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RE: Regional solutions for plastic waste imports.

Executive Summary: Since China began blocking plastic waste imports in 2017, the recycling industry has redirected over half of these shipments to Southeast Asia, resulting in poisoned coastal communities, increased marine pollution, and environmental degradation. Member-states have begun to respond with differing policies, weakening ASEAN's single market. This economic bloc can continue allowing countries to set their own rules, create a region-wide policy based on meeting the recent amendments to the Basel Convention, or enact a total ban on plastic waste imports, like China. This memorandum recommends using the Basel Convention amendments as a framework to establish a licensing and monitoring scheme.

Problem: A deluge of plastic recycling waste has flooded Southeast Asian nations since China began blocking imports in 2017 (McNaughton and Nowakowski 2019). This ban proved exceptionally successful, leaving the international waste industry searching for new destinations to accept container ships full of plastic, much of it contaminated, unsorted, or of low quality (Roche-Naude 2019). Waste exporters have taken advantage of inconsistent regulations, uneven enforcement, and local bribery to redirect over a quarter of the world's plastic waste flow to Southeast Asia (Wang, et al. 2020). The ecological and social cost of these imports has polluted fragile biomes and poisoned coastal communities (Zsombor 2019). As various member-states of the Association of Southeast Asian Nations responded with

their own restrictions and bans, the remaining non-regulating, or under-regulating, countries have found their share of the polluting imports increased, further exacerbating regional inequality (Ives 2019).

ASEAN's current non-interference policy concerning plastic waste imports must be weighed against more interventionist proposals.

Context:

Determinants: For decades, the ASEAN community has accepted waste imports from the Western World (Booth 2018). While environmentally harmful, these shipments provided the raw material for manufacturers across the region. With China's recently enacted National Sword policy effectively removing the world's largest plastic recycling destination from the map, the waste industry redirected over half of the waste flow to this region (Gunia 2019). This sudden influx has polluted coastal communities, enabled a rapidly growing unregulated recycling industry, and exposed policy holes both nationally and within ASEAN's environmental and trade framework (Wang, et al. 2020).

Policy Environment: ASEAN was founded principally as an economic bloc. The development of an environmental purview has been ongoing and incremental, which has allowed member nations to establish their own policies around plastic waste imports, with a resultant patchwork of regulations, licensing, and enforcement (Giessen and Sahide 2017). Under the flood of plastic rubbish, several nations have enacted or are in the process of enacting restrictions, if not outright bans, on receiving plastic waste cargoes. ASEAN's non-interventionalist consensus-building culture has delayed alliance-wide action, despite calls to action from nongovernmental organizations (Zsombor 2019). All member-states have signed the U.N. Basel Convention (United Nations 2020), restricting hazardous garbage shipments to developing nations. As of March 2020, delegates amended the convention to include restrictions on plastic garbage, providing ASEAN an opportunity to develop consistent region-wide policy.

Stakeholders:

- 1) Contaminated communities- Commonly, plastic waste has landed up in sensitive coastal regions, often unable to manage such sizeable quantities of trash (Zsombor 2019). This influx resulted in increased ocean plastic pollution and a raft of environmental and labor violations in the generally unregulated recycling industry. Heightened regional and international attention to these affected communities has increased their visibility and stakeholder status.
- 2) Nongovernmental Organizations- Pressure from domestic and international advocacy organizations has already driven private retailers to ban plastic bags across the region (Suzuki and Kishimoto 2019). Public outcry, organized by health and environmental groups, spurred representatives to the 2019 ASEAN summit to create the Bangkok Declaration, which committed member-states to combat marine waste (ASEAN 2019). As a result, nongovernmental organizations have become emboldened in their demands to ban plastic garbage imports (Suzuki and Kishimoto 2019). The recent amendments to the Basel Convention restricting plastic waste exports to the developing world have provided further rhetorical ammunition for activists' call for action on a region-wide policy.
- 3) Domestic industry- Southeast Asia's manufacturing industries have long depended on imported waste to provide feedstock for their factories (ASEAN 2020). While the present inrush of plastic garbage far surpasses the manufacturing sector's needs, policy-makers may encounter industry resistance to any import restrictions, let alone outright bans (Hasnan 2019).
- 4) National governments- ASEAN's non-interventionalist policy has permitted each member-state to craft their own response to the rubbish deluge. Some countries have decided not to engage in rule-making (Appendix A). Others have leaped to the opposite extreme and enacted complete bans on plastic waste imports. Several countries, seeking a middle-ground, have agreed on or implemented licensing and enforcement programs to various degrees of success. The division between industries dependent on imports and the government is not clear-cut in all bloc countries. Financial entanglements, captured

regulatory agencies, and incidences of corruption can create barriers to consensus-building between members-states.

