


Japan's Recent Challenges on the implementation of the Basel Convention



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1. Prevention of Illegal Export

2. The criteria for distinguishing used EEE as second-hand goods

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used EEE as second-hand goods**

Flow of Coastal Operations to Prevent Illegal Exports

Export declaration



Cargo inspection by Customs



<In case the cargo is suspected>



Interview of exporters



<In case items are judged as wastes/Basel wastes>



- Administrative guidance
- Verbal /Witten warning
- Criminal Complaint

Open cargo inspection



Coastal Operations

- 8 MOE Regional Offices support inspection of Custom Offices.
 - Customs need clear guidance to judge control subjects objectively
- Regional offices carry out joint patrols, on-site inspections with local government



Inspecting a container of plastic waste

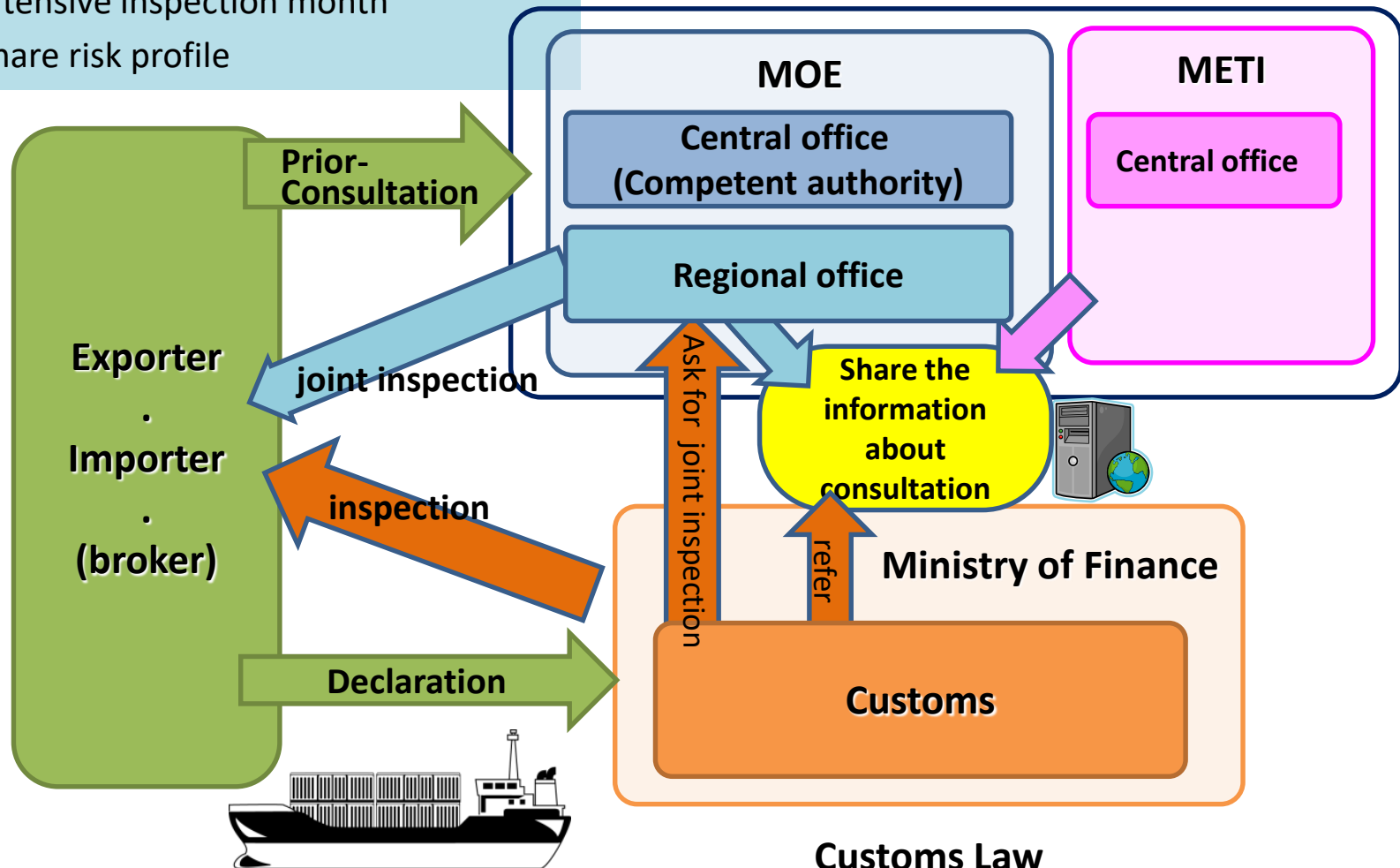


Patrolling a scrap metal yard

Cooperation among relevant Ministries

■ Cooperation with Customs

- Personnel exchange
- Annual Meeting, exchange of opinions
- Intensive inspection month
- Share risk profile



Awareness Raising

■ Awareness Raising

- Annual Seminar for exporters/importers
- Information dissemination by website
- Brochure
- Prior-export/import Consultation Service



Take-backs in Recent Years

Take-back notifications has been increasing in recent years.

