

Workshop 2014 of the Asian Network for Prevention of Illegal Transboundary Movement of Hazardous Wastes in Okayama

Chair's Summary

1. Workshop 2014 of the Asian Network for Prevention of Illegal Transboundary Movement of Hazardous Wastes was held in Okayama, Japan from 26th to 28th November 2014. The workshop was attended by 42 participants including 23 delegates from the Competent Authorities and the Focal Points of the Basel Convention from ten countries and one special administrative region (SAR), the Basel Convention Regional Centre for Asia and the Pacific (BCRC China) and the Basel Convention Regional Centre for South-East Asia (BCRC-SEA). The workshop was also attended by resource persons from international organizations, enforcement networks, research institutes and private sectors.
2. In the opening session, Dr. Ichiro Sumikura, Director of Division of Industrial Waste, Waste Management and Recycling Department, Ministry of the Environment of Japan (MOEJ), made opening remarks and acknowledged critical importance of regional cooperation for proper control of transboundary movement (TBM) of hazardous wastes and other wastes and for tackling illegal traffic. He further noted that this Workshop would return to the first objectives of the Asian Network and was intended to identify challenges for implementation of the Basel Convention in Asia and explore possible regional collaboration.
3. Followed by introduction of the participants, Ms. Sachiko Tsukahara (MOEJ), the Chairperson of the workshop, reviewed the history of the Asian Network activities since its establishment in 2003 and outlined the overall objectives of the Workshop 2014.
4. Session 1 was facilitated by Mr. Ridwan Tamin (Director of BCRC-SEA) and organized throughout the first day and second day's morning. In the Session, ten countries and one SAR introduced updates of implementation activities of the Basel Convention including the newly introduced and recently amended regulations on hazardous wastes, other wastes considered or defined as hazardous under the national legislation, and used electrical and electronic equipment (UEEE) and import/export statistics as well as relevant policies on recycling of hazardous wastes including E-waste.
5. Through the session, participants learned latest information on their regulations and definition/classification on hazardous wastes and other wastes, focusing on E-wastes and UEEEs. It was found through a series of country presentations that policy and regulatory framework regarding definition and criteria for some waste streams for efficient control of import and export are in place or being developed. Participants actively involved in the discussion in order to have better mutual understanding and make the best use of shared policy or regulation in the respective countries and regions, and made various practical questions regarding the daily implementing activities of the Basel Convention. Several successful experiences have also been shared among

the participants such as collaborations with customs agency, development of guiding manuals for inspection and take back of illegal traffic and other practices. Furthermore, it was found that criteria or guidelines for distinguishing reusable UEEEs from E-waste have been developed or being currently discussed in many countries. Some common difficulties for implementing such criteria/guidelines were also shared among participants, particularly in cases where UEEEs have low product quality or near the end of life span after a long period of use.

6. Session 2 was facilitated by Mr. Michikazu Kojima (Institute of Developing Economies, Japan External Trade Organization (IDE-JETRO)). The Session was started with his introduction of case analysis of environmentally sound management (ESM) and TBM of hazardous wastes in Asia as well as ongoing activities of the Expert Working Group (EWG) on ESM, established based on the Decision of the 11th Session of the Conference of the Parties to the Basel Convention (COP11). Mitsubishi Materials Corporation, Japanese non-ferrous smelter, introduced technology and operational practice of the company for ensuring ESM in copper smelting facilities in recycling hazardous E-wastes such as Printed Circuit Boards imported from abroad through procedure under the Basel Convention. Mr. Amit Jain of IRG System South Asia Pvt. Ltd presented current disposal practices causing pollution and challenges being faced by government and private sector to promote ESM such as formalizing informal activities, procuring sufficient volume of material to sustain ESM facility, or segregating household hazardous wastes. He further noted that one possible measure is TBM of hazardous wastes, including difficult-to-treat residue generated from recycling activity, to the country where ESM is ensured and technology is available. On the other hand, he also pointed out difficulties for arranging such a TBM.
7. In Session 2, participants discussed the challenge for realizing ESM and typical waste streams those are difficult to ensure ESM in each country. Some participants emphasized that lack of regulation, technology or knowledge is critical challenges for ensuring ESM in domestic level. Others pointed out that certain waste streams which has less value or are difficult to treat are not collected or recycled in environmentally sound manner unless financial aspect or incentive are taken into account. Participants also pointed out that there are some challenges for introduction of extended producer responsibility (EPR) including the case of counterfeit goods or internet sales. Then participants exchanged views on possible measures for promoting ESM. Some possible activities are suggested such as conducting an analysis to including development of equivalence matrix learn further current situations in Asia and recognize difficulties to overcome by utilizing Asian Network as a platform.
8. Session 3 was facilitated by Ms. Zuraini Ahmad Tajudin (Department of Environment, Malaysia). At the beginning of the Session, the Secretariat of the Basel, Rotterdam and Stockholm Convention (BRS Secretariat) introduced ongoing activities carried out under the Basel Convention, including guidance on the take-back provisions to be submitted to COP 12, "Draft

