

**Asian Network Workshop for Prevention of
Illegal Transboundary Movement of Hazardous Wastes
1-3 November 2022, Medan, Indonesia**

Issue Paper

Session 1: Country update of regulations and implementation status of the Basel Convention: with a focus on response to plastic waste and E-waste amendments

Session Coordinator:

*Basel Convention Regional Center for Southeast Asia (BCRC-SEA) and
Ministry of the Environment, Japan (MOEJ) (tbc)*

Background

- Mindful of the growing threat to human health and the environment posed by the transboundary movement (TBM) of hazardous wastes, the Asian Network has been served as a platform in sharing the latest information on national laws and regulations together with the situation on TBM of hazardous wastes among competent authorities in the Asian region over the years.
- Since the Workshop in 2017, the Asian Network has provided an opportunity for the discussion regarding the impacts of China's import regulation of plastic wastes on other Asian countries. Notably, it was confirmed that the import of plastic wastes mixed or contaminated and not suitable for recycle has been significantly increased in the other countries since China's import ban. The increase of application for the import license and informal recycling were found to be another illustration of such impacts.
- The 14th meeting of the Conference of the Parties to the Basel Convention (COP14), held in May 2019, adopted a decision to amend Annex II, VIII and IX of the Basel Convention, which entered into force in January 2021. Because some of the terms in these annexes are difficult to interpret, the workshops in 2020 and 2022 discussed the status of each country's response to the plastic wastes amendments and shared some common difficulties for the implementation. The Workshop 2022 continues to discuss this topic, as it has significant implications for the Asian region.
- The COP15, held in June 2022, adopted the following amendments to the Annexes regarding E-wastes. As the result, all TBMs of E-wastes, irrespective to their hazardousness, are subject to the PIC procedure under the Basel Convention.
 - A1181 (Annex VIII): Hazardous E-waste subject to the PIC procedure
 - Y49 (Annex II): Non-hazardous E-waste subject to the PIC procedure
 - Deletion of B1110 (Annex IX): Non-hazardous E-waste subject not to the PIC procedure

Under the new entries A1181 and Y49, E-waste consists of the following three categories.

- Equipment
- Component (e.g., battery, switch, etc.)
- Waste from processing E-waste (e.g., fraction from dismantling or shredding of E-waste)

These amendments will be entered into force on 1st January 2025. At this year's workshop, participant will also exchange information regarding the status of response to the E-waste amendments and challenges for the implementation.

Structure of the Session

- The Secretariat of the Asian Network will review the discussion of the past workshops, recent trend of TBM of plastic waste and E-waste available from published statistical data and briefly report the result of questionnaire survey.
- The Secretariat of BRS Convention will introduce the decisions adopted at COP15 with a focus on the E-waste amendment and related decision.
- All countries will be invited to deliver a country report in this Session, which include the following topics (but not limited to). It is encouraged to include the responses to the Part 1-3 of the questionnaire which was sent by the Secretariat prior to the workshop.
 - Updates on national laws/regulations for the implementation of the Basel Convention
 - Status of response to plastic amendments and E-waste amendments and challenges for the implementation.
 - Recent trend of TBM of hazardous waste (especially trade pattern of plastic waste after amendments entered into force on 1st January 2020).

Point of discussion

Mainly Q&A session

Expected outcome

- Countries share updated national laws and regulations for the implementation of the Basel Convention.
- The national situation for the implementation of amended annexes of the Basel Convention can be shared.
- Countries understand the latest situation of TBM of hazardous waste and other waste, particularly trend of plastic waste and E-waste.

Session 2: Good practices and challenges for implementing and facilitating the PIC procedure

Session Coordinator: The Secretariat of BRS Convention (tbc)

Background

- The COP15 of the Basel Convention decided to work to improve the functioning of the PIC procedure. According to the Decision BC-15/3, the COP;
 - *Notes* that the Parties having used the PIC procedure may, over time, have developed best practices for its use that could benefit other Parties in their implementation of the procedure (para 10)
 - *Notes with concern*, however, that challenges in the implementation of the PIC procedure increasingly hinder the TBM of hazardous and other wastes and their ESM, for exporting, transit and importing Parties, especially for island countries and developing countries (para 11) ;
 - *Invites* Parties and observers to submit to the Secretariat, by 30 November 2022, information on challenges in the implementation of the PIC procedure and on best practice, etc. (para 12)
- While strict screening process for import/export notification is important, delays in the PIC process might lead to loss of business opportunities capable of ensuring the ESM. At the past workshop, there were comments on the needs for cooperation among Asian countries to facilitate the PIC procedure.

