

**WORKSHOP ON ILLEGAL TRAFFIC
BRATISLAVA, SLOVAK REPUBLIC
3 TO 5 OCTOBER 2006**

QUESTIONNAIRE NO. 1

Country: Albania
Government entity completing the questionnaire: Ministry of Environment, Forestry and Water Management
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I. Procedures established to manage transboundary movements of hazardous wastes and other wastes

(a) Relevant rules, regulations, laws and administrative measures.

1. Have you received training in your country on:

- i) the Basel Convention and its procedures; **No.**
- ii) the EU law and its procedures; **No.**
- iii) the UN Recommendations on the Transport of Dangerous Goods; **No.**
- iv) the Globally Harmonized System of classification and labelling of chemicals (GHS)? **No.**

2. Has your country enacted legislation that regulates the transboundary movement of hazardous wastes and other wastes? If yes, please specify. **Yes.**

- Law no. 8216, dated 13.05.1997, “ On the adherence of Republik of Albania to the Bazel Convention ”

- Law no. 8934, dated 5.09.2002, “ On environmental protection ”.
 - Law no. 9010, dated 13.02.2003, “ On environmental treatment of solid waste ”.
 - Law no. 9537, dated 18.05.2006, “ On management of the hazardous waste ”.
3. Has the national legislation enacted in your country been harmonised with the requirements established by the Basel Convention and relevant EU legislation?

We don't have the forms of the Convent and the full lists. All applicants (juridical persons or foreign companies) send us the forms fulfilled referring EU procedures.

4. Has your country prohibit the import of hazardous wastes for disposal? **Yes.**
5. Does your national legislation consider any wastes other than those covered by the Basel Convention and EU legislation, as hazardous? **No.**
6. Does your national legislation impose any additional requirements to those contained in the Basel Convention for the export, transit, or import, of hazardous wastes? **Yes.**
7. What procedure do applicable rules require you to follow when a shipment of hazardous wastes or other wastes:
- i) is exported from your country; Export permit given from Minister of Environment.
 - ii) is transiting through your country; Transiting permission for other waste is given from MoE.

The transiting of hazardous waste is prohibited.
 - iii) is imported into your country? It's prohibited by law. Other waste needs imported permission given from Council of Ministers with Environmental Minister proposal.
8. Which governmental agency in your country has the main responsibility for managing transboundary movements of hazardous wastes and other wastes? Are there other governmental agencies involved? Ministry of Environment, Forestry and Water Management.

Minister of Environment approved environmental permissions for export and transiting based on the specifik law.

In circumstances of violations of this law qualifying as criminal offences, the Environmental Inspectorate is authorized to bring legal charges against the violator. The violations of the provisions of this law when not a criminal offence, represent administrative infringements upon the environment.

The custom authorities shall control in the state border pass points the declared goods as hazardous waste on the export and transiting of which approval from the relevant ministry designated by this law is required.

In case of doubt or violation of the law, the custom authorities block the goods and notify the State Inspectorate of Environment about contravene and in case of doubt require to the inspectorates technical assistance.

Custom authorities register the lot of hazardous waste passing the state border. Custom authorities allow to Regional Environmental Agencies of the Ministry of Environment and of inspectorates the review of registers in written copies or photocopies as well as digital transmission of data.

9. Has a task force been established to coordinate their activities? If yes, what is the structure and procedures of the task force? **Yes. (Customs and State Police for the integrated management of the boundary).**

If no, how is the exchange of information and cooperation between these agencies organised?

The exchange of information with official request.

10. Do the governmental agencies identified in paragraph 6 cooperate/coordinate with other entities at the European/international level? How is the exchange of information between these entities organised? (Has your country faced difficulties with this cooperation? No.)

11. Does your country contribute to an international customs network? What are your experiences with this network?

- World customs organization. Albania is a member from 1992.
- Convent for the creation of world custom council.
- Law no. 9316, dated 18.11.2004, “ On the adhere of Republik of Albania at the International Convent for reciprocity assistance on administrative custom issues ”.

