



GOOD PRACTICE GUIDE IN ILLEGAL HAZARDOUS WASTE MONITORING

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Monitoring Coalition against Trafficking of Hazardous Waste

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MoniCoT brings together four operational and four affiliated partners from Greece and Cyprus to a joint action that aims to address the loopholes identified in the monitoring of hazardous waste transportation from EU and third countries towards Greek and Cypriot ports and customs. The proposed action improves existing procedures of hazardous waste monitoring through the adoption of a common monitoring mechanism and further use of measures that remain unenforced or poorly enforced in Greek and Cypriot control operations.

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Partnership:



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1. Key existing policies/good practices across the European Union

1.1 Key existing policies

1.1.1 Key existing policies across the EU

EnviCrime

EUROPOL Analysis Project EnviCrime runs since November 2017. 22 Member States are participating (AT, BE, CY, CZ, DE, EE, EL, ES, FI, FR, HU, IT, LT, MT, NL, PL, PT, RO, SK, SE, SI) and 8 third parties are also involved (CH, AU, AL, MK, CA, RS, CO, NO, UK, DK). Its achievements are remarkable in all sectors of environmental crimes, including a recent project which was focused on illegal treatment and disposal of sanitary waste (linked to the COVID-19 pandemic)¹. The recent project's data can be summarized as follows:

- 30 participating countries and international agencies
- 278.291 inspections
- 102 suspects arrested
- 819 administrative files
- € 800 000 in seizures
- 22 seizures of waste

EMPACT (European Multidisciplinary Platform Against Criminal Threats)²

In 2010, the EU introduced a four-year policy cycle to create measures to combat serious international and organized crime, including environmental crime and waste trafficking. This policy requires effective cooperation between:

- law enforcement agencies
- other EU services of the EU Institutions

¹ Available at:

² S. Eleftheriadou National Representative of the EMPACT Action Envicrime Initiative "EMPACT Envicrime Framework in Greece", Hellenic Ministry of Environment and Energy



- other relevant third parties

As a result of these activities, EMPACT was created, which is a structured platform to enable cooperation between competent Member States, EU institutions and bodies, as well as third countries, international organizations and other (public and private) partners to tackle criminal threats as a matter of priority. This multidisciplinary policy platform of the European Union carries out various actions aiming at information of the Member States, cooperation and confrontation of environmental crime, as the cross-border aspect of crime in this area underscores the need for a pan-European law enforcement response.

In the framework of the EMPACT program - environmental crime action - of EUROPOL, in 2020 a network of contact points was created with collaborating bodies and co-competent services for the immediate and rapid updating of services and the development of a network of coordinated action against environmental crime.

IMPEL - The European Union Network for the Implementation and Enforcement of Environmental Law

IMPEL (<https://www.impel.eu>) is an international non-profit organisation of environmental authorities (inspectors/regulators), founded in 1992. Its legal location is in Brussels, and it has 55 members which are authorities from 36 European countries (including all EU MS). More than 850 experts are involved.

IMPEL carries out projects and other networking activities for environmental authorities (30 projects in 2021). It has 5 Expert Teams which develop projects based on the member needs that address key implementation gaps, into the five thematic areas:

- Industry & Air
- Waste & TFS (trans-frontier shipments)
- Water & Land



- Nature protection
- Cross-cutting tools & approaches

IMPEL has a Board and a General Assembly, which are running the networking and management of the organisation. It is also supported by a Secretariat team. It is financed by membership fees and LIFE+ grants from EU Commission.

Projects that IMPEL has/is participated/participating in:

- The SPIDER WEB project (2018-2019, completed)
- The WasteForce project (2019-2021, completed)
- The LIFE SWEAP project (2018-2023)
- The LIFE PROWhIBIT project (2019-2024)
- SRSS – Cyprus (2020-2021)
- SRSS – Malta (2020-2021)

The IMPEL Waste and TFS Expert Team consists of 8 members. Some of the main domains that they work on are: Waste Management and Circular Economy, EWEN – WEEE, end of life ships, plastic Waste Shipment, Waste TFS legislation application.

