

The Toxic Plastic Waste Trade in Kyrgyzstan

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Date: 2022

Country and Region: Kyrgyz Republic, Central Asia

1. Introduction

On December 5, 2019 the Basel Convention Ban Amendment entered into force. The Ban Amendment prohibits the export of hazardous waste, which currently includes most plastic waste, from the countries of the Organization for Economic Cooperation and Development (OECD), the EU and Liechtenstein to developing countries and countries with economies in transition. Waste exporters are now required to first obtain informed consent from the recipient country for the supply of hazardous, blended or non-recyclable plastics before shipping. The banning amendment is only valid for countries that have ratified it. Therefore, the lack of ratification of the Amendment by the Kyrgyz Republic leaves the country vulnerable to the import of hazardous waste from developed countries that have not ratified the Amendment.

There are no restrictions on the import of plastic waste in Kyrgyzstan. Due to the country's huge supply of plastic and its underdeveloped recycling, huge amounts of plastic waste inevitably end up in the environment, which will contribute to an increase in hazardous emissions, including unintentional persistent organic pollutants into the environment and the impact on human health. Kyrgyzstan does not have the financial, technical, technological, intellectual capabilities necessary for the safe disposal of imported waste from developed countries. Also, there is no qualified personnel potential for the disposal of hazardous waste, there is no vacant land on which it would be possible to locate enterprises for the disposal of imported hazardous waste.

There are no restrictions on the production of plastic in Kyrgyzstan, there is only a permit. The import is also not limited by anything, and today Kyrgyzstan imports about 250 tons of packages per month, or 3,000 tons per year. Due to the mass, availability and low cost of plastic film bags, no other alternative packaging materials can compete with them. In addition, the low environmental awareness of the majority of the country's population generates a disdainful attitude towards their environment and is unable to become an obstacle to the use of plastic bags in everyday life. NGO «Independent Ecological Expertise» is focused on the development of environmental legislation, ecological expertise, environmental impact assessment. It strengthens public participation in decision making process, defends people's rights in courts, conducts information and awareness campaigns on environment and sustainable development.

NGO "Independent Ecological Expertise" is a member of the International POPs Elimination Network (IPEN). As IPEN member organization the «Independent Ecological Expertise» successfully implemented a number of IPEP projects focusing on the Stockholm Convention on POPs and participated in IPEN and Eco-Accord major campaigns such as Mercury Free Campaign and Toxic Free Toys. In 2008 year NGO "Independent Ecological Expertise" has conducted survey on the market analysis on mercury in mass products. 2010-2011 it has been acting as a National Executing Agency in the project "Strengthening Capacities of Civil Society Organisations for National and .Regional SAICM Implementation in the EECCA Region (Belarus, Kazakhstan and Kyrgyzstan)". During November 2012 - January 2013, the Public Association "Independent Ecological Expertise" implemented the project "Lead in paints: Kyrgyzstan". The project was implemented with the help and under support of the international network of the non-governmental organizations dealing with elimination of the persistent organic pollutants (IPEN). In August 2018 IEE organized the Regional Meeting of the Network of Eastern Europe, Caucasus and Central Asia (EECCA). January-May 2019, study of the implementation by the Kyrgyz Republic of the Stockholm Convention on Polychlorinated Biphenyls (IPEN).

2. Plastic pollution, management and disposal

Every year, about 3 thousand tons of plastic bags are imported from China to Kyrgyzstan, which after the very first use end up in a landfill. According to experts, the volume of municipal solid waste increases by half a million tons annually. Most of the solid waste is plastic bags and plastic bottles.

The use of plastic is partly justified. However, the concern is caused by the so-called disposable plastic: plastic containers, plastic bags. Typically, consumers use them once, then discard them. Thus, plastic products end up in the environment, where they cause clogging of water bodies and vast territories. All this negatively affects not only nature, but also the habitat of wild animals and, ultimately, people.

3. Levels of plastic pollution and plastic waste

Currently, there are no waste processing plants or waste sorting plants or lines in the Kyrgyz Republic, and waste simply accumulates in landfills and landfills. Thus, the most used method of waste disposal is its storage (storage).

On February 20, 2020, a meeting of experts from the member states of the Eurasian Economic Union was held on the possibility of introducing a single measure of non-tariff regulation in relation to plastic waste imported into the territory of the EAEU.

According to the National Statistical Committee of the Kyrgyz Republic, in 2019 the total volume of imports of plastic waste (commodity items 3915, 3923 of the EAEU HS code) to the Kyrgyz Republic amounted to 3,467 thousand tons, of which the volume of imports from third countries amounted to 12.4 thousand tons. tn. and from the EAEU member states (Russia, Kazakhstan, the Republic of Belarus) - 3 454.7 thousand tons. At the same time, the share of imports of corks and caps for sealing plastic bottles from Kazakhstan accounts for 99% of the total import volume (table is attached).

