# **IMPEL - Third Country Collaboration Project**

Final report: February 2014





European Union Network for the Implementation and Enforcement of Environmental Law

## Introduction to IMPEL

The European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) is an international non-profit association of the environmental authorities of the EU Member States, acceding and candidate countries of the European Union and EEA countries. The association is registered in Belgium and its legal seat is in Bruxelles, Belgium.

IMPEL was set up in 1992 as an informal Network of European regulators and authorities concerned with the implementation and enforcement of environmental law. The Network's objective is to create the necessary impetus in the European Community to make progress on ensuring a more effective application of environmental legislation. The core of the IMPEL activities concerns awareness raising, capacity building and exchange of information and experiences on implementation, enforcement and international enforcement collaboration as well as promoting and supporting the practicability and enforceability of European environmental legislation.

During the previous years IMPEL has developed into a considerable, widely known organisation, being mentioned in a number of EU legislative and policy documents, e.g. the 6th Environment Action Programme and the Recommendation on Minimum Criteria for Environmental Inspections.

The expertise and experience of the participants within IMPEL make the network uniquely qualified to work on both technical and regulatory aspects of EU environmental legislation.

Information on the IMPEL Network is also available through its website at: www.impel.eu

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## **Executive summary:**

Members of the IMPEL TFS Steering Committee attended the annual workshop of the Asia Network on the Prevention of Illegally Transboundary Movements of Hazardous Wastes, held 19-22 November 2013 in Bangkok, Thailand. The workshop was attended by around 30 delegates including representatives from the competent authorities and the focal points to the Basel Convention from the participating countries, the Basel Convention Regional Centre for Asia and the Pacific (BCRC China), and the Basel Convention Centre for South-East Asia (BCRC-SEA). The workshop was also attended by industry, observers from other countries, international organizations, and research institutions.

The workshop was organized as a joint programme with the 1st meeting of the Environmental Network for Optimizing Regulatory Compliance on Illegal Traffic (ENFORCE) and the 2<sup>nd</sup> workshop of the Regional Enforcement Network for Chemicals and Waste (Project REN) promoted by United Nations Environmental Programme, Regional Office of Asia and Pacific (UNEP/ROAP).

The workshop was divided in various sessions, relating to e-waste and ESM, national updates on enforcement activities especially border controls, multi agency cooperation, illegal cases as well as relevant policies on recycling and ESM of hazardous wastes. Also difficulties faced by the countries relating to take-back of detected illegal transboundary shipment were discussed.

IMPEL-TFS played an important role concerning in the discussion on how to improve the collaboration on a national level between relevant authorities and between networks and took part in the panel discussion on return shipments.

More information can be found on the following site: <a href="https://www.env.go.jp/en/recycle/asian">https://www.env.go.jp/en/recycle/asian</a> net/

## Disclaimer:

This report is the result of a project within the IMPEL network. The content does not necessarily represent the view of the national administrations or the European Commission.

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# 1. Report on the meeting "Workshop 2013 of the Asian Network for Prevention of Illegal Transboundary Movement of Hazardous Wastes"

- 1. Workshop 2013 of the Asian Network for Prevention of Illegal Transboundary Movement of Hazardous Wastes was held in Bangkok, Thailand on 19-22 November, 2013. The workshop was attended by around 30 participants including representatives from the Competent Authorities and the Focal Points to the Basel Convention from the participating countries, the Basel Convention Regional Centre for Asia and the Pacific (BCRC China), and the Basel Convention Centre for South-East Asia (BCRC-SEA). The workshop was also attended by observers from other countries, international organizations, and private sectors.
- 2. The workshop was also organized as Joint Meeting with the 1st meeting of the Environmental Network for Optimizing Regulatory Compliance on Illegal Traffic (ENFORCE) and the 2<sup>nd</sup> Network workshop of Regional Enforcement Network for Chemicals and Waste (REN). The Joint Meetings were held on 19 and 20th of November and attended by 80 people.
- 3. In the Opening Session of the Joint Meeting of ENFORCE, Asian Network and REN, Dr. Leila Devia (Chair of ENFORCE and Director of BCRC of South America), Mr. Masashi Hiroki (a representative of the Asian Network and Director, Policy Planning Division, Waste Management and Recycling Department, Ministry of the Environment, Japan (MOEJ)) and Mr. Masa Nagai (a representative of REN and Acting Deputy Director of DELC United Nations Environment Programme (UNEP)) made opening remarks on behalf of the each network. Mr. Tarcisio Hardman Reis, the Secretariat of the Basel, Rotterdam and Stockholm Convention (BRS) made the introduction of the agenda and objectives of the meeting.
- 4. In the Joint Session of the joint meeting was facilitated by Dr. Shunichi Honda, MOEJ on behalf of each network. The representatives from each network made the introductory explanation about the network and the proposed possible collaborative activities. The session was followed by the discussion including the questions and comments from the floor in which some participants stressed the need for the technical assistance for identifying non hazardous wastes and differentiating from hazardous wastes under the Basel Convention.
- 5. After this, panel discussion on the challenges and opportunities of collaboration for illegal traffic on waste and chemicals was held with the panelists: Dr. Leila Devis, Mr. Geri Sanez (DENR, Philippines), Mr. Huib Van Westen (Netherlands), Ms. Zhao Nana (BCRC-China), Mr. Chris Dijkens (IMPEL-TFS), Dr. Shunichi Honda, and Mr. Jim Puckett (Basel Action Network).
- 6. In the panel discussion, several panelists and participants from the floor pointed out the importance of formulating the regulation and mechanism for controlling illegal trade of hazardous wastes and other wastes domestically along with establishing the necessary national system harmonized with the multilateral environmental agreements.

