

**Workshop 2016 of the Asian Network for Prevention of
Illegal Transboundary Movement of Hazardous Wastes
6-8 September 2016, Semarang, Indonesia**

ISSUES PAPER

Session 1: Updates of National Regulations, Implementation Status and Import/Export Statistics (September 6th)

Background Information

- Asian Network is a platform for exchanging the information among competent authorities and focal points to the Basel Convention in Asia. In this year's workshop, the Session 1 is aimed to share the updated legal systems, policies on transboundary movements (TBM) and enforcement measures to enhance the mutual understanding for the effective implementation of the Basel Convention.
- Under the Basel Convention, E-waste and Used Electrical and Electronic Equipment (UEEE) have been noteworthy issues in recent years. Some Asian countries have established or planned to establish new legal systems or guidelines for the import control of E-wastes and UEEEs, such as import regulations of E-wastes and criteria for distinguishing UEEEs from E-wastes. It is timely and worthwhile to share these recent policy developments in Asia.
- Following the interim adoption of the "Technical Guidelines on transboundary movements of electrical and electronic waste and used electrical and electronic equipment, in particular the distinction between waste and non-waste under the Basel Convention" (E-waste Guidelines), Parties are now presented with a set of guiding principles to shape their national policies/regulations on the transboundary movement of UEEE and E-waste.
- It will be beneficial to understand the progress of Parties in the region towards harmonizing its national policies/regulations with the guidelines, and to share the information on challenges faced in implementing the principles in the guidelines.

Structure of the Session

- Secretariat will report the summary of questionnaire on the updates of national regulations and enforcement, which is sent to each country with invitation letters in advance. After the report, all participated countries will make presentations on their updates of regulations, implementation or trend of transboundary movements of hazardous wastes. Presenters should cover and reflect the contents of the questionnaire and explain the detailed information of it.
- After the country presentations, the Session will invite presentation from WCO RILO/AP on updated border control activities conducted by Customs Departments in Asia and lessons learnt from the previous projects.

Discussions

- Are there any particular parts of the E-waste guidelines and issues listed in Appendix V of the guidelines (Issues for further work) that would be difficult for countries to implement?

- If so, what Asian Network can possibly do to support overcoming such challenges?

Expected Goals

Throughout the discussions, participants are expected to:

- Share the latest information on rules and regulations on hazardous wastes, particularly E-waste and UEEE.
- Understand the recent trend of TBM of E-waste in the participated countries.
- Understand the implications of the E-waste guidelines on the control of transboundary movement of UEEE and E-waste.
- Share views or experience in implementing rules and regulations on the control of UEEE and E-waste.

Session 2: Possible actions to address difficulties for the implementation of takeback procedures in Asia (September 7th)

Background Information

- Importance of implementation of takeback (or ship-back) has been recognized in the past workshops.
- At the Workshop 2015, the participants recognized the importance of establishing communication channels that are not only within this region, but also in cooperation with other regions. The Network agreed to continue this discussion at the next Asian Network Workshop with a view to develop a framework under the Network to harmonize the procedure of takeback of illegal shipments of hazardous waste. It was also noted that inputs and advice on good practices and successful prosecution cases from relevant experts and resource persons would be useful in the process of the building of the framework. .

Structure of the Session

- Secretariat will report the summary of questionnaire on the implementation of takeback, which is sent to each country in advance. After the report, the BRS Secretariat or Mr. Geri Sanes of Environment Management Bureau, DENR Philippines (tentative) will make a presentation regarding the progress of Implementation and Compliance Committee (ICC) under the Basel Convention to develop “guidance on the implementation of the Basel Convention provisions dealing with the consequences of illegal traffic (paragraph 2, 3, and 4 of Article 9).
- Before and after lunch time, 3-4 countries will give presentations regarding the actual cases of takeback in order to share both challenges and successful cases. Followed by countries’ presentations, resource persons from Europe (IMPEL-TFS) will introduce their regional and inter-regional efforts to implement takeback procedures outside of Asia.
- Then, the outcomes of the discussions at the brainstorming meeting on 5th September that was consisted of countries which have concerned about takeback issues will be reported by the facilitator of the meeting, including possible way forward (or road map) to develop framework in Asia to harmonize the takeback procedures.
- Taking into account the outcomes of discussions of the small group, the Session will have further discussions regarding the activities that could be carried out during the time period until the next workshop.

Discussions

- What are common difficulties for the implementation of takeback procedures?
- What are elements necessary for successful implementation of the takeback procedures?
- What are necessary actions to address takeback issues?
- What are possible activities way forward under the Asian Network to harmonize 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?

Expected goals

Throughout the discussions, participants are expected to:

- Learn good practices to strengthen the border control and to implement takeback procedures in Asia

and other regions.

- Understand the difficulties for the implementation of takeback and learn the efforts made by Asian countries or countries in the other regions.
- Exchange views and agree (if possible) the future actions toward developing framework to harmonize takeback procedures in Asia and the work to be conducted by the Secretariat of the Asian Network until the next workshop.

Session 3: Outcomes of the 10th Meeting of the Open-ended Working Group of the Basel Convention (OEWG10) (September 7th)

Background Information

- The 10th Meeting of the Open-ended Working Group of the Basel Convention (OEWG10) was held in Nairobi, Kenya from 30 May to 2 June, 2016. Important agenda items which relate to implementation of the Basel Convention were actively discussed.
- Among many decisions adopted at the OEWG10, following items are particularly important (ongoing inter-sessional works currently undertake some of them) and should be clearly understood.
 - ✧ Development of guidelines for Environmentally Sound Management (ESM)
 - ✧ Cartagena Declaration on the Prevention, Minimization and Recovery of Hazardous Wastes and Other Wastes
 - ✧ E-waste Guidelines¹
 - ✧ The Implementation and Compliance Committee (ICC)
 - ✧ Providing further legal clarity
 - ✧ Basel Convention Partnership
- It would be a good opportunity to exchange views of Asian countries in order to provide inputs that reflect the current situations in Asia to the discussions under the Basel Convention.

Structure of the Session

- BRS Secretariat will explain major outcomes of the OEWG10 and ongoing inter-sessional works.
- Afterwards, Mr. Michikazu Kojima, IDE-JETRO, who is a member of the Expert Working Group on ESM (EWG on ESM) which was developed under the Basel Convention will make a progress report of the activities conducted by EWG on ESM. Then, Ms. Upik Aslia, Ministry of Environment and Forestry, Indonesia, who is a member of the Environmental Network for Optimizing Regulatory Compliance on Illegal Traffic (ENFORCE) will make a progress report of the ENFORCE activities and also reports outcomes of discussion at the Workshop of IMPEL-TFS which she participated in as a representative of the Asian Network.
- Following the series of presentations, discussions among the participants will be held.

Discussions

- Among decisions adopted at the OEWG10, which items would give effect on implementation of the Basel Convention in Asia and how?
- How could individual Asian countries, BCRCs or the Asian network contribute to the ongoing inter-sessional work?

Expected Goals

Throughout the discussions, participants are expected to:

- Clearly understand the decisions adopted at the OEWG10 and the ongoing inter-sessional work.
- Exchange views on implementation of the Basel Convention in Asia, and discuss possible inputs from Asian countries that could be provided to the ongoing discussions under the Basel

¹ *Technical guidelines on TBMs of E-waste and used electrical and electronic equipment, in particular regarding the distinction between waste and non waste under the Basel Convention*

Convention.