

Workshop 2009 of the Asian Network for Prevention of Illegal Transboundary Movement of Hazardous Wastes

ISSUES PAPER

Session 1: Update on Enforcement Activities of the Basel Convention

Underlying Assumptions

- It is essential to know newly established, and/or recently amended rules and regulations of member countries as well as draft legislation under discussion on hazardous wastes in the last couple of years. This is especially effective for preventing illegal ship-back cases and ensuring smooth control of import and export under the Basel Convention.
- It is also important for achieving enhanced regional cooperation in the prevention of illegal trade to understand common difficulties in implementing the Convention in the Asian region and to discuss possible control measures against them.

Presentation

Each member country is requested to report update on enforcement activities focusing on the following:

- a Newly established and/or recently amended rules and regulations as well as draft legislation under discussion on hazardous wastes and secondhand electrical and electronic equipment;
- b Import statistics under the Convention (number of notification received, consented and denied, original country of import, type of waste, amount etc.);
- c Export statistics under the Convention (number of notification sent, consented and denied, destined country of export, type of waste, amount etc.);
- d Regulations and/or relevant policies on recycling and environmentally sound management (ESM) of hazardous wastes including E-wastes.

Discussion

- Questions and answers on the trend on rules and regulations on hazardous wastes and import/export statistics.
- Recent trend and factor analysis on illegal import and export cases (including description of adverse effects to human health and the environment, if any).
- Difficulties on implementing the Basel Convention and countermeasures to overcome them.

Expected Goals

Through the discussion, participants are expected to:

- Understand the latest information on rules and regulations on hazardous wastes and secondhand EEE, especially those the Secretariat of the Basel Convention is not notified of under the Article 3 of the Convention;
- Make clear definitions and criteria of hazardous wastes that are subject to regulations.

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Session 2: Good Practices for Effective Implementation

Underlying Assumptions

- It is valuable to share good practices in effective implementation of the Basel Convention among member countries and to make use of lessons for improving relevant activities in each member country with the purpose of enhancing the overall implementing capability of the region.
- In particular, good practices for user-friendly and speedy import/export procedures provide positive incentives for importers/exporters to take legally required procedures resulting in preventing illegal import/export of hazardous wastes. Furthermore, it may provide an opportunity that a country that does not have a capacity to ensure ESM of hazardous wastes can export those wastes to another country which have advanced technology for sound recycling/disposal.
- Synergy effects can be expected by promoting cooperation among member countries through establishing a system to share good practices more effectively and constantly.

Presentation

Selected countries are requested to make presentation on the following:

- a Good practices for effective and prompt import/export procedures; cooperation with customs; collaborative works with relevant stakeholders; and awareness raising and training activities.

Discussion

- What are necessary activities to enhance the capability of front-line authorities besides measures being currently taken?
- What is an effective mechanism to share good practices among member countries, e.g. creating a booklet type of manual or a web-based database?
- What are possible measures to promote effective and efficient application of import/export procedures?

Expected Goals

Through the discussion, participants are expected to:

- Recognize and evaluate good practices by member countries;
- Obtain hints and ideas for improving relevant implementing activities in each member country through understanding good practices being uniquely conducted by other countries;
- Share the recognition that transparent and speedy import/export procedures promote legal transactions contributing to preventing illegal trade as a result;
- Make clear necessary measures to visualize import/export procedures in order for applicant-friendly and equitable process.

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Session 3: Asian Situation in Transboundary Movements of Hazardous Wastes

