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**Conference of the Parties to the Basel Convention  
on the Control of Transboundary Movements of  
Hazardous Wastes and Their Disposal  
Tenth meeting**  
Cartagena, Colombia, 17–21 October 2011  
Item 3 (c) (ii) of the provisional agenda\*  
**Matters related to the implementation of the Convention:  
legal, compliance and governance matters:  
national legislation, enforcement of the Convention and  
efforts to combat illegal traffic**

## **Survey of Customs' practices, challenges and needs**

### **Note by the Secretariat**

The annex to this document contains a summary, prepared by the Secretariat for information purposes, of Customs surveys undertaken by the secretariats of the Basel, Rotterdam and Stockholm conventions in the framework of Green Customs Initiative trainings.

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\* UNEP/CHW.10/1.

## Annex

### Survey of Customs' practices, challenges and needs

#### Introduction

Decision IX/23 and the associated activity 8 of the 2009-2011 programme budget adopted by the ninth meeting of the Conference of the Parties to the Basel Convention<sup>1</sup> provide for the development of tools and training activities, inter alia through the Green Customs Initiative (GCI)<sup>2</sup>, to assist Parties to enforce the Convention and to combat illegal traffic. Over the triennium, the Secretariat of the Basel Convention has cooperated with the secretariats of the Rotterdam and Stockholm conventions on the development of joint training tools for Customs and on the delivery of joint training activities for Customs through GCI.

Since 2010, the three secretariats have taken the opportunity provided by GCI training workshops to collect information on the way Customs enforce the Basel, Rotterdam and Stockholm conventions and the challenges they may be facing in that respect. The main avenue used to collect information has been through a "Questionnaire for Customs Services - *Implementation and enforcement of the Basel, Rotterdam and Stockholm Conventions at the national level*" distributed during four GCI workshops: regional workshop for the Customs from Europe and Central Asia (ECA), subregional workshop for Southern Africa Development Community (SADC) countries, subregional workshop for Europe and Central Asia-Southeast European Cooperation Initiative (ECA-SECI) countries, and subregional workshop for Pacific Island Countries (PIC). In addition, the secretariats have reviewed information contained in the reports of four other GCI workshops: national workshops in Maldives and Vietnam, regional workshop in the Dominican Republic, and workshop in Niger for the West African Economic and Monetary Union (UEMOA) subregion.

The objective of the above mentioned Questionnaire, elaborated jointly by the three secretariats, was to collect, for information purposes, elements relating to the way Customs operate at the national and international levels in implementing and enforcing the three hazardous chemicals and wastes conventions. The collection of the information aimed, on one hand, at assisting Customs services in clarifying, if needed, the framework in which they operate and in highlighting any improvements that could be made. Information collected also assisted the secretariats of the Basel, Rotterdam and Stockholm Conventions to better tailor capacity building activities during training sessions of Customs services. The use of this questionnaire in the framework of four GCI workshops resulted in the collection of 42 questionnaires from respondents from 32 countries.

This survey does not purport to present an exhaustive picture of Customs' practices, challenges and needs when enforcing the Basel Convention and, due to the location of GCI trainings over the period considered, is not geographically representative. It merely aims at providing some background information for Parties' consideration. The present document follows the structure of the Questionnaire.

Appendix I lists the eight workshops during which information was collected from Customs, including the dates of the workshops, the countries that were represented during the workshops and the number of responses to the questionnaire that were received. Appendix II is the Questionnaire jointly prepared by the three secretariats. Appendix III is a list of the abbreviations used in this document.

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<sup>1</sup> Table 1 of decision IX/31

<sup>2</sup> The GCI is a partnership of international organizations cooperating to enhance the capacity of Customs and other relevant enforcement personnel to prevent the illegal trade and to facilitate the legal trade in environmentally-sensitive commodities. Activities include training workshops and the preparation of guidance materials such as the Green Customs Guide. The partners of the Green Customs Initiative comprise the secretariats of several multilateral environmental agreements (Basel Convention, Cartagena Protocol, CITES, Montreal Protocol, Rotterdam Convention and Stockholm Convention) as well as Interpol, UNEP, UNODC, OPCW and the World Customs Organization. For more information, see: <http://www.greenCustoms.org/>

## **Methodology**

The Questionnaire was sent to all participants to the GCI workshops. The Questionnaire comprises 34 questions clustered in three parts:

- I. Domestic institutional framework,
- II. Monitoring and control procedures, and
- III. Training and capacity building tools.

Part I on the domestic institutional framework aims at collecting information on the framework in which Customs operate and the incentives provided for Customs to enforce the conventions. Part I also aims at gathering information on the type and level of cooperation between Customs and national entities in charge of the Basel, Rotterdam and Stockholm conventions, as well as between Customs and other stakeholders at the national level and at the international level. Part II of the questionnaire focuses on the monitoring and control procedures for the implementation and enforcement of the three conventions at the national level. This is where information is sought on the *modus operandi* of Customs, in particular when faced with a possible case of illegal trade/traffic. Part III of the questionnaire aims at identifying the level of awareness of Customs, the adequacy of training received by Customs and the possible needs for capacity building.

Responses to each question of the Questionnaire are presented in two formats: a written summary and, when appropriate, an accompanying chart. The vertical axis of the chart reflects the number of responses received, while the horizontal axis provides information about the specific workshop during which information was collected. It must be noted that due to language constraints in the Secretariat, the responses received in Russian from representatives from Bulgaria, Croatia, Macedonia and Slovenia could not be reflected in this document. In addition, there are four instances in which different representatives from the same country sent back the questionnaire: 2 questionnaires were received from Customs from Mauritius, 8 from Customs from Malawi, 2 from Customs from Montenegro and 2 from Customs from Albania. In the case of Mauritius and Malawi, all questionnaires were sent back in the context of the SADC regional workshop. On the other hand, in the case of Montenegro and Albania, one questionnaire from each country was sent back in the context of the ECA regional workshop, and the other one was received in the context of the ECA-CECI regional workshop. Footnotes explain how these multiples responses from Customs from the same country were reflected in this document.

Information collected through the reports of four other workshops is reflected as appropriate under each question of the questionnaire.

## **Compilation of responses to the Questionnaire and reports of GCI workshops**

### **A. Domestic institutional framework**

#### **A.1 Legal framework and incentives**

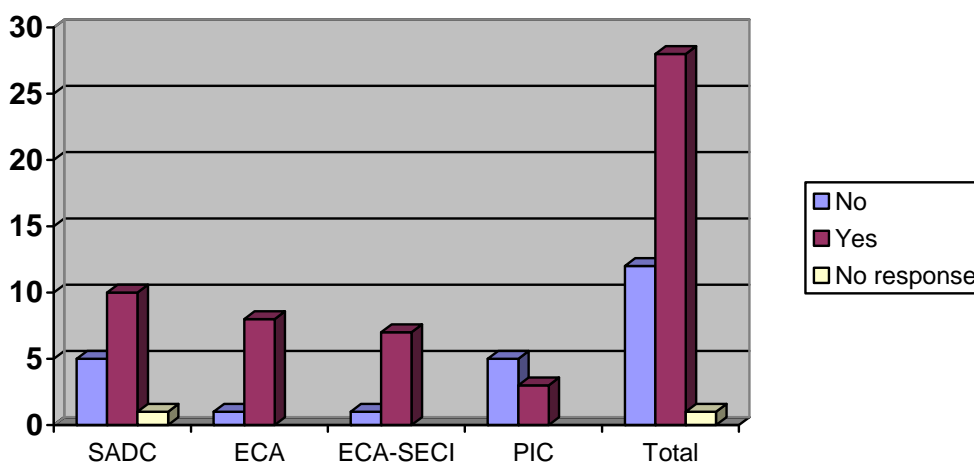
This section of the questionnaire is aimed at identifying the existence of a specific legal basis and the capacity of Customs officials to implement and enforce MEAs at the national level.

#### **Question 1 (chart 1)**

*Is there a specific legal basis giving Customs the mandate to implement/enforce multilateral environmental agreements (MEAs), in particular the BC/RC/SC, at the national level?*

Most Customs officials - 28 officials - answered positively and 12 officials responded that there is no specific legal basis<sup>3</sup>.

<sup>3</sup> Mauritius: one official answered "Yes", and the other officials did not respond. Malawi: 4 officials said "No", 4 officials said "Yes". Montenegro: both officials answered "Yes". Albania: both officials answered "Yes".

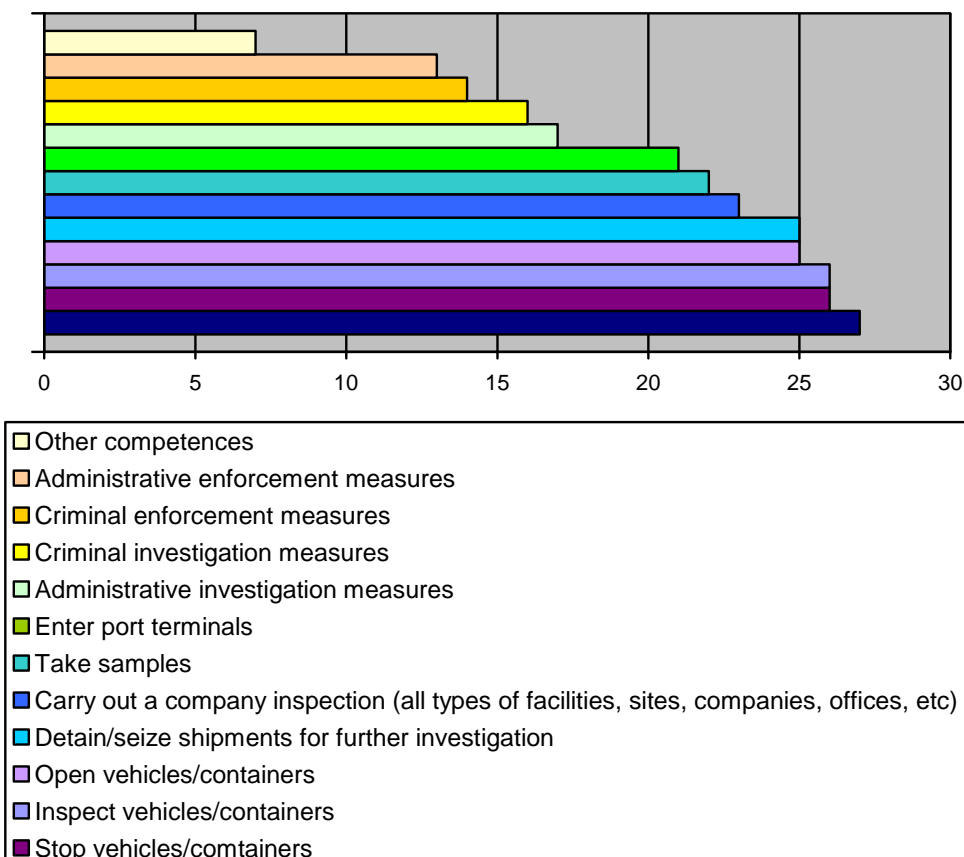


**Question 2 (chart 2)**

*If you answered “yes” to question 1, what type of competences and powers do Customs have to implement and enforce the BC/RC/SC?*

Question 2 attempts to collect information on the type of competences and powers Customs have with respect to the enforcement of the conventions. According to the results, the most common competence is the inspection of documents. Respondents also mentioned stopping, opening, and inspecting vehicles/containers as well as detaining or seizing shipments for further investigation. On the other hand, criminal investigation/enforcement measures and administrative investigation/enforcement measures were not cited<sup>4</sup>.

<sup>4</sup> Mauritius: one official answered that customs have all the type of competences and powers listed, and the other official did not respond. Malawi: 4 officials answered that they have the competence to stop/open/inspect vehicles/containers, inspect documents, take samples, detain/seize shipments for further investigation, 3 officials answered that they have the competence to carry out a company inspection and enter port terminals, 1 official answered that Customs have the competence to take criminal investigation measures, and 4 officials did not respond to this question. Montenegro: both officials answered that they have every type of competences and powers to implement and enforce the BC/RC/SC. Albania: both officials answered that they have every type of competences and powers to implement and enforce the BC/RC/SC.

