

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

QUESTIONNAIRE NO. 1

Country: Latvia
Government entity completing the questionnaire: The Ministry of the Environment
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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; ii) the EU law and its procedures; iii) the UN Recommendations on the Transport of Dangerous Goods; and/or iv) the Globally Harmonized System of classification and labelling of chemicals (GHS)?

Training has been provided for officers of environmental protection institutions occasionally.

2. Has your country enacted legislation that regulates the transboundary movement of hazardous wastes and other wastes? If yes, please specify. **Yes. According to the Regulations of the Cabinet of Ministers No.316 “On order of import of wastes for recycling in the territory of Latvia and the order of export and transit” (2004.04.15.), the import of wastes and the export and transit is arranged according to the Council Regulation No.259/93/EEC.**
3. Has the national legislation enacted in your country been harmonised with the requirements established by the Basel Convention and relevant EU legislation? **Yes**
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? **No**
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; ii) is transiting through your country; and iii) is imported into your country?

In all cases we follow procedures set by Regulation 259/93 or by Basel Convention, if Regulation is not applicable.

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? If yes, please specify: i) the role played by each entity (for example, data collection, verification of notifications and other data, investigation, prosecution), and ii) the legislation under which that role is conferred. **The competent authority of the functions of control of import of wastes and the export and transit is Lielrīga regional environmental board of State environmental service – the supervised institution by the Ministry of the Environment.**
9. Has a task force been established to coordinate their activities? If yes, what is the structure and procedures of the task force? If no, how is the exchange of information and cooperation between these agencies organised? Are there bottlenecks?

No

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?

There is co-operation between Ministry of Environment and Lielrīga regional board. State Environmental Service is actively participating in the IMPEL network.

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

There are no difficulties in the communication with the Focal Point and the Competent Authority of the Basel Convention, since these functions are fulfilled by Ministry of Environment. Information is received and transmitted mostly electronically.

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; and ii) import bans of other countries relating to hazardous wastes? Have you faced problems in receiving this type of information?

Such information is received from the Secretariat of Basel Convention. Sometimes it is confusing that such information received both directly from Secretariat and also from the Latvian Representation to the UN, but other way there have not been major problems or difficulties.

(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?
15. Has your country a training academy for customs officers? 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?
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; ii) transiting through your country; or iii) imported into your country?
17. Do the procedures to be applied depend on the means of transport, the type of container and packing used?
18. What percentage of the i) imported, ii) transiting, and 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; and 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?

Above mentioned information is collected and kept at the Lielriga Regional Environmental Board, There is not created a special database.

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.

Criminal Code –

Administrative Code

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

Latvia has been applying definition of illegal traffic as defined in Regulation 259/EC. Sanctions resulted from Criminal Code and Administrative Code.

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? **Yes. Regulations of the Cabinet of Ministers No.316 “On order of import of wastes for recycling in the territory of Latvia and the order of export and transit”.**
25. Have you identified any gaps in the national legislation regulating the illegal traffic of hazardous and other wastes? **No**

26. What procedure do you apply when you have determined that a cargo may be illegal traffic? For example, do you turn it back? Do you seize the suspect shipment and conduct an investigation? Do you contact the country of export / transit / import?

It depends from the situation. If there is a person responsible for the illegal shipment, then this person has to obey to the requirements of environmental protection authorities and to provide for the storage of illegal shipment in the time of investigation. If there is no such a person, then shipment is seized. Investigation is carried out in any case. Countries of export, transit and import are contacted and consulted with on of the possible solutions for the illegal shipment.

27. Do different procedures apply depending on whether your country is: i) the export state; ii) the transit state; or iii) the import state? If so, what procedures apply in each case?

No. Procedures are the same.

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.

State Environmental Service and Lielriga Regional Environmental Board are carrying out check of documentation. If these institutions have collected evidence demonstrating illegal traffic of hazardous waste, adequate notice is submitted to police. Cargo can be checked by customs office, if there are grounded suspicions that there could be illegal shipment of waste.

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?

Responsibilities of each agency are described in their statutes.

30. Are there joint inspections with: i) other agencies and ii) other countries? Has your country faced any problems when carrying out joint inspections? If yes, how can these inspections be improved?

There were made joint inspections in cooperation of the experts from the Ministry of the Environment, State environmental service and Marine and inland waters administration.

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