



## The Urgency of Indonesia to Control Imports of Non-Hazardous and Toxic Waste (B3) in 2019

Al Dina Maulidya<sup>\*1</sup>, Melina Nur Fitriah<sup>\*2</sup>, Eva Yusnita Chandra<sup>\*3</sup>

1, Department of International Relations, University of Muhammadiyah Malang

2, Department of International Relations, University of Muhammadiyah Malang

3, Department of International Relations, University of Muhammadiyah Malang

### Article Info

#### Article history:

Received July 01, 2020

Revised August 12, 2020

Accepted September, 16, 2020

Available online September 18, 2020

#### Cite:

Maulidya, Al Dina., et al. (2020) The Urgency of Indonesia to Control Imports of Non-Hazardous and Toxic Waste (B3) in 2019: Journal of International Relations, 1(2).

\* Corresponding author.

Al Dina Maulidya

E-mail address:

aldinamaulidyaa@gmail.com

### Abstract

*This study discusses the urgency of Indonesia to implement the regulation of imports of non-hazardous and toxic waste (B3) in 2019. The background of this research is when there was an urging from Ministry of Environment and Forestry towards the Ministry of Trade to revise regulations related to the import of non-B3 waste in 2019. Other than that, the revision of the regulation on the import of non-B3 waste in the same month in 2019, also becomes the urgency of this research. This type of research is descriptive-qualitative research. To analyze the issues raised, this study will use Bryant's concept of environmental politics. There are three points behind the implementation of environmental politics based on Bryant's concept. First is the effect of the environment on the general environment of a country. The second is the existence of interstate relations, and the third is related to the emergence of non-state actors. Through the concept put forward by Bryant, the results of this study indicate that there are at least three urgencies of Indonesia in curbing the import of non-B3 waste in 2019. The first urgency is the emergence of hazardous waste (B3) for the environment and the health of the Indonesian people. Second, an increase in illegal imports of B3 waste in Indonesia. Third, the implementation of the Basel Convention regulations in Indonesia. The results of this study indicate that if the negative impact of the B3 waste content, and also the importance of Indonesia, has become the urgency behind this country's decision to curb the import of non-B3 waste.*

**Keywords:** B3 Waste, Environmental Politics, Indonesia, Waste Imports

### Introduction

This study aims to determine the urgency of Indonesia in controlling imports of non-hazardous and toxic waste (B3). The discussion in this research includes in the study of foreign policy, particularly in Indonesia importing regulations on non-B3 waste to the importing countries. Indonesia's particular urgency has led to the regulation changes in the import of non-B3 waste. The relationship between the government and environmental issues will be discussed further in this study.

The environmental issue is one of the issues discussed in the political world. The urgency of environmental issues causes the state's intervention to solve the existing problems. One of the environmental issues is waste. This issue subsequently attracted the state's attention, mainly plastic waste (Prasetiawan, 2019, p. 10). Reducing environmental pollution caused by plastic waste can be done by producing recycled plastic goods. Indonesia has implemented this. To meet domestic needs in production activities, Indonesia imports plastics from other countries. Several industrial countries that import plastic waste into Indonesia are the Netherlands, Germany, Japan, Singapore, America, and also Hong Kong (Wanda, 2019, p. 3).

Act Number 18 of 2008 concerning Waste Management and Act Number 32 of 2009 concerning Environmental Protection and Management (UU PPLH), explains that the imported plastic waste must be clean and not contaminated with hazardous and toxic materials (B3) (Purningsih, 2019b). However, several illegal practices mix B3 waste into non-B3 waste happens in Indonesia (Thertina, 2019). Therefore, the Indonesian Government issued Government Regulation (PP) Number 101 of

2014 to regulate non-B3 waste management by requiring the manager to complete permits (Ane, 2019). Two years later, another regulation was stipulated in the Regulation of the Ministry of Trade (Permendag) Number 31 of 2016 concerning Provisions for the Import of Non-Hazardous and Toxic Wastes. This new regulation was expected to ensnare fraudulent importers who mix B3 and non-B3 waste. One of the most prominent things is the classification of B3 waste, which is stated in Article 1, paragraph 5 of MOT regulations number 31 of 2016. here are the contents of the article:

"Hazardous and toxic materials which referred as B3 waste, are any waste that contains hazardous and/or toxic materials which due to their nature and/or concentration and/or quantity, either directly or indirectly, can damage and/or pollute the environment and/or endanger the health of human life." (Menteri Perdagangan Republik Indonesia, 2016, p. 5)

In early 2019, Indonesia discoursed to limit imports of non-B3 waste. The Ministry of Environment and Forestry (KLHK) continued to urge the Ministry of Trade. They requested an amendment of MOT regulations 31 of 2016, which considered providing chances for fraudulent importers (Purningsih, 2019b). This discourse was subsequently stipulated by the MOT regulations number 84 of 2019 concerning Provisions for the Import of Non-Hazardous and Toxic Wastes as Industrial Raw Materials, on December 6, 2019. However, on December 17, 2019, a new regulation was stipulated, which was MOT regulations number 92 of 2019 concerning Amendments to the MOT regulations number 84 of 2019 (Puspa, 2020). There have been several changes, additions and mergers of verses and articles.

The pressure from the Ministry of Environment and Forestry to the Ministry of Trade and the revision of non-B3 waste import in the same month indicates the particular urgency of Indonesia regarding imports of non-B3 waste. This subsequently becomes the background for the author to conduct research on the occurred phenomena. Through the literature reviews, the authors believe that this research is new, unique, and different from other research. As previously explained, the research question in this study is, "What is the urgency of Indonesia in controlling the import of non-hazardous and toxic wastes (B3) in 2019?"

