



Joint Press Statement -

Concern about the inclusion of a last-minute amendment to allow waste importation into the Maldives for waste-to-energy : President must not ratify this bill

Male', Maldives - 07 December 2022

The Maldives parliament, the People's Majlis, passed the much awaited Waste Management Act (WMA) on the 28th of November 2022. This is the first legislation of its kind on waste management in the Maldives. The waste management bill was submitted to the People's Majlis by the government on 16 May 2022, which was subsequently sent to the Environment and Climate Change Committee (ECCC) for review on 27 June 2022. The proposed legislation has been in the parliament for the past six months but notably, not a single public consultation was held on this serious national issue.

Although this legislation brings about much-needed legal avenues to regulate a mismanaged and poorly regulated waste governance regime, we are deeply concerned about a last-minute amendment in [section 44 of the bill](#).¹ The surprise amendment is a completely unexpected turnaround to [section 46 of the initial bill](#) which specifically prohibited the importation of any kind of waste into the Maldives.² The provision to prohibit waste importation into the Maldives was a point raised by Zero Waste Maldives and included in the bill. Therefore, the last-minute regressive reversal of this section by the ECCC comes as a complete shock to us.

¹ *Waste Management Bill ECC Committee Review Report*, 23 November 2022, People's Majlis, <https://majlis.gov.mv/storage/committee/reports/SGUT1dEEHbpMTCAbjHb5UM5mMPgSQe5qdLXVNRGh.pdf>

² Waste Management Bill as introduced to the People's Majlis, 16 May 2022, (Section 46 Reads : Waste Import into Maldives : It is prohibited to import any kind of waste into the Maldives [unofficial translation]) https://majlis.gov.mv/storage/action_files/928/VjM1XcMVEWBBrnOaOwgKkRZvhcC1UTmSjJbjOLuj.pdf

Will Maldives become the world's garbage dump?

Zero Waste Maldives has consistently maintained that Waste-to-Energy (WtE) incineration is not technically or financially feasible for the Maldives. We have continually raised concerns that the government may find loopholes to import waste to ensure a guaranteed feedstock of waste for the foreign incinerator operator. The WtE projects, which the government has contracted to foreign companies, operate with the support of international financial institutions such as the Asian Development Bank (ADB), World Bank, and affiliates. Responding to these concerns, the Ministry of Environment, Climate Change, and Technology (MoECCT) has provided assurances that *there is* enough locally available feedstock to meet the required waste-demand to run the incinerators. However, with the current ill-intentioned change in the law, it is very clear that actors within the MoECCT do not believe that to be true and the assurances provided lack substance. What this means is that the government has now opened up vulnerable communities of the Maldives to the same fate as other developing countries [subjected to the global waste mountain](#) generated by developed countries.³

After China closed its doors to plastic waste imports in 2018, developed countries sharply diverted exports of plastic waste to other Asian countries, such as Malaysia, Thailand, Sri Lanka, Vietnam, and Indonesia. Many receiving countries lack adequate waste management strategies and facilities, thus plastic waste imports further undermined domestic waste segregation and collection. Evidence also points to an increasing [illegal trade](#) in plastic waste which has led to open dumping or burning of waste materials, adversely affecting the health of communities and the environment.⁴ Bangun and Tropodo villages in Indonesia are found to be highly contaminated with high levels of hazardous chemicals as a [consequence of excessive plastic waste imports](#).⁵

Communities impacted by the negative impact of plastic waste imports from Asia, Africa and Latin America have [called for an end](#) to the practice.⁶ Countries have [tightened controls](#) in attempts to stem pollution from plastic waste imports,⁷ while Thailand plans to [phase out all](#)

³ *Discarded : Communities on the frontlines of the global plastic crisis*, GAIA, April 2019, <https://www.no-burn.org/resources/discarded-communities-on-the-frontlines-of-the-global-plastic-crisis/>

⁴ *Interpol report alerts to sharp rise in plastic waste crime*, Interpol, 27 August 2020, <https://www.interpol.int/en/News-and-Events/News/2020/INTERPOL-report-alerts-to-sharp-rise-in-plastic-waste-crime>

⁵ Jindrich Petrlik et al, *Plastic Waste Flooding Indonesia Leads to Toxic Chemical Contamination of The Food Chain*, (International Pollutants Elimination Network, 2019), <https://arnika.org/en/publications/indonesia-egg-report-bangun-tropodo>

⁶ Open letter to European Decision-makers, 28 October 2022, https://foe-malaysia.org/wp-content/uploads/2022/11/221119-Solidarity-Open-Letter_WSR-vote-1.pdf

⁷ N Coca, *Asian countries spurn and burn waste imports*, Eco Business, 27 January 2020, <https://www.eco-business.com/news/asian-countries-spurn-and-burn-waste-imports/>

[imports](#) by 2025.⁸ The European Union (EU) will potentially [ban all plastic waste exports](#) outside the EU.⁹ The world is recognizing that plastic waste exports [enable excessive plastic and petrochemical expansion](#), exacerbating pollution and climate change. For a country vulnerable to the impacts of climate change, it is crucial for Maldives to invest in zero waste solutions that can alleviate the climate crisis.

Who will protect us?