Criteria:

ASEAN's consensus-driven approach necessitates domestic political acceptability in selecting a proposal. We can estimate the political winds by examining each state's current laws surrounding plastic trash imports (Appendix A). Acceptability to member-nations must be balanced with adherence to international agreements such as the updated Basel convention. Compliance with this global accord can be considered essential since any policy falling short will require further domestic rule-making by ASEAN-members who have yet to enact appropriate legislation. Any bloc-wide restrictions would, at a minimum, need to meet members' global commitments. The economic impact of restrictions or prohibitions on bloc-members' industrial growth is worthy of distinct consideration as economic development is this organization's driving mission. The impact of heightened plastic waste imports has not impacted all member-countries uniformly, with impoverished communities suffering health and labor violations at a heightened rate than those in more affluent countries (Zsombor 2019). Conversely, the sudden loss of imported materials can affect workers employed across the recycling and manufacturing industry, creating unintended consequences.

Policy Alternatives and Projected Outcomes:

Let present policies continue: As illustrated by Appendix A, ASEAN members have responded to increased plastic imports with a mix of policies ranging from inaction to immediate and complete bans. While all member-nations are party to the Basel Convention and its commitments, their policy responses to date have been quite varied. With rule-making already completed or underway in several countries, one can envision a Southeast Asia characterized by a mix of heterogeneous controls on waste imports. This freedom has allowed individual countries to craft policies that are excellent in serving their own environmental priorities but risks creating further incongruities across the bloc, compromising trade.

ASEAN sets restrictions based on Basel requirements: Southeast Asia’s obligations under the Basel Convention can be used to create an alliance-wide policy that meets the convention’s minimum requirements. This set of rules would include outright bans on many hazardous materials, plus transparency and licensing restrictions on the plastic garbage trade (United Nations 2019). A region-wide policy would provide a baseline for member-states while still supplying recycled materials to manufacturers. While setting a consistent standard is an excellent method for ensuring international compliance, it stands only a good chance of acceptance from national governments and economic interests, as ASEAN’s interventions have encountered resistance previously (Hasnan 2019)

ASEAN enacts a complete ban on plastic waste: Enacting a total ban on plastic waste imports is an alternative proposal promoted by environmental organizations and advocates (Hanawa, Abe and Fukui 2019). A total ban would be straightforward to implement, rendering illicit any plastic waste shipments discovered by authorities, and avoiding the complexities of trans-national permitting and licensing schemes. Such a policy would far surpass international compliance, but the domestic response is less sure. ASEAN imports a quarter of the world’s plastic waste (ASEAN 2018), and its manufacturing sector is reliant on the resultant inexpensive plastic supply (Giessen and Sahide 2017). Along with lawmakers accustomed to setting their own rules, this industry is likely to respond poorly to any comprehensive ban (Giessen and Sahide 2017).

Policy Option	Domestic Political Viability	Internationally Compliant	Economic Security
Countries continue to set individual policies	Excellent	Poor	Good
ASEAN sets restrictions based on Basel requirements	Good	Excellent	Good
ASEAN enacts a complete ban on plastic waste	Poor	Excellent	Poor

Recommendation: Setting restrictions based on Basel Convention requirements proves out favorable in the above chart. While these baseline controls are apt to face some resistance from domestic political and economic interests, ASEAN has considerable leverage to enact change based on the Basel Convention's newly ratified amendment. Setting a region-wide policy will allow ASEAN countries to meet their convention commitments together. Manufacturers will continue to utilize recycled plastic, although with monitoring and restrictions in-place to tackle problematic enterprises. Allowing present policies to continue will likely result in further divisions on import rules for plastic waste. Such an outcome is antithetical to creating a more normalized trade region in Southeast Asia. These domestic, economic, and political considerations likewise rule out a comprehensive ban on plastic waste imports; despite the protestations of regional and international environmental advocates to the contrary (Zsombor 2019). Preempting national governments and damaging economic growth is contrary to ASEAN's consensus-driven culture and has proven fruitless in the past (Masilaman and Peterson 2014). Successful accords, such as this year's Bangkok Declaration, demonstrate a path towards improving the region's environmental protections.

Implementation Plan:

A successful plan will allow for joint management while deferring to each nation for enforcement (since ASEAN is not a military bloc). Reporting violators to both international and regional authorities have proven effective in this face-saving culture previously and is a vital point of this implementation plan.

1. Develop a region-wide licensing system that meets the Basel Convention's requirements.
2. Establish a joint satellite monitoring division staffed with experts from all member-states.
3. Require each nation to act upon the division's notifications of unlicensed waste shipments.
4. Notify the Basel Convention Secretariat regularly on international violators for further sanctions.
5. Publish a regularly updated database of violators, and issue public reports at ASEAN general meetings.

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Appendix A: Current national laws restricting plastic waste import.

Country	Plastic Waste Import Policy
<i>Brunei</i>	No restrictions (Binti 2020)
<i>Cambodia</i>	De facto ban (Gunia 2019)
<i>Indonesia</i>	Restrictions (Jefriando and Suroyo 2019)
<i>Laos</i>	No restrictions (Hanawa, Abe and Fukui 2019)
<i>Malaysia</i>	Ban phasing in (Lee and Sipalan 2018)
<i>Myanmar</i>	No restrictions (Pocock 2019)
<i>Philippines</i>	Temporary ban (Endo 2019)
<i>Singapore</i>	No restrictions (Hicks 2019)
<i>Thailand</i>	Ban phasing in (Thepgumpanat 2018)
<i>Vietnam</i>	Restrictions (Vu 2018)

Observation: ASEAN members have responded to increased plastic trash imports with different policies.