Authors complement previous research to comprehend this research in depth. The first research is a journal written by Harris Y.P Sibuea titled Regulation of the Import Prohibition of Toxic Hazardous Waste (B3) (Sibuea, 2019). The background of this work is the urgency of the government in implementing penalties written in the laws of the Republic of Indonesia for fraudulent waste importers. Cases of imported plastic waste containing B3 have been found in several cities in Indonesia, such as Surabaya and Batam Island. In his work, the author analyzed to examine regulations related to B3 waste with penalties that would ensnare the perpetrators. The result of this study indicates the gaps in MOT Regulation Number 31 of 2016 regarding the categorization of non-B3 waste. Therefore, an amendment of regulation is needed to provide a detailed explanation as well as tightening procedures for imported goods to Indonesia. This journal can help our work in explaining Indonesia's regulations that implemented before controlled imports of non-B3 waste in 2019.

The second research is a journal written by Nehru Anggita titled Analysis of Indonesia's Good Faith Non-Compliance Attitudes to Implement the Basel Convention (Anggita, 2018). The background of this research is Indonesia's attitude in handling the transfer of B3 waste as the implementation of the Basel Convention in 2009-2012. To answer the research question, the author uses the Compliance Theory by Ronald B. Mitchell. According to the author, there are two ways to enter (transfer) B3 waste to Indonesia, through document falsification and smuggling in non-B3 waste containers. Indonesia joins the Basel Convention. The convention aims to protect health and the environment from the adverse effects of hazardous waste. Indonesia has made various efforts to comply with the Basel Convention by providing a national definition of waste and its transfer and imposing a mechanism for the illegal transfer of B3 waste under the convention. The Basel Convention requires member states to report on hazardous waste activities in their countries annually. However, in 2009-2012, Indonesia has never reported it. The result of this research is that Indonesia has carried out the transfer of illegal B3 waste quite well, and as a member of the Basel Convention, Indonesia has also tried hard to implement the applicable mechanisms even though some violations are still committed. This journal can complement our writing regarding the reasons for controlling non-hazardous waste imports in Indonesia in 2019.

The third research is a journal written by Badrudin Kurniawan titled Supervision of Management of Hazardous and Toxic Waste (B3) in Indonesia and its Challenges (Kurniawan, 2019). The

background of this journal is knowing how to manage the waste on this earth properly. The author describes several examples of trash tragedies in the world in this journal, why we need to consider this and verified data obtained through library research that shows the control of the Indonesian government on this issue. The result of this study indicates that the control of B3 waste management in Indonesia is not optimal. The researcher provides suggestions at the end of this journal as an effort to solve this problem. This journal can help our writing in explaining the urgency of controlling imports of non-B3 waste in 2019.

The fourth research is a journal written by Hsing-Hao Wu titled *Legal Development in Sustainable Solid Waste Management Law and Policy in Taiwan: Lessons from Comparative Analysis between EU and U.S.* (Wu, 2011). The background of this journal is to analyze the impact of waste management policies using the primary case studies of two countries, for example, the European Union and the United States, as well as additional implementation in the author's country, Taiwan. The result of this research is the need for many similar policies that can save the environment because the previous policy was considered capable of reducing the waste population properly through 4R, for instance. This journal can help our writing in explaining Indonesia's considerations in controlling imports of non-B3 waste.

The fifth research was written by Mei Isyryn entitled *Analysis of the Impact of Plastic Waste Imports on Society and the Environment in Indonesia* (Isyryn, 2020). The background of this research is to understand the impact of imported plastic waste on society and the environment in Indonesia. In his research, the authors present data on regulations governing plastic waste import permits, including the government's response and the reasons for a country to import waste. The result of this study indicates an individual interest from the exporting country to eliminate traces of waste in their country and also describe the impact of waste imports that occur, including explaining about waste management costs, environmental problems and losses of local scavengers. This journal can help our writing in explaining Indonesia's considerations in controlling imports of non-B3 waste.

The sixth research was written by Teddy Prasetiawan entitled *Policy to Ban the Import of Hazardous Toxic Waste (B3) and its Problems: Hazardous Waste Import Ban Policy And Problems* (Prasetiawan, 2012). The background of this research is to describe the basic policy for prohibiting imports of B3 waste and knowing the implementation of this policy by looking at the problems faced in its application. The author provides data on policies to prohibit the import of B3 waste along with problems that may occur as an impact of the import of B3 waste in Indonesia. The result shows that the implementation of the B3 waste import policy in Indonesia has not been able to reduce the level of imported waste entering Indonesia, thus creating new problems. In the end, the author provides suggestions for controlling the imported waste into Indonesia, such as increasing human resources and security facilities to secure and control smuggling waste. This journal can help our writing in explaining Indonesia's considerations in controlling imports of non-B3 waste.

## **Environmental Politics**

To discuss environmental issues in politics, various theories and concepts can be used, such as the concept of Political Ecology, for instance. This concept has been defined by several prominent figures such as Vayda, Blaikie and Brookfield, Abe Ken-ichi and Bryant. Vayda defines environmental politics as an applied method used by environmental experts who analyze policies regarding relevant environmental issues. This is known as 'progressive contextualization,' which explains human behaviour in utilizing natural resources, including reduce, depleted, and damage the surrounding environment (Hidayat, 2005, pp. 9–10). Furthermore, Blaikie and Brookfield explain the environmental politics as a frame for understanding the complicated relationship between local communities and national networks as well as global economic politics and ecosystems (Hidayat, 2005, p. 9). Another figure, namely Abe Ken-ichi, defines environmental politics as the collective name for all intellectual endeavours that analyze natural resource issues in a political economy, to obtain academic studies or practical application (Hidayat, 2005, p. 9).