guidance on the implementation of the Basel Convention illegal traffic take-back provision (paragraph 2 of Article 9)". Hong Kong SAR and Indonesia presented their noteworthy practices of border control and implementation of take-back. The Session was followed by the presentation of The European Union Network for the Implementation and Enforcement of Environmental Law Transfrontier Shipments of Waste (IMPEL-TFS), introducing European's experience of strengthening border control and inter-regional cooperation between EU and Asian countries.

9. In the discussion that followed, participants exchanged views on the effective measures for strengthening border control and major challenges for arranging take-back. There are several different measures and views presented regarding how an illegal shipment can be determined, whom and how a responsibility of take-back of illegal shipment is imposed, who shoulders necessary costs, and how misconducts are prosecuted. Since there is no common approach for the matters above, some participants pointed out the importance of closer cooperation and open communication between States of export and import particularly since evidence provided from the State of import is essential for prosecution of exporter in the State of export.
10. Session 4 was facilitated by Ms. Tsukahara (MOEJ) and started with the introduction of the BRS Secretariat with regard to the current draft and ongoing discussion of "Technical Guidelines on Transboundary Movements of E-waste and UEEEs, in particular regarding the Distinction between Waste and Non-waste under the Basel Convention", which is to be adopted at the COP12 in May 2015. She mentioned that there are two options for the corresponding part: the first of developing detailed criteria for the guidelines, the second of leaving each country to develop own criteria. She also explained that the draft has been discussed since COP11 and further work is being conducted by the Small Intersessional Working Group (SIWG). Followed by the introduction, Japanese Four Electrical and Electronic Industry Associations and Infocomm Technology Group (ICT Group) introduced their practices of region-wide centralized centers that ensure repair and refurbishment and conducting testing of non-functional UEEEs in an environmentally sound manner. Malaysia and Thailand then introduced their practices for communicating with and managing manufacturer-led facilities from the perspective of government, such as requesting proper reporting before and after shipments and requiring licensing on the warehouse.
11. In Session 4, participants understood practices of repair and refurbishment, which are operated by manufacturers of EEEs and regulatory measures taken by the governments. Several countries introduced their respective criteria for distinguishing UEEEs from E-waste and exchanged view on necessary conditions for importing such UEEEs destined for repair and refurbishment process. Some countries mentioned that they recognized the needs to develop such criteria. Through the discussion, participants have deepened their understanding on ongoing process and contents of updated draft guidelines of E-waste. With the conditions to respect the domestic regulations, some participants pointed out that there are some important elements to be highlighted such as

written declaration to prove for ensuring the testing, repair and refurbishment of the imported items and proper packaging. At the same time, some participants pointed out that it would be risky if criteria for the condition of importing such UEEEs are to be defined by each country without harmonization. Participants recognized the importance of sharing and harmonizing detailed conditions to be met to facilitate the proper management of the import and export of UEEEs.

12. At the closing session, Ms. Tsukahara made closing remarks on behalf of the MOEJ and concluded that the Workshop obtained great success to meet the target to go back to our original objectives. She acknowledged the importance of mutual understanding and continuous cooperation among the various stakeholders involved in TBM and ESM and appreciated the active contribution of the participants.