1.1.2 Key existing policies in Greece

Waste transportation policies for the collection and transportation of waste (inside and outside the borders) are the following³:

- 1) For Non-Hazardous Waste
 - Insurance cover of 100.000€ (per year)
 - Registration and yearly submission of data at the Electronic Registry of Waste
 - Specific terms and conditions apply

³ A. Verouchi “Transboundary Waste transportation”, Ministry of Environment and Energy of Greece



2) For Hazardous Waste (HW)

- Specific permit for the transportation of HW
- Insurance cover of 500.000€ (per year)
- Registration and yearly submission of data at the Electronic Registry of Waste

The competent authorities in Greece that are responsible for controlling transborder waste shipments are the following⁴:

- Directorate of Waste Management: the competent Authority in accordance with regulation 1013/2006 for the cross-border transport of waste
- Customs: responsible for the control of transboundary waste shipments (review the forms for cross-border transport and identify the related solid waste)
- Environmental Inspectors of the Hellenic Ministry of Environment and Energy (MEE): Competent Authorities for the transboundary waste shipment
- Regions: inspections can be carried out by the environmental departments of the regions.

1.1.3 Key existing policies in Cyprus

1) For exports under Prior Notification Procedure

Anyone that has a Written Consent according to the above procedure, has to inform at least 3 days in advance the involved competent authorities for the export. Further to the above certain obligation, exporter has to present to the Customs stamped and signed from the Department of Environment Movement Documents in order to proceed.

2) For exports under General Information Procedure

⁴ V. Vangelinos, Environmental Inspector of Southern Greece “Case Study: Illegal Transportation Of Waste”, General Directorate of the Body of Inspectors and Auditors, General Secretariat of Natural Environment and Water, Hellenic Ministry of Environment and Energy (MEE).



Movements are conducted directly through Customs, therefore Customs officers are responsible to check if wastes are correctly exported with Annex VII of the European Regulation 1013/2006/EC, taking in account the type of waste, final destination and kind of management (disposal (D) or recovery (R) and also any possible restrictions, special requirements and/or prohibitions according to European Regulation 1418/2007/EC. Exporters under this procedure have to submit to the Customs Officers the following:

- i. Fully completed and signed and stamped Annex VII.
- ii. Contract between exporter and consignee according to Article 18(2) of the Regulation 1013/2006/EC.
- iii. Copy of Waste Management Permit and/or Certificate of Registration.

The competent authorities in Cyprus that are responsible for controlling transborder waste shipments are the following:

- The Department of Environment (DoE): the Competent Authority in accordance with regulation 1013/2006 for the cross-border transport of waste.
- Customs: responsible for the control of transboundary waste shipments at the points of entry/exit of the Republic of Cyprus and also at the road blocks to/from the Turkish troops occupied areas of the Republic of Cyprus. They also participate in campaigns organized from DG Trade and World Trade Organization.
- Police: supporting the DoE on inspections and/or investigations concerning illegal shipments of wastes and also participate in campaigns organized from EUROPOL and INTERPOL.



1.2 Good practices

1.2.1 Good practices in the EU

Operation “30 Days at Sea”

EUROPOL’s Operation “30 Days at Sea” (combined forces with Interpol and Frontex) took place in 67 countries, 300 agencies, 34,000 inspections and resulted in uncovering 1600 marine environmental offences (waste trafficking, coastal and river pollution – oil, sewage, plastics, chemicals – and pollution at sea).



Figure 1. Infographic of the Operation “30 Days at Sea” project of Interpol, Europol and Frontex⁵.

Ambitus

Ambitus or “Assessment on impact of and action against environmental crimes in Europe” is a project funded by the European Commission via the Internal Security Fund – Police, running during 2020-2022. It is supported by the French National Gendarmerie, represented by the Central Office Against Environmental and Public

⁵ Available at: <https://frontex.europa.eu/media-centre/news/news-release/operation-30-days-at-sea-3-0-reveals-1-600-marine-pollution-offences-worldwide-J1Y6n7>



Health Crimes (OCLAESP), the Italian International Affairs Institute (IAI) think tank, the French National School for the Judiciary (ENM) and the Hungarian and Slovak police forces, combining the expertise and experience from a total of 15 European countries and two international agencies.

Its main objective is to provide an overall assessment of environmental crimes and environmental law enforcement both in the EU and in individual Member States. To achieve this, the project's approach includes:

- Strong cooperation with LEAs and local institutions
- Multiple items to produce the final report
- Cross-sectoral approach (working with NGOs, think tanks, with the EU and on the national level)
- Working on definitions and narrowing down our focus to key issues

The project's Preliminary report "Fighting Environmental Crime in Europe" was released in 2020 introducing the state of environmental crimes and action in the EU⁶. Its main findings include:

- Environmental crimes are on the rise on both the global and the European level.
This happens because of:
 - Greater recognition of crimes
 - Low penalties, high rewards
 - Difficulties in addressing them
 - Lack of European/international coordination
- We have now technological, political, economic and political tools to fight environmental crimes, such as:
 - New technologies (drone, satellites, etc.)
 - General awareness

⁶ Available at: https://assets.website-files.com/5fe33c4e3b7e456abab367c7/601af02ecbe5755f229d8411_ambitus_preliminary%20report.pdf



- Economic tools for a green growth
- The European Green Deal
- A rapid and significant change in the policy approach to environmental crimes is required.