Meanwhile, Bryant had different thoughts. He defines environmental politics in general as political activities on environmental problems without a particular discussion involving environmental science directly (Brook, 2001, p. 19). Bryant's thought provides the possibility to understand political sources that analyze a network as a result of environmental changes. In other publications, Bryant and Bailey argued that Political Ecology focuses on interactions between states, non-state actors and the physical environment (Brook, 2001, p. 19). Herman Hidayat further explained the three focuses of Bryant's environmental politics. "Three Focuses" can also be interpreted as "Three Research Areas", meaning that environmental politics has three points of discussion (Hidayat, 2005, p. 9). The three

focuses are relations between countries, the interference of non-state actors, and the physical environment, which Herman interpreted as the impact of environmental changes on the general environment of a country.

In this work, Bryant's conceptual definition of environmental politics will be used. This research departs from issues caused by the environment, namely waste. Initially, the problem of non-B3 waste was only a domestic problem, particularly for industrialized countries (Wanda, 2019, p. 3). However, considering that the management costs are quite expensive, several industrialized countries have chosen to import the waste because they cost cheaper. The problem that arises is their fraud in smuggling B3 waste in non-B3 waste. This, in turn, awakens political discourses which forming political issues that discuss the environment. This political discourse is carried out as a preventive measure from environmental problems such as soil pollution, water pollution, and damage to biological species due to the content of B3 waste. According to Bryant, this kind of situation will encourage political process struggles at the local to international levels (Hidayat, 2005, pp. 11–12). Thus, the three discussion points from environmental politics that have been previously described can be fulfilled. The three points of discussion are the impacts of the environment on the general environment of a country, relations between countries and non-state actors.

The three points discussed above can be used as a reference in answering the formulation of this research problem. In the first point, related to the impact of the environment on the general environment of a country, it can be seen from the negative impacts of B3 waste on the Indonesian environment. The toxins contained in the waste can contaminate soil, water and damage biological species. The export-import activities of waste have also fulfilled the second point related to relations between countries. The third point regarding non-state actors can be explained by Indonesia's participation in the Basel Convention. The convention is an effort to reduce the global illegal import of B3 waste. Through this explanation, the author believes that Bryan's political-environmental concept can be a reference to find out the urgency of Indonesia in controlling imports of non-B3 waste in 2019.

This is a descriptive research. Descriptive research is research conducted to provide in-depth explanations related to a symptom, fact, or incident systematically and accurately (Zuriah, 2009, p. 47). This research can be considered a case study research. Case study research is research that aims to study intensively about a particular social unit, which includes individuals, groups of institutions, and society (Zuriah, 2009, p. 48). The case used in this research is the urgency of Indonesia in controlling imports of non-hazardous and toxic waste (B3) in 2019. This research using a descriptive method as it is considered as the most appropriate method to explain the mentioned phenomenon. This research uses qualitative analysis technique. Qualitative research, according to Bodgan and Tylor, which cited by Zuriah is defined as a certain technical in social science which fundamentally depends on observing humans in their area and their relationship with these people in their discussion and events (Zuriah, 2009, p. 92). The research technique used by the author is a literature study. Data collection using the literature study is considered the most appropriate to be used in this research. Library research uses books, journals, theses, theses, news and other reading materials to collect data (Silalahi, 2009). The author will use reading sources related to the urgency of Indonesia in controlling imports of non-hazardous and toxic waste (B3) in 2019.

### **Hazards from Hazardous Waste to the Environment and Public Health in Indonesia**

According to Sunu, hazardous and toxic waste (B3) has the characteristics of being explosive, flammable, poisonous, causing infection, being corrosive and reactive (Sunu, 2001, p. 11). Based on its characteristics, B3 waste can be categorized as having negative impacts on the environment and health. This waste can present both long-term and short-term acute hazards. In the short term, there will be acute toxicity being ingested and inhaled through inhalation and absorption into the skin. The long term impact, it can contaminate surface and underground water, as well as chronic toxicity caused by repeated exposure. For example, in the case of people in China, India and Ghana. Those living in the vicinity of the hazardous waste recycling area have been found to have health problems, with the emergence of high iron content in the blood. The leading cause is the accumulation of B3 waste types of heavy metals, which can cause high levels of Lead (Pb) and Cadmium (Cd) in the blood (Iswanto, dkk. 2016, p. 186). Examples of environmental pollution due to B3 waste were also found in other cases, such as those in Minamata Bay, Japan, Love Canam in the United States, Canada's Wabigon River, and Bophal India.

Several cities in Indonesia have become disposal and landfill of B3 waste. A study conducted in Sleman in 2016 showed the dangers that can be obtained from direct or indirect contact with B3 waste. Hazardous waste from batteries can cause brain damage and cancer. The type of electronic

waste can cause skin disease, brain swelling and damage to the fetus. The type of medical waste can cause poisoning; the waste of fuel packaging and pesticide packaging can cause a fire because it is explosive. Other types of waste, such as waste from beauty products, can be categorized as highly reactive waste and can cause eye irritation (Iswanto, dkk. 2016, p. 185).

