

Enforcement of waste shipment rules

Presented by: Huib van Westen

Environment and Climate Regional Accession Network

Tirana, Albania
20-21 May 2015



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Content

- Competences/ Skills
- Risk assessment
- Collaboration
- Inspection methods/ phases



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Competences (Inspector/inspection)

- Enter all places (companies, restricted areas, offices, houses)
- Stop/Block vehicles (truck, train, ship)/containers
- Cargo Inspection
- Taking Samples



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Competences (Enforcement)

- Repatriation
- Warning
- Penal Sum (repetition)
- Order (clean up, end of violation)
- Report
- Temporary order by Public Prosecutor
- Closing facilities



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Skills

- Inspector (Judicial, technical, trade, logistics, etc.)
- Lawyer
- Public prosecutor
- Judge



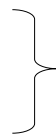
This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Targeting shipments of waste

- Limited resources
- Facilitate legal trade
- Reduce delays as much as possible



How to prioritize and select shipments or containers?



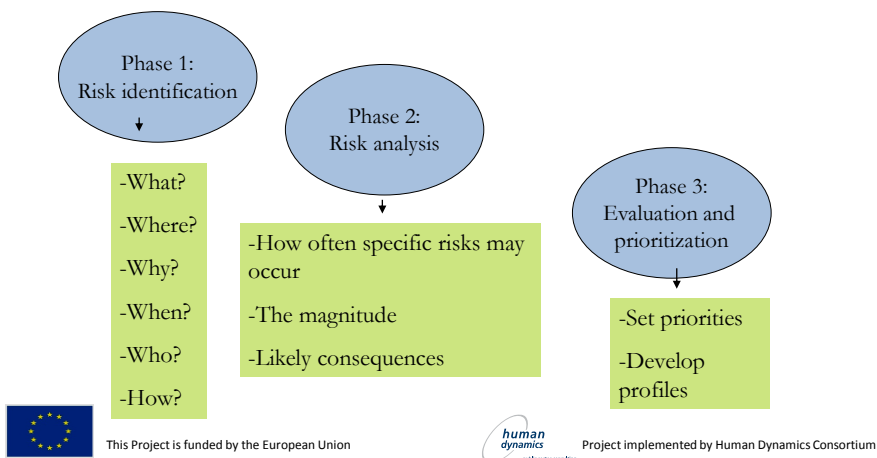
This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

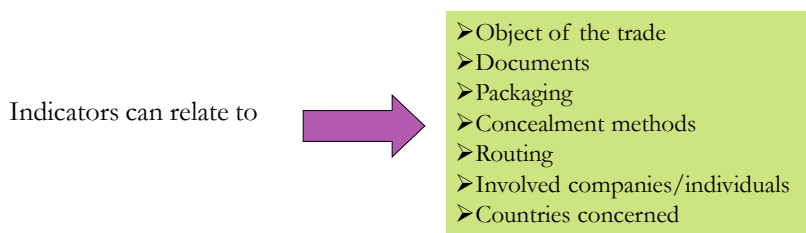
Risk Assessment

- “Risk”: potential for non-compliance with relevant rules and regulations



Profiling and risk indicators

- Risk indicators and search parameters are developed following completion of the risk identification and analysis phases of the risk assessment. Risk indicators flag potential problems with a particular shipment. If Customs work with electronic systems, profiles can be built into their electronic systems.



**Examples of HS codes at high risk for illegal transboundary
movements of hazardous waste**

HS code	Declared as	In fact can be
3915	Plastic scrap	Waste plastic, mixed with other (hazardous) wastes, medical waste, used chemical bottles or municipal solid waste
4707	Waste paper	Waste paper and cardboard which can be mixed or contaminated with other (hazardous) waste and municipal waste
7204	Metal scrap	Waste batteries, cable waste, metal scrap contaminated with hazardous waste or electronic wastes
8528	CRT monitors	Waste CRT monitors



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Other indicators

- Description of goods
(waste, used, old, scrap, sludge, dust, residue, rejected, discarded, ashes, slags, etc.)
- Low Value
- Other information in documents
- Packaging, labeling, broken, leakage, etc.

