



Implementation of the Basel Convention in Vietnam



**Vietnam Environment Administration (VEA)
Ministry of Natural Resources and Environment (MoNRE)**

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Acceding to the Basel Convention

- ❖ Ratification of the Basel Convention on the Control of Transboundary Movements of Hazardous Waste and Their Disposal: 13/3/1995
- ❖ The Convention entered into force for Vietnam: 11/6/1995
- ❖ Competent Authority:
Vietnam Environment Administration
Ministry of National Resources and Environment
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I. Legal framework

1. The Law on Environmental Protection 2014

❖ Terms of scrap and waste

- Scraps mean products and materials discarded during the process of production or consumption which are recovered for use as production materials.

- Wastes are substances discharged from production, business, services, daily life or other activities (Vietnam differentiates between wastes and scrap materials)

- Hazardous waste (HW) mean wastes containing elements that are toxic, radioactive, inflammable, explosive, abrasive, contagious, poisonous or otherwise harmful.

❖ Article 7: Acts to be strictly prohibited

- Discharging wastes not yet treated according to environmental technical regulations; toxic, radioactive and other hazardous substances into land, water sources or air.

- Importing and transiting wastes from abroad in any form.

1. The Law on Environmental Protection 2014

❖ Article 75: Environmental protection in import and transit of goods

The following machinery, equipment, vehicles, material and goods must be prohibited from importing:

- Machinery, equipment and vehicles that fail to satisfy environmental protection requirements;
- Used machinery, equipment and vehicles that are imported to be dismantled, **except used seagoing ships** (complying with environmental technical regulations);
- Materials and goods that are banned from import;
- Machinery, equipment and vehicles that are contaminated with radioactivity, pathological germs or other toxic substances and have not yet been cleaned or cannot be cleaned.

1. The Law on Environmental Protection 2014

- ❖ **Article 76: Environmental protection in importation of scraps**
 - **Scraps imported from abroad into Vietnam must comply with environmental technical regulations and be on the list of scraps permitted for import promulgated by the Prime Minister.**
 - **Scrap importers must make a deposit for imported scraps under regulations of the Government, have technologies and equipment for recycling and reuse of scraps and removal of impurities from scraps to comply with environmental technical regulations, re-export discarded materials failing to comply with environmental technical regulations; in case the re-export is impossible, these scraps shall be disposed under regulations on waste management.**

- 2. Decree No.187/2013/NĐ-CP detailing implementation of the Commercial Law with respect to international purchases and sales of goods; and activities of agency for sale and purchase, processing and transit of goods**

Used goods specified in Section II of Annex I is prohibited: electronics, refrigeration, electrical appliances, medical equipment, rubber and plastic articles; information technology products; tyres and tubes, accessories and engines of all types of automobiles,...

- 3. Decision No. 73/2014/QĐ-TTg of the Prime Minister on stipulating the list of import scraps for 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 decision (36 scraps permitted for import).

4. Decree No.38/2015/ND-CP of the of the Government on the management of wastes and scraps

- Prevent and minimize waste generation at sources**
- Encourage the application of waste treatment technologies in an environmentally friendly manner**
- Prescribe to make a deposit for importing scrap (10-20% rate of shipment value)**
- In case of scraps can not be impored or re-exported, the deposit is paid the cost of disposal. Scrap importers shall have to pay additional fees if it exceeds the deposit.**

5. Circular No. 41/2015/TT-BTNMT on on environmental protection in import of scrap for use as raw production materials

- MONRE/DONRE of the provinces shall issue, re-issue and revoke Certification of eligibility for environmental protection in import of scrap for use as raw production materials (Article 3).**
- Scrap importers must have the written commitment for re-exporting or disposal of violative shipments, requiring the exporter to take back the violative goods if scrap does not meet environmental technical regulations and current regulations of Vietnam, bear all costs to overcome the consequences of environmental pollution for the violation**
- Scrap importers must make a deposit for security of imported scrap before importing.**
- In the case of violation, imported scrap must be disposed by permitted treatment companies (Article 10).**

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

- ❖ **The definition and classification of HW shall comply with the regulations of Annex 1 (the HW list) of this Circular and National Technical regulation QCVN 07:2009/BTNMT on HW thresholds.**
- ❖ **The permit conditions and guiding procedure for the registered book of HW generator and the permit of HW treatment (included activities of HW transportation and disposal).**
- ❖ **Guiding the use of HW manifest**
- ❖ **Technical requirements for HW management:**
 - **Dedicated packaging;**
 - **HW storage equipments/storage area;**
 - **Means of HW transport;**
 - **HW treatment facilities.**

6. Circular No. 36/2015/TT-BTNMT (cont.)

- ❖ **Registration of exporting hazardous waste: Article 22 and Appendix 8A of Circular No 36 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.**
- ❖ **The circular has no regulation on procedure for temporarily import for re-export of waste.**

7. Circular No. 11/2012/QĐ-BTTTT promulgating a list of used information technology appliances banned from import

This is an important legal basis to prevent a surge in importing of UEEE.