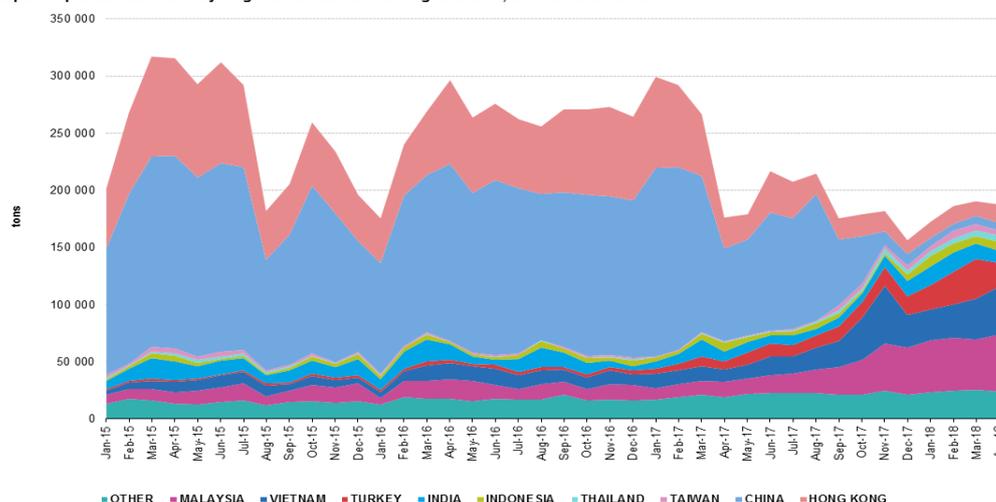
In Isyirin's research, it was revealed that the plastic waste import activity, which was also followed by fraud mixing the waste with B3 waste, had an impact on the Indonesian environment (Isyirin, 2020, p. 10). The monthly import of used plastic waste in Indonesia can reach 3,000 tons with a management fee of around Rp. 337,500,000/month, whereas for plastic waste that is proven to contain B3, the management fee can reach Rp. 480,000,000/month (Isyirin, 2020, pp. 7–8). B3 waste management can only be carried out in a limited manner (due to high costs), and not all cities in Indonesia can carry out this management. As a result, there has been a buildup of illegal B3 waste originating from waste import activities in Indonesia. The accumulation then becomes potential environmental pollution and endangers the health of the people who live around the place of accumulation. The case in Indonesia reveals that scavengers have great potential to be exposed to several diseases caused by B3 waste (Isyirin, 2020, p. 9). It is estimated that the frequent direct contact made by scavengers of B3 waste has endangered their health.

Thus, it can be concluded that B3 waste has become a contributor to environmental and health problems, particularly in Indonesia. The pollution problem, which is getting worse with the threat of public health, has been able to become one of the factors for the Indonesian government to take firm action by controlling imports of non-B3 waste in 2019. The aim is to protect the environment and the health of the people. Controlling will further take action on tightening the import of non-B3 waste into Indonesia, which is also expected to reduce environmental pollution that endangers the health of the Indonesian people.

### Increase in Illegal Imports of B3 Waste in Indonesia

In March 2018, Tiongkok implemented a waste trade policy called the National Sword (Green Sword). This policy caused world trade in waste, especially plastic waste, unstable. This happened because the contents of the National Sword policy were a follow-up of strict restrictions on imports of plastic waste into Tiongkok (Pink, 2019). Since 1998-2016, Tiongkok is the world's largest waste container country with a percentage of 45.1% (Brooks, Jambeck, & Wang, 2018). Through the National Sword, the world's trash population will spread more to other countries. This is because the waste exporting country will target another country to collect waste (a substitute for China). Developed countries such as those in Europe and America, which usually export waste-freely to Tiongkok on a large scale, have to look for other targeted countries. One of the options is countries in Southeast Asia (ASEAN) and some other developing countries. There are common reasons why these countries are being targeted as a substitute for Tiongkok. The first reason is that developing countries need to build cooperation with developed countries. Secondly, the developing countries such as the four countries in the ASEAN (Malaysia, Vietnam, Indonesia, and Thailand) have more flexible waste import regulations compared to Tiongkok after the implementation of the National Sword. The graph below shows the number of plastic waste imports before and after the implementation of the National Sword in several developing countries:

Export of plastic waste for recycling from the EU to receiving countries, 2015 to March 2018



Source: Eurostat COMEXT

Extraction from the Foreign Trade Statistics: 10 July 2016, General Disclaimer of the EC

**Figure 1: European Union Exports of Plastic Waste 2015-2018  
 (Source: Eurostat COMEXT, DW)**

Figure 1 indicates that several developing countries have experienced an increase in the number of plastic waste exports carried out by the European Union. From 2015 to mid-2017, Malaysia, Vietnam, Turkey, India, Indonesia, Thailand and Taiwan have never received waste exports of more than 100.00 tons. However, at the end of the 2017-2018, the number of waste export increased to 100,000-150,000 tons. This is reversely different from Tiongkok and Hong Kong, which have experienced a decline. The highest number of plastic waste exports from the European Union to Tiongkok occurred in 2015-2016, which was between 200,000-250,000 tons. This number decreased at the end of 2017 to early 2018, with export numbers never reaching 200,000 tons. Hong Kong experienced the same decline. Previously, plastic waste exports from the European Union were in the range of 250,000-300,000 tons. However, from late 2017 to early 2018, this number did not exceed 200,000 tons. The decline happened as a consequence of the National Sword implementation in early 2018, in which plastic waste export was also being limited in the previous year by Tiongkok.

Based on Figure 1, Indonesia is one of the countries affected by the National Sword policy. In just one year, due to Tiongkok's policy, plastic waste received by Indonesia from the United States, Canada, Great Britain, and Japan increased from 70,500 tons to 120,000 tons in 2018-2019 (Source: UN Comtrade). At the end of 2017, the number of imported plastic waste increased from 10,000 tons/month to 35,000 tons/month in 2018 (Badan Pusat Statistik, 2020). Meanwhile, imports of plastic waste increased from 124,433 tons in 2013 to 283,152 tons in 2018 (Ratnasari, 2019). The increase in imports of waste in Indonesia in 2018 was 141% or 283,152 tons (Purningsih, 2019a).

