

Good Practice for Effective Enforcement of the Basel Convention Experience of Japan (as of March 2010)

Type of practice	Awareness Raising of stakeholders through training workshops and pre-application consultation service
Implementation status	Ongoing since 2001 (training workshops) and 2002 (pre-application consultation service)
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<Objective>

- To raise awareness of the Basel Convention and national waste regulations
- To enhance understanding of the scope and procedure of the Basel Convention and national waste regulations (the Basel Law and the Waste Management Law)

<Background information>

In response to growing demand of recyclable resources and secondhand goods in Asian developing countries, export of used materials from Japan was also increasing. However, some cargos were shipped back to Japan due to incompliance with the Basel requirements or violation of national regulations of importing countries.

Japanese exporters' low awareness of the requirements of the Convention as well as lack of understanding of import control policy of importing countries contribute to illicit transboundary movement.

<Target group>

All the stakeholders relevant to the transboundary movement of hazardous waste and other waste, including importers, exporters, as well as waste generators, junk dealers, customs agents etc.

<Activities>

Training workshop

MOEJ in cooperation with METI (Ministry of Economy, Trade and Industry) organizes training workshops every year in more than ten cities all over Japan. Each workshop

provides the relevant stakeholders with the following information:

- Framework of the Basel Convention
- Regulation in Japan and other Asia countries
- Criteria for the Basel waste and others
- Application procedures

Pre-application Consultation Service

MOEJ and METI also provide pre-application consultation service for importers and exporters. The service assists them in judging whether their intended trade is subject to the Basel Convention and/or national waste regulations and in taking necessary procedures for controlled wastes. It also provides information on relevant rules and regulations of importing countries. The number of



the consultation MOE and METI receive has steadily increased recent years.

<Institutional framework>

In Japan, the import and export application for Basel wastes is handled by METI and MOEJ. METI provides approval for import and export application and MOEJ conducts prior notification from/to other Parties as the Competent Authority of the Convention. Application documents

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submitted by importers/exporters as well as notification documents from/to other Parties are shared between two ministries.

Pre-application consultation service is mainly provided by the Japan Environmental Sanitation Center (commissioned by METI) and the Regional Environment Offices (REOs) of MOEJ. On October 1, 2005, MOEJ set up seven REOs throughout Japan (Hokkaido, Tohoku, Kanto, Chubu, Kinki, Chugoku/Shikoku and Kyusyu) as local bureaus of MOEJ, aimed at improving the service delivery tailored to the localized situations in each region. The results of the consultation are promptly shared among REOs and headquarters of MOEJ, METI and the Customs for the reference of risk profiling and customs inspection using the secured online database.

Pre-application Consultation Service	
for	by
The Basel Law and Waste Management Law	REOs
The Basel Law • Metal scraps, plastic scraps, used/waste lead-acid batteries, used/waste pachinko (Japanese pinball) machines, waste catalysts, used products (used home appliances, parts dismantled from used cars, etc)	Japan Environmental Sanitation Center (commissioned by METI)
• Other wastes	METI

<Difficulties and challenging>

Detecting dishonest traders who abuse the pre-application consultation service is a challenge. They deliberately conduct false declaration, such as "second-hand products", in application to the service, despite the fact that their cargos actually contain the Basel wastes and/or nationally controlled wastes. They take advantage of the consultation results of "not controlled wastes" in their application to customs clearance. Well-coordinated enforcement of documents screening and cargo inspection is critical to combat with those deliberate smuggling.

<Major achievement>

In the fiscal year 2009, the training workshop was organized in 11 cities (Sapporo, Sendai, Tokyo, Yokohama, Nagoya, Osaka, Kobe, Hiroshima, Takamatsu, Fukuoka and Okinawa) throughout Japan. Roughly 100 people participated in each workshop. Now growing number of exporters utilize pre-application consultation service, as seen in the following figure.