SWEAP (Shipment of Waste Enforcement Actions) Project

SWEAP is a project run by IMPEL during 2018-2023 which focused on:

- Training and Capacity building (150 customs officers, through inspection exchanges)
- Co-ordinated inspections (45,000 inspections, joint actions)
- International co-operation and communication (Linking with other initiatives, industry information package)
- Innovative tools (Reporting app, inspection app, GPS tracking, shipment mapping, online training)
- Data & intelligence (Intelligence products, nominal data exchange and working with EUROPOL)

Inspections took place in Luxemburg, Malta, Croatia, Romania, England, Netherlands, Northern Ireland, Wales, Switzerland, Sweden, Scotland, Portugal, Poland, Norway, Latvia, Ireland, Germany, France, Finland, Estonia, Denmark, Czech Republic, Cyprus, Belgium and Austria⁷.

The SWEAP project also developed a user-friendly reporting application to collect, submit and store electronic data on inspections, use a flagging system and feed directly into other systems via API files (for example, Europol's Spotfire and Siena applications).

⁷ Inspections have not been performed yet in Greece, Albania, Bulgaria, Hungary, Kosovo, Iceland, Italy, North Macedonia and Turkey.



1.2.2 Good practices in Greece

LIFE PROWhIBIT

Project LIFE PROWhIBIT LIFE18 GIE/GR/000899 (<https://stopwastecrime.gr/en/>) aims to prevent Waste Crime implementing Intelligence Based Inspections. It started in 2019 and will be running until 2024. Coordinating Beneficiary of the project is the Hellenic Ministry of Environment and Energy (General Secretariat of Natural Environment and Water) and Green Fund as well as IMPEL are associate beneficiaries. Other stakeholders involved include: Hellenic Police, Coast Guard, Judiciary Authorities, Customs, Greek Ministry of Finance, Decentralized Areas and Regions, Greek Ombudsman, NGOs, Private Representatives.

With an overarching goal to contribute to the circular economy package ‘Waste Management Principles and Targets’, as well as prevent, detect and disrupt Environmental Waste Crime, LIFE PROWhIBIT aims to:

1. Develop and implement a National Strategy for preventing and combating Environmental Waste Crime to better protect the environment.
2. Promote better environmental governance by broadening stakeholder involvement, including NGOs, in policy consultation and implementation.
3. Improve the flow of knowledge and intelligence on Environmental Waste Crime through the involvement of the various actors in the compliance chain and existing networks (e.g., IMPEL). Foster a better understanding of trends and patterns in order to develop preventative initiatives and disrupt Environmental Waste Crime.
4. Increase the capacity of the various actors in the compliance chain and harmonize cooperation between them. Actors involved in fighting EWC include: Inspectors, Auditors, Permittees, Customs officers, Police officers, Coastal police officers, Judges, Prosecutors, Financial Prosecutors.
5. Intensify collaboration, inspections and enforcement actions.



6. Achieve IT-enabled and Intelligence-led Environmental Waste Crime law enforcement, through the use of an Environmental Waste Crime dataset on inspection, investigation and legal case files.
7. Establish guidelines and provide policy makers with recommendations for preventing and combating Environmental Waste Crime at EU level.

LIFE PROWhIBIT will add to the efforts already made nationally to support and strengthen Environmental Waste Crime combating and preventative processes. Furthermore, LIFE PROWhIBIT will provide a clearer picture on the state of Environmental Waste Crime in the Balkans.

Pilot project: Use of Processed Satellite Images in environmental inspection⁸

A collaboration between:

- Environmental Inspectorate of Southern Greece (Ministry of Environment and Energy) and
- Copernicus SEA Satellite Centre (SatCen) of E.U.