12. How do you receive/transmit information from/to the Focal Point and/or the Competent Authority of the Basel Convention? Have you faced any difficulties in this communication?

Annual report to the Convent Secretariate every end of year. No difficulties.

13. How do you receive information concerning:

i) wastes other than those listed in the Annexes to the Basel Convention that are considered hazardous by other countries; We don't have information about other waste than those listed in the Annexes to the Bazel Conventoin.

ii) import bans of other countries relating to hazardous wastes? Have you faced problems in receiving this type of information? Internet web - site.

(b) Practical aspects, including safety measures

14. Have you received training in your country on how to handle cargos that contain hazardous wastes and other wastes? **No.**

15. Has your country a training academy for customs officers? **No.** (If yes, do the curricula of the academy include environmental modules?). Is the environmental authority in your country involved in the training of the academy? **No.**

16. What procedure do you have to verify whether a cargo conforms to the accompanying documentation, when the cargo is:

- i) exported from your country; Customs officers control all the documents and if they have a doubt they blocked the cargo and call for assistance the Environment Inspectors.
- ii) transiting through your country; For hazardous waste is prohibited by law. For other waste not classified as hazardous the same procedure as above.
- iii) imported into your country? It's prohibited by the last law approved on hazardous waste 2006.

17. Do the procedures to be applied depend on the means of transport, the type of container and packing used? **Yes.**

18. What percentage of the

- i) imported,
- ii) transiting,
- iii) exported, cargo is checked in your country? How do you make the selection?

19. Do you have any safety measures for handling suspicious cargos in place?

20. Have you faced problems in identifying the type of wastes contained in a cargo? If yes, please specify what type.

21. Do you keep any records of:

- i) the amount of hazardous wastes and other wastes exported, their category, characteristics, destination, any transit country and disposal method as stated on the response to notification;
- ii) the amount of hazardous wastes and other wastes imported, their category, characteristics, origin, and disposal methods? Has your country created databases containing the latter information? If yes, please explain how do the databases operate? **Not yet.**

II. Procedures established to prevent, identify, monitor and manage cases of illegal traffic of hazardous wastes and other wastes

22. Has your country enacted legislation that prevents and punishes illegal traffic in hazardous wastes and other wastes? If yes, please specify. **Yes.**

23. How is illegal traffic of hazardous wastes and other wastes defined in your national legislation? What are the penalties under your national legislation?

Referring to the article 82, par.2/a, b, c of the law “ On environmental protection ”, if there is no penal sanction it will be consider as administrative infringement with fines from USD 5000 up to 10.000 USD.

24. Has the national legislation regulating the illegal traffic of hazardous and other wastes been harmonised with the requirements established by the Basel Convention and relevant EU legislation, in particular, Waste Shipment Regulation 259/93?

25. Have you identified any gaps in the national legislation regulating the illegal traffic of hazardous and other wastes? Yes.
26. What procedure do you apply when you have determined that a cargo may be illegal traffic? For example, do you turn it back? Yes. Customs, Environmental Inspectorate and State Police blocked it and turn it back.

Do you seize the suspect shipment and conduct an investigation? Yes, the Environmental Inspectorate depends on the situation can decide to seize it.

Do you contact the country of export / transit / import?

27. Do different procedures apply depending on whether your country is:
- i) the export state;
 - ii) the transit state;
 - iii) the import state? If so, what procedures apply in each case?
28. Which governmental agency is responsible and which are the procedures to be followed for investigating suspected cases of illegal traffic of hazardous wastes and other wastes in your country? Are there other entities involved? If yes, please specify.
29. If several governmental agencies are involved, what are the responsibilities of each agency? How is the exchange of information and cooperation between these agencies organised? Are there bottlenecks?
30. Are there joint inspections with:
- i) other agencies
 - ii) other countries? Has your country faced any problems when carrying out joint inspections?

If yes, how can these inspections be improved?

Are there any other comments that you would like to make?