8. Circular No. 23/2015/TT-BKHCHN on import of used machinery, equipment and technological lines

- It is prohibited to import any used equipment that has been discarded/banned by other countries because of its obsolescence, low quality, or causing environmental pollution as published by the Ministry of Science and Technology on its web portal.

- Imported used equipment must satisfy safety, energy saving, and environmental protection requirements

- Importers are recommended to inspect used equipment right in the exporting country.

- Used equipment may be imported if it satisfies the following criteria:

+ Its age does not exceed 10 years;

+ It is manufactured in accordance with a National Technical Regulation (QCVN) or Vietnam's Standard (TCVN) or standards of G7 countries with regard to safety, energy saving, and environmental protection.

9. Decree No.19/2015/ND-CP of the of the Government on detailing a number of articles of the Law on Environmental Protection 2014

- Facility of ship demolition have to meet requirements of environmental protection (Article 22) as follows:

+ Environmental impact assessment is approved by the MONRE;

+ Application of environmental management systems in accordance with national standard ISO 14001;

+ Making an environment protection plan of each marine ship demolition for approval of the MONRE;

+ Meet all conditions of infrastructure, technic, technology and human.

- The Ministry of Transport is responsible to coordinate with the Ministry of Natural Resources and Environment in setting up and implementation of environmental protection regulations for import, demolition of used marine vessels.

10. Circular No. 37/2015/TT-BGTVT dated 28/7/2015 prescribing the procedure of issuing the import permit of used marine vessels for demolition - Ministry of Transport is the competent authority to grant and revoke the permit.



11. 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 wastewater of the solid waste landfill site QCVN 09:2009/BTNMT**
- ❖ **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**
- ❖ **National Technical Regulation on co-processing of HW in cement kiln QCVN 41:2011/BTNMT**
- ❖ **National Technical Regulation on solid healthcare waste incinerator QCVN 02:2012/BTNMT**
- ❖ **National Technical Regulation on solid industrial waste incinerator QCVN 30:2012/BTNMT**
- ❖ **National Technical Regulation on infectious healthcare waste autoclave QCVN 55:2013/BTNMT**
- ❖ **National Technical Regulation on waste oil recycling QCVN 56:2013/BTNMT**

II. Implementation of the Basel Convention

Registered cases of HW export in 2015

Registration time	Exporter	Importer	Waste	Quantity (kg)
18/6/2015 - 01/2/2016	WRC Vietnam Limited Liability Company	WRC Company, Germany	Industrial sludge contained metal	500,000
02/01/2015 - 02/9/2016	Minh Ton International Trade and Investment Joint Stock Company	Nippon Magnetic Dressing Co.,Ltd, Kitakyushu, Japan	Waste electronic circuit	600,000
01/6/2015 - 27/1/2016	Greystone Data Systems Co., Ltd.	Shan Poornam Metals Sdn., Bhd., Malaysia	Broken hard drive (HDD)	230,000
				1.330,000

II. Implementation of the Basel Convention in Vietnam

Exchange of information with Basel Convention focal points (Hong Kong, China, Japan, Korea, Malaysia, Singapore, Germany, Netherlands, Canada ...) to notify of HW exports and inform illegal HW transboundary movements. Some typical examples of illegal HW import cases as follows:

In 2006, thru Basel Network, VEA was informed about the flow of waste batteries related to Vietnam. VEA/MONRE requested the Ministry of Trade and customs for prevention of this case. As a result, 53 containers were found illegally in Hai Phong and Quang Ninh ports (a lot of them have passed without notice before) by means of temporary import for re-export or import under other names of goods.



II. Implementation of the Basel Convention in Vietnam

From 2009 to 2011, environment police has found down 37 illegal cases of waste transport, in which having 56,618 tonnes of waste batteries imported in Vietnam.

The fact that scrap is imported in Vietnam always contains a certain percentage of waste, including hazardous waste. Re-exporting to export nation fails, hundreds of containers that are "scrap" is still in some ports of Vietnam, especially in Hai Phong.



II. Implementation of the Basel Convention in Vietnam

VEA was informed thru Basel Network about a shipment of transformers from Korea that suspected to contain PCBs. VEA informed customs to stopped those shipments in Hai Phong and Quang Ninh ports. Inspecting one of used transformers contained PCB (over 50 ppm) in January, 2008. VEA passed the case to Quang Ninh provincial authority for proper action. The container is still kept at Quang Ninh port for further options because it is stated that could not return to Korea.



II. Implementation of the Basel Convention in Vietnam

In July, 2008 The Danang customs and environment police found down about 434 tonnes scraps mixed with hazardous wastes in 18 containers of Thanh Loi Steel Joint-Stock Company. Re-exporting can not be done. Then, hazardous wates were separated and disposed in an incinerator of Da Nang Urban Environment Company.



II. Implementation of the Basel Convention in Vietnam

In August, 2009 Environment Police found an illegal import of 600 barrels containing hazardous wastes of Dai Dong Manufacture and Trade Co., Ltd. in Binh Duong Province.



II. Implementation of the Basel Convention in Vietnam

Through surveys and reports from provinces with seaports show that the number of illegal scrap import for the period 2014-2015 has tended to be lower than to previous years, but still complicated, which emerged as issues of e-waste smuggling and backlog of waste rubber tires at the seaports in Viet Nam (2.443 containers of waste rubber tires in Hai Phong port).