Illegal B3 imports follow the increasing number of imports of waste and plastic waste. Before 2017, the Directorate of Customs and Excise of Indonesia said that if there were only hundreds of containers smuggling B3 waste in Indonesia. This number subsequently increased to 2,512 containers in 2018-2019. The illegal accumulation of B3 waste is then re-exported to the importing countries. Based on data from the Directorate General of Customs and Excise in June 2019 to February 3, 2020, 431 containers of waste were re-exported, this number almost doubled from the previous year (Anjaeni, 2020).



**Graph 1: Amount of hazardous waste re-export by Indonesia 2016-2019  
 (Source: Bisnis.com, bps.go.id, betahita.id, reprocessed)**

Based on Graph 1, it can be seen that in 2016-2019, the number of re-exported B3 waste was increased in Indonesia. Before 2018, the number of re-exported waste had never reached 100. However, this number increased almost tripled in 2018 compared to the previous year. A similar phenomenon occurred in 2019, where the number of illegal B3 waste containers re-exported by Indonesia reached 428 containers. This number was doubled compared to the previous year.

The increasing number of illegal B3 waste imports is closely related to the increasing number of plastic waste imports in Indonesia after the implementation of the National Sword policy by Tiongkok. An increasing number which was not followed by strict export-import regulations on waste can lead to negligence of inspection. Thus, the lack of strict regulations regarding the import of plastic waste eases the importing countries to smuggle B3 waste into Indonesia. Hence, with the increasing number of plastic waste imports in Indonesia causes an increasing number of illegal imports of B3 waste. This is detrimental to the state. Besides damaging the environment, the re-exported B3 waste also requires many additional costs to handle it. Therefore, one of Indonesia's urgencies in controlling imports of non-B3 waste in 2019 is due to increasing imports of illegal B3 waste. Thus, the goal of controlling imports of non-B3 waste is to tighten the activities of importing waste and plastic waste to reduce or even eliminate the import of illegal B3 waste in the country.

### **Implementation of Basel Convention Rules**

All UN members implemented the Convention on Transboundary Movements of Hazardous Wastes and Their Disposal or known as the Basel Convention on May 5, 1992. The purpose of this convention is to eliminate the anxiety of countries in the world regarding the spread of B3 waste in export-import waste activities (Haryadi Yulius, 2017 pp.23). Until 2014, the Basel Convention has been ratified by 181 countries, including Indonesia, which has ratified since the beginning (UNEP, 1989 pp.120). The scope of the Basel convention is written in Article 1 paragraph 1 of the Basel Convention: "Supervision and control of hazardous and toxic waste for import which includes the classification of Non-B3, B3 and specially supervised wastes".

After the ratification of the Basel Convention, several countries in the world facing a new problem, which is illegal activities in the distribution of B3 waste. This started when there was an increase in plastic waste export-import activities from 2016 to 2019 in several developing countries. Plastic waste imports targeted countries such as Indonesia, were detriment. Several exporting countries mixed plastic waste with B3 waste in it. Through the session of the United Nations of Environment Program (UNEP) held on May 10, 2019, Basel Convention members agreed to implement the "Basel Convention Amendment 2019". The issue of plastic waste included in the 2019 Basel Convention in Annex IX (Purningsih, 2019). The amendment requires plastic waste exporters to obtain approval from the importer before sending their waste.

Although Indonesia already has a set of regulations that regulate the import of non-B3 waste, fraudulent waste importers can still be found in export-import waste activities. In the same year as the 2019 Basel Convention Amendment, the Ministry of Environment and Forestry (KLHK) urged the government to revise the MOT Regulation Number 31 of 2016 regarding the provisions for the import of B3 waste, which considered ineffective in resolving existing problems (Purningsih, 2019b). The government resolved this pressure by stipulating the MOT Regulation Number 84 of 2019 concerning Provisions for the Import of Non-Hazardous and Toxic Waste as Industrial Raw Materials, on December 6, 2019. Amendment was made again on December 17, 2019. Through a session regarding amendments to the MOT Regulation Number 84 of 2019, it was changed to the MOT Regulation Number 92 of 2019 (Puspa, 2020). Changes were made by inserting one letter between numbers 7 and 8 in Article 1, namely number 7a, and changes to number 11 and number 15 in the same article. Referring to its content, Indonesia has also inserted regulations from the Basel Convention, which stipulates regulations for waste exporters to obtain approval before sending their waste to Indonesia.

Besides, Indonesia has also implemented a mechanism for returning illegal B3 waste to its country of origin. This is in accordance with the rules in Article 9 of the Basel Convention, should there is waste that does not meet the regulations, it can be returned to their country of origins. Based on data from the Directorate General of Customs and Excise in June 2019 to February 3, 2020, Indonesia is actively re-exporting B3 illegal waste. Among them are 194 containers belonging to the United States, 71 containers from Germany, England with 70 containers, Netherlands 26 containers, Australia 18 containers, Belgium 16 containers, and Slovenia 10 containers. The list continued by New Zealand with 8 containers, France 8 containers, Canada 5 containers, Hong Kong 3 containers and Spain 2 containers (Anjaeni, 2020).

Through the explanation above, it can be concluded that the Basel Convention has encouraged Indonesia to take an active role in fighting non-B3 waste import fraudulent globally. Indonesia implements some regulations in the Basel Convention to the country. The existence, activeness and compliance of Indonesia in complying with the contents of the Basel Convention on the import of non-B3 waste can provide a good image in the international world. Therefore, the urgency of Indonesia in

controlling imports of non-B3 waste in 2019 is to implement the Basel Convention regulations. Thus Indonesia's existence is recognized in global issues and obtains a good image in the international stage.