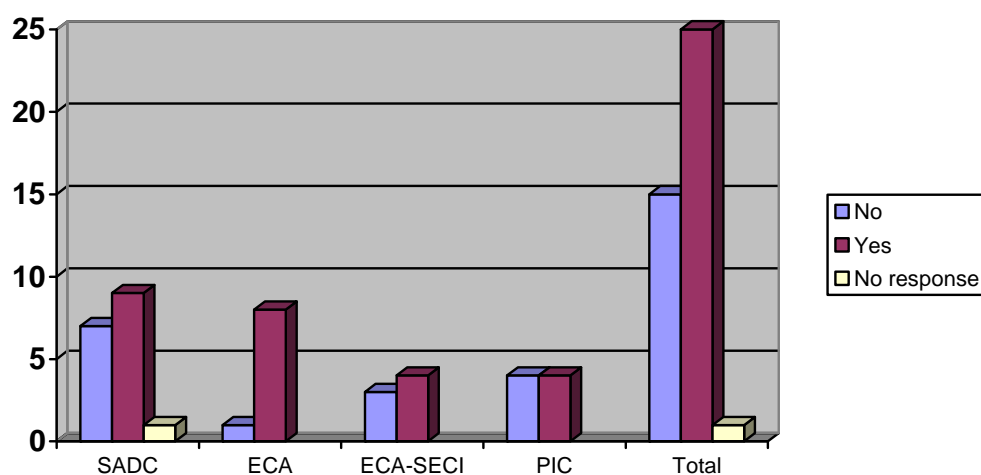


**Question 3 (chart 3)**

*Are Customs representatives involved directly or indirectly in environmental legislative/policy-making processes dealing with hazardous chemicals and waste issues?*

25 custom officials responded that they participate in law making procedures and 15 officials answered that they do not<sup>5</sup>.

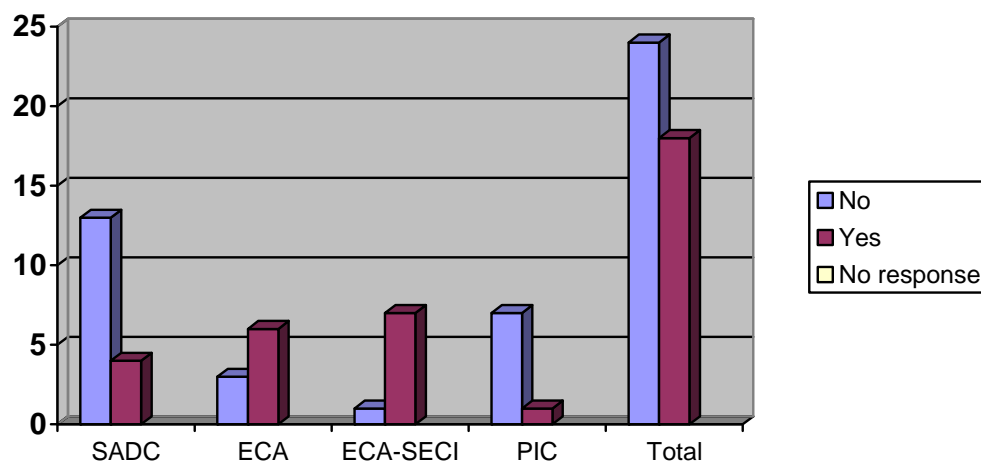
<sup>5</sup> Mauritius: one official answered “Yes”, and the other answered “No”. Malawi: all 8 officials answered “No”. Montenegro: both officials answered “Yes”. Albania: both officials answered “Yes”.



**Question 4 (chart 4)**

*In your country, are Customs given incentives to take an active role to protect the environment, in particular to control the import, transit and export of environmentally sensitive goods such as hazardous chemicals and wastes?*

Overall, 24 officials answered “No” to the provision of incentives, while 18 officials answered “Yes”. However, the breakdown evidences differences between the regions that were surveyed. The rate of the respondents who said “NO” is much higher in the SADC and PIC regions. On the other hand, in the ECA and ECA-SECI regions, most respondents answered that they are given incentives to take an active role in protecting the environment<sup>6</sup>.



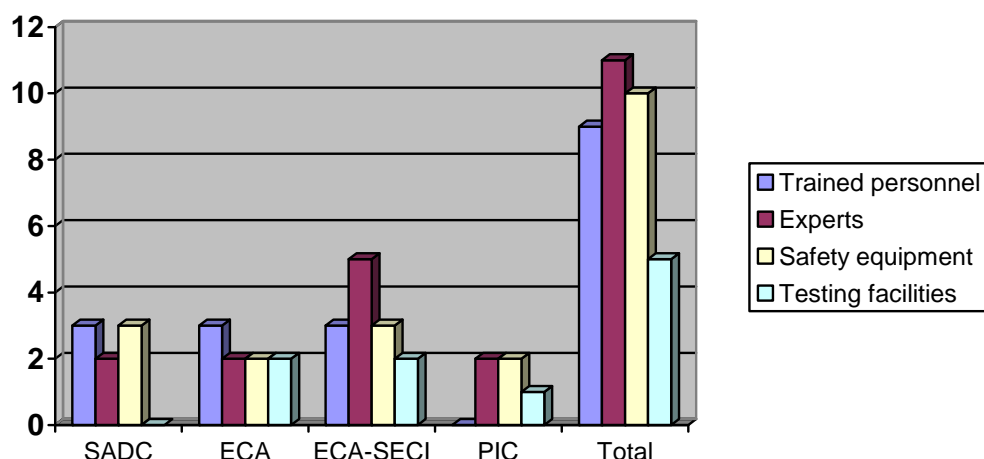
**Question 5 (chart 5)**

*What capacity do Customs in your country have to focus on the implementation and the enforcement of BC/RC/SC?*

Question 5 aims at identifying Customs’ actual capacity in enforcing the three conventions. The question identifies four types of resources (trained personnel, experts, safety equipment, and testing facilities) and asks respondents to rank them. Overall, there appears to be a lack of all four types of resources listed in the question. In the case of the SADC region, no Customs appear to have testing facilities. In the PIC region, no Customs appear to have trained

<sup>6</sup> Mauritius: one official answered “Yes”, and the other answered “No”. Malawi: all 8 officials answered “No”. Montenegro: both officials answered “Yes”. Albania: both officials answered “Yes”.

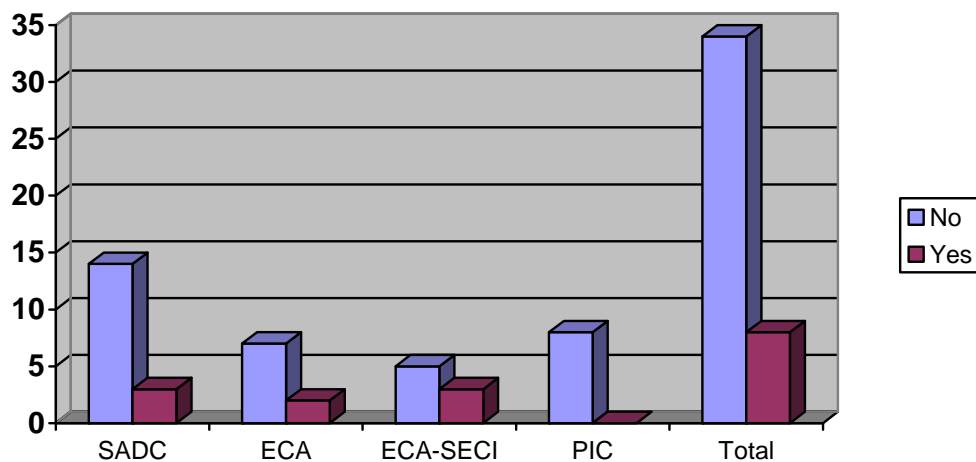
personnel. In addition, even in the case where respondents indicated that such resources are available, many officials said these were not sufficient and limited<sup>7</sup>.



#### Question 6 (chart 6)

*Are Customs officers dealing with shipments of waste/chemicals specially designated and trained to deal with hazardous chemicals and waste?*

Most officials - 34 officials - answered "NO", and 8 officials answered "Yes"<sup>8</sup>.



#### Information collected from other workshops

In four regional workshops (Maldives, Dominican Republic, Niger and Vietnam), legal framework and incentives were dealt with as well, yet discussions were more concentrated on identifying solutions to than understanding the current condition of Customs.

<sup>7</sup> Mauritius: both officials answered that they only testing facilities. Malawi: one official said they have experts and testing facilities, other 4 officials answered they have nothing, and 3 officials did not respond to this question. Montenegro: one said they have all 4 capacities and the other officials answered they have 3 capacities except for testing facilities. Albania: one said they have nothing, and the other said they only have trained personnel specialized in waste/chemicals.

<sup>8</sup> Mauritius: both officials said "Yes". Malawi: all 8 officials answered "No". Montenegro: both officials answered "No". Albania: both officials answered "No".

In the workshop in Maldives, Customs discussed legal frameworks and the establishment a long term mechanism to combat illegal trade on ODS, and suggested in this regard: 1) to introduce proper legislation, 2) to give necessary legal power to concerned authorities to stop illegal trade, 3) to severely punishment for offenders, 4) to have well defined roles for the concerned authorities, 5) to strengthen the existing Import/Export licensing system.

In the workshop in the Dominican Republic, the participants pointed out a lack of knowledge/expertise on MEA issues as one of the challenges. They suggested more specific and targeted training on practical Customs-relevant issues, better support from international organizations, the importance of competent authorities/MEA focal points to be involved in Customs training, and better training on risk profiling/risk analysis. Participants also identified the following issue: legislation often does not take the Customs perspective into account; and legislation, including updates/modifications, or developments occurring within MEAs are not communicated to Customs. To solve this problem, it was suggested that Customs be involved at an early stage when drafting implementing legislation, when developing associated policies and also when negotiating MEAs.

In the workshop in Niger, regarding legal matters, it was suggested to harmonize the legislation at the sub regional level for better implementation of conventions and agreements on environmental crime, inclusion in domestic legal provisions of international conventions, and inclusion of the issue of MEAs into the agenda of meetings of policy makers in countries from the UEMOA sub region.

In the workshop in Vietnam, slow processes for revising the legal frameworks and the existence of a disharmonized legal system were identified as challenges.

In conclusion, regarding legal framework and incentives, although most countries have specific a legal basis at the national level, the lack of harmonization of legislations at the sub regional level appears to constitute a challenge. In addition, there appears to be a lack of involvement of Customs officials' views when legislation is drafted, updated or modified. Also, many Customs officials still are not given adequate incentives to take an active role to protect the environment, especially, in SADC and PIC region, and Customs' capacities to implement and enforce MEAs – trained person, experts, safety equipment and testing facilities – do not exist or are limited in many countries.

## **A.2 Cooperation with national entities in charge of the Basel, Rotterdam and Stockholm Conventions**

This section of the questionnaire relates to cooperation with national entities in charge of BC, RC, and SC.

### **Question 7 (Chart 7)**

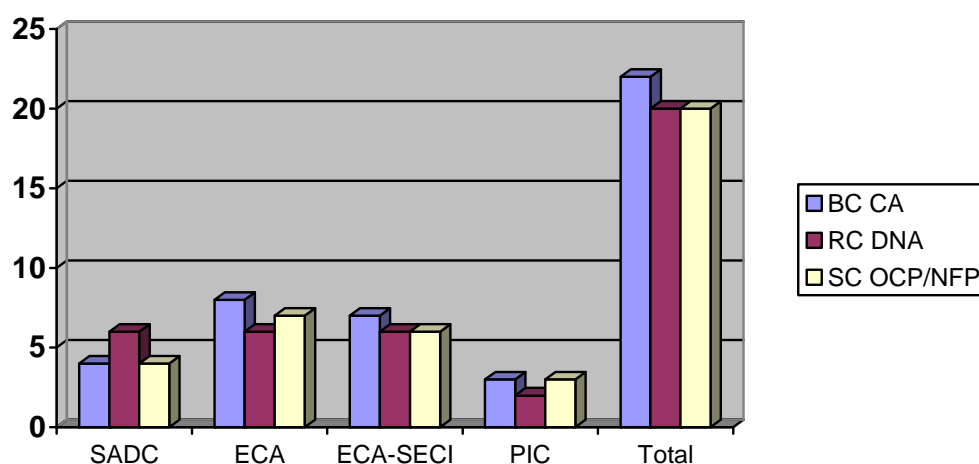
*Do you know who, in your country, is: the Basel Convention Competent Authority (CA), the Rotterdam Convention Designated National Authority (DNA), and the Stockholm Convention Official Contact Point (OCP) and National Focal Point (NFP)?*<sup>9</sup>

The result is that around half of the respondents answered that they know the focal points of three conventions and responses do not vary much from Convention to Convention<sup>10</sup>.