Structure of the Session

- The Asian Network Secretariat will report the result of questionnaire and introduce the scope of the Session.
- The BRS Secretariat will introduce the decisions adopted by the COP15 relevant to the theme of this Session, including Strategic Framework, Electronic approaches to the notification and movement documents, and guidance developed by Implementation and Compliance Committee (ICC) on the implementation on provision related to transit, etc.
- Some selected countries will share challenges for the implementation of the PIC procedure and practice for facilitating it. It is encouraged to include the responses to the Part 4 of the questionnaire which was sent by the Secretariat prior to the workshop.

Points of discussion

- Which step in the PIC procedure delays the most? What kinds of struggles are facing in day-to-day operations for Basel implementation officers? What are the major causes of inefficient implementation of PIC procedures and delays in the process?
- Are those problems and causes common or unique in the region?
- What are effective countermeasures to the problems or approaches to the causes described above? At which level, namely local, national, regional or international levels, can we address them and how?
- How can we cooperate in the Asian network to facilitate the PIC procedure?

Expected Outcome

- Barriers for the implementation of the PIC procedure in Asia can be identified.
- Good practices of some countries for facilitation of the PIC procedure can be shared.
- Possible cooperative activities under the Asian Network can be identified.

Session 3: Promoting the ESM in Asia

Session coordinator: Ministry of Environment and Forestry, Indonesia (MOEF) (tbc)

Background

- There are increasing needs for the environmentally sound collection, recycle and disposal of wastes, especially plastic waste and E-waste, together with an appropriate trade control at the national level in response to the recent increase of such wastes.
- Although great efforts have been made to establish the recycling scheme such as the Extended Producer Responsibility (EPR), it has also been confirmed in the past workshops that each scheme has different approaches depending on the national interest (e.g., targeted items and cost sharing system). Some countries have put in place advanced initiatives toward the introduction or implementation of the scheme, and the information on the successful mechanism and challenges are of great use for the Asian region.
- Mindful of great importance in addressing the marine litter and plastics at the global level, an integrated approach is necessary to tackle with plastic wastes. This approach includes, but not limited to, the minimization of generation, the sound recovery and recycle, creation of demand for recycled materials and prevention of flow into ocean. Recognizing the Asian region is deemed to be the largest contributor to the plastic waste in the ocean, it is important for the region to share best practices and experiences in addressing this issue in a collective manner.
- Many technical guidelines on the ESM of specific waste streams have been developed under the Basel Convention. These guidelines provide the best knowledge and techniques of which countries are encouraged to use for promoting the ESM. In this Session, participants will also share the experience of using TGs at the national context.

Structure of the Session

- The Asian Network Secretariat will introduce the state of plastic waste and E-waste recycling in Asia in recent years and explain the scope of the session.
- The BRS Secretariat will introduce the decisions adopted by the COP15 relevant to the theme of this Session and ongoing discussion on update of TGs under the Basel Convention (e.g., plastic, E-waste, POPs, mercury, battery, tyre, etc.)
- Some selected countries will be invited to introduce the latest initiatives being undertaken, including the followings.
 - Development of laws/regulations to promote the recycling of plastic waste and E-waste at the national level
 - Initiatives to promote the ESM by industry
 - Introduction of EPR and how it works
 - Experience of using TGs on the ESM of specific waste stream under the Basel Convention, if any
- BCRC-China and BCRC-SEA will be invited to report the current progress on the projects related to the promotion of the ESM in Asia.

Points of discussion

- What are the important elements in promoting the ESM in each country?
- Do the challenges in promoting ESM vary depending on the type of waste?
- Could successful cases in one country be replicated in other countries or regions? How good practices could be applied in national context, given that legal system and technology level is different in each country?
- How can we enhance the engagement of private sector in pursuing the ESM of plastic waste and E-waste?
- How can the Asian Network contribute to this issue?

Expected Outcome

- Gaps and necessary measures can be identified in setting up the legal and institutional basis, including EPR, which leads to the ESM of plastic waste and E-waste.
- The future role of Asian Network in promoting the ESM at the regional level can be identified.