### **The Urgency of Indonesia to Control Imports of Non-B3 Waste**

This research initially saw the urgency of Indonesia to revise the MOT Regulation in the same year and month twice. In the beginning, Indonesia revised the MOT Regulation Number 31 of 2016 by stipulating MOT Number 84 of 2019 concerning Provisions for the Import of Non-Hazardous and Toxic Wastes as Industrial Raw Materials, on December 6, 2019. Subsequently, in the same month, to be precise on December 17, 2019, a new regulation was stipulated in MOT Number 92 of 2019 concerning Amendments to MOT Number 84 of 2019. Using Bryant's concept of environmental politics, the author finds at least three urgencies of Indonesia to control imports of non-B3 waste. First, B3 waste has a dangerous impact on the environment and people's health. Second, an increasing number of illegal imports of B3 waste in Indonesia. The third reason was related to the implementation of Basel Convention regulations. All of these urgencies are linked to one and another.

Since the enactment of the MOT Regulation Number 31 of 2016 concerning the import of non-B3 waste, Indonesia is still facing difficulties in dealing with B3 waste that has polluted the environment and endangered the health of the Indonesian people. In early 2017, the Ministry of Environment and Forestry made a series of efforts in dealing with cases of illegal B3 waste. For instance, the effort to remove and destroy illegal B3 waste in Desa Pengurangan Wetan, Cirebon Regency (Djati, 2017). The hazardous waste in the mentioned village comes from illegal medical waste. The waste is scattered in public places causing people are easily exposed to many diseases such as irritation and itching. Some KLHK efforts in 2017 considered insufficient to stop the import of illegal B3 waste. This proven by the increasing number of illegal B3 waste imports in Indonesia, almost tripled from 2017-2018. A significant incline occurred in 2019, where the number of illegal B3 waste containers re-exported reached 431 containers (Anjaeni, 2020). The increasing number of illegal B3 waste will also be followed by an increasing number of environmental pollution the possibilities for people to expose diseases from the waste. Not only detrimental to the environment, Indonesia also has to spend a large budget for managing illegal B3 waste. Not to mention that there are regional obstacles which have not been managed the waste independently, making it more difficult for Indonesia to minimize the negative impact of B3 waste.

Through this research, it is found that an increasing number of illegal B3 waste imports were followed by an increasing number of plastic waste imports in 2018-2019. The increasing number of Indonesian waste imports in 2018 reached 141% or 283,152 tons (Purningsih, 2019a). This was also caused by the implementation of the National Sword policy by Tiongkok in March 2018. Several countries which previously targeted Tiongkok as the destination country for their waste imports, then targeted developing countries in Southeast Asia such as Indonesia to import their waste. Increasing imports, which not by strict export-import waste regulations, possibly lead to negligence of inspection. Thus, the lack of strict regulations regarding the import of plastic waste has made the importing countries easier to smuggle B3 waste into Indonesia.

In early 2019, due to inadequate regulations and the need for effectiveness in resolving the problem of importing illegal B3 waste, the Ministry of Environment and Forestry urged the government to revise the MOT Regulation Number 31 of 2016 regarding the provisions for importing B3 waste (Purningsih, 2019b). In the same year, on May 10, 2019, Basel Convention members agreed to implement the "Basel Convention Amendment 2019". The issue of plastic waste is included in the 2019 Basel Convention in Annex IX (Purningsih, 2019). The amendment regulates plastic waste exporters to obtain approval from the importer before sending their waste to the destination country. Indonesia, as a member country of the Basel Convention, must comply with and immediately implement these regulations. Not only to be actively involved in fighting illegal non-B3 waste import globally but also to solve the country's problems. At that time, Indonesia was also facing the problem of importing illegal B3 waste, where the number is continuously increased. Indonesia then used this moment as an opportunity for the country to tighten non-B3 waste import regulations.

The Indonesian government, on December 6, 2019, issued MOT Regulation Number 84 of 2019 concerning the Provisions for the Import of Non-Hazardous and Toxic Wastes as Industrial Raw Materials. However, improvements were made on December 17, 2019, renamed MOT Regulation Number 92 of 2019. Referring to its content, Indonesia has adopted the Basel Convention, which stipulates rules for exporters of waste to obtain approval before sending their waste to Indonesia. Based on data from the Directorate General of Customs and Excise in the period June 2019 to February 3, 2020, Indonesia is actively re-exporting B3 illegal waste from several countries. Besides

implementing the Basel Convention, the Indonesian government has also responded to KLHK's pressure to tighten regulations on non-B3 waste imports.

Therefore, the result of this study shows that during 2016-2019, the Indonesian government experienced losses and dangers from B3 waste for the environment and the people. There is a pressure from the Ministry of Environment and Forestry to the government addressing the increasing number of illegal B3 imports that occur due to the lack of non-B3 waste export regulations. Moreover, Indonesia should support and implement the Basel Convention amendments to immediately make changes and control the import of non-B3 waste in 2019.