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<sup>9</sup> It must be noted that not all respondents are from countries that are Parties to the three conventions

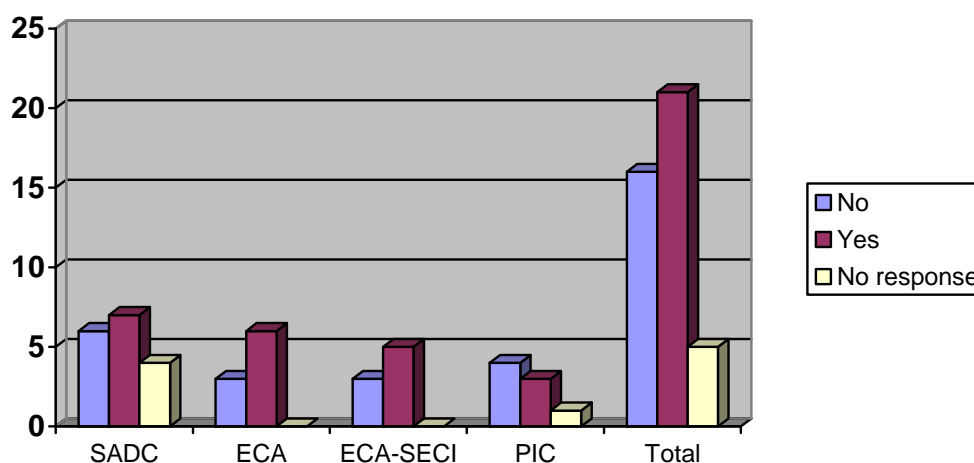
<sup>10</sup> Mauritius: one official answered that he/she knows all three focal points, and the other said that he/she does not know all three focal points in the country. Malawi: one answered that he knows all three focal points, and the others answered that they do not know all three focal points in their country. Montenegro: one officials answered that he only knows Stockholm convention OCP/NFP and the other said that he only knows Basel Convention CA. Albania: both officials answered that they know all three focal points.



### Question 8 (Chart 8)

*Is there a focal point within the Customs to communicate with this/these entity/ies?*

The majority of respondents indicate that such a focal point exists: 21 custom officials answered that there is a focal point within the Customs and 16 officials said that there is no focal point within the Customs. In the event Customs indicated not having a focal point, some respondents from the PIC and ECA subregions specified that they use alternative methods of communication, as the need arises<sup>11</sup>.



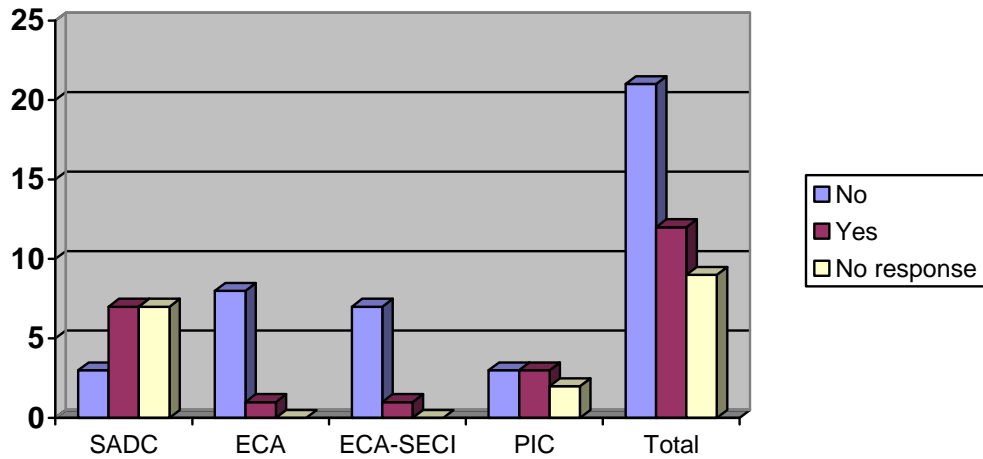
### Question 9 (Chart 9)

*Do you face any difficulties communicating with this/these entity/ies?*

The 21 respondents that responded positively to question 8 answered that they do not face difficulties in communicating with the CA, DNA, OCP/NFP. 12 respondents on the other hand, mainly from the SADC and PIC subregions, indicated they face such difficulties<sup>12</sup>.

<sup>11</sup> Mauritius: both officials answered "Yes". Malawi: 4 officials answered "No", and 4 officials did not respond. Montenegro: one official said "Yes", and the other said "No". Albania: one official answered "No" and the other answered "Yes".

<sup>12</sup> Mauritius: one official said "No". Malawi: one official said "No", 2 officials said "Yes", 5 officials did not respond. Montenegro: 2 officials answered "No". Albania: both officials answered "No".



**Question 10 (Charts 10 and 11)**

*Does a cooperative agreement (e.g. Memorandum of Understanding) exist between Customs and this/these entity/ies for the implementation and enforcement of legislation relevant to BC/RC/SC?*

24 respondents answered “NO” and 8 respondents “Yes”<sup>13</sup>.

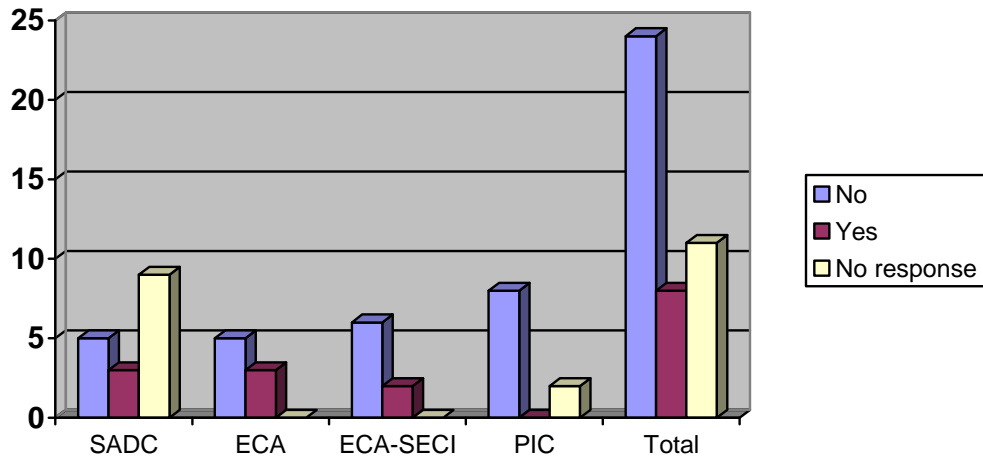


Chart 10

*If yes, please indicate what this agreement includes*

Regarding the elements that a cooperative agreement includes, the highest priority is a statement of the relevant applicable legal framework. Respondents also mentioned inclusion of the respective responsibilities and duties of Customs and environmental entities, and exchange of information procedures as next priority<sup>14</sup>.

<sup>13</sup> Mauritius: one official said “Yes”, and the other did not respond. Malawi: 4 officials said “No”, 4 officials did not respond. Montenegro: both officials did not respond. Albania: both officials answered “No”.

<sup>14</sup> Mauritius: one official answered that there is agreement that includes all relevant options, and the other officials did not respond. Malawi: all 8 officials did not respond to this question. Montenegro: both officials did not respond. Albania: both officials did not respond.

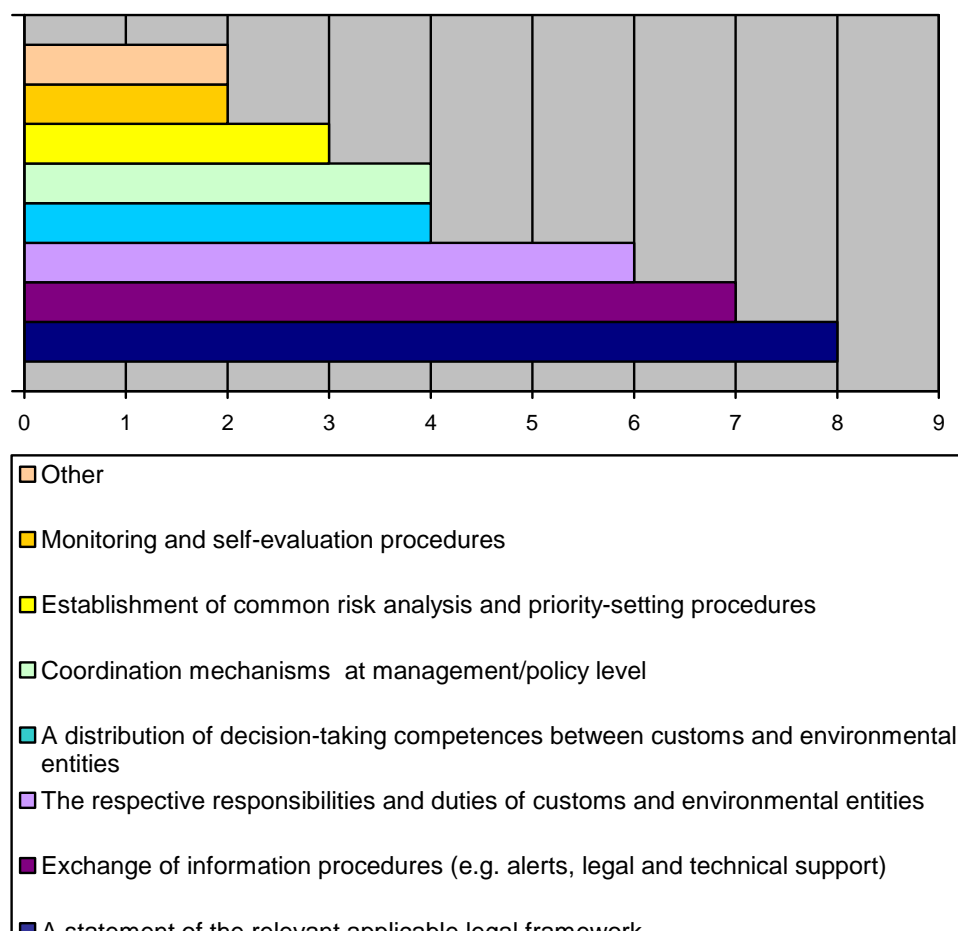


Chart 11

### Question 11

*With the goal of an efficient enforcement of BC/RC/SC, would you have **suggestions** to improve cooperation with the CA/DNA/OCP&NFP?*

Question 11 invites suggestions to improve cooperation between Customs and the CA/DNA/OCP&NFP. Some respondents recommended to enter a Memorandum of Understanding (MoU) including topics related to exchange of information, Customs officers training and establishment of contact points. Besides entering an MoU, respondents suggested the following: holding regular meetings and exchanging information on a regular basis, creating awareness among all Customs officers, and getting the environmental entities to provide further assistance to Customs.

### Information collected from other workshops

The issue of cooperation with national environmental entities was also discussed during the four other GCI regional workshops. In the workshop that took place in the Dominican Republic, the participants said that there is lack of cooperation between Customs. To address this challenge, they recommended identifying the names and contact details of all relevant focal points.

During the workshop that took place in Niger, participants also highlighted the problem of cooperation between Customs and environmental entities, and suggested to create a framework for dialogue between Customs and the focal points of different MEAs at national and sub regional level, for instance by creating a network for information sharing and exchange of data between the various entities involved in the implementation of MEAs.

During the workshop that took place in the Maldives and in Vietnam, participants pointed to poor cooperation with national entities as one of the problem and recommended that cooperation be improved.

In conclusion, with regards to cooperation with national entities in charge of the Basel, Rotterdam and Stockholm conventions, Customs usually have focal points to communicate with environmental entities. However, even in the absence of such focal points, few difficulties in communication appear to be faced. This being said, respondents see value in improved cooperation with national entities by means of entering an MoU or a framework for dialogue.

### A.3 Cooperation with other stakeholders at the national level

This section of the questionnaire is aimed at identifying current cooperation between Customs and other stakeholders at the national level.

