

Manual Related to Persistent Organic Pollutants and Hazardous Wastes for Enforcement Officers in Maldives



Ministry of Tourism
and Environment



Abbreviations

BFR	Brominated Flame Retardant
CA	Competent Authority
COP	Conference of the Parties
DDT	Dichloro-Diphenyl-Trichloroethane
DGD	Designated Governmental Department
DNA	Designated National Authority
ESM	Environmentally Sound Management
EPA	Environmental Protection Agency
GEF	Global Environment Facility
HS	Harmonized System (for tariff nomenclature)
IBC	Intermediate Bulk Container
IGO	Intergovernmental Organization
LPG	Liquefied Petroleum Gas
MOTE	(Maldives) Ministry of Tourism and Environment
MEA	Multilateral Environmental Agreement
NGO	Non-Governmental Organization
PBB	Polybrominated Biphenyls
PCB	Polychlorinated Biphenyls
PCT	Polychlorinated Terphenyl
PE	Polyethylene
PET	Polyethylene Terephthalate
PIC	Prior Informed Consent
POPs	Persistent Organic Pollutants
PP	Polypropylene
PS	Polystyrene
PU	Polyurethane
PVC	Polyvinyl Chloride
SFD	Stockholm Convention on Persistent Organic Pollutants
TBM	Transboundary Movement
UNDP	United Nations Development Programme
UNEP	United Nations Environment Programme
VOC	Volatile Organic Compound
XRF	X-Ray Fluorescence

Contents

Abbreviations	03
Acknowledgements	06
1. About the Basel, Rotterdam and Stockholm Conventions	07
1.1. Introduction	07
1.2. Purpose, Objectives and Obligations of the Conventions	07
1.2.1 The Basel Convention	08
1.2.2 The Rotterdam Convention	09
1.2.3 The Stockholm Convention	10
1.3 Controlled substances	11
1.3.1 Wastes covered the Basel Convention	11
1.3.2 Chemicals covered by the Rotterdam Convention	13
1.3.3 Persistent Organic Pollutants covered by the Stockholm Convention	14
2. Import and Export Procedures	16
2.1 Basel Convention Prior Informed Consent Procedure	16
2.2 Prior Informed Consent Procedure for Chemicals	19
2.3 Stockholm Convention import and export control procedures	22
2.4 Required documentation	24
2.4.1 Documents for the transboundary movements of waste	24
2.4.2 Import and export of chemicals and POPs	31
2.5 Labeling requirements	32
3. Customs control	33
3.1 Role of Customs	33
3.1.1 Controlling waste trade	34
3.1.2 Controlling trade in chemicals	38
3.1.3 Controlling the trade in persistent organic pollutants	40
3.2 Smuggling schemes	41
3.3 Screening methods	45
3.3.1 Profiling and indicators	47
3.3.2 Screening documentation	51
3.3.3 Physical examination	57

4. Problematic waste streams	59
5. Dealing with illegal trade	66
5.1 Seizures and Storage	66
5.2 Evidence gathering and case documentation	66
5.3 Take back of illegal traffic	67
5.4 Investigations and Prosecution	70
6 Cross Cutting Issues	72
6.1 Health and Safety	72
6.2 Communication and Collaboration	74
6.2.1 Involved agencies	74
6.2.2 Organizing inter-agency collaboration	75
6.2.3 Formal collaboration mechanisms at the international level	75
6.3 Potential equipment which can be used	77
Annex I – Rotterdam Convention listed chemicals	79

Acknowledgements

This Handbook was produced with the financial assistance of the Global Environment Facility (GEF).

The primary sources of information used in the development of the Handbook were the Green Customs Guide to Multilateral Environmental Agreements (United Nations Environment Programme (UNEP), 2022), produced by the United Nations Environment Programme and the Green Customs Initiative Secretariat, as well as materials developed by the Basel, Rotterdam and Stockholm Conventions Secretariat were incorporated, focusing on the enforcement of the Conventions and addressing illegal trade in waste and chemicals.

Key contributors to the authorship of this Handbook include Nancy Isarin and Huib van Westen.

1. About the Basel, Rotterdam and Stockholm Conventions

1.1. Introduction

Often, environmental problems have a global impact and can only be effectively addressed through international cooperation and shared responsibility, made possible through multilateral environmental agreements (MEAs).

The Basel, Rotterdam and Stockholm Conventions are international agreements designed to protect the environment and human health from the impacts caused by hazardous chemicals and wastes, focusing on the entire lifecycle and management of chemicals and waste, from production to disposal.