Use of advanced techniques can provide:

- Real-time information on an illegal activity
- The provision of information on the compliance of activities in relation to the provisions of environmental legislation
- Mapping of illegal Waste Management Sites (which cannot be detected otherwise)
- The provision of information related to the illegal cross-border transport of waste

Potential environmental crimes – violations that can be discovered and/or prevented:

- Absence of Environmental Licensing
- Pollution / Degradation of the environment

⁸ E. Glypti “Use of advanced techniques on the fight against Environmental Waste Crime”, environmental inspectorate of southern Greece



- Illegal Waste Management
- Illegal transboundary waste shipment

Environmental Inspections in Greece – transborder waste shipments (good practices):

1. Return of plastic waste from Liberia (January 2020)⁹:

- 02-01-2020: 4 containers with 135 tons of plastic packaging (scrap plastic PP big bags, B3010) were detained at the port of Monrovia (Liberia).
- It was an illegal shipment: the procedures of Regulation 1418/2006 and the environmental legislation of Liberia had not been applied.
- No waste export was recorded to Liberia: the only documentation available was the relevant customs declaration of the Piraeus (Greece) port customs: the waste was to be exported to Morocco for recovery (R3), and it was accompanied by Annex VII of the Regulation duly completed.
- The EU diplomatic mission in Liberia is aware of the issue and is working on it with the Liberian authorities
- Reluctance and weakness of the person responsible for the organisation of the shipment: will not undertake the task of returning of the seized containers to Greece.
- Certified Administrative Sanctions:
 - 1st Infringement: Non-compliance with the legislation regarding the accompanying documents in transboundary waste transport
 - 2nd Infringement: Illegal change of the destination of the waste shipment
 - Total Fine imposed: 44.100,00 euros
- The Ministry of Environment and Energy of Greece is the competent “sender” authority: it must ensure the repatriation of waste and it will bear the costs of repatriation from Monrovia to Piraeus and to specific waste disposal facilities

⁹ A. Verouchi "Transboundary Waste transportation", Ministry of Environment and Energy of Greece



2. Prevention of illegal transboundary shipment of 437,6 tons of solid wastes from the Port of Thessaloniki (Greece) to China, India, Pakistan (2016)¹⁰:

- Thessaloniki Customs informed all competent authorities about an illegal transboundary shipment that was completed and about a new one pending.
- Customs check: The content in the two containers did not resemble what was stated in the accompanying documents of Annex VII of Regulation 1013/2006/EC.
- Joint on-site inspection was organised: Physical check of 18 containers, which were intended for transboundary shipment from Greece to India, China and Pakistan with the same notifier involved, samples were taken.
- A 3rd on-site visit was carried out to locate the owner/producer of the waste with representatives from all competent authorities (judicial officer, police officer, Environmental Inspectors, officers from the Department of Environment and Hydroeconomics of the Thessaloniki Regional Unit and officers from the Department of Licensing of the Thessaloniki Prefecture of the Region of Central Macedonia). The facility was checked where a shredder machine for End-Of-Life Vehicles was installed and had been operating illegally (no license found).
- Administrative sanctions of circa 5,000€ were imposed to each of all 3 persons/companies involved (the person who arranged the shipment, aka the notifier/ dealer, the 1st carrier, and the producer. A 2nd carrier was also involved, which was based in Cyprus. The relevant information was provided to the Cypriot authorities for their own actions.)
- Only the first carrier appeared in the criminal court, the producer and the notifier could not be found (name, VAT number, registered office address changed).
- The containers are still stored at a rented warehouse of the Port of Thessaloniki as it has not been clarified who will bear the management cost.

¹⁰ E. Chliopanou, Environmental Inspector of Northern Greece "Environmental Waste Crime in Greece, Case study: Prevention of illegal transboundary waste shipment", Hellenic Ministry of Environment and Energy



- Afterwards it was revealed that the signatures on the movement documents were forged.

3. Return of mercury waste from Greece to Germany (August 2014)¹¹

- A competent German authority (Bezirksregierung Detmold) identified that quantities of mercury, had been transported as a product to Greece, while they should have been disposed of as waste.
- Checks by the environmental inspectors of the Ministry of Environment and Energy of Greece followed: Approximately 98 tons of mercury were found, stored in an installation in Aspropyrgos, Attica (illegal transborder shipment of Hazardous Waste).
- Repatriation procedure:
 - 12-02-2016 1st shipment of mercury waste (2 trucks transported to Germany about 42t of mercury via Italy and Austria)
 - 16-02-2016 were received from the final disposal facility
 - 22-02-2016 2nd shipment with remaining quantities (3 trucks, same route)
 - 25-02-2016 were received from the final disposal facility - The repatriation was completed.

4. Controls of transboundary waste shipments

According to the Regulation, Member States' competent authorities have a duty to carry out inspections and spot checks at facilities of production, storage, loading for shipment and reception following shipment within their territory, as well as controls during waste shipments.