#### Question 12

What stakeholders other than the CA/DNA/OCP&NFP are involved in monitoring and controlling shipments of waste/chemicals? (e.g.: Police, Inspection of Road Transport, Border Guards, Safety Personnel, Port Authorities)

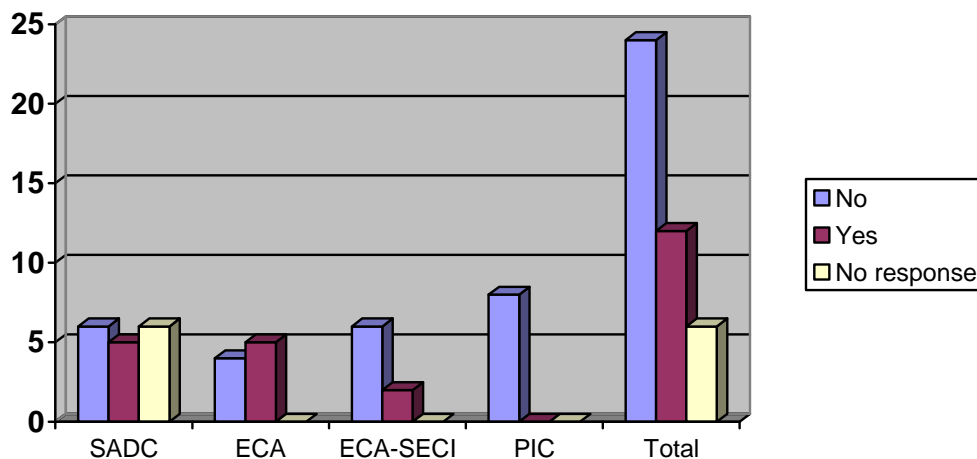
Many respondents identified:

- the police: for investigation, verification and prosecution, and
- other departments such as the department of environment, agriculture, labour or other government organization dealing with sanitary and health issues

#### Question 13 (chart 12)

Is there a cooperative agreement at the national level regulating your relationship with these stakeholders?

24 respondents answered “No”, and 12 respondents answered “Yes”<sup>15</sup>.



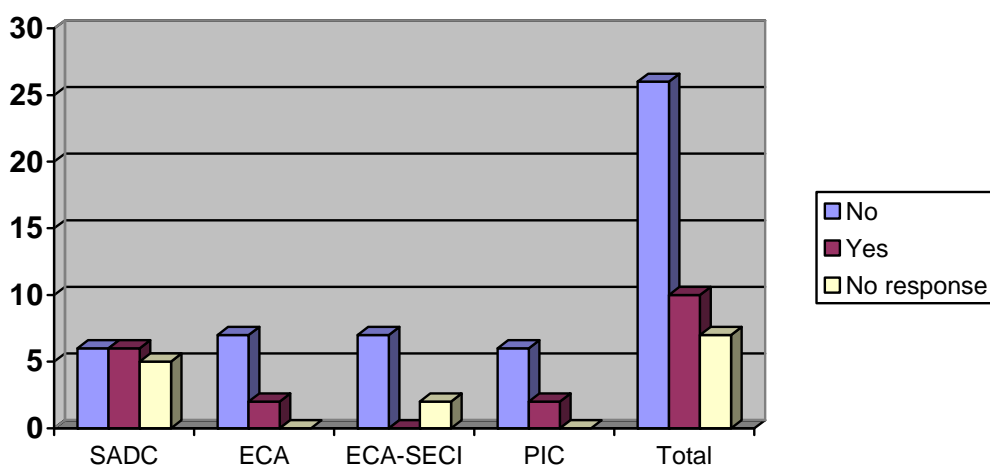
#### Question 14 (Chart 13)

Do you have established procedures to cooperate with the private sector (eg. shipping, waste\_management or chemicals industries)?

26 respondents answered “No”, and 10 respondents answered “Yes”<sup>16</sup>.

<sup>15</sup> Mauritius: one answered “Yes”, and the other official did not respond. Malawi : 3 officials said “No”, 2 said “Yes” and 3 officials did not respond. Montenegro: both officials answered “No”. Albania: both officials answered “No”.

<sup>16</sup> Mauritius: 2 officials said “Yes”. Malawi: 3 officials answered “No”, 2 officials answered “Yes”, and 3 officials did not respond. Montenegro: both officials answered “No”. Albania: both officials answered “No”.



### Question 15

*With the goal of an efficient enforcement of BC/RC/SC, would you have **recommendations** to make to improve cooperation with other stakeholders at the national level?*

Question 15 invites suggestions on how to improve cooperation between Customs and other stakeholders at the national level. In their responses, Customs officers suggested:

- a review of existing legislation and the development of appropriate regulations,
- the establishment of procedures for cooperation with the private sector
- the establishment of a national task force.

### Information collected from other workshops

During the four other GCI regional workshops, cooperation between Customs and stakeholders other than environmental entities was given particular prominence.

During the workshop in the Maldives, participants considered the challenge of cooperation with other stakeholders with a view to combating environmental crime and highlighted the importance of: 1) harmonizing information layers and the efforts of the various national agencies, 2) streamlining efforts of the countries to achieve the common goal, 3) strengthening policies and legislations, 4) implementing well-planned import and export Procedures, 5) training law enforcement personnel, and 6) improving public awareness and reward for decisive information.

During the workshop in the Dominican Republic, participants recommended that formal agreements be entered between agencies, particularly between Customs and the police and Interpol.

During the workshop in Vietnam, participants also pointed to poor cooperation with stakeholders other than the environmental entities responsible for the implementation of the three conventions. They encouraged: wider and deeper communication between the central and local governments, between Customs and police, with NGOs and with other stakeholders, through agreements such as MoUs.

During the workshop in Niger, participants also recommended the creation of a network for information sharing and exchange of data between different entities having a role in the implementation of MEAs.

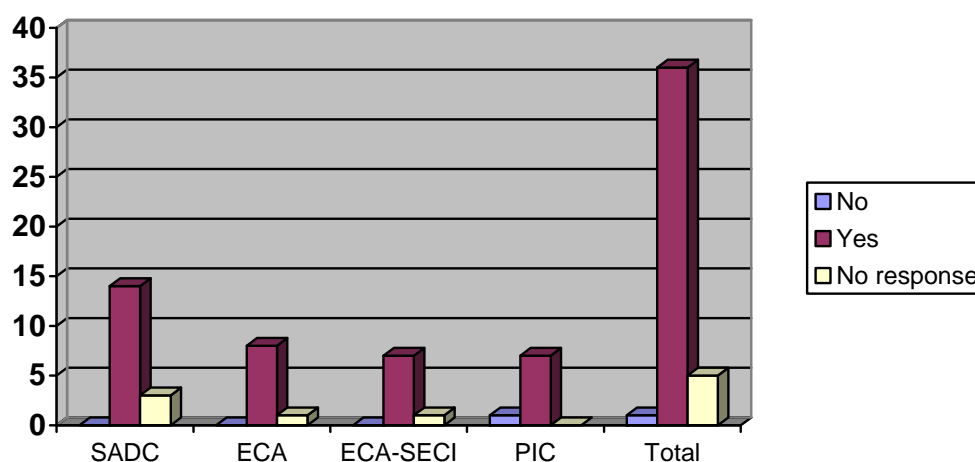
In conclusion, with regards to cooperation with other stakeholders, Customs are cooperating with police and other departments dealing with health and environment, labour, and agriculture. However many Customs still do not have cooperative agreements at the national level and established procedures to cooperate with the private sector as well. Therefore, as recommended from respondents and participants in GCI workshops, it is recommended to improve cooperation with stakeholders.

#### A.4 Cooperation at the international level

##### Question 16 (Chart 13)

*Does your country participate in an international/regional Customs network?*

This section of the questionnaire relates to cooperation at the international level. Question 16 (see Chart 13) asks if the country participates in an international/regional Customs network. Most respondents, 36 respondents, answered “Yes”, and only one respondent said “No”. WCO (World Customs Organization) is the most well-known and well-used network for cooperation at the international level<sup>17</sup>.



##### Question 17

*For bilateral communication with other countries' Customs and other authorities, what channel do you use?*

Most respondents (21) respondents answered that they use the Customs Enforcement Network (CEN) of the World Customs Organization for bilateral communication with other countries' Customs. Other identified means of bilateral communication include: Ministry of Environment, Ministry of Foreign affairs, the Oceania Customs Organization (OCO), the SECI center and other informal modes of communication such as direct contact by e-mail.

##### Question 18

*With the goal of an efficient enforcement of BC/RC/SC, would you have **recommendations** to make on how to improve cooperation at the international level?*

Question 18 asks respondents for recommendations on how to improve cooperation at the international level. Respondents suggest updating and sharing international information, annual meetings or more workshops, training of focal point officers, and conducting joint Customs operations.

##### Information collected from other workshops

During the workshop in the Maldives, the participants made the following recommendations to improve cooperation with WCO, Interpol, UNEP and other international organizations 1) to increase meetings and provide information about policy and operational matters, 2) to make better use of already established communication systems, 3) to organize more trainings and to raise awareness about activities.

During the workshop held in the Dominican Republic, the participants suggested to make use of existing communication mechanism (e.g. WCO RILO, CEN, CENcomm, Environet, Interpol).

<sup>17</sup> Mauritius: both officials answered “Yes”. Malawi: 7 officials answered “Yes” and one official did not respond. Montenegro: both officials answered “Yes”. Albania: both officials answered “Yes”.

During the workshop in Niger, participants also recommended the creation of a network for information sharing and exchange of data between different entities having a role in the implementation of MEAs.

During the workshop in Vietnam, participants also suggested enhancing cooperation with international agencies to address environmental crime and to improve information exchange and intelligence collection.

In conclusion, most Customs officials are participating in international/regional networks such as WCO. And Customs use this network and other informal ways (such as e-mails) for bilateral communication. However, in general respondents highlight challenges with cooperation at the international level and recommend an improved efficiency of the already established communication systems as well as increased meetings and information exchange, and more training to raise awareness about cooperation at the international level.

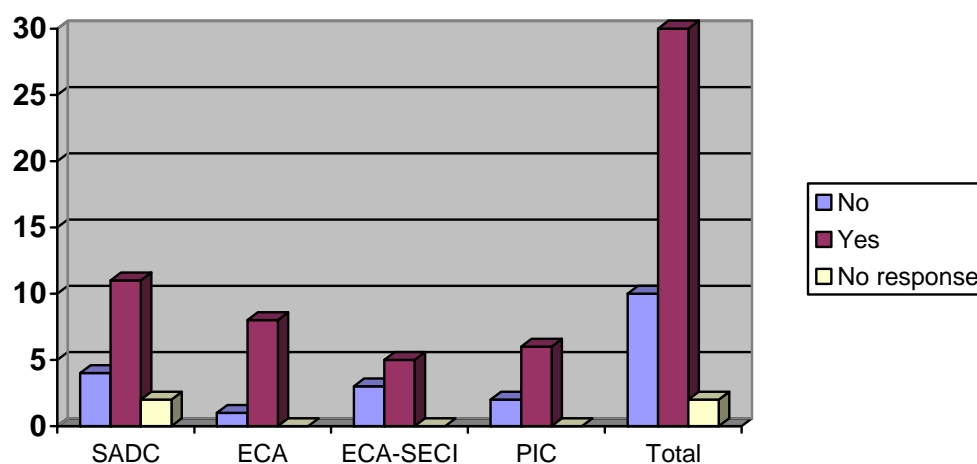
## B. Monitoring and control procedures

This section of the questionnaire is aimed at identifying monitoring and control procedures.

### Question 19 (Chart 14)

*Do Customs monitor shipments of hazardous waste/chemicals?*

Question 19 asks if Customs monitor shipments of hazardous waste/chemicals. The result is that 30 respondents said “Yes” and 10 respondents said “NO”. Regarding the method in use, most Customs officials answered that they use only paper record and reports. Some Customs use an electronic database, physical control, risk analysis or specific registration systems<sup>18</sup>.



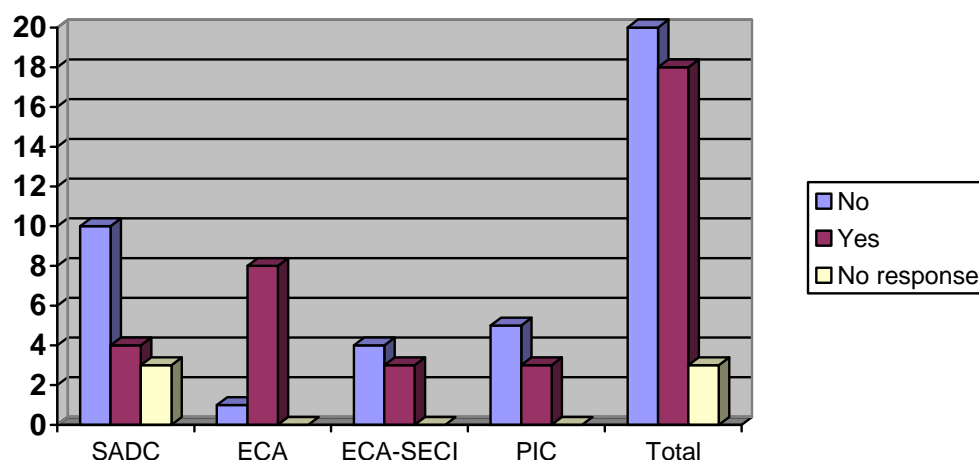
### Question 20 (Chart 15)

*Are there Customs national codes to deal with specific waste streams?*

20 respondents indicated that their country has national customs codes, while 18 responded negatively<sup>19</sup>.