Underlying Assumptions

- It is important to understand current discussions in the Conference of the Parties (COP) on the following issues and provide necessary inputs into them in order for the discussions to reflect situations of the Asian region:
 - ✧ Review of the current Strategic Plan for the Implementation of the Basel Convention and the development of a new strategic framework;
 - ✧ Effectiveness evaluation of the implementation of the Convention based on paragraph 7 of Article 15 of the Convention;
 - ✧ Country-led Initiative (CLI) by Indonesia and Switzerland on an informal process to address the challenge that TBM of hazardous wastes, especially to developing countries, have a high risk of not constituting ESM of hazardous wastes.
- For that purpose, it is extremely important to deepen the understanding about current situations of the transboundary movements and disposal of hazardous wastes and others, to analyze the reasons behind why illegal import/export and environmentally unsound treatment continues, and to discuss among member countries necessary measures for tackling those environmentally unsound practices.
- It may not always fit in with the reality of the region that TBM of hazardous wastes are fully or partially banned in an uniform way, taking into account the facts that material flows among member countries are intensified due to rapid economic growth in the region and capabilities and technologies each member country has for ESM of hazardous wastes are quite different from the other.
- While illegal TBM of hazardous wastes and secondhand EEE contribute to the environmentally unsound disposal in a destination country, TBM may also have positive effects including:
 - ✧ Creating economic opportunities and benefits;
 - ✧ Fostering recycling industry; and
 - ✧ Establishing and enhancing legal as well as institutional structure of governments.

Presentation

Selected countries are requested to make presentation on the following:

- a Background, objectives, and scope of the CLI;
- b Overview of current situation of transboundary movements and recycling of hazardous wastes and secondhand EEE in the region;
- c Situations in environmental concerns related to recycling activities;
- d Recycling policies and activities;
- e Recycling hazardous waste in the era of deepening economic integration in Asia.

Discussion

- Is there any stream of hazardous wastes and/or second-hand EEE which are not being identified?
- What are the reasons (direct, indirect and fundamental factors) behind why environmentally unsound treatment continues?
- What are possible measures for tackling the abovementioned factors?
- What are positive effects caused by TBM of hazardous wastes and second-hand EEE?
- Based on those discussions, what kinds of viewpoints should be included in the upcoming discussions under the CLI as well as COP?

Expected Goals

Through the discussion, participants are expected to:

- Understand the agenda currently discussed in the COP with regard to the development of a new strategic framework, the effectiveness evaluation of the implementation of the Convention, and the CLI;
- Share the understanding of current situations in the region on transboundary movements and recycling of hazardous wastes and secondhand EEE;
- Recognize the necessity to analyze the reasons of environmentally unsound treatment in an objective manner and to discuss countermeasures against them given the situations in the region;
- Recognize the effectiveness of concerted efforts in the region for promoting proper recycling of hazardous wastes and secondhand EEE, in conjunction with each country's efforts in establishing a relevant system and infrastructure toward environmentally sound recycling.

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Session 4: Toward Environmentally Sound Management of Secondhand EEE and E-wastes

Underlying Assumptions

- It is important to understand the latest regulations and identification criteria on secondhand EEE in order to ensure smooth control of import and export while respecting regulations and criteria each member country has.
- It is also valuable to share findings and lessons of the completed/ongoing E-waste projects which have been conducted under the framework of the Basel Convention Partnership Programme for enhancing the ESM capability in the region as a whole.
- It may be effective to reflect the implications of discussions on necessary measures to accomplish the ESM of secondhand EEE and E-wastes into future projects which are subject to launch based upon the proposals from member countries.

Presentation

Selected countries are requested to make presentation on the following:

- a. Findings, lessons learned and future challenges of the completed E-waste projects;
- b. Progress of the Project on the Import/Export Management of E-waste and Used EEE;
- c. Current progress of the new shipment regulation of the EU as well as front line enforcement activities based on the waste/non-waste guideline;
- d. Progress of relevant Basel Convention Partnership Programmes such as PACE and MPPI;
- e. Possible future projects for accomplishing ESM of E-wastes in the region.

Discussion

- What are lessons learned from the completed e-waste projects and how can we make use of them in the future projects?
- What is a suitable way to keeping the information up-to-date and having it available to member countries on import/export regulations and identification criteria of secondhand EEE and E-wastes?
- What are the appropriate measures and regional cooperation toward ESM of secondhand EEE and E-wastes?
- What kinds of future projects are expected given the aforementioned perspectives?

Expected goals

Through the discussion, participants are expected to:

- Share lessons learned and common challenges, if any, from completed E-waste projects;
- Discuss necessary measures and feasibility of regional cooperation for strengthening the ESM in the region;
- Recognize the importance of sharing import/export regulations and criteria of secondhand EEE and E-wastes of member countries;
- Identify the future direction of E-waste projects and candidate countries who wish to deploy the next phase of the E-waste projects.