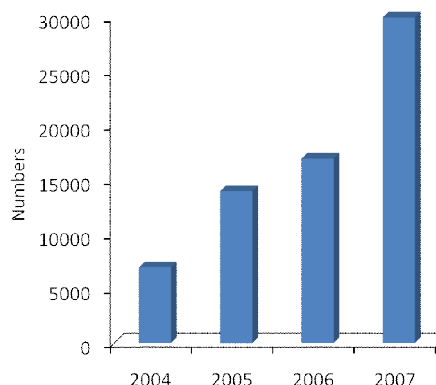


Figure1 Number of pre-application consultation service

Both training workshop and consultation service function as effective preventive measures against illegal and illicit transboundary movement of hazardous wastes and other wastes.

Case 1: Used Lead-acid Batteries (ULAB)

Since fall of 2004, the secondhand export of ULAB to Hong Kong SAR and Vietnam had rapidly increased. With this trend, increased cases of ship-back of disguised ULAB waste from Hong Kong SAR and Vietnam took place. In response to the situations, MOEJ and METI strengthened the enforcement, and alerted exporters through pre-application consultation service and workshops. As a result, the export dropped in the fall of 2006 and, in contrast, the reported amount of ULAB export in accordance with the Basel procedures increased

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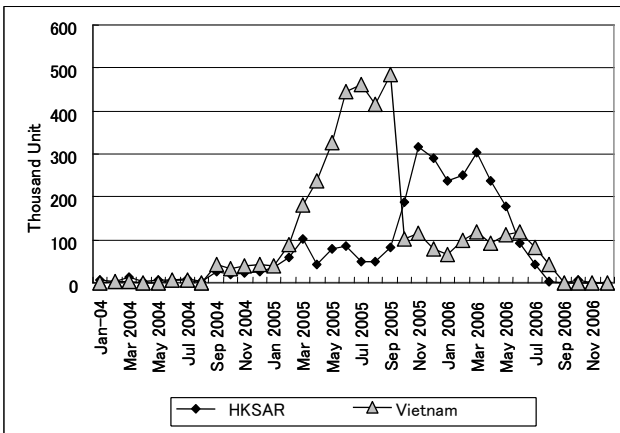


Figure 2: Export of lead-acid batteries from Japan to HKSAR and Vietnam

<Reference>

- Presentation by MOEJ at the Workshop of Asian Network for Prevention of Illegal Transboundary Movement of Hazardous Wastes (2004-2010).
- Website of the Asian Network (http://www.env.go.jp/en/recycle/asian_net/)
- Website of the Japan's Activities for the Basel Convention (http://www.env.go.jp/en/recycle/basel_convention/index.htm)

Case 2: Used Cathode Ray Tube (CRT) TV

HKSAR strictly regulates the import of used EEE which contains hazardous components, especially CRTs. In 2005 and 2006, many used CRTs were returned to Japan by being regarded as hazardous wastes by the HKSAR authority. As the case of ULAB, MOEJ and METI disseminated the HKSAR regulations to exporters and raised their awareness in June 2007. Consequently, the export of CRTs to HKSAR has drastically decreased since 2007.

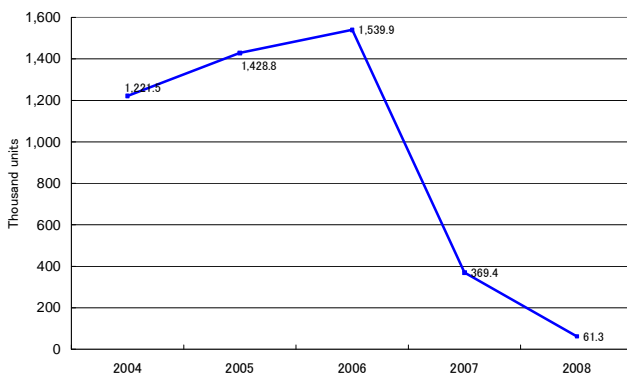


Figure 3: Export of CRT TV from Japan to HKSAR