Customs and other border control agencies play an important role in enforcement because they are empowered to exercise control over goods entering or leaving their country or economic space. It is the responsibility of customs and other border control agencies to ensure that such imports and exports comply with national, regional and international law.

This manual is designed for use by customs officers and other law enforcement officers to assist them in understanding the practical aspects of enforcing MEAs as part of their normal duties of law enforcement and regulation of trade activities at ports of entry.

1.2. Purpose, Objectives and Obligations of the Conventions

In order to achieve the objectives of the three conventions, the international community has worked over the past years on enhancing cooperation and coordination among the three conventions. These efforts are sometimes referred to as the “synergies” process. Combating illegal traffic and trade in hazardous chemicals and wastes is one specific area that countries have identified where closer cooperation and coordination among relevant sectors, ministries and programmes at the national level is recommended. The development of this manual is a concrete example to contribute to a “synergized” implementation and enforcement of the three conventions.

1.2.1 The Basel Convention

In the late 1980s, increasingly strict rules for managing waste in industrialized countries led to a sharp rise in the cost of treatment of hazardous waste. Searching for ways to reduce these increasing costs, some operators began shipping hazardous wastes to developing countries. This led to cases where hazardous waste was dumped, spilled or managed improperly, causing severe health and environmental problems. Such incidents received international attention, and as a result the Basel Convention was negotiated under the auspices of the United Nations Environment Programme (UNEP). The Convention was adopted in 1989 and entered into force in 1992. As of July 2023, the Convention has 190 Parties.

The Basel Convention is intended to protect, by strict control, human health and the environment against the adverse effects which may result from the generation and management of hazardous and other wastes.

The three main pillars of the Basel Convention are to:

- I. Minimize the generation of hazardous wastes in terms of quantity and degree of hazard;
- II. Promote the environmentally sound management¹ of hazardous wastes and other wastes;
- III. Control transboundary movements of hazardous wastes and other wastes.

To achieve its objectives, the Basel Convention imposes restrictions and conditions on the transportation of hazardous wastes across international boundaries. Parties to the Convention should not allow hazardous or other wastes to be exported to countries that have prohibited the import of such wastes.

Parties have the right to prohibit the import of hazardous or other wastes for disposal. Parties to the Convention should also not allow hazardous wastes or other wastes to be exported to countries where there is reason to believe that the wastes will not be managed in an environmentally sound manner.

Generally, Parties are prohibited from exporting wastes to or importing wastes from non-Party Countries².

¹ "Environmentally sound management of hazardous wastes or other wastes means taking all practicable steps to ensure that hazardous wastes or other wastes are managed in a manner which will protect human health and the environment against the adverse effects which may result from such wastes" - Article 2, paragraph 8, Basel Convention

² According to article 11 of the Basel Convention, trade with non-Parties can only take place if an agreement is in place for the transboundary movement of waste, providing similar environmentally sound management standards as required by the Convention.

1.2.2 The Rotterdam Convention

Increased production, trade, and use of chemicals during recent decades led to growing awareness of and concern about the risks that the use of hazardous chemicals could pose to human health and the environment.

This was coupled with concerns that regulatory actions in some countries to ban or restrict the use of certain chemicals could result in these same chemicals being exported to other countries where regulatory systems, infrastructure and resources were sometimes not adequate to assess and control the risks.

Recognizing the need for information exchange on hazardous chemicals and mandatory controls in the trade of toxic chemicals, the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade was established. The Convention entered into force in 2004 and as of July 2023 has 165 Parties.

The objective of the Rotterdam Convention is to promote shared responsibility and cooperation among its Parties with respect to the international trade in designated hazardous industrial chemicals, pesticides and severely hazardous pesticide formulations.

It aims to achieve this through facilitating the exchange of information on the characteristics of such chemicals, providing a national decision-making process on their import and export, and disseminating decisions on the import and export of such chemicals to Parties.

Under the Rotterdam Convention, the Prior Informed Consent (PIC) Procedure is a mechanism for formally obtaining and disseminating the decisions of importing Parties as to whether they wish to receive future shipments of those chemicals listed in Annex III of the Convention and for ensuring compliance with these decisions by exporting Parties.

For each of the chemicals listed in Annex III and subject to the PIC procedure a decision guidance document (DGD) is prepared and sent to all Parties. The DGD is intended to help governments assess the risks associated with the handling and use of the chemical and make informed decisions about future import and use of the chemical, taking into account