<sup>18</sup> Mauritius: 2 officials answered “Yes”. Malawi: 2 answered “No”, and 4 officials answered “Yes”, and 2 officials did not respond, Montenegro: both officials answered “Yes”. Albania: both officials answered “No”.

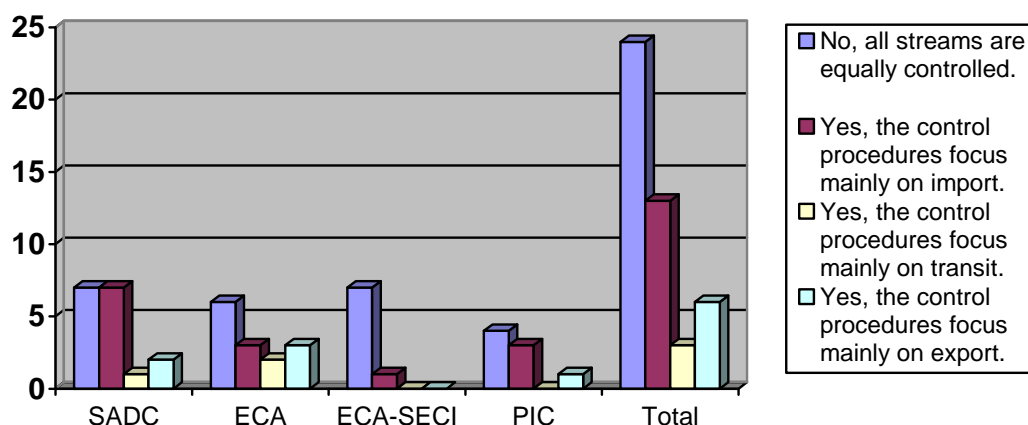
<sup>19</sup> Mauritius: both officials answered “Yes”, Malawi: 6 said “No”, 1 said “Yes”, and one did not respond, Montenegro: both officials answered “Yes”. Albania: both officials answered “Yes”.



**Question 21 (Chart 16)**

Do the control procedures of waste/chemicals shipments focus on a particular stream direction (import, transit, export)?

24 respondents answered that all streams are equally controlled. And 12 respondents answered that the control procedures focus mainly on import<sup>20</sup>.



**Question 22 (Chart 17)**

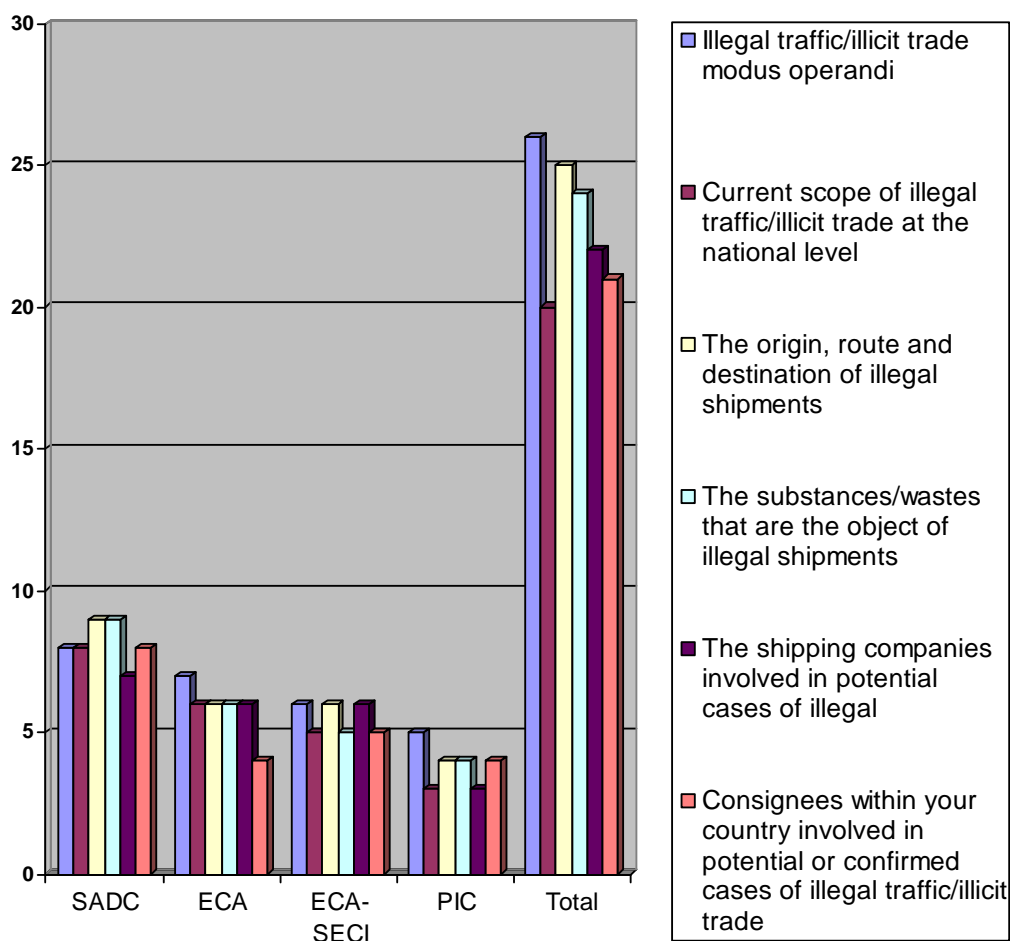
Do Customs have access to information or collect information on:

- a) Illegal traffic/illicit trade modus operandi (e.g. smuggling methods)?
- b) Current scope of illegal traffic/illicit trade at the national level?
- c) The origin, route and destination of illegal shipments?
- d) The substances/wastes that are the object of illegal shipments?
- e) The shipping companies involved in potential cases of illegal traffic/illicit trade?

<sup>20</sup> Mauritius: one official answered that all streams are equally controlled, and the other said that the control procedures focus mainly on import. Malawi: 4 officials answered that all streams are equally controlled, 1 answered the control procedures focus mainly on import, 1 answered the control procedures focus mainly on import and export, and 2 officials did not answer. Montenegro: one official answered the control procedures focus mainly on import, export and transit, and the other officials answered all streams are equally controlled. Albania: both officials answered “No”.

f) *Consignees within your country involved in potential or confirmed cases of illegal traffic/illicit trade?*

Question 22 aims at collecting information on the kind of information customs collect or have access to. The question also suggests the kind of relevant information and asks respondents to rank collection of and access to such information. According to respondents, the top priority in information collection/access is information on illegal traffic/illicit trade *modus operandi*. Information on the origin, route and destination of illegal shipments comes second. Information on the current scope of illegal traffic/illicit trade at the national level ranked lowest<sup>21</sup>.



### Question 23 (Chart 18)

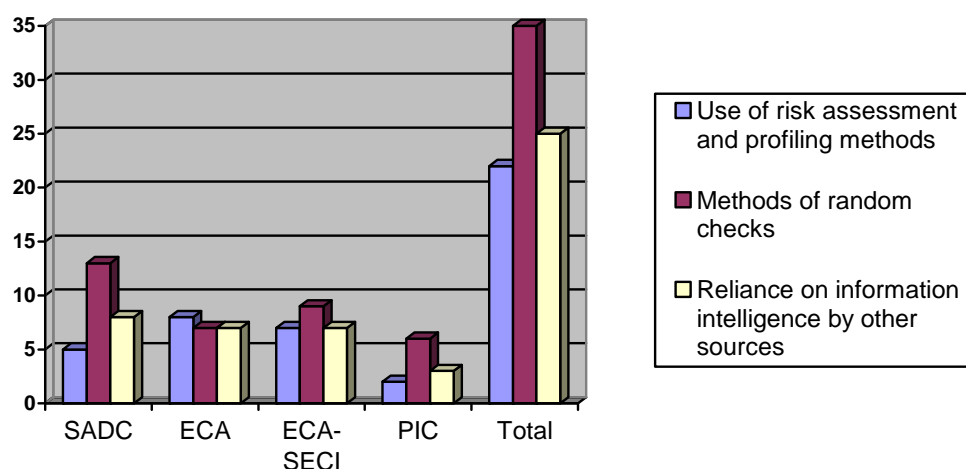
When monitoring shipments of wastes/chemicals, do Customs:

- Have and use risk assessment and profiling methods?
- Undertake random checks?
- Rely on information/intelligence provided by other stakeholders (national or international)?

Question 23 aims at identifying Customs' approach when monitoring shipments of wastes/chemicals. Most of the respondents use random checks. More than half of the respondents also use risk assessment as well as profiling

<sup>21</sup> Mauritius: both officials answered that they use all 6 kinds of information. Malawi: 4 officials answered that they use information on illegal traffic/illicit trade modus operandi, 3 answered that they use information on current scope of illegal traffic/illicit trade at the national level, 4 answered the origin, route and destination of illegal shipments, 4 answered the substances/wastes that are the object of illegal shipments, 2 answered the shipping companies involved in potential cases of illegal, 3 answered consignees within your country involved in potential or confirmed cases of illegal traffic/illicit trade. Montenegro: both officials answered they use all 6 kinds of information. Albania: both officials answered that they use 5 kinds of information.

methods and reliance on information intelligence by other stakeholders such as WCO, other departments within the government, the shipping authority, and other Customs administrations<sup>22</sup>.



**Question 24 (Chart 19)**

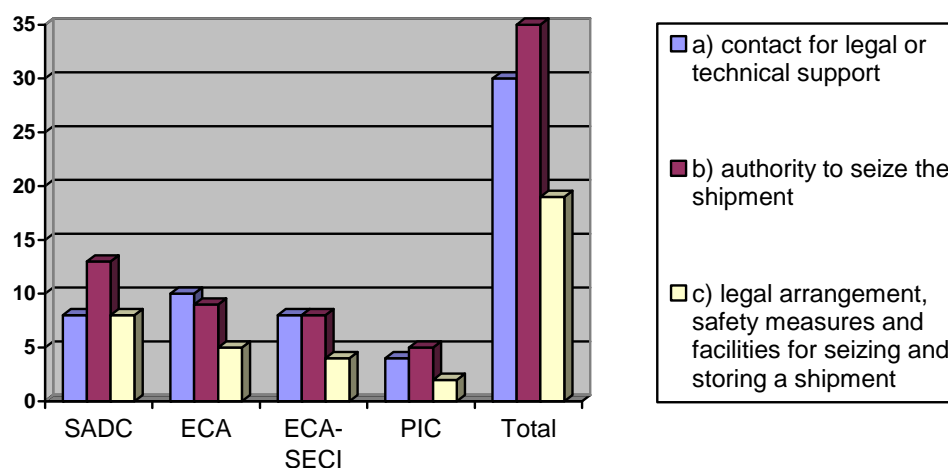
When coming across a *suspicious waste/chemicals shipment*:

- a) Do you know whom to contact for **legal or technical support** if needed?
- b) Do you have the authority to **seize** the shipment?
- c) Are there **legal arrangements, safety measures and facilities** for seizing and storing a shipment?

According to the responses received, when coming across a suspicious waste/chemicals shipment, most respondents have the authority to seize the shipment and know how the contact point for legal or technical support. But only in some countries are there are legal arrangements, safety measures and facilities for seizing and storing a shipment<sup>23</sup>.

<sup>22</sup> Mauritius: both officials said that they use all 3 methods. Malawi: 2 answered that they have and use risk assessment and profiling methods, 4 officials answered that they undertake random check, 3 officials answered that they rely on information/intelligence provided by other stakeholders. Montenegro: both officials answered they use all 3 methods. Albania: both officials answered that they use all 3 methods.