More specifically, during 2008, the competent authorities in Greece (Environmental Planning Directorate and Special Environmental Inspectorate) carried out controls at the facilities of a waste lubricating oil recovery plant and a lead recycling plant in the

¹¹ A. Verouchi "Transboundary Waste transportation", Ministry of Environment and Energy of Greece



Avanta Industrial Area of Evros, Greece. In addition, in 2009-2010, spot checks were carried out on intra-Community shipments of waste at the Greek-Bulgarian borders. During these controls, 25 cases of illegal transboundary shipments were detected, 8 of which involved hazardous waste. In case of detection of hazardous waste, the cargo was seized. In case of non-hazardous waste shipments, the issue was dealt with by prohibiting the waste from leaving the country and, of course, the Special Environmental Inspectorate further investigated the cases. In other cases, non-hazardous waste was handed over to the Bulgarian authorities with a view to imposing fines on those responsible.

Notably, in 2010, the Environmental Planning Directorate of the Ministry of Environment denied two requests for transboundary shipments of hazardous industrial waste (namely 50 tons of asbestos and 60 tons of hexavalent aluminium slag) to Germany and Turkey, respectively. The shipment of the hazardous industrial waste was prevented based on the principle of proximity, which is foreseen in Article 11(1)(a) of the Regulation. In short, it was opted to transfer the waste where it could be safely disposed of, because the Public Power Corporation's asbestos disposal facility was located nearby. In the case of Turkey, the Turkish authorities denied access to their country under Article 11 (1) (b) of the Regulation, because the import and disposal of the waste in question was prohibited under Turkish environmental legislation.

The competent authorities detected several illegal waste shipments during controls carried out in the following years. Evidently, following the controls that were carried out during or before cargo shipments, it was detected that the shipment of 315.23 tons out of a total quantity of 417.91 tons of waste was illegal. This figure of 75.5% is quite high and considerable. Nevertheless, the issue of illegal shipment of waste during transboundary transport to and from third countries outside the EU and EEA remains to be further investigated, as there is no data on controls that have been carried out at Customs.

5. Network for the control and management of transboundary waste shipments



The Environmental Planning Directorate is the competent authority responsible for the control of transboundary waste shipments, their disposal and the application of the provisions of the Regulation and the Basel Convention in Greece, in accordance with Article 53 of the Regulation. Moreover, correspondents within the Environmental Planning Directorate have been designated to cooperate with the European Commission, in accordance with Article 54 of the Regulation. The role of the Environmental Planning Directorate is to monitor transboundary shipments of hazardous and non-hazardous waste and to issue relevant permits or authorisations. The Solid Waste Management Department is responsible for authorising non-hazardous waste shipments. On the other hand, the Office for Alternative Management of Packaging and Other Products of the Environmental Planning Directorate is responsible for authorising hazardous waste shipments (for example, waste lubricating oils, used batteries and accumulators, other hazardous waste from alternative management of packaging).

The Special Environmental Inspectorate is responsible for controlling and monitoring the implementation of environmental legislation and compliance with environmental permit conditions in projects and activities of the private and public sector, as well as for monitoring the implementation of the Regulation. More specifically, environmental inspectors carry out on-site inspections of any public or private project or activity subject to the environmental protection provisions (including activities related to transboundary waste shipments). In the course of their inspections, they may take measurements and collect any useful information when they see fit. Environmental inspectors may visit services or establishments where an inspection is to be carried out with or without prior notice and examine the case and the persons concerned on the spot. In addition, they even have access to confidential files, unless they concern matters of foreign policy, national defense or state security. Upon completion of the inspection, the inspector prepares a report concerning the on-site inspection. If it is found that the legislation on transboundary waste shipments has been violated, an inspection report shall be drawn up and notified to the offender, who shall be called to



submit a plea. Following this or the expiration of the time limit that has been provided for it, the environmental inspector shall draw up a reasoned decision, finding an infringement or not and proposing the imposition of a fine. A copy of this act shall be sent to the authority that granted the offender a permit to construct or carry out the project, to start the activity, or to renew such types of permits. A copy of the act shall also be forwarded to the competent Public Prosecutor for investigation of potential criminal charges. The competent authority for imposing such a fine or not is the competent Regional Governor or the Minister for the Environment.