## Conclusion

There are three urgencies of Indonesia to control the import of non-B3 waste in 2019 immediately. First, environmental pollution and health issues affecting Indonesian people, which are contained in the B3 waste. Second, the increasing number of imports waste and plastic waste has provided chances for several exporting countries to import B3 waste illegally into Indonesia. If this continues, Indonesia will be experiencing adverse impacts, such as worsening environmental pollution, deteriorating public health, and large budgets spent on waste management and re-exporting the waste to its home country. Third, Indonesia's participation in the Basel Convention requires Indonesia to support and implement the 2019 Basel Convention Amendment. Besides, Indonesia's activeness in controlling the import of non-B3 waste may build a good image for the country. By using the environmental politics approach by Bryant, it can be concluded that the urgency of Indonesia is linked between the global environmental effects on the general domestic environment of a country and the involvement of non-state actors. This subsequently raises the environmental urgency within waste-targeted countries, which can have domestic and foreign political impacts. This study provides an analysis where the results obtained are expected to be used as a parameter or one of the sources in similar studies. The results of this study contribute ideas to broaden readers' views and knowledge regarding the problem of non-B3 waste imports in Indonesia, particularly in the problem of handling and government efforts in addressing illegal B3 waste imports, which break the Basel Convention. This research limited the scope of Indonesian urgencies to control imports of non-B3 waste in 2019, while many other aspects can be studied. One of them is studying the progress of the Indonesian government in controlling the import of non-B3 waste. The writer expected that there would be further research on the topic of importing B3 waste in Indonesia.

## References

- [1] Ane. (2019). Revisi Pemandag Soal Impor Limbah B3 Ini Poin-Poinnya. Retrieved March 20, 2020, from gatra.com website: <https://www.gatra.com/detail/news/416912/politik/revisi-pemendag-soal-impor-limbah-b3-ini-poinpoinnya>
- [2] Anjaeni, R. (2020). Pemerintah Reekspor 431 Kontainer Limbah Terkontaminasi B3 ke-12 Negara Asal. Retrieved April 6, 2020, from nasional.kontan.co.id website: <https://nasional.kontan.co.id/news/pemerintah-reekspor-431-kontainer-limbah-terkontaminasi-b3-ke-12-negara-asal>
- [3] Atalya Puspa. (2020). Permendag 84/2019 Solusi Masalah Impor Sampah Indonesia. Retrieved March 20, 2020, from mediaindonesia.com website: <https://mediaindonesia.com/read/detail/273229-permendag-842019-solusi-masalah-impor-sampah-indonesia>
- [4] Badan Pusat Statistik. (2020). Statistik Lingkungan Hidup Indonesia 2016-2019. Retrieved April 6, 2020, from Bps.go.id website: <https://www.bps.go.id/publication>
- [5] Badrudin Kurniawan. (2019). Pengawasan Pengelolaan Limbah Bahan Berbahaya dan Beracun (B3) di Indonesia dan Tantangannya. *Jurnal Dinamika Governance*, 9(1), 39-49. Retrieved from <http://ejournal.upnjatim.ac.id/index.php/idg/article/viewFile/1424/1188>
- [6] Brook, T. (2001). The Tokyo Judgment and the Rape of Nanking. *The Journal of Asian Studies*. <https://doi.org/10.2307/2700106>
- [7] Brooks, A. L., Jambeck, J., & Wang, S. (2018). The Chinese Import Ban and Its Impact on Global Plastic Waste Trade. *Science Advances* 2018, (Biology, Medicine).
- [8] Dewi Purningsih. (2019, May). Amandemen Konvensi Basel Dorong Pengetatan Impor Limbah Plastik Global. *Greeners.Co*, p. 1.
- [9] Djati, W. H. (2017). KLHK Musnahkan Limbah B3 Medis di Cirebon. Retrieved from [http://ppid.menlhk.go.id/siaran\\_pers/browse/958](http://ppid.menlhk.go.id/siaran_pers/browse/958)
- [10] Haryadi Yulius. (2017). Pelanggaran Inggris terhadap Konvensi Basel: Digital Dumping Ground di Nigeria. Universitas Diponegoro.
- [11] Herman Hidayat. (2005). *Politik lingkungan: pengelolaan hutan masa Orde Baru dan reformasi*. Jakarta: Yayasan Obor Indonesia.
- [12] Iswanto, Sudarmadji, Wahyuni, E. T., & Sutomo, A. H. S. (2016). *Timbulan Sampah B3 Rumah Tangga dan Potensi*