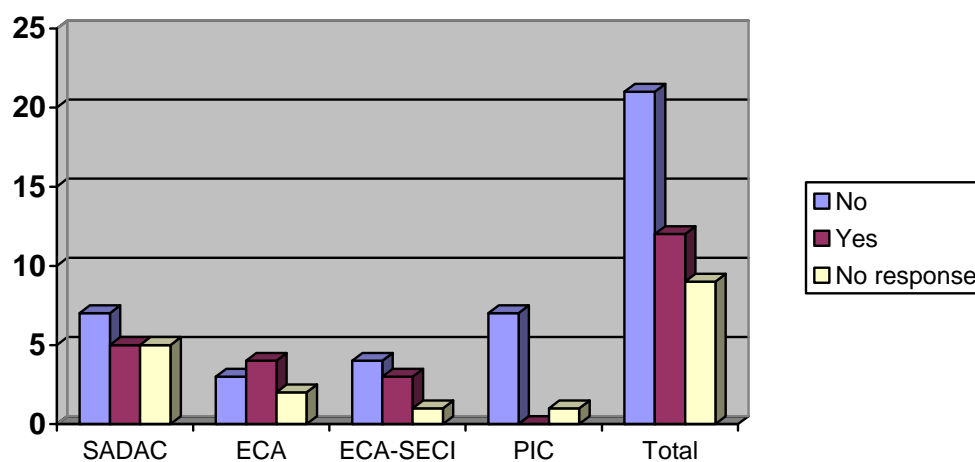
<sup>23</sup> Mauritius: One official answered “Yes” to all questions, and the other said that he does not know whom to contact for legal or technical support. Malawi: 6 officials answered that they know whom to contact for legal or technical support, 5 answered they have authority to seize the shipment, 1 answered there are legal arrangements, safety measures and facilities for seizing and storing a shipment. Montenegro: both officials answered that they know whom to contact for legal or technical support and have authority to seize the shipment. But they do not have legal arrangements, safety measures and facilities for seizing and storing a shipment. Albania: both officials answered that they know whom to contact and have legal arrangements, safety measures and facilities for seizing and storing shipment. However, one answered that they have authority to seize the shipment, and the other answered that they do not have authority to seize the shipment.



### Question 25 (Chart 20)

Have you already come across a *suspicious shipment*?

21 respondents answered “No”, and 12 respondents answered “Yes”<sup>24</sup>.



### Question 26 (Chart 21)

If a controlled waste shipment is deemed illegal:

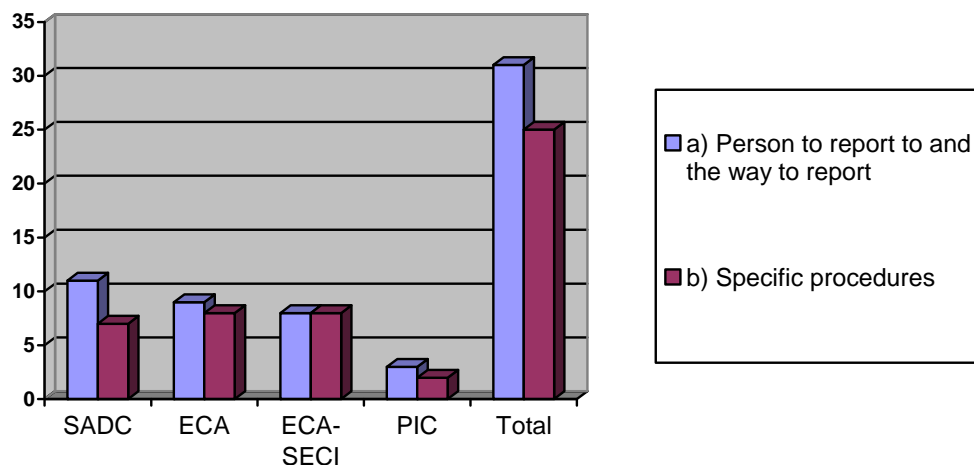
a) Do you know whom to report to and how?

b) Are there specific procedures in place for the *ship back operation* in the case of an illegal traffic of waste?

According to the responses received, if a controlled waste shipment is deemed illegal, 31 respondents know whom to report the case to and how. 25 respondents answered that there are specific procedures in place for the take back operation<sup>25</sup>.

<sup>24</sup> Mauritius: one official answered “No”, and the other answered “Yes”, Malawi: 2 said “No”, 3 said “Yes”, and 3 officials did not answer, Montenegro: both officials answered “No”. Albania: both officials answered “No”.

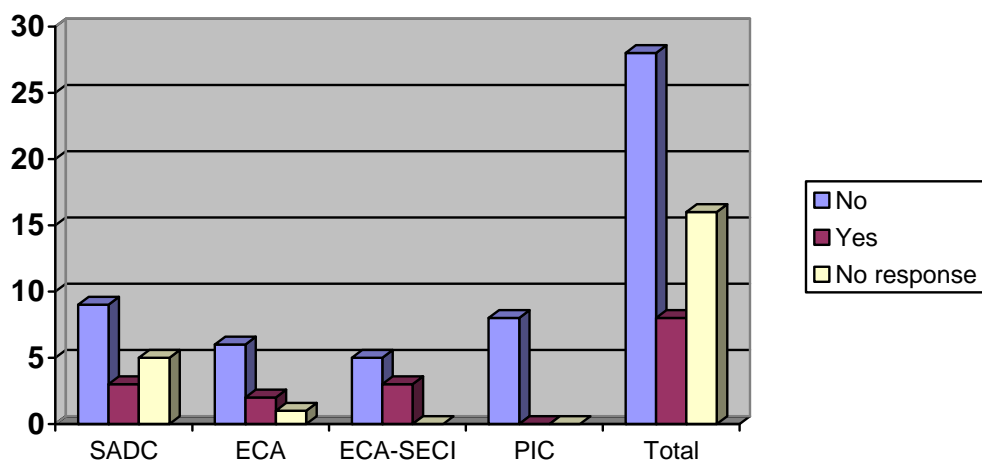
<sup>25</sup> Mauritius: One official answered “Yes” to all questions, and the other answered “No” to all questions. Malawi: 5 officials answered that they know the person to report to and the way to report, one official answered there are specific procedures in place for the ship back operation. Montenegro: both officials answered that they know the person to report to and the way to report, and there are specific procedures in place for the ship back operation. Albania: both officials answered that they know the person to report to and the way to report, and there are specific procedures in place for the ship back operation.



**Question 27 (Chart 22)**

*Have you already come across an illegal waste/chemicals shipment?*

28 respondents answered “No”, and 8 respondents answered “Yes”<sup>26</sup>.



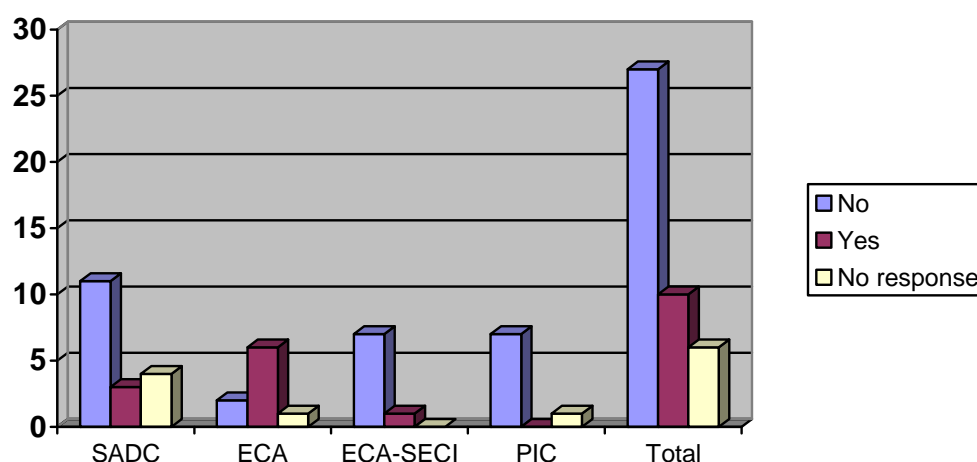
**Question 28 (Chart 23)**

*Are you aware of prosecutions that took place in your country as a result of a case of illegal traffic of hazardous wastes/chemicals?*

27 respondents do not know about prosecution cases, while 10 are aware that prosecutions have taken place<sup>27</sup>.

<sup>26</sup> Mauritius: both officials answered “No”. Malawi: 3 answered “No”, 3 answered “Yes”, and 2 officials did not respond. Montenegro: both answered “No”. Albania: both officials answered “No”.

<sup>27</sup> Mauritius: One official answered “Yes” and the other answered “No”. Malawi: 5 officials said “No”, 2 officials answered “Yes”, and one official did not respond. Montenegro: both officials answered “Yes”. Albania: both officials answered “No”.

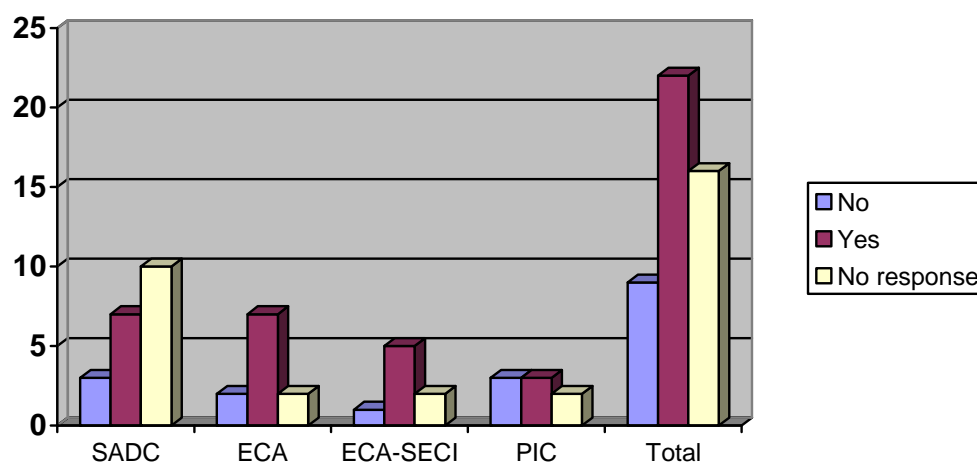


#### Question 29 (Chart 24)

*Do you have difficulties in following the monitoring and control procedures?*

Regarding this question, more than half of the respondents (22) answered “Yes”, while 9 answered “No”. The respondents answering “Yes” specified they have difficulties:

- in detecting potential cases of illegal trade/traffic,
- because of the limited Customs control within the European union,
- because of a lack of equipment<sup>28</sup>.



#### Information collected from other workshops

The problems of monitoring and control procedures were also discussed in the four regional workshops.

During the workshop in the Maldives, the participants pointed out the following challenges: lack of awareness, lack of experienced/trained personal, safety measures, and no established rules and regulations. To overcome these, they mentioned the need to put an end to bribes in addition to imposing strict penalties for illegal conduct and increasing welfare incentives to Customs officers.

<sup>28</sup> Mauritius: One answered “No” and the other answered “Yes”, Malawi: 6 officials answered “Yes”, and one official did not answer. Montenegro: both officials answered “Yes”. Albania: both officials answered “Yes”.

During the workshop in the Dominican Republic, the following challenges were highlighted: lack of detection/identification equipment and security concerns of exposure to chemicals. Suggestions included that equipment and training be provided by the conventions secretariats or national governments.

During the workshop in Vietnam, the following challenges were identified: lack of facilities for handling seized goods and poor ability on how to identify environmentally sensitive commodities. In order to handle seized environmental sensitive commodities, participants indicated that they need: 1) awareness of related MEAs, 2) a task force to publish a book compiling documents on environmental issues currently scattered in different agencies, 3) information exchange before arrival of shipments, 4) coordination between Customs and police, 5) resources to handle and dispose the seized commodities and 6) capacity building.

During the workshop in Niger, participants mentioned the need to strengthen the capacity of Customs in implementation of various conventions and agreements on environmental crime, in particular to allow for more efficient monitoring and control procedures of trade involving environmentally sensitive goods.

In conclusion, most countries monitor shipments of waste and hazardous chemicals and only half of respondents answered that they have special national customs codes to deal with specific waste streams. Customs usually use methods of random checks, risk assessment and profiling methods or are reliant on information intelligence by other stakeholders. According to Chart 19, when coming across a suspicious waste/chemicals shipment, they already know the contact information for legal or technical support, and they have the authority to seize the shipment. But there is lack of legal arrangements, safety measures and facilities for seizing and storing a shipment. Around half of the respondents said they have difficulties in the monitoring and control procedures. The countries mainly faced with the difficulties in the identification of the waste/chemical composition, because of a lack of adequate equipment and storage facilities, and a lack of trained personnel.

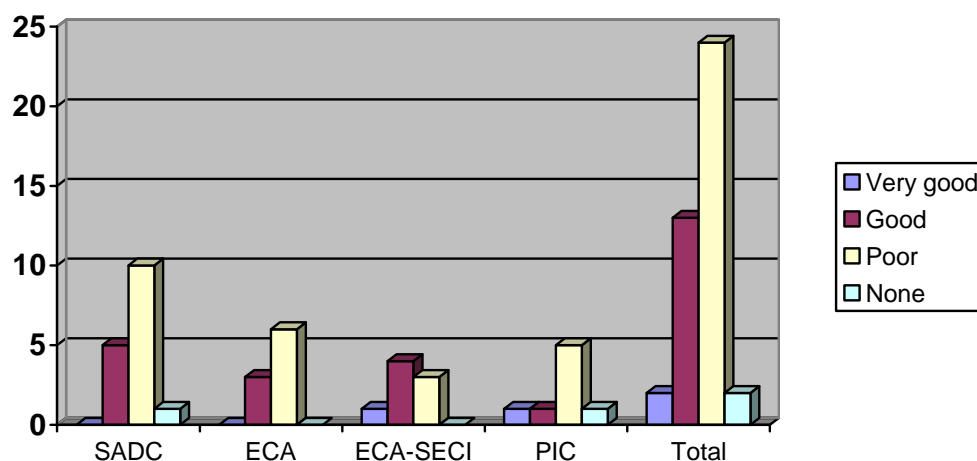
### C. Training and capacity building tools

This section of questionnaire invites respondents to identify training and capacity building tools.

