



REPUBLIC OF THE PHILIPPINES  
DEPARTMENT OF FINANCE  
**BUREAU OF CUSTOMS**  
MANILA 1099

June 7, 2019

**CUSTOMS MEMORANDUM CIRCULAR**  
NO. 143-2019


**To: All Deputy Commissioners  
All Directors and Division Chiefs  
All District/Port Collectors  
All Others Concerned**

**SUBJECT: Updates and Recommendation on the Illicit Wastes in the  
Asia-Pacific Region**

Attached is the Regional Intelligence Liaison Office (RILO) Alert dated June 4, 2019 relative to the updates and recommendation on the illicit wastes in the Asia-Pacific Region.

For your information and guidance.

For record purposes, please confirm the dissemination of this circular throughout your offices within fifteen (15) days from receipt hereof.

  
**REY LEONARDO B. GUERRERO**  
Commissioner  
JUN 14 2019



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**RILO AP**  
 Regional Intelligence Liaison Office for Asia and the Pacific  
 Bridge across borders

# ALERT 4/2019

## Updates and Recommendation on the Illicit Wastes in the Asia-Pacific Region

<b>DATE</b>	4 June 2019
<b>SOURCE OF INFORMATION</b>	Open Source and Basel Convention
<b>CONTACT</b>	Regional Intelligence Liaison Office for Asia and the Pacific #721 Eonju-ro, Gangnam-gu, Seoul, 06050, Korea Tel: +82-2-510-1936 / Email: <a href="mailto:office@riloap.org">office@riloap.org</a>

### Description

Plastic waste has become one of the most concerning global environmental problem nowadays. Since China initiated restrictions on plastic import in 2018, which made it a lot harder for the developed nations to send their wastes to China, the Southeast Asian countries has become the final destination for the plastic waste. In a report by the United Nations Environment Programme in 2017, it stated that it would be a common practice for the mixed plastic waste, including plastics which could not be recycled, to be concealed as clean plastic scrap<sup>1</sup>.

Since more developing countries have become new targets and destinations after the Chinese ban, the plastic wastes have been often misdeclared as legal commodities which does not require import permit in order to escape interception from the import countries. In order to alert our Member administrations on the seriousness, RILO AP would like to summarize the current situation experienced by some Members and put forward recommendations as below:

#### Philippines

Since 2013, the Philippines has detected more than 100 containers containing tons of trash from Canada. By June 2019, some of the detained containers will be shipped back to Canada. In 2018, 6,500 metric tons of plastic wastes, which was illegally exported from South Korea, was intercepted by the Philippines and were repatriated back to the origin shortly afterwards. In this February, a container imported from Hong Kong misdeclared as "assorted electronic accessories" carried electronic and residual wastes<sup>2</sup>. In this May, municipal wastes were illegally shipped from Australia from the several containers declared as "processed engineered fuel"<sup>3</sup>.

<sup>1</sup> Plastic waste: Why Malaysia sending tonnes of plastic back to the UK (2019, May 29), *BBC*, Retrieved from <http://www.bbc.co.uk>

<sup>2</sup> Mogato, A.G.A. (2019 May 24). New trash shipment from Australia, Hong Kong found in Mindanao port. *Rappler*, Retrieved from <http://www.rappler.com>

<sup>3</sup> Mogato, A.G.A. (2019 May 24). New trash shipment from Australia, Hong Kong found in Mindanao port. *Rappler*, Retrieved from <http://www.rappler.com>

### **Malaysia**

In late May 2019, Malaysian Environment Minister Yeo Bee Yin has taken a strong stance against illegally imported plastic wastes and ordered to send those plastic wastes back to their origin countries including the UK and Australia. Acting to the situation, Malaysia has started with Spain to send the illegally imported plastic wastes back to the exporting countries. Also, it is reported that after the Chinese ban of importing plastic wastes into China last year, New Zealand has exported over 10,400 tons of wastes to Malaysia<sup>4</sup>. Furthermore, the countries including the US, Canada, Japan, Saudi Arabia, Bangladesh, and China were reported to have been illegally exporting contaminated or non-recyclable wastes to Malaysia.

### **Indonesia**

A newspaper article reported that thousands of tons of plastic wastes from Australia were smuggled into Indonesia's East Java province, misdeclared as recycled items<sup>5</sup>.

### **Basel Convention**

During the Basel Conference of the Parties held in Geneva from 29 April to 10 May 2019, Governments reached an agreement of an amendment on the Basel Convention to include plastic waste in a legally binding framework which will govern international shipments of waste plastics. The parties agreed to an amendment that requires exporting countries to obtain Prior Informed Consents (PICs) from the importing countries that are receiving contaminated, mixed or unrecyclable plastic wastes. The amendment will come into effect on 1 January 2021<sup>6</sup>.

### **Recommendation**

As the principal border regulatory authority, Customs Administrations have been playing a crucial role in controlling transboundary movements of waste and combating against illicit trade of waste. In this regard, RILO AP would like to draw Members' attention to the value of information sharing and collaborated efforts. In particular, RILO AP would like to recommend immediate notification to the exporting countries when importing countries detect illegal wastes so as to ensure criminal investigation and punishment of the exporters by the authorities in the exporting countries. Members are encouraged to actively participate in the joint operation "Operation Green Earth" to counter the illegal movement of waste in Asia and the Pacific Region.

<sup>4</sup> Gunia, A. (2019 May 22). Malaysia to Send Plastic Waste Back to Where It Came From. *Time*, Retrieved from <http://www.time.com>

<sup>5</sup> Lackey, B. (2019 May 26). Tonnes of supermarket bags, milk cartons and footy jerseys from Australia are covering Indonesian villages. *Daily Mail*, Retrieved from <http://www.dailymail.co.uk>

<sup>6</sup> Basel Convention (2019), *Plastic waste, Marine Plastics Litter and Microplastics: Overview*, Retrieved from <http://www.basel.int>