- Dampak Kesehatan Lingkungan di Kabupaten Sleman, Yogyakarta. *Jurnal Manusia Dan Lingkungan*, 23(2), 179–188. Retrieved from <https://jurnal.uqm.ac.id/JML/article/view/18789/12120>
- [13] Isyirin, M. (2020). Analisis dampak impor sampah plastik terhadap masyarakat dan lingkungan hidup di Indonesia. 1–10. Retrieved from [https://www.researchgate.net/publication/339603074\\_ANALISIS\\_DAMPAK\\_IMPORT\\_SAMPAH\\_PLASTIK\\_TERHADAP\\_MASYARAKAT\\_DAN\\_LINGKUNGAN\\_HIDUP\\_DI\\_INDONESIA/link/5e5be2c7a6fdccbeba1235a9/download](https://www.researchgate.net/publication/339603074_ANALISIS_DAMPAK_IMPORT_SAMPAH_PLASTIK_TERHADAP_MASYARAKAT_DAN_LINGKUNGAN_HIDUP_DI_INDONESIA/link/5e5be2c7a6fdccbeba1235a9/download)
- [14] Lisbet, Wangke, H., Pujayanti, A., Adam, L., Martiany, D., Wahyuni, D., ... Hidriyah, S. (2013). Tujuan Pembangunan Berkelanjutan dan Implikasinya terhadap Indonesia (1st ed.; H. Wangke, Ed.). Jakarta Pusat: Pusat Pengkajian, Pengolahan Data dan Informasi (P3DI) Sekretariat Jenderal DPR Republik Indonesia.
- [15] Menteri Perdagangan Republik Indonesia. (2016). Peraturan Menteri Perdagangan Nomor 31 Tahun 2016 Tentang Ketentuan Impor Limbah Non Bahan Berbahaya Dan Beracun.
- [16] Menteri Perdagangan Republik Indonesia. (2019). Peraturan Menteri Perdagangan Nomor 84 Tahun 2019 Tentang Ketentuan Impor Limbah Non Bahan Berbahaya Dan Beracun Sebagai Bahan Baku Industri.
- [17] Menteri Perdagangan Republik Indonesia. (2019). Peraturan Menteri Perdagangan Nomor 92 Tahun 2019 Tentang Perubahan Atas Peraturan Menteri Perdagangan Nomor 84 Tahun 2019 Tentang Ketentuan Impor Limbah Non Bahan Berbahaya Dan Beracun Sebagai Bahan Baku Industri.
- [18] Muhammad Busyrol Fuad. (2019). Tanggung Jawab Negara dan Korporasi Terhadap Kasus Impor Limbah Plastik di Indonesia (Perspektif Konvensi Basel dan Prinsip-Prinsip Panduan Bisnis dan HAM). *Jurnal Hukum Lingkungan Indonesia*, 6(1), 97–125. Retrieved from <https://jhli.icel.or.id/index.php/jhli/article/view/90/95>
- [19] Nehru Anggita. (2018). Analisis Sikap Good Faith Non-Compliance Indonesia dalam Upaya Implementasi Konvensi Basel. *E-Journal UNDIP*, 4(3), 332–340. Retrieved from <https://ejournal3.undip.ac.id/index.php/jhi/article/download/21041/19692>
- [20] Nurul Zuriah. (2009). Metode Penelitian Sosial dan Pendidikan (ketiga). PT. bumi Aksara.
- [21] Pink, K. (2019). What is the National Sword?
- [22] Panuluh, S., & Fitri, M. R. (2016). Perkembangan Pelaksanaan Sustainable Development Goals (SDGs) di Indonesia. *Briefing Paper 02, infid(Sustainable Development Goals (SDGs))*, 1–25.
- [23] Pramudya Sunu. (2001). Melindungi Lingkungan Dengan Menerapkan ISO 12001. Jakarta: PT Gramedia Widiasarana Indonesia.
- [24] Prasatiawan, T. (2012). Kebijakan pelarangan impor limbah bahan berbahaya beracun (b3) dan permasalahannya: Hazardous Waste Import Ban Policy And Problems. 15(1), 141–150. Retrieved from <http://widyariset.pusbindiklat.lipi.go.id/index.php/widyariset/article/download/34/28>
- [25] Prasatiawan, T. (2019). Ancaman Impor Sampah Terhadap Indonesia. *Bidang Kesejahteraan Sosial Info Singkat*, XI(12), 14–18. Retrieved from [http://berkas.dpr.go.id/puslit/files/info\\_singkat/Info\\_Singkat-XI-12-II-P3DI-Juni-2019-223.pdf](http://berkas.dpr.go.id/puslit/files/info_singkat/Info_Singkat-XI-12-II-P3DI-Juni-2019-223.pdf)
- [26] Purningsih, D. (2019). Indonesia Berpotensi Jadi Penampung Sampah Dunia.
- [27] Purningsih, D. (2019). Polemik Impor Limbah Plastik, KLHK Usulkan Revisi Permendag Nomor 31 Tahun 2016. Retrieved March 20, 2020, from Greeners.Co website: <https://www.greeners.co/berita/polemik-impor-limbah-plastik-klhk-usulkan-revisi-permendag-nomor-31-tahun-2016/>
- [28] Quina, M., Fadhilah, F., & Vania, A. (2019). Kerangka Hukum Perdagangan Limbah Plastik : Pengaturan Global dan Nasional. (61), 1–15. Retrieved from [https://icel.or.id/kertas-kebijakan/kerangka-hukum-perdagangan-limbah-plastik-pengaturan-global-dan-nasional/Sibuea, H. Y. P. \(2019\). Pengaturan Larangan Impor Limbah Bahan Berbahaya Beracun \(B3\). Bidang Hukum Info Singkat, XI\(15\), 1–6. Retrieved from http://berkas.dpr.go.id/puslit/files/info\\_singkat/Info\\_Singkat-XI-15-I-P3DI-Agustus-2019-215.pdf](https://icel.or.id/kertas-kebijakan/kerangka-hukum-perdagangan-limbah-plastik-pengaturan-global-dan-nasional/Sibuea, H. Y. P. (2019). Pengaturan Larangan Impor Limbah Bahan Berbahaya Beracun (B3). Bidang Hukum Info Singkat, XI(15), 1–6. Retrieved from http://berkas.dpr.go.id/puslit/files/info_singkat/Info_Singkat-XI-15-I-P3DI-Agustus-2019-215.pdf)
- [29] Ratnasari, F. (2019). Impor Sampah Indonesia, Celah Hukum hingga Kirim Balik Limbah Asing.
- [30] Thertina, M. (2019). Aturan Impor Sampah Diperketat, Harus Lewat Rekomendasi 2 Kementerian. Retrieved March 20, 2020, from Katadata.co.id website: <https://katadata.co.id/berita/2019/07/26/aturan-impor-sampah-diperketat-harus-lewat-rekomendasi-2-kementerian>
- [31] Uber Silalahi. (2009). Metode Penelitian Sosial. Bandung: Refika Adhitama.
- [32] UNEP. (1989). BASEL CONVENTION ON THE CONTROL OF TRANSBOUNDARY MOVEMENTS OF HAZARDOUS WASTES AND THEIR DISPOSAL. Geneva, Switzerland.
- [33] Wanda. (2019). Upaya Indonesia Menanggulangi Limbah Sampah Plastik Dari Belanda. *Jom Fisip*, 6(1), 1–12. Retrieved from <https://jom.unri.ac.id/index.php/JOMFISIP/article/download/23406/22665>