#### Question 31 (Chart 25)

*In your opinion, what is the level of awareness of Customs in your country about the trade requirements under the BC, RC and SC?*

Most respondents, 24 respondents, answered it is “Poor” and 13 respondents choose “Good”. Only 2 respondents answered that it is “Very good”<sup>29</sup>.

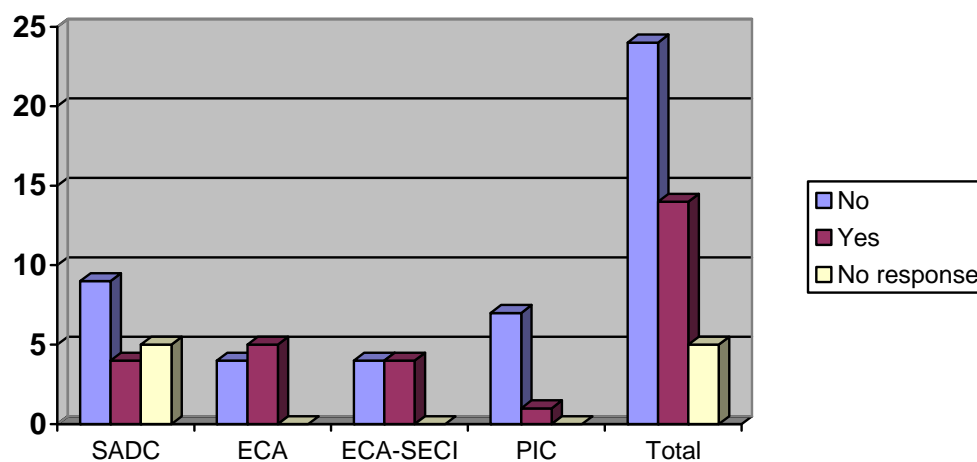


<sup>29</sup> Mauritius: One official answered “Good”, and the other answered “Poor”, Malawi: One answered “Good”, and 7 answered “Poor”. Montenegro: both officials answered “Good”. Albania: both officials answered “Poor”.

**Question 32 (Chart 26)**

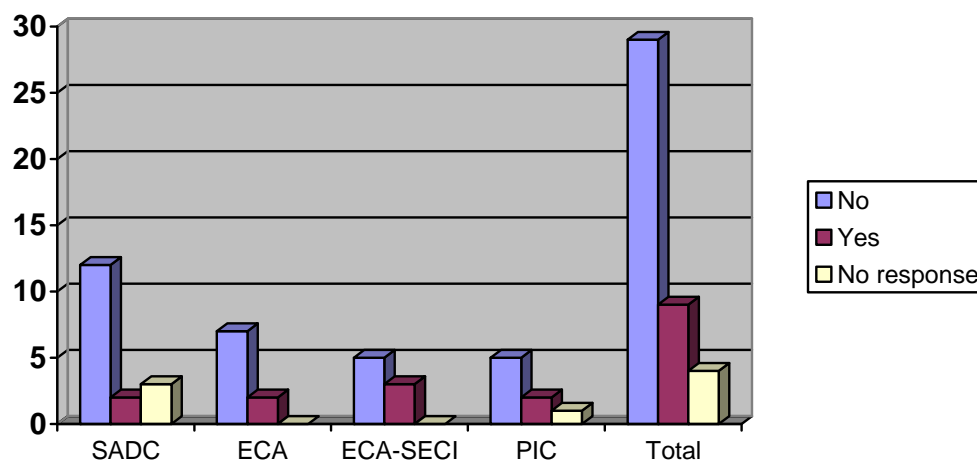
Have you received training in your country on how to implement and enforce relevant legislation on BC/RC/SC?

Among the 42 respondents, 24 respondents answered “No”, and 14 respondents answered “Yes”. Regarding the implementation and process of training, most respondents answered that the training was a isolated training or held on once a year, while 13 respondents said that it was a part of the national Customs training curriculum. Concerning the type of institutions delivering Customs training, the following were mentioned: Ministry of Health and Environment, Ozone Unit, Police, NGOs. Asked whether they would have access to and use a WCO E-learning courses on BC/RC/SC, 12 respondents answered “Yes”, and 11 respondents said “No”<sup>30</sup>.

**Question 33 (Chart 27)**

Do you feel that you receive adequate training to enable you to monitor, detect and control suspicious shipments and to deal with shipments that are deemed illegal?

Most respondents (29) answered that they do not receive adequate training, and only 9 respondents said that they receive adequate training<sup>31</sup>.



<sup>30</sup> Mauritius: both officials answered “No”. Malawi: 5 officials answered “No”, one answered “Yes”, and 2 officials did not respond. Montenegro: both officials answered “Yes”. Albania: both officials answered “No”.

<sup>31</sup> Mauritius: both said “No”. Malawi: 6 officials answered “No”, and 2 officials did not respond. Montenegro: both officials answered “Yes”. Albania: both officials answered “No”.

**Question 34**

*If relevant, what further training (topic, frequency) would you judge most profitable to Customs officers in your country for improving the enforcement of the BC/RC/SC?*

In responding to this question, respondents identified the following areas for which training would be most profitable:

- understanding the role of regulatory agencies and other environmental agencies
- implementation and application of legislation on BC/RC/SC
- procedures for monitoring,
- safety measures for seizing and storing a shipment of waste/chemicals

Concerning the frequency of trainings, answers included once every six month, once a year, and every two years.

**Information collected from other workshops**

Lack of training and capacity building tools were also discussed during the four regional workshops.

During the workshop in Maldives, the participants pointed to the importance of training and awareness in order to establish a sustainable mechanism to combat illegal trade. They said that it is necessary to increase the training and to improve awareness through new programs and meetings as well as special taskforce, other materials such as posters, fliers.

During the workshop in the Dominican Republic, participants discussed training and capacity building tools as well. The following challenges were mentioned: 1) rotation of officers, 2) lack of appreciation of the significance of environmental offences, 3) lack of high level support for dealing with environmental issues, 4) much of the information and tools are not provided in the necessary languages. To meet these challenges, the following suggestions were made: 1) continual training, 2) more information on environmental consequences of illegal trade by international organizations and MEA secretariats, 3) to seek high level support for Customs to deal with environmental issues through attending relevant government meetings, 4) translations of key materials.

During the workshop in Vietnam, the following challenges were identified: poor awareness of the MEAs, lack of integrity and transparency, lack of training, and slow dissemination of technical knowledge. Participants therefore suggested more training, especially through online materials, and a faster dissemination of technical knowledge.

In conclusion, the level of awareness of Customs about BC RC and SC is between poor and good. Most respondents said they have received training, but around 90 percent of the respondents do not feel it was adequate training to enable them to monitor, detect and control suspicious shipments and to deal with shipments that are deemed illegal.

## Appendix I

### List of the GCI workshops in 2010-2011 during which information was collected

1. National GCI Workshop, Maldives (11-15 July 2010)

Participants: national officials from the Maldives

Sixty (60) Customs officers, 10 enforcement officers from police department and defence department, and 6 ODS traders have attended workshop. (The traders only allowed to attend the first day of the training.)

Report: Mission Report of the Project - Customs Training on Ozone Depleting Substances and Green Customs Initiative

2. WCO Green Customs Regional Workshop, Santo Domingo, Dominican Republic (12-16 July 2010)

Participants:

Customs from Antigua & Barbuda, Barbados, Belize, Bermuda, Chile, Colombia, Costa Rica, Dominican Republic, Ecuador, Guatemala, Haiti, Jamaica, Mexico, Nicaragua, Panama, Paraguay, Peru, Saint Lucia, Suriname, Trinidad & Tobago and Uruguay

Report: Recommended Action Points

3. National Green Customs Train-the-trainer, Vietnam (23-25 August 2010)

Participants: national officials from Vietnam

Seventy two (72) officers from Vietnam Customs, Ministry of Finance, Ministry of Natural Resources and Environment, Ministry of Industry and Trade, Ministry of Foreign Affairs, Ministry of Public Security, Ministry of Defence, and TRAFFIC Vietnam have attended the workshop

Report: Vietnam National Green Customs Workshop Report

4. Green Customs Seminar, Ashgabat, Turkmenistan (11-13 October 2010)

Participants:

Customs from Europe and Central Asia (ECA) network countries (Albania, Armenia, Bosnia and Herzegovina, Croatia, Georgia, Kyrgyzstan, Former Yugoslav Republic of Macedonia, Moldova, Montenegro, Serbia, Turkey and Turkmenistan), Countries with Economies in Transition (CEIT countries) were invited (Azerbaijan, Kazakhstan, Tajikistan, Uzbekistan), and Main trade partners of ECA network countries

Respondents to the Questionnaire:

Customs from Belarus, Kyrgyzstan, Tajikistan, Czech Republic, Ukraine, Montenegro, Moldova, Albania, Macedonia

5. Sub regional GCI Workshop for SADC countries, Lilongwe, Malawi (12-14 October 2010)

Participants: Southern Africa Development Community (SADC) countries

Customs from Angola, Botswana, DRC (Democratic Republic of the Congo), Lesotho, Malawi, Mauritius, Namibia, Swaziland, Tanzania, and Zambia

Respondents to the Questionnaire

Customs from DRC (Democratic Republic of the Congo), Tanzania, Swaziland, Lesotho, Zimbabwe, Botswana, Zambia, Mauritius (2 Respondents), Malawi (8 Respondents)

6. French-speaking West Africa GCI Workshop for West African Economic and Monetary Union (UEMOA) sub region, Niamey, Niger (27-29 October 2010)

Participants:

Customs from Benin, Burkina Faso, Cote d'Ivoire, Guinea Bissau, Mali, Niger, Senegal and Togo

Report: Mission Report of the Meeting – GCI Workshop for West African Economic and Monetary Union (WAEMU) countries (Written by Abdouraman Bary, UNEP)

7. Green Customs seminar in Budapest, Hungary (29 March 2011)

Participants: Europe and Central Asia- Southeast European Cooperation Initiative (ECA-SECI) countries  
Customs from Albania, Bosnia-Herzegovina, Bulgaria, Greece, Croatia, Macedonia, Moldova, Montenegro, Romania, Serbia, Slovenia and Turkey

Respondents to the Questionnaire:

Customs from Bulgaria, Croatia, Macedonia, Hungary, Slovenia, Serbia, Albania, Montenegro

8. Pacific Island Country (PIC) Green Customs Workshop, Fiji (24-25 May 2011)

Participants in the workshop:

Customs from Cook Islands, Fiji, Kiribati, Marshall Islands, Federated States of Micronesia, Nauru, Niue, Palau, Papua New Guinea, Samoa, Solomon Islands, Tonga, Tuvalu, Vanuatu

Respondents to the Questionnaire:

Customs from Palau, Tuvalu, Micronesia, Tonga, Cook Islands, Niue, Nauru, Kiribati

## Appendix II




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### Questionnaire for Customs Services<sup>32</sup>

#### *“Implementation and enforcement of the Basel, Rotterdam and Stockholm Conventions at the national level”*

The Basel, Rotterdam and Stockholm Conventions regulate, *inter alia*, the **international trade of hazardous chemicals and wastes**. The aim of this questionnaire is to collect, for information purposes, elements relating to the way Customs services operate at the national level in implementing and enforcing the three hazardous chemicals and waste Conventions. The collection of this information aims, on one hand, at assisting Customs services in identifying the framework in which they operate and will highlight any improvements that could be made. The information will also assist the Secretariats of the Basel, Rotterdam and Stockholm Conventions to better tailor capacity building activities during training sessions of Customs services.

This questionnaire is divided in three parts:  
Domestic institutional framework, Monitoring and control procedures, and Training and capacity building tools.