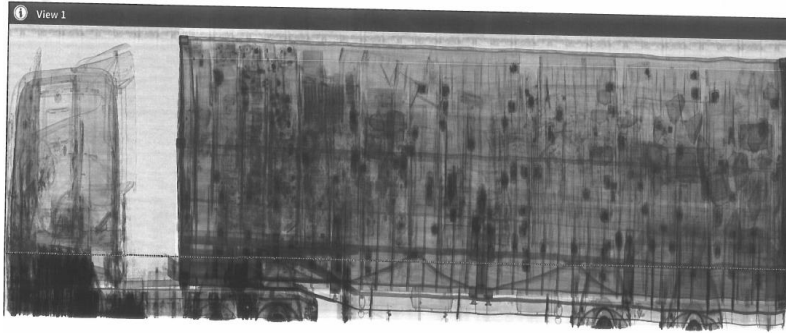


This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

X ray



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Inspection methods

☐ Road

☐ Train/Rail

☐ Port

☐ Site visit



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Inspection phases

○ Preparation

○ Execution

○ Evaluation/ Reporting



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Preparation

General preparation:

- indentify the object,
- identify task and competences,
- organise a team with relavant competences and skills,
- prepare communication,
- select a strategic location
- prepare in detail
(toolkits, telephone numbers, communication equipment like fax/laptop/..., etc.)



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Specific preparations:

- Interception/ selection,
- security measures,
- breaking seals,
- sampling,
- appropriate location for seizures,
- detaining shipments for further investigations.



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Actors in the port (private)

- ❖ **Shipping line** – a company that operates ships and transports containers.
- ❖ **Shipping/booking agent** – a person or company that prepares shipping documents, arranges shipping space and insurance, and deals with Customs requirements.
- ❖ **Freight forwarder/forwarder/forwarding agent** – a person or company that organizes shipments for individuals or other companies and may also act as a carrier.
- ❖ **Stevedore/dock worker** – a person or company which is responsible for the loading and unloading of ships, stowing of cargo and handling hazardous materials.
- ❖ **Carrier/haulier** – a person or company that transports the goods for any person or company and that is responsible for any possible losses during transport.



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Actors in the port (government)

- ❖ **Customs** – an authority or agency in a country responsible for collecting and safeguarding customs duties and for controlling the flow of goods.
- ❖ **Port authority** – the authority that is responsible for the management of the port(s) and is for example informed about the movements of hazardous materials through the port
- ❖ **Environmental agencies/ministries** – the agencies that are responsible for checking compliance with national and international environmental laws and regulations and/or develop policies and rules and issue permits.
- ❖ **Competent authorities (WSR)** - agencies responsible for the implementation of the WSR
- ❖ **Competent authorities (Basel Convention)** - agencies responsible for receiving the notification of a transboundary movement of hazardous wastes and for responding to such a notification.
- ❖ **Port police** – a dedicated police unit operational only in the port.



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Additional for port inspections

- inventory of shipping lines and there origin and destinations,
- make arrangements with customs and/or shipping lines/agents were documents can be collected
- storage Locations on port sites, very effective and (mostly) relatively simple



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Port Inspections:

- Screen all documents or use Customs data for selection
- Gather more information at shipping lines/agents when there are doubts
- (Block the container/shipment)
- X-ray and/or physical inspection



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Container vessel:

- List all the participating lines on the specific vessel
- Ask for latest loading list or ask access to booking system
- Select containers by using terms (waste, old, scrap, residue, used, etc.)
- Check the documents and if necessary followed by physical inspection.



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Inventory Shipping Lines

This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Preparation (equipment)

- ☐ Safety: vest, helmet, gloves, shoes/boots, clothes
- ☐ A folding ladder
- ☐ Flashlight
- ☐ Stamp with name authority
- ☐ Camera
- ☐ Mobile phone
- ☐ Checklist
- ☐ Sampling equipment (or experts)
- ☐ Binoculars or field glasses
- ☐ Your legislation/interpretations/ classification
- ☐ (Information folders)
- ☐



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Execution

- ☐ Briefing
- ☐ Selection
- ☐ Determine status by documents
- ☐ Check of documents
- ☐ Check if shipment fits with its requirements
- ☐ Optional: further investigation on the site (sampling, gathering more information)
- ☐ Optional: Verification request to another authority (country) to cross check info
- ☐ Debriefing/evaluation of the inspection
- ☐ Sanctioning



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Need for collaboration

- Various authorities and legal powers
- Different sources of information
- Jurisdiction issues



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Identify collaboration partners

Possible partners:

- Ministries of Environment
- Ministries of Industries/ Trade
- Environmental Inspectorates
- Customs
- Police
- Health and Safety authorities
- Port authorities
-

National taskforce with contactpoints



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Can you make a list of key organisations in your country?



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Inter-agency collaboration

Informally (personal contact)

Formally:

By Memorandum of Understanding or by Law

- Training
- Responsibilities
- Mutual support and understanding
- Inspections



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Existing international frameworks

- Ministries of Environment: Basel Convention Focal Points
- Police: INTERPOL (e-learning tool prevent illegal trade of chemicals and waste, Operation Enigma II)
- Customs: World Customs Organisation

Examples of environmental enforcement collaboration at international level:

-IMPEL TFS Network (Europe)

-INECE Network



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium

Thank you very much for your attention.



This Project is funded by the European Union



Project implemented by Human Dynamics Consortium