II. Implementation of the Basel Convention in Vietnam

- Early verification upon request/notification from export countries thru Basel Network of fake licenses helped prevented from sources.
- Frequently exchange of information among customs, environment police, industry and trade authorities
- Numbers of information thru Basel Network on suspected shipments was passed by VEA/MONRE to customs/polices... for proper actions.



II. Implementation of the Basel Convention in Vietnam

- Set-up the system of HW management to control all activities from collection, transport to treatment at central and local level.
- Granting permits for the owners of HW treatment.
- Development of the E-manifest system (sponsored by KOICA), step by step replacing paper HW manifest.

BỘ TÀI NGUYÊN VÀ MÔI TRƯỜNG
TỔNG CỤC MÔI TRƯỜNG
Vietnam Environment Administrator

HỆ THỐNG THỬ NGHIỆM
HỆ THỐNG THÔNG TIN QUẢN LÝ CHẤT THẢI

Trang chủ | Nghiên cứu khoa học | Công nghệ xử lý chất thải | Công nghệ sạch | Hướng dẫn sử dụng

Công văn

Cung cấp chứng từ CTNH

Văn bản hướng dẫn

Lựa chọn loại văn bản

02/2007/TTLT- BCT-BTNMT Hướng dẫn thực hiện Điều 43 Luật Bảo vệ Môi trường về tiêu chuẩn, điều kiện kinh doanh nhập khẩu phế liệu.
Chấp thuận chấm dứt hoạt động vận chuyển và xử lý, tiêu hủy CTNH
Công văn yêu cầu điều chỉnh giấy phép Hợp đồng nhượng quyền
Luật bảo vệ môi trường 2005
Quyết định số 12/2006/QĐ-BTNMT: Về việc ban hành Danh mục phế liệu được phép nhập khẩu làm nguyên liệu sản xuất
Quyết định số 23/2006/QĐ-BTNMT - Về

Tin nổi bật

Dự thảo Thông tư hướng dẫn về quản lý CTNH (cấp nhật ngày 30/09/2009)

Giải trình sửa đổi Thông tư hướng dẫn về quản lý CTNH

Vùng Tàu: Đầu tư 26 tỷ đồng xây bãi chôn chất thải rắn - 11/05/2010

Trong năm 2010, trung tâm Công nghệ môi trường (thuộc Hội Bảo vệ Thiên nhiên và Môi trường Việt Nam) sẽ xây dựng bãi chôn chất thải rắn hợp vệ sinh tại xã Tóc Tiên, Tân Thành, Bà Rịa - Vũng Tàu.

- Cà Mau khởi công xây dựng nhà máy xử lý rác thải 03/06/2009
- Đồng Nai: 40 bãi rác "lâu" gây ô nhiễm môi trường 02/08/2009
- Chấp thuận chấm dứt hoạt động doanh nghiệp 26/02/2009
- Điều chỉnh giấy phép quản lý chất thải nguy hại 26/02/2009

Tạp chí bảo vệ môi trường

Nghiên cứu khoa học

Theo tinh thần của đề án cải tạo môi trường các hồ ở nội thành Hà Nội, 76/117 hồ sẽ được cải tạo. Đây là một trong những công tác nỗ lực bảo vệ môi trường cảnh quan hồ hướng tới Đại lễ 1000 năm Thăng Long - Hà Nội.

Cải tạo lòng hồ Hà Nội: Cần có chuỗi giải pháp tổng hợp - 11/05/2010

Doanh nghiệp đăng nhập

Đăng ký online
Cơ quan quản lý

BAN SÁCH CÁC DOANH NGHIỆP

QLCT.WEBGIS

Thâm dò dự luận

Bạn biết website chúng tôi

HỖ TRỢ TRỰC TUYẾN

Not Online | Hồ trợ sử dụng số 1

WMS

Doanh nghiệp | Chứng từ | Nhật ký chất thải | Bảo cáo | Thống kê | GIS | Văn bản pháp quy

Trang chủ | Đăng ký | Đăng nhập

Đăng nhập

Tài khoản:
Mật khẩu:

Đăng nhập | Quên mật khẩu | Tìm mật khẩu

Thủ tục bước

Kiểm tra thay đổi thông tin cơ bản | Tạo chứng từ | Kiểm tra thay đổi chứng từ | Kiểm tra chứng từ lỗi | Gửi báo cáo kết quả

Thông báo | Thêm + | **Thông tin pháp lý** | Thêm + | **Hướng dẫn sử dụng** | Thêm +

Liên hệ
Liên hệ qua thành viên
0462017271

Tổng cục môi trường - Các Quận lý chất thải và Cải thiện môi trường | Cập nhật quyền 2008-2012

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.
- Low transparency in customs procedures and limited knowledge of customs officials and police is a barrier to the discovery of illegal import.
- Lack of human resource and capacity to control in-land border. The Government established environment 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 or is not a Basel Party.
- Incapacity to treat and dispose hazardous waste of illegal cases safely.

Thank you for your attention!

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