Also, according to the National Statistical Committee of the Kyrgyz Republic, in January-October 2020, the total volume of imports of plastic waste (commodity items 3915, 3923 of the EAEU HS code) to the Kyrgyz Republic amounted to 18.7 thousand tons, of which the volume of imports from third countries amounted to - 12.3 thousand tons and from the EAEU member states (Russia, Kazakhstan, the Republic of Belarus) - 6.4 thousand tons.

4. Imports and exports

The imperfection of the regulatory legal framework hinders the involvement of waste into economic circulation. The national legislation lacks norms regulating the collection and processing of secondary raw materials, mechanisms of economic incentives for the development of the sector of processing secondary material resources are not used. Currently, there are no special requirements for waste processing enterprises, as well as for processing technologies in the current regulatory framework in the field of waste management. In legislative acts, there is a mention of waste that belongs to the category of secondary material resources, but there is no definition of this term and an approved list of such waste. Standardization in the field of waste management is reduced only to a statement of the generation, movement and disposal of hazardous waste on the basis of draft standards for waste generation and limits for their disposal. As a rule, no effective management decisions on resource conservation, implementation of the best available technologies, the involvement of waste into economic circulation, and improvement of the efficiency of activities in the field of waste management are made. The overwhelming majority of waste is sent in accordance with the approved limits for their placement at disposal facilities. Some of the easily recyclable plastic (mainly PET bottles) are recycled legally.

5. Human exposure to plastic pollution

The problem of plastic in the Kyrgyz Republic is quite serious. Disposable packaging bags made of polymeric and plastic materials in Kyrgyzstan are often used for domestic purposes, and then accumulate in solid waste landfills. Due to the economic disadvantage, these bags are not sorted, which leads to negative consequences of environmental pollution.

At the same time, due to the peculiarities of the composition, polymer and plastic bags do not lend themselves to decomposition, and when they are burned, persistent organic pollutants such as dioxins and furans are released into the environment. These pollutants are recognized as hazardous to the environment and public health.

6. Environmental impacts of plastic pollution

Plastic fishing nets are extremely harmful. The low price and wide availability of nets lead to the fact that fishermen do not remove them even after the end of fishing. Abandoned nets, meanwhile, are dangerous for migratory birds and other inhabitants of the lake.

7. The Basel Ban and plastic waste amendments

After China refused to import unsorted plastic waste, there was a danger that this type of waste would be sent to neighboring countries, including Kyrgyzstan.

8. Toxic plastic recycling

One of the main obstacles to the formation of the waste recycling industry is the extremely low level of separate waste collection. Basically all garbage goes to landfill. Illegal waste sorters operate on the territory of landfills in large cities, often without housing and documents. The legal sector of waste processing in the country is extremely poorly developed.

Analysis of the current state of waste management shows that there are no facilities for complex processing, disposal and disposal of waste on the territory of the country. No attention is paid to this problem in the formation of environmental policy and environmental legislation. At the state level, there is practically no interdepartmental interaction in the field of waste management.

One of the main problems for the organization of cost-effective production of waste processing and disposal, production of products from secondary raw materials is the lack of a developed infrastructure in the country for the separate collection and sorting of waste. The growth of the share of recycled waste is constrained by an insufficiently functioning system of state and industrial control in the field of waste management, as well as high operating and financial costs, which are key conditions for the effective organization of processes for their processing, disposal and disposal, as well as insufficient market development and low demand for products manufactured using raw materials obtained from waste.

In contrast to the official recycling sector, illegal waste recycling is quite common as it is quite a profitable activity, which is primarily associated with low operating costs compared to official recyclers.

9. Plastic waste and COVID 19

Part of the medical waste from the healthcare system is sterilized in autoclaves with subsequent transfer for recycling. An uncontrolled part of the generated medical waste is sent to landfills. During the pandemic, the flow of uncontrolled plastic waste increased.

10. Recommendations

- To ban the import of any plastic waste
- Impose restrictions on the use of disposable plastic products.
- Conduct information campaigns and actions to minimize the turnover of plastic goods.

Project Outcomes

1. Engage with the governmental officials to determine the implications of the Basel Convention Amendments and Basel Ban.

Letters have been prepared addressed to the Prime Minister of the Kyrgyz Republic (out. No. 09 dated October 05, 2020, out. No. 11 dated November 3, 2020) to initiate the process of accession of the Kyrgyz Republic to the Ban Amendment to the Basel Convention, since there is a high risk of importing hazardous waste in the Kyrgyz Republic. Joining this amendment will regulate the flows of imported plastic waste by separating plastic waste as a raw material for recycling from hazardous waste, which requires disposal in an environmentally friendly manner. (Annex 1,2). IEE received a response from the SAEPF (Annex 3) that at the fourteenth meeting of the Conference of the Parties to the Basel Convention (COP-14, April 29 - May 10, 2019) amendments to Annex II were adopted in order to strengthen control over the transboundary movement of plastic, VIII and IX to the Convention and clarification of the scope of the Convention in relation to such wastes. Currently, the SAEPF is carrying out the necessary work to carry out the relevant procedures in accordance with the above amendments.

