region?

Have a good discussion!!