



Workshop 2012 of the Asian Network for  
Prevention of Illegal Transboundary  
Movement of Hazardous Waste  
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**Update on National Regulations and Border  
Control Activities for Enforcement of Basel  
Convention**

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# 1. Existing Regulation

## Environmental Law

- Law on Environmental Protection and Natural Resources Management

## Sub-Decree

- Solid Waste Management
- Water Pollution Control
- Air Pollution and Noise Disturbance
- Environmental Impact Assessment

## Declaration Guideline

- Joint Declaration MoE and Mol on Household Waste Management
- Guideline on Environmental Management
- Guideline on Plastic Waste Management
- Health Care Waste Management



# Sub-decree on Solid Waste Management

Cambodia has not import/export of Hazardous waste, through the sub-decree on Solid Waste Management at article 20 and 21 were stipulated as bellow:

**Article 20:** The exportation of the hazardous waste from the Kingdom of Cambodia to abroad could be conducted if there are an agreement from the Ministry of Environment, export license from the Ministry of Trade, and permit from the import country.

The exportation of the hazardous waste shall be consistent with the provisions and principles of the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and their Disposal in 1989 which come into force on May 05, 1992.

**Article 21:** The importation of the hazardous waste from abroad into the Kingdom of Cambodia is strictly prohibited.

# Definition of Hazardous Waste

Article 3 of Sub-decree on Solid Waste Management identity the hazardous waste refer to radio activity substances, explosive substances, pathogenic substances, irritating substances, corrosive substances, oxidizing substances, or other chemicals substances which may cause to danger to human(health) and animal or danger plants, public property and environment.

# 1. New Regulation

- Draft new law on Environmental Pollution Management.
- Chapter 3 import and export
  - Article 40: The importation of solid waste and hazardous waste into kingdom of Cambodia strictly prohibited.
  - Article 41: The exportation of Solid waste, Hazardous waste and second hand material to abroad have to license from MoE.

The exportation or transit of HW have to respect for the procedure of Basel Convention on The control of Transboundary Movements of Hazardous Wastes and Their Disposal.



## 2. New Definitions of HW

- In annex 1 of draft law on Environmental Pollution Management
  - HW refer to SW or compound of SW depend on quantity, concentration, or its physical or chemical which may be cause to public health, public property, or environment such as cause to chronic, cancer, irritation, explosive, inflammable, corrosive, and oxidation when stockpile, transportation, treatment or destroy or disposal which do not properly technical practice or environmental sound procedure.

### 3. Import and Export Statistic

Department of Environmental Pollution Control, MoE, Cambodia issued two notification for exportation of Hazardous waste under Basel Convention such as below:

1. 1000 tonnes of Used Electrical and Electronic Equipment, Parts & Accessories(Computers, and Mobile phone, Printers' cartridges, Lithium-iron batteries) from Cambodia to Singapore (M/s TES-AMM (Cambodia) Co.,Ltd.
2. 9,423.96 kg of mixed metal scrap( Aluminum scrap, wire scrap, cable scrap) from Cambodia to Hong Kong( Esun International (Cambodia) Co Ltd).



## 4. Enforcement Activities (Cont.)

### □ Measures:

- At borders: Normally customs takes the lead with the collaboration from other competent authorities in coping with the IP infringement. When customs and other competent authorities get complaint from right holders or have any doubt on any imported goods, actions are taken (suspension of temporary clearance);
- At the market: Normally when enforcement agencies (Camcontrol and Economic Police) receive complaints from the right holders or through market monitoring/programs, actions are taken (Making analysis/testing whether the goods are counterfeit and then send the case to court.)



## 4. Enforcement Activities

### ❑ Procedure of Destroying Counterfeit Goods:

- 👉 When determining the goods are counterfeit, enforcement agencies normally compile the cases and send it to court through a prosecutor.
- 👉 After the court issued the verdict, normally the environmental concern is taken into consideration

# 5.Regulation and relevant policies

## National Strategic Development plan 2009-2013

- Prevent and reduce environmental pollution.
- Preparing law on Management of Solid Waste and Hazardous Waste.
- Preparing draft law on Chemical Subsistence Management.

## Draft Strategic plan 2009-2013

- Law on Management of Solid Waste and Hazardous Waste shall be adopted and implemented.
- Training course for officials of capital/provincial shall be organized. The knowledge of the officials at capital/provincial on management of solid waste and hazardous waste shall be developed and the management of these wastes shall ensure the environmental safety.
- The management of solid waste and hazardous waste at capital/provincial shall be improved as well as the techniques-based management and environmental safety.
- Develop sub-decree on Environmental Sound Management of E-waste





*Thank you for your attention!*