A letter has been prepared to the Minister of Economy (out. No. 14 of 11/16/2020) (Appendix 4) with clarification of information on the stage of the progress of the draft law "On Amendments to the Code of the Kyrgyz Republic on Non-Tax Incomes", and what caused the delay its acceptance. This draft law proposed to introduce into the national legislation a non-tax fee for the disposal of polymer and plastic bags. A response was received from the Ministry of Economy (15-2-13762 of 11/30/20) (Appendix 5) that, in accordance with Article 46 of the Treaty on the Eurasian Economic Union of May 29, 2014, the following uniform measures are applied in trade with third countries of the Union non-tariff regulation:

- 1) a ban on the import and (or) export of goods;
- 2) quantitative restrictions on the import and (or) export of goods;
- 3) the exclusive right to export and (or) import goods;
- 4) automatic licensing (supervision) of export and (or) import of goods;
- 5) the permitting procedure for the import and (or) export of goods.

Non-tariff regulation measures are introduced and applied on the basis of the principles of transparency and non-discrimination in the manner in accordance with Appendix No. 7 to the above Treaty.

The issue of regulating the import of plastic waste into the customs territory of the EAEU in 2020 is being considered at the site of the Eurasian Economic Commission.

A letter has been prepared addressed to the director of the SAEPF (out. 13 dated 11/16/2020) (Annex 6) in order to obtain information on the progress of the bill "On the prohibition of imports, production, and sale of plastic film bags intended for the population (final consumer) on the territory of the Kyrgyz Republic "and" On the draft Law of the Kyrgyz Republic "On Amendments and Additions to the Code of the Kyrgyz Republic" On Administrative Responsibility ", initiated by the SAEPF.

A response was received from SAOOF (out. 11.12.2020. 04-4-28 / 3079) (Annex 7) that the draft resolution of the Government of the Kyrgyz Republic "On the introduction of a moratorium on the production and sale of products (packages, bags, sacks, packaging materials) from polymer films less than 20 microns, intended for the population (end user) ", agreed with ministries and departments, submitted for consideration to the Government Office of the Kyrgyz Republic.

In accordance with paragraph 80 of the Regulation of the Government of the Kyrgyz Republic, the above draft resolution was returned for revision.

2. Advocacy for the development of a government decree banning the import of plastic waste

Since the Kyrgyz Republic is a member of the Eurasian Economic Union, it cannot individually decide to ban the import of plastic waste. In February 2020, a meeting of experts from the member states of the Eurasian Economic Union was held on the possibility of introducing a unified non-tariff regulation measure with respect to plastic waste imported into the territory of the EAEU. In order to prevent an increase in the uncontrolled import of waste into the territory of the EAEU member states, the Kyrgyz side conceptually supported the introduction of a unified non-tariff regulation measure and proposed the introduction of a permitting procedure for the import of plastic waste into the customs territory of the Eurasian Economic Union at the initial stage in order to analyze and monitor the import volumes and volumes of processing of waste from plastics to make a further decision on the need / no need to introduce a ban.

3 . Analyze various national law-making initiatives on plastics (why were not supported, the stage of agreement, what to take as a basis), financial and market mechanisms to control plastic waste and pollution such as taxes and single use plastic bans including taxes on plastic waste imports, taxes on RDF, and taxes on plastic incineration.

The analysis of legislative initiatives in order to prevent environmental pollution and reduce / prohibit the volume of the resulting packaging bags made of polymer and plastic materials (Annex 8). As of December 2020, none of the proposed initiatives have been implemented due to various reasons and circumstances. Also, information has been prepared on the need to introduce a permitting procedure for the import of plastic waste into the territory of the EAEU (Annexes 9, 9/1, 9/2)

4. By using the draft regional letter on single-use plastic ban, advocate for the development of legally binding documents prohibiting the circulation (production, import, sale and use) of single-use plastic products developed by the EECCA NGOs.

The draft regional letter was actively used in the preparation of letters to the Government, the Ministry of Economy

5. Communication with National or Local Authorities

IEE prepared a number of inquiries addressed to the Prime Minister of the Kyrgyz Republic, the Minister of Economy of the Kyrgyz Republic, the Director of the SAEPF, concerning issues related to the implementation of the Basel Convention. We also prepared an analytical note and relevant proposals related to waste to the Ministry of Economy.

6. What, if anything, changed from the original plans and why?

Due to the unstable political situation in the Kyrgyz Republic, the President and the Prime Minister of the Kyrgyz Republic have the status of “acting duties” until the elections to be held in January 2021. Therefore, constant personnel changes in the Government made it very difficult to lobby for the signing of the Ban Amendment to the Basel Convention. But all the activities envisaged in the project were carried out (see above).

7. Communication Efforts

There was a program about plastic with the participation Oleg Pecheniuk, the chairman of the IEE. The transfer is posted on the link

<https://m.ru.sputnik.kg/Radio/20201215/1050776836/plastik-otkhody-musor.html>

<https://cloud.mail.ru/public/39t2/4PSPDhNid>

8. Outreach to government authorities and industry

IEE continues active cooperation with the Ministry of Economy of the Kyrgyz Republic on the issues of non-tariff regulation, technical regulation and the development of economic instruments to promote recycling of resources.