A further concern is that the ECCC in its review of the bill had failed to introduce any avenues to regulate WtE incineration in the Maldives. This gap in the legislation is a specific point of concern highlighted by Zero Waste Maldives to the ECCC on 12 September 2022 [at a Committee meeting](#).¹⁰ Consecutive governments in the Maldives and the parliament have failed to establish an independent environmental regulatory authority, despite recognition of the fragility and vulnerability of the natural environment of the country. In the absence of an independent environmental regulator and the presence of a foreign incinerator operator, it is imperative that there be legislation that ensures proper regulatory oversight of WtE incineration operations. This is not least because of the serious public health protection obligations to regulate [toxic outputs that incineration generates](#), including toxic fumes causing air pollution, and toxic material by-products including fly ash and bottom ash.¹¹ Without such regulatory rigor, the Maldives is exposing itself to intensive exploitation which has been the experience of several neighboring countries including India and Sri Lanka. The disregard for public health concerns closely linked to incineration pollution as the Maldives population struggles to recover from the Covid-pandemic and ongoing pollution-related respiratory diseases.

We also condemn the Asian Development Bank (ADB) and Asian Infrastructure Investment Bank (AIIB) for failing their due diligence responsibilities and co-financing WtE incineration in the Maldives. The lack of transparency of this project has been flagged to the government and ADB on several occasions, with no rectification from the project management. ADB and AIIB are in violation of multiple social and environmental safeguards by moving ahead with this project in the Maldives. Allowing the importation of waste for “waste to energy” for the project funded by ADB and AIIB exemplifies ADB and AIIB’s complete disregard for international environmental

⁸ Plastic ban to be done in phases, Bangkok Post, 19 September 2022,

<https://www.bangkokpost.com/thailand/general/2394766/plastic-ban-to-be-done-in-phases>

⁹ European Parliament’s ENVI Committee Breaks Free from the harmful Plastic Waste Trade in full extra-EU ban, Rethink Plastic, 1 December 2022,

<https://rethinkplasticalliance.eu/news/european-parliaments-envi-committee-breaks-free-from-the-harmful-plastic-waste-trade-in-full-extra-eu-ban/>

¹⁰ People’s Majlis, Twitter, 12 September 2022,

https://twitter.com/mvpeoplesmajlis/status/1569250024776945666?s=20&t=Kh-DAXfqg_J5LQ4fjPEmLw

¹¹ *Pollution and health impacts of waste-to-energy incineration*, GAIA 2019,

https://www.no-burn.org/wp-content/uploads/Pollution-Health_final-Nov-14-2019.pdf

agreements such as the Stockholm Convention and Minamata Convention. Both conventions warn countries about waste incinerators as a [major source of highly toxic substances](#), particularly dioxins and mercury.¹²

Do not ratify the WMA into law

The passing of this bill was fast-tracked along with 10 other pieces of legislation put through the People's Majlis on the same day with little to no debate on its contents. Notably, the bill passed with [54 votes in favor and no dissenters](#).¹³ No stakeholders received a finalized copy of the bill after the last committee meeting on the 23rd of November 2022 before being put to a vote by the parliament on the 28th of November 2022. This comes after Zero Waste Maldives highlighted that there should be meaningful consultations done before, during as well as after laws are introduced to parliament, and that stakeholders should be consulted after amendments are made to bills before it goes to vote by the parliament.

In light of all the above concerns, we call on President Ibrahim Mohamed Solih :

- 1) not to ratify the WMA into law
- 2) to ensure the above collective concerns are addressed comprehensively with an inclusive and nationwide public consultation on the waste management issue in the Maldives, and
- 3) to develop clear government policy commitments and assurances that *the Maldives will not be turned into a waste dumping ground* for foreign contractors, companies, or governments seeking to deal with their insurmountable waste mountains.

End

¹² *Waste incineration and burning waste in cement kilns*, GAIA 2022,

https://www.no-burn.org/wp-content/uploads/2022/11/UNEA-publication-packet_waste-incineration.pdf

¹³ Waste Management Act voting data, 28 Nov 2022, People's Majlis,

https://majlis.gov.mv/storage/action_files/928/3fN6j0yF4zFp2uDxPpsZAybtid82FKUrkgh2FsY3.pdf

Signed and Supported by:

1. Zero Waste Maldives
2. #SaveMaldives Campaign
3. Transparency Maldives
4. GAIA - Global Alliance for Incinerator Alternatives
5. Break Free from Plastic
6. Save our Waves
7. Veshisaafu Addu
8. No Plastic Maldives
9. The Eco Org
10. Maldives Resilient Reefs
11. Atollscape
12. Association for Democracy in the Maldives (ADM)
13. Land Sea Maldives
14. Save the Beach
15. ECOCARE Maldives
16. Uthema
17. CLEAN Maldives



Annex 4: Email Communication to the Legal Department of the Ministry of Environment Climate Change and Technology regarding the Waste Management Act.

Zero Waste Maldives asks for a Stakeholder Validation Workshop and to gather public comments before submission of the Waste Management Act to Parliament.

Comments to Waste Act

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Dear Legal Section,

Please find attached our comments to the Waste Act.

We would also like to request that the ministry takes this act to a stakeholder validation workshop as well as public comments before sending it to majlis.

Thank you



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