The Central Customs Services and the Customs Offices of the Ministry of Finance are responsible for controlling transboundary waste shipments at the country's borders with third countries (outside the EU). The 19th Directorate of Customs Procedures, and in particular the 1st Department for Coordination of Customs Procedures monitors, directs and coordinates the implementation of customs legislation as regards procedures and traffic of travelers and goods. It is also responsible for examining, planning and recommending legislative and administrative measures for more effective customs controls.

The 33rd Customs Control Directorate of the Ministry of Finance, and in particular the Risk Analysis Department, is responsible for the receipt, correlation, classification of information, messages, investigation bulletins, reports and control forms, statistics and other data, which are evaluated and processed in order to improve prevention and combatting of smuggling, fraud and irregularities and, in general, customs infringements.

The custom's offices of entry into and departure from the country also play an important role in terms of compliance with the Regulation, as they carry out controls on the documents that accompany the shipments. In case the legality of a shipment is questioned and a shipment document needs to be verified, the customs offices notify the Environmental Planning Directorate and the cargo is detained until a written decision ruling on the shipment is issued.



The Hellenic Police and the Financial and Economic Crime Unit of the Ministry of Finance support the competent authorities in their endeavor during on-site inspections concerning compliance with the Regulation. Local Police Departments are involved in controls carried out at the country's borders, while competent Traffic Departments assist in controls on vehicles on the national roads.

Last but not least, the Environmental Agencies of the Decentralised Administrations and the Regions carry out inspections concerning compliance of activities and projects with environmental requirements, take measures for the protection of the environment, and prepare and approve the Regional Solid Waste Management Plan. They also have the right to carry out inspections at establishments or storage facilities where transboundary shipments depart from or at similar sites where they arrive.

1.2.3 Good practices in Cyprus

IMPEL SWEAP Customs Training Workshop 29-31 October 2019, Limassol, Cyprus

Cyprus hosted the above training workshop addressing to Customs Officers of countries of South-East Europe. In the workshop, participated Customs Officers from Cyprus, Croatia, Serbia, Bulgaria and Albania.

The workshop included:

- i. Classroom sessions with various sessions concerning generally the implementation of the European Regulations 1013/2006/EC and 1418/2007/EC and
- ii. Practical sessions for examination of transboundary shipments of waste documents.

IMPEL-TFS

Cyprus participates for many years in activities of IMPEL-TFS and particularly:



- i. **Joint Inspections** – Every year participating countries report the results of their inspections (physical, administrative, etc.) in a certain way (standard form) to IMPEL-TFS Secretariat. Cyprus participates in Joint Inspections since 2010.
- ii. **Exchange of Inspectors** – Before Covid-19 Pandemic, every year in volunteer basis, countries host Joint Inspections concerning road checks, port checks, administrative checks, where inspectors from various countries participate in order to exchange best practices.
- iii. **Best Practices Meetings** - Before Covid-19 Pandemic, every 6 months, one participating country was hosting these meetings where representatives from Competent Authorities and Operators were exchanging experiences and best practices.
- iv. **Exchange of views** - IMPEL has created a very useful platform (Basecamp) where dozens of technocrats from 36 countries participate and can exchange views and practices regarding the handling of specific cases and waste registration.

Customs Inspections based on Risk Analysis

The Department of Environment and the Customs Department have developed a quite efficient channel of communication, through which they exchange information that helps detecting possible illegal waste shipments. This is an interactive relationship, which is manifested in the following ways:

- i. Customs officers and specialists from the Department of Environment communicate openly, on a 24/7 basis, to discuss/resolve queries regarding the control of waste export documents, which are submitted directly to the Customs Department and concern exports conducted under the Procedure for General Information. Customs officers perform specific checks, as per the guidance they have received by the Department of Environment, and, in case they have any question regarding the submitted documents and their contents, they contact an Environmental Officer to answer it and provide guidance on how to proceed. It is worth noting that whenever the



Prior Notification and Written Authorization process is required, the Department of Environment ensures that all Movement Forms are checked and stamped by one of its officers, before being submitted to the Customs Department for export. As such, it is ensured that Movement Documents with the stamp, name and signature of an officer of the Department of Environment are submitted in cases that the latter certifies that Written Authorization is required prior to any export of waste. Therefore, if a Customs Officer detects or suspects that the Prior Notification and/or Prohibition procedure should be followed, according to Regulation 1013/2006/EC and in particular in accordance with the requirements of Regulation 1418/2007/EC, in the process of checking documents submitted directly to Customs under the General Information procedure, he/she stops the procedure and informs the Department of Environment to decide on the matter.