#### **Please provide the following general information:**

Country:	
Government entity completing the questionnaire:	
Contact person:	
Postal Address:	
Telephone no:	
Fax no:	
E-mail Address:	
Date when questionnaire completed:	
Is your country party to:	<input type="checkbox"/> Basel Convention (BC)? <input type="checkbox"/> Rotterdam Convention (RC)? <input type="checkbox"/> Stockholm Convention (SC)?

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<sup>32</sup> The generic term “Customs Services” used in this document designates Customs officers, border protection officers or any representative of national authorities in charge of trade monitoring and control at borders.

<b>A. Domestic institutional framework</b>		
<b>A.1 Legal framework and incentives</b>		
1.	<p>Is there a <u>specific legal basis</u> giving Customs the mandate to implement/enforce multilateral environmental agreements (MEAs), in particular the BC/RC/SC, at the national level?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Please indicate the <b>title of the relevant legislation</b> (<i>in English</i>) and its <b>scope</b> (<i>name of MEAs or of the environmental sensitive goods</i>)</p> <p>_____</p>	
2.	<p>If you answered “yes” to question 1, what type of <u>competences</u> and <u>powers</u> do Customs have to implement and enforce the BC/RC/SC? <i>Check all relevant options</i></p> <p><input type="checkbox"/> Stop vehicles/containers</p> <p><input type="checkbox"/> Open vehicles/containers</p> <p><input type="checkbox"/> Inspect vehicles/containers</p> <p><input type="checkbox"/> Carry out a company inspection (all types of facilities, sites, companies, offices, etc)</p> <p><input type="checkbox"/> Enter port terminals</p> <p><input type="checkbox"/> Inspect documents</p> <p><input type="checkbox"/> Take samples</p> <p><input type="checkbox"/> Detain/seize shipments for further investigation</p> <p><input type="checkbox"/> Criminal investigation measures</p> <p><input type="checkbox"/> Criminal enforcement measures</p> <p><input type="checkbox"/> Administrative investigation measures</p> <p><input type="checkbox"/> Administrative enforcement measures</p> <p><input type="checkbox"/> Administrative enforcement measures</p> <p><input type="checkbox"/> Other competences (please specify):</p>	
3.	<p>Are Customs representatives involved directly or indirectly in environmental <u>legislative/policy-making processes</u> dealing with hazardous chemicals and waste issues?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p>	
4.	<p>In your country, are Customs given <u>incentives</u> to take an active role to protect the environment, in particular to control the import, transit and export of environmentally sensitive goods such as hazardous chemicals and wastes?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Please indicate the <b>type of incentives</b>. <i>building on BC/RC/SC issues, recognition by the hierarchy of the importance for Customs to control transboundary movements of hazardous chemicals and waste issues, etc)</i></p> <p>_____</p> <p>_____</p> <p>_____</p> <p>_____</p>	
5.	<p>What <u>capacity</u> do Customs in your country have to focus on the implementation and the enforcement of BC/RC/SC?</p> <p>a) existence and number of trained personnel specialized in waste/chemicals: _____</p> <p>b) availability of waste and chemicals experts mandated to assist Customs: _____</p> <p>c) <b>safety equipment</b> available: _____</p> <p>d) <b>testing facilities</b> available: _____</p>	

6.	<p>Are Customs officers dealing with shipments of waste/chemicals specially designated and trained to deal with hazardous chemicals and waste?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Please specify how this specialised personnel is <b>organised</b>:</p> <p>_____</p>	
<b>A.2 Cooperation with national entities in charge of the Basel, Rotterdam and Stockholm Conventions</b>		
7.	<p>Do you know who, in your country, is:</p> <p>a) The Basel Convention national Competent Authority (CA) ?</p> <p><input type="checkbox"/> Yes      <input type="checkbox"/> No</p> <p>b) The Rotterdam Convention Designated National Authority (DNA)?</p> <p><input type="checkbox"/> Yes      <input type="checkbox"/> No</p> <p>c) The Stockholm Convention Official Contact Point (OCP) and National Focal Point (NFP)?</p> <p><input type="checkbox"/> Yes      <input type="checkbox"/> No</p>	
8.	<p>Is there a <u>focal point</u> within the Customs to communicate with this/these entity/ies?</p> <p><input type="checkbox"/> Yes</p> <p><input type="checkbox"/> No. Then, how do you exchange information with this/these entity/ies? there is no focal point so we have not been communicating.</p> <p>_____</p>	
9.	<p>Do you face any difficulties communicating with this/these entity/ies?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Please specify:</p> <p>_____</p>	
10.	<p>Does a <u>cooperative agreement</u> (e.g. Memorandum of Understanding) exist between Customs and this/these entity/ies for the implementation and enforcement of legislation relevant to BC/RC/SC?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Please indicate what this agreement includes: <i>Check all relevant options</i></p> <p><input type="checkbox"/> A statement of the relevant applicable legal framework</p> <p><input type="checkbox"/> The respective responsibilities and duties of Customs and environmental entities</p> <p><input type="checkbox"/> A distribution of decision-taking competences between Customs and environmental entities</p> <p><input type="checkbox"/> Monitoring and self-evaluation procedures</p> <p><input type="checkbox"/> Exchange of information procedures (e.g. alerts, legal and technical support)</p> <p><input type="checkbox"/> Establishment of common risk analysis and priority-setting procedures</p> <p><input type="checkbox"/> Coordination mechanisms at management/policy level</p> <p><input type="checkbox"/> Other (please specify):</p> <p>_____</p>	
11.	<p>With the goal of an efficient enforcement of BC/RC/SC, would you have <b>suggestions</b> to improve cooperation with the CA/DNA/OCP&amp;NFP?</p>	
<b>A.3. Cooperation with other stakeholders at the national level</b>		
12.	<p>What <u>stakeholders</u> other than the CA/DNA/OCP&amp;NFP are involved in monitoring and controlling shipments of waste/chemicals? (e.g.: <i>Police, Inspection of Road Transport, Border Guards, Safety Personnel, Port Authorities</i>)</p> <p>Please specify the <b>role</b> played by each entity (e.g.: <i>data collection, sampling, verification of documents/notifications and other data, investigation, prosecution, legal and technical support</i>)</p> <p>_____</p>	

	<p>_____</p> <p>_____</p>	
13.	<p>Is there a <u>cooperative agreement</u> at the national level regulating your relationship with these stakeholders?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Please specify:</p> <p>_____</p>	
14.	<p>Do you have established procedures to cooperate with the <u>private sector</u> (eg. shipping, waste management or chemicals industries)?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Please specify type of sector and of procedures:</p> <p>_____</p>	
15.	<p>With the goal of an efficient enforcement of BC/RC/SC, would you have <b>recommendations</b> to make to improve cooperation with other stakeholders at the national level?</p>	
<b>A.4 Cooperation at the international level</b>		
16.	<p>Does your country participate in an international/regional <u>Customs network</u>?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Please specify:</p> <p>_____</p>	
17.	<p>For <u>bilateral communication</u> with other countries' Customs and other authorities, what channel do you use (e.g.: <i>WCO CENcomm, through the national CA/OCP&amp;NFP/DNA, other</i>)?</p>	
18.	<p>With the goal of an efficient enforcement of BC/RC/SC, would you have <b>recommendations</b> to make on how to improve cooperation at the international level?</p>	
<b>B. Monitoring and control procedures</b>		
19.	<p>Do Customs <u>monitor</u> shipments of hazardous waste/chemicals?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Please specify the <b>method</b> in use (<i>electronic database, paper record, reports</i>):</p> <p>_____</p>	
20.	<p>Are there <u>Customs national codes</u> to deal with specific waste streams?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p>	

21.	<p>Do the control procedures of waste/chemicals shipments focus on a particular <u>stream direction</u> (<i>import, transit, export</i>)? (<i>Multiple answers possible</i>)</p> <p><input type="checkbox"/> No, all streams are <b>equally</b> controlled.</p> <p><input type="checkbox"/> Yes, the control procedures focus mainly on <b>import</b>.</p> <p><input type="checkbox"/> Yes, the control procedures focus mainly on <b>transit</b>.</p> <p><input type="checkbox"/> Yes, the control procedures focus mainly on <b>export</b>.</p>	
22.	<p>Do Customs have access to <u>information</u> or collect information on</p> <p>a) Illegal traffic/illicit trade modus operandi (e.g. smuggling methods)?</p> <p>b) Current scope of illegal traffic/illicit trade at the national level?</p> <p>c) The origin, route and destination of illegal shipments?</p> <p>d) The substances/wastes that are the object of illegal shipments?</p> <p>e) The shipping companies involved in potential cases of illegal traffic/illicit trade?</p> <p>f) Consignees within your country involved in potential or confirmed cases of illegal traffic/illicit trade?</p>	<p>YES NO</p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p>
23.	<p>When monitoring shipments of wastes/chemicals, do Customs:</p> <p>a) Have and use risk assessment and profiling methods? If <u>yes</u>, please indicate more details about the <b>method</b> used:</p> <p>_____</p> <p>b) Undertake random checks?</p> <p>c) Rely on information/intelligence provided by other stakeholders (national or international)? If <u>yes</u>, please specify which stakeholder:</p> <p>_____</p>	<p>YES NO</p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p>
24.	<p>When coming across a <u>suspicious waste/chemicals shipment</u>:</p> <p>a) Do you know whom to contact for <b>legal or technical support</b> if needed?</p> <p>b) Do you have the authority to <b>seize</b> the shipment? If <u>not</u>, do you know who can take this decision?</p> <p>_____</p> <p>c) Are there <b>legal arrangements, safety measures</b> and <b>facilities</b> for seizing and storing a shipment?</p>	<p>YES NO</p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p>
25.	<p>Have you already come across a <u>suspicious shipment</u>?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Please specify the <b>nature</b> and <b>route</b> of the shipment:</p> <p>_____</p>	
26.	<p>If a controlled waste shipment is deemed <u>illegal</u>:</p> <p>a) Do you know whom to report to and how? Please specify the <b>authorities</b> and applicable <b>procedures</b>:</p> <p>_____</p> <p>b) Are there specific procedures in place for the <b>ship back operation</b> in the case of an illegal traffic of waste? If <u>yes</u>, do Customs have a role in executing the operation?</p>	<p>YES NO</p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p> <p><input type="checkbox"/> <input type="checkbox"/></p>
27.	<p>Have you already come across an <u>illegal waste/chemicals shipment</u>?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes. Please specify the <b>nature</b> and <b>route</b> of the shipment:</p> <p>_____</p>	
28.	<p>Are you aware of <u>prosecutions</u> that took place in your country as a result of a case of illegal traffic of hazardous wastes/chemicals?</p> <p><input type="checkbox"/> No</p> <p><input type="checkbox"/> Yes</p>	

29.	Do you have difficulties in following the monitoring and control procedures? <input type="checkbox"/> No <input type="checkbox"/> Yes. What kind of difficulties? _____	
30.	With the goal of an efficient enforcement of BC/RC/SC, would you have <b>recommendations</b> to make on the current monitoring and control procedures?	
<b>C. Training and capacity building tools</b>		
31.	In your opinion, what is the <u>level of awareness of Customs</u> in your country about the trade requirements under the BC, RC and SC? <input type="checkbox"/> Very good <input type="checkbox"/> Good <input type="checkbox"/> Poor <input type="checkbox"/> None	
32.	Have you received <u>training</u> in your country on how to implement and enforce relevant legislation on BC/RC/SC? <input type="checkbox"/> No <input type="checkbox"/> Yes. a) <b>How often</b> do you take part in such training? _____ YES NO b) Is it part of the <b>national Customs training curriculum</b> ? <input type="checkbox"/> <input type="checkbox"/> c) What <b>other institutions</b> deliver Customs training? _____ d) Would you have access to and use a <b>WCO E-learning courses</b> on BC/RC/SC? <input type="checkbox"/> <input type="checkbox"/>	
33.	Do you feel that you receive <u>adequate training</u> to enable you to monitor, detect and control suspicious shipments and to deal with shipments that are deemed illegal? <input type="checkbox"/> No <input type="checkbox"/> Yes	
34.	If relevant, what <u>further training</u> ( <i>topic, frequency</i> ) would you judge most profitable to Customs officers in your country for improving the enforcement of the BC/RC/SC?	

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## Appendix III

### List of abbreviations

BC	Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal
CA	Competent Authority
DNA	Designated National Authority
ECA	Europe and Central Asia
ECA-SECI	Europe and Central Asia- Southeast European Cooperation Initiative
NFP	National Focal Point
OCP	Official Contact Point
PIC	Pacific Island Countries
RC	Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and pesticides in International Trade
SADC	Southern Africa Development Community countries
SC	Stockholm Convention on Persistent Organic Pollutants
UEMOA	West African Economic and Monetary Union (WAEMU)

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