



# National Regulations and Implementation of the Basel Convention

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# Outline

National Implementation of BC

Regulations Relevant to the Implementation of BC

Control of TBM of Plastic Wastes and E-wastes

Response to the Amendment of Plastic Waste and E-waste

Challenges

# National Implementation of the Basel Convention



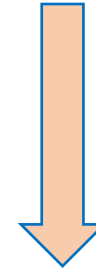
# Current Regulations Relevant to the Implementation of Basel Convention

**For Transboundary Movement of Hazardous Waste**



Procedure on Transboundary Movement of Hazardous Wastes and Other Wastes (Ministry of Natural Resources and Environmental Conservation)  
(Issued Date- 7.6.2023)

**For Domestic Waste Disposal**



Disposal Order for the Wastes Generated from Chemical and Related Substances Business (Ministry of Industry)  
(Issued Date- 9.3.2021)

# Procedure on Transboundary Movement of Hazardous Wastes and Other Wastes

- Importation of hazardous waste is not allowed.
- Exportation of hazardous waste is in accordance with the Basel Convention requirements(PIC)

## Content of Procedure on Transboundary Movement of Hazardous Wastes and Other Wastes

- Exporting Hazardous Wastes and Other Wastes
- Importing Hazardous Wastes and Other Wastes
- Transshipment of Hazardous Wastes and Other Wastes through the Republic of the Union of Myanmar
- Illegal Transboundary Movement of Hazardous Wastes and Other Wastes
- Export to or import from states which are not parties to the Convention (non-parties)
- Inspection and Monitoring
- Prohibitions and Taking Actions

# Directives for Management of EV Battery Waste and Related EV Waste

- Issued by Ministry of Natural Resources and Environmental Conservation on 7.8.2024
- Importation is not allowed
- Exportation requires **prior inform consent (PIC)** according to **Procedure on Transboundary Movement of Hazardous Waste and Other Waste**

# Control of TBM Plastic Wastes

- Importation of all waste including but not limited to plastic waste , is strictly prohibited due to inadequate Environmentally Sound Management( ESM) practices.
- Transit of any waste is not allowed.
- Exportation requires **prior inform consent (PIC)** according to **Procedure on Transboundary Movement of Hazardous Waste and Other Waste.**

# Policy on TBM of Plastic Waste

- Ministry of Commerce issued the Notification No 19/2023 concerning the Import Negative List ( Annually update the Import Negative List aligned with The Myanmar Custom Tariff )
- Importers must apply **Import License** to the Department of Trade, Ministry of Commerce (MOC) under H.S code 39.15
- ECD-MONREC gives recommendations to MOC for consideration of the import license.
- MOC allow to import and export of recyclable scraps with recommendation letter from Environmental Conservation Department (ECD)



# Control of Import and Export of Plastic Scraps

- Importation of recyclable plastic scrap is allowed with specific requirements
  - Clean
  - Homogeneous
  - Can be used directly as raw materials in the factory
  - Factory must have Approved/ Environmental Compliance Certificate (ECC) for environmental management plan(EMP) or initial environmental examination (IEE) or environmental impact assessment(EIA) issued by ECD-MONREC.
- Amount of quantity allowed depends on the production capacity as determined by site inspection
- Inspections will be conducted to ensure compliance with EIA procedure

# Response to the Plastic Waste Amendment

- Final draft of **Procedure on Transboundary Movement of Hazardous Waste and Other Waste** was completed in 2021
- In order to include the Plastic Waste Amendment , additional comments from relevant ministries and recommendation of Ministry of Legal Affairs are requested.
- Officially released on 7.6.2023

# Importation of Clean and Homogenous Plastic Scrap

No.	Year	Commodity	Recommend for Imported Amount (MT)	Imported Countries	Remark
1	2019	PP, PE, PET	6603,470	Thailand, Indonesia, Malaysia, Vietnam, Australia, Japan, USA , Canada , Spain Turkiye	<ul style="list-style-type: none"> <li>Imported amount &lt; Recommend amount</li> <li>Depend on the restriction of MOC</li> </ul>
2.	2020	Scrap, PET	104586,589		
3.	2021	Reject and	17900,000		
4.	2022	Reject	4862.5		
5.	2023	PMMA	5050		

# Exportation of Clean and Homogenous Plastic Scrap

No.	Year	Commodity	Recommend for Exported Amount (MT)	Exported Countries	Remark
1	2019	PP, PE, PA, PET, PVC Scrap and Factory Reject	1066	China, Hong Kong, Thailand, Vietnam, Malaysia and Indonesia	
2.	2020		125		
3.	2021		300		
4.	2022		5255.987		
5.	2023		6100		

# Policy on Transboundary Movement of E-waste and Response to The Amendment of E-waste

- Currently, importation of E-waste is not allowed due to inadequate Environmentally Sound Management( ESM) practices
- Exports of E-waste are carried out with **prior inform consent (PIC)** according to the **Procedure on Transboundary Movement of Hazardous Waste and Other Wastes** , compliance with Basel Convention obligations
- For the amendment of E-waste , the **Procedure on Transboundary Movement of Hazardous Waste and Other Waste** will be revised

Exportation of Hazardous Waste with PIC						
No.	Company Name	Commodity	Export Year	Export Amount(MT)	Export Country	Remark
1.	Ultimate Treasure Co., Ltd.	Lead Acid Battery Scrap	2018	493	Korea	
			2019	2399.5		
			2020	1310.36		
2.	Bright Metal Co., Ld.	Lead Acid Battery Scrap	2019	24.7	India	Transit through Singapore
3.	Myanmar Reliance Shipping Services Co., Ltd.	Electrical and Electronic Waste	2022	8.08	Singapore	

# Not Allowed for Importation

- Importation was not allowed for the company that applied in 2023



Used Phone Battery



# Request for Exportation

- Company has applied for the exportation(August,2024).
- Informing the company regarding the required procedure for PIC.





# Control of TBM UEEE

- Ministry of Commerce issued the Notification 36/2020 for restriction of used machine
  - Mainly focus for the development of MSME
  - Less than 10 years old after the date of manufacturing
  - Importation of equipment that is not directly related to production process is not permitted
  - Not allowed for the purpose of redistribution and retailing
- Not covered by the PIC procedure

# Challenges

- Difficult to interpret the terminology of the Annexes
- Limited understanding regarding the classification of hazardous waste under the Basel Convention
- Capacity building efforts are necessary for distinguishing between UEEE and WEEE among the MOC, Customs and related departments
- Awareness raising efforts are necessary for domestic stakeholders , such as importers, exporters or treatment/recycle facilities
- Insufficient awareness of E-waste treatment/recycle facilities regarding ESM practices



**Thank You for Your Attention**