Year	Number of Notice	Import country ; Number of Notice	Noticed shipments (number)
2010	0	—	—
2011	0	—	—
2012	7	Hong Kong 2, Malaysia 2, Nigeria 2, Korea 1	UEEE (6) Mix metal scrap (1)
2013	5	Hong Kong 2, Malaysia 2, Indonesia1 Macau 1	UEEE (3) Parts for used automobile (1)
2014	9	Hong Kong8, Thailand1	UEEE (7), spent battery(2), Mix metal scrap(1)
2015	20	Hong Kong 20	UEEE(20)
2016	6	Hong Kong 6	UEEE(5) ,spent battery(1)

Operation in receiving Notification of illegal trade

Receive notice based on Basel Convention Article 9 from the country of import

Central office of MOEJ (CA)

- Request for further information from the CA of import country
- Inform the notice to Customs and request them for information on the export

Regional office of MOEJ

- Interviews to the exporter

Examination of the wastes

Order of take back

Joint inspection with Customs

Same protocol as the costal operation

Ship-backed cargo (laptop PC)



Notification of take back received –UEEEs

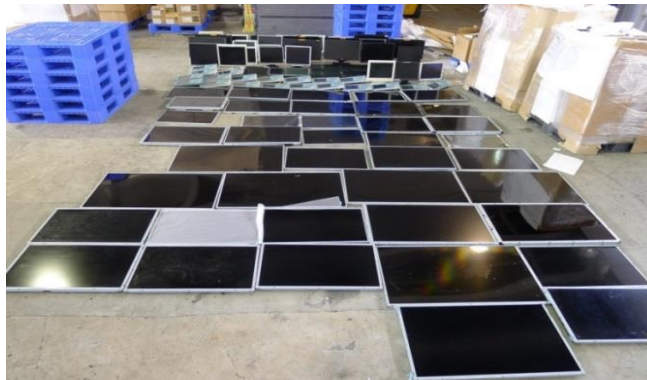
Declared as second hand goods, but ship backed by importing country.



Amendment of the regulation

- The cargo which is regarded as second-hand under Japanese regulation is often taken back to our country. About 80 % of the cargo which are taken back as illegal shipment by import country aren't regulated under Japanese regulation as waste.
- There is difference between our country's regulation and import country's regulation.
- After amendment of the regulation, we will make it obligatory to confirm the import license before exportation to specific country in order to prevent the take back issue.

Flat Panels Taken back as illegal shipment



1. Prevention of Illegal Export

2. The criteria for distinguishing used EEE as second-hand goods

Distinguish criteria of UEEE and e-wastes(since 2014)

- Japanese government published the guideline “The criteria for distinguishing used EEE as second-hand goods as its exportation”
 - (1) **Model years and appearance** (Make sure that the equipment is free from damage and is clean. Check the model years.)
 - (2) **Functionality** (Make sure that the equipment operates properly.)
 - (3) **Packaging and loading** (Make sure that the equipment is properly packaged, loaded and stored.)
 - (4) **Valid contract** (Make sure that transaction-related facts can be proved with contracts and other documents.)
 - (5) **Market existence** (Make sure that the equipment will be sold for reuse purposes in destination countries.)

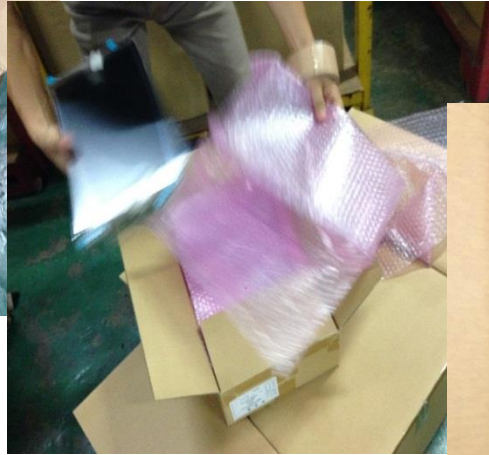
Used EEE Export Intended for ...

Old? Functioning? Any evidence for being reused?



Be careful, it's going to be broken... or already broken?

Used EEE Export Intended for ...



Hmm, fairly well wrapped and packaged...?



Yes, functioning!

International Expectation for Prevention of Illegal Export of Used EEE by Disguise of Reuse-Purpose

- We will consider to amend our second hand criteria in consideration of E-waste guidelines adopted at COP12 of the Basel Convention in 2015.
- Especially, the red coloured criteria need to be consider to incorporate to the criteria.

Criteria stated in the e-waste guidelines

Requirements for the case of export/import for direct reuse	<ol style="list-style-type: none">1. Copy of the Invoice and contract;2. <u>Signed decralation by exporters/importers indicating that used EEE has been tested, fully functional and is destined for direct reuse;</u>3. Declaration by exporters/importers to comply with rules and regulations of all the countries involved;4. Sufficient packaging and stacking of the load in order to be protected against damage during transportation and loading/unloading.
<u>Requirements for the case of export/import for direct reuse after repair, etc.</u>	<p><u>(In addition to the above 3. and 4. requirements being satisfied,)</u></p> <ol style="list-style-type: none">1. <u>Valid contract between exporter and facility to assure to conduct repair etc. and ESM treatment of the residual hazardous waste generated through the repair, etc;</u>2. <u>Provisions regarding allocation of the responsibility among exporter and facility throughout the whole process from export to the completion of repair, etc. in the contract.</u>
Issues need to be tackled towards COP13	<ul style="list-style-type: none">✓ Residual life of the Used EEE✓ Treatment of CRTs✓ Conditions on the treatment of residual hazardous waste generated through repair, etc. in developing country

Future work: How to distinguish E-waste or Used EEE for reuse purposes?

- Japanese government assume that some used EEEs for reuse purposes that are exported from Japan to other countries are disposed directly in import country. Our guideline is not perfect for preventing illegal shipment.
- We think that this problem should be discussed under Basel convention and the expert working group on E-waste that was established in COP13 is very important for preventing illegal shipment.