- ii. The Department of Environment has set up a network to gather information on possible illegal waste shipments and consequently sends this information to the Customs Department in the form of keywords, which can be entered into a computerized declaration system and displayed as warning messages to customs officers, who examine requests for exports. These words may either concern general, permanent warnings, such as prohibition of export of specific waste to specific destinations, or special circumstances relating to case investigations. In the latter case, a combination of words/descriptions that relate to a specific destination in combination with a specific operator and type of waste is sent.

Special training

Whenever possible, the Department of Environment, as the coordinating authority for waste shipments control, organizes training sessions for Customs (control of waste



shipments at points of entry/exit of the Republic of Cyprus) and Police Officers (mainly road checks and waste management facilities inspections).

These seminars are intended to take place as often as possible under the following circumstances:

- i. Scheduled training sessions on a regular basis to update knowledge and/or inform officials involved on new provisions/requirements concerning waste shipment controls.
- ii. Special briefings on the occasion of a future campaign or due to a specific incident or trend concerning the issue.
- iii. In the framework of training courses of relevant institutions in the European Union (for example, IMPEL).

Memoranda of Understanding (MoUs)

The DoE and the Police, have prepared a MoU defining and clarifying the way they cooperate with regard to waste shipments control and generally tackling environmental crime.

- i. The Memorandum's main provisions cover the following issues:
 - Exchange of Information
 - Operational Cooperation
 - Education and Information
 - Development of an Action Plan
 - Establishment of Units
 - Establishment of Multidisciplinary Team
 - International and European Cooperation
 - Statistical Data

Likewise, a similar Memorandum of Understanding between the Department of Environment and the Customs Department is being drafted.



Overlap with Police

Based on its expertise on illegal management issues and in the context of the European Programme “AUGEAS”, which aimed to involve the Police in the fight against illegal waste shipments, the Department of Environment undertook the coordination of the programme, trained members of the Police Force on detection and control of illegal waste shipments and carried out joint inspections with the Police.

In the context of this action, cooperation between the two departments was established, in a joint effort to combat environmental crime, during which:

- i. The Department of Environment:
 - helps organise campaigns originating from EUROPOL and INTERPOL;
 - ensures immediate police intervention in premises where illegal waste management may be taking place, since the inspectors of the Department of Environment do not need a court warrant to enter such premises;
 - answers specialised questionnaires concerning environmental crime;
 - trains members of the Police Force on detection and control of waste shipments.

- ii. The Police:
 - Ensures the safe performance of the Environmental Inspectors’ duties, by escorting them.
 - Carries out road checks to detect illegal waste shipments.
 - Transmits information on illegal transboundary waste shipments received via secure communication networks to the Department of Environment.
 - Trains Environmental inspectors on substantiation of criminal cases relating to environmental crime.

Environmental Inspections in Cyprus – transborder waste shipments (good practices):



1. Detection of Hazardous Waste exported from Cyprus to Mexico

Cyprus, in 2017, participated in a global operation of INTERPOL against illegal waste shipments. During the operation, the Department of Environment as the Competent Authority for the WSR, was requested to approve the export of 300 tons of hazardous waste (toners) from Cyprus to Mexico.

The request seemed suspicious and with further investigation in cooperation with relevant Mexican Authorities, it was proved that all documentation submitted from the consignee was fake and the procedure for approval was terminated and helped INTERPOL detect criminal networks in Central America.

Special reference for the above detection was made in INTERPOL's Press Release (<https://www.interpol.int/en/News-and-Events/News/2017/Hazardous-materials-seized-in-largest-global-operation-against-illegal-waste>).

2. Detection of Mixed Municipal Waste exported from Lebanon to the UK via Cyprus

In 2016 there was a request from a company in Cyprus for the import of 600.000 tons of "RDF/SRF" in order to be re-exported to the United Kingdom for Energy Recovery. The whole case was very strange and after further investigation it proved to be an attempt to export 1.500.000 tons of Mixed Municipal Waste from Lebanon to Cyprus. Cyprus used its right for objection and rejected the above import according to Article 11 (a),(b),(h) and (i) of the European Regulation 1013/2006/EC.

Lebanese Press dealt with DoE's rejection, referring to the whole situation as an attempt of a local fraud network to become global.

3. Export of End-of-Life Vehicles from Cyprus to Egypt

Egypt with the amendment of 18/7/2014 changed their demands in the European Regulation 1418/2007/EC and restricted the import of most of wastes including B1250



(Waste end-of-life motor vehicles, containing neither liquids nor other hazardous components).

