

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

**Draft Questionnaire No. 2**

Country: CROATIA
Government entity completing the questionnaire: <i>Ministry of Environmental Protection, Physical Planning and Construction</i> <i>Ministry of Finance, Customs Directorate</i>
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Please identify a suspected or proven case of illegal traffic discovered in your country and prepare a presentation providing the following information:

1. Factual description of the case, including any consequences, such as damage to the environment or human health, or costs to remedy such damage;

*Environmental inspector started investigation of illegal traffic after received information about one unannounced shipment of hazardous waste entering Croatia from Bosna and Hercegovina. Joint inspection with Ministry of Finance – Customs shows that this was an attempt of illegal transport of hazardous waste which was declared as old iron but in fact it was waste consisted of lead batteries. Environmental inspector ordered the shipment of waste to be returned to the state of*

*dispatch (Bosna and Hercegovina) at the border crossing where the shipment of waste entered the Republic of Croatia. According to the Art. 87. of the Waste Act Inspector brought misdemeanour charge .*

2. Which provisions of the Basel Convention and/or the EU legislation were contravened?

*In this case was contravened Art. 9. of Basel Convention which prescribed that in the purpose when waste does not conform in material way with the documents shall be deemed to be illegal traffic.*

3. What led your authorities to suspect that the shipment was illegal?

*Information provided by customs, competitive legal persons, or through regular inspection controls.*

4. What procedure was followed to investigate the case?

*In accordance with the Article 14 of the Regulation if during supervision of transboundary movement of waste the environmental inspector establishes that there is reasonable doubt that the type of waste listed in the documents accompanying the shipment of waste do not correspond to the type of waste in the waste shipment, the inspector is authorised to request testing of the physical and chemical properties of waste via the authorised person.*

5. Were safety measures taken when handling the shipment?

*Yes, according national legislation.*

6. Which governmental agency led the investigation? Were other governmental agencies involved? How did the communication/collaboration between these agencies work?

*Investigation was performed, within their competences, by the Ministry of Environmental Protection, Physical Planning and Construction in coordination with Ministry of Finance – Customs Administration and Ministry of the Interior, which will jointly harmonise activities. Communication between these agencies has been prompt and efficient.*

7. Were other countries involved? How did you communicate/collaborate with those countries?

*In this case wasn't involved any other country.*

8. Did your investigation lead to a prosecution or some other form of punishment (e.g., fine)?

*Yes it led to prosecution, and it is only way of punishment.*

9. Which governmental agency led the prosecution? Were other governmental agencies involved? How did the communication/collaboration between these agencies work? What was the outcome of the case?

*The prosecution lides Misdemeanour court. Prosecution process is still ongoing.*

10. Did you face any problems during the investigation?

*There were no any serious problems during the investigation.*

11. How did you solve the problems faced (Lessons learned).

*Entering into force the new Regulation, on 1 September 2006., the procedures for environmental inspection to operate were prescribed more detailed.*