To this end, the importance was also stressed to promote the collaboration among the environmental authority, customs and relevant enforcement entities nationally and this could serve as a good basis for the international collaboration. Some panelists also highlighted there were many useful available tools and resources offered by BCRCs and the BRS Secretariat for promoting the efficient control for the illegal transboundary movement of hazardous wastes and other wastes.

- 7. The joint workshop of the Asian Network and REN was held on 20th of November attended by 80 people. In the Opening Session, Ms. Sunee Piyapanpong (Director, Pollution Control Department (PCD), Ministry of Natural Resources and Environment, Thailand), Ms. Naoko Moritani (MOEJ) on behalf of Mr. Masashi Hiroki (MOEJ), Dr. Young-Woo Park (Regional Director of UNEP/ROAP) and Dr. Ridwan Tamin (Director of BCRC-SEA) made opening remarks. Then the Secretariat of Asian Network made the introduction of the agenda and objectives of the joint workshop.
- 8. The Session 1, which the objective was to exchange the recent activities for border control, was facilitated by Mr. Nagai (UNEP). At the beginning of the session, the BRS Secretariat introduced updates on enforcement activities of the Basel Convention. BCRC-SEA then introduced the outcome of its questionnaire survey which was carried out prior to the workshop regarding the latest information on national regulation and border control activities. The recent situation of transboundary movements of wastes as well as the ongoing enforcement activities were introduced by World Customs Organization, Regional Intelligence Liaison Office for Asia and the Pacific (WCO RILO A/P), Basel Action Network (BAN), one Customs representative (China Customs) and two government representatives (Thailand and Japan).
- 9. The Session 2, which aimed to enhance understanding the importance of collaboration between national Competent Authority and Customs, was facilitated by Dr. Honda (MOEJ). The European Network for Implementation and Enforcement of Environmental Law Transfrontier Shipments of Waste (IMPEL-TFS) introduced its multi-agency approaches for enforcement, and then three presentations were made by Customs department (India, Malaysia and Fiji) for their good practices for collaboration with the Competent Authorities.
- 10. The Session 3 was facilitated by Mr. Nagai (UNEP) and held a panel discussion with experts from Environmental Protection Department (EPD) of Hong Kong Special Administrative Region (SAR), China (Mr. Gary Tam), the BRS Secretariat (Ms. Juliette Kohler), International Network for Environmental Compliance and Enforcement, Seaport Environmental Security Network (INECE-SESN) (Mr. Huib Van Westen), and IMPEL-TFS (Ms. Marina de Gier).
- 11. In the panel discussion, the panelists introduced their policy measures and enforcement practices for seizure of illegal shipment and its take-back as well as the practical guidance being introduced in some regions. BRS Secretariat explained the ongoing development of take-back guidance being drafted by Implementation and Compliance Committee under the Basel Convention and reminded the opportunity to make comments on the draft. Active discussion was made on how the seized shipment is dealt with and ensured its return to the original exporting country.

Some panelists and participants from the floor introduced the specific take-back cases including the difficulties such as identifying the origin of the shipment and notifying all countries involved. Also some possible effective measures were discussed and proposals such as establishing an international platform for facilitating effective implementation of take-back and proper monitoring mechanism for ensuring the return of the shipment were made. The participants have agreed that continuous discussion would be valuable and necessary for promoting relevant actions.

- 12. At the Closing Session, Ms. Moritani (MOEJ) and Ms. Nagai made closing remarks and they acknowledge the importance of continuous cooperation between two networks and appreciated the active contribution of the participants for the joint workshop.
- 13. On 21st of November, the Workshop for the Asian Network participants was held attend by 35 people and it was facilitated by Dr. Honda, MOEJ. Followed by the introduction of scope of the Session by Secretariat of the Asian Network, presentations were made by 2 country representatives (Philippines and Malaysia) and 3 experts from representatives of private sectors (Mitsui Bussan Metals, IRG System South Asia, and ICT Group), regarding the recent trend of transboundary movements (TBM) of wastes, study being conducted on E-waste recycling facilities, region wide ICT equipment repairing activity and the views on importance of promoting proper transboundary movement and environmentally sound repairing and recycling activities.
- 14. The panel discussion was held in order to intensively discuss correlation between environmentally sound management of wastes (ESM) and TBM. The Session invited 7 panelists consists of 2 country representatives (Ms. Zuraini Ahmad Tajudin of DOE Malaysia and Mr. Geri Sanez of DENR Philippines), 5 representatives of private sectors (Ms. Chinatsu Masuda of Mitsui Bussan Metals, Mr. Amit Jain of IRG System South Asia, Mr. Francis Cheong and Mr. Klaus Hieronymi of ICT Group, Ms. Cori Ong of TES-AMM Singapore, and Ms. Rose Kuan of Shan Poornam Metals).
- 15. Through the active panel discussion, various views were shown on the importance of tackling informal E-waste buyers and recyclers, promoting region wide repairing and recycling for the cost efficiency and ESM perspective. Some panelist pointed out the importance of promoting ESM domestically including establishment of ESM promoting mechanism and its implementation before heavily relying on TBM, proper management of ESM facilities including its residual materials at downstream facilities as well as the importance of differentiating second hand electrical and electronic equipments (EEE) from e-wastes. After the discussion, participants shared the view and need for continuous discussion on this topic within the platform consisted by various stakeholders such as government, EEE producers, recyclers and the experts who have knowledge on the issue.
- 16. In the closing session, Dr. Honda (MOEJ), Dr. Tamin (BCRC-SEA), and Ms. Pornpimon Chareonsong (PCD, Thailand) made closing remarks and they acknowledge the active participation of all attendants and the importance of the continuous discussion and the collaboration among the various stakeholders and experts to discuss the regional ESM and TBM.