The DoE on its attempt to enforce the above Regulation, proceeded to checks of export documents in cooperation with the Customs detected exports to Egypt that were suspected to include whole or half-cuts ELVs. After x-ray examination it was proved that there was an attempt of exporting ELVs as used spare parts.

There was a big argument with exporters whether a half-cut is waste or a spare part. Using the European Commission's Correspondents' Guidelines No 9 on shipment of waste vehicles and cases from other MS, we proved that half-cuts are wastes and prohibited their export as spare parts.

4. Import of end-of-life vehicles (ELVs) in Cyprus for the recovery of used parts

The processing of ELVs for the purpose of recovering used parts falls under the recovery operations of Annex I of the Law on Waste of 2011 (Law 185(I)/2011). As such, whoever carries out this operation is required to have a Waste Management License. Cyprus has one of the oldest vehicle fleets (on average more than 10 years old) and, therefore, a relatively large market for used parts.

The Department of the Environment has adopted a procedure for the approval of clearance of vehicles intended to be used for parts through Customs, in accordance with which:

- i. Any importer with a licensed waste management facility shall submit to the Department of Environment an agreement, which is approved and then submitted to the Customs Department for clearance through Customs.
- ii. The Department of Environment shall at the same time send the relevant approval to the Road Transport Department in order to prevent registration and consequently entry into service of inappropriate vehicles.



- iii. The importer shall transfer the vehicle to the licensed facility, where they shall remove any part they need and leave the rest of the vehicle for destruction. They shall provide the Certificate of Destruction to the Department of Environment within a reasonable time or whenever requested to do so.

5. Prohibition of waste shipments to the territories of the Republic of Cyprus occupied by Turkish army

About 37% of the territory of the Republic of Cyprus has been under Turkish occupation since 1974. Consequently, the Cypriot authorities cannot exercise any control over it. Therefore, and in order to ensure the environmentally sound management of generated waste, any transport of waste to the occupied areas is prohibited as it will either be managed in facilities that have not been licensed under the Law on Waste of 2011 (Law 185(I)/2011) or exported from unauthorised entry/exit points of the Republic to unknown destinations and subject to unidentified controls.

6. Export of waste paper (B3010) from Cyprus to Lebanon

In an effort to ensure compliance of third countries with specific requirements in the process of import of non-hazardous waste for recovery operations, Cyprus has introduced procedures of notification of the Customs Department, which monitors their fulfilment.

More specifically, regarding the export of waste paper from Cyprus to Lebanon, Lebanon requires that it be accompanied by standard documents (Annex VII, Agreement, etc.) with specific chemical and microbiological analyses. These analyses, if they meet specific thresholds, are endorsed by the Department of Environment (stamp, full name and signature) and presented to the Customs Department for export. This means that the Customs Department does not allow the above exports to take place without the endorsement by the Department of Environment.



7. Import of products relating to producer responsibility

Cyprus is an island state without industry of products such as electrical and electronic equipment, batteries and tyres. As such, the majority of such products that are placed in the market are imported, most of which through the ports of the Republic.

The Department of Environment, in cooperation with the Ministry of Transport, Communications and Works, has introduced the obligation to present a certificate of payment of the relevant environmental fee for imported products in an individual or collective waste management system, approved by the Department of Environment, to the Cyprus Ports Authority, in order to allow the export of such waste and consequently its placement in the market of Cyprus.

8. Waste export involving reporting obligations to the European Commission

The majority of recyclable waste involving reporting to the EU (paper, plastic, ferrous and non-ferrous metals, WEEE and batteries, etc.) is exported, and since Cyprus is an island state, it is exported from two main ports in the Republic of Cyprus.

The Department of Environment is in the process of introducing the following requirements concerning the export of waste involving reporting to the EU:

- i. As far as parts of ELVs and/or WEEE (for example, components such as compressors, motors, etc.) are concerned, exporters shall demonstrate that they have been generated through environmentally sound management of whole appliances and do not include separate parts, which have been received from third parties and are likely to have been generated through illegal waste dismantling. The management facility, where such waste has been exported from, shall demonstrate the management of equivalent quantities of hazardous waste generated through dismantling and/or depollution of WEEE (for example, refrigerant gases and waste oils from waste refrigerators and air conditioners) and ELVs (for example, waste oils, brake fluids, oil filters, etc.).



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- ii. Waste of the same type (for example, aluminium) shall be declared in accordance with its origin (for example, packaging, WEEE, ELVs), in order to for the quantities declared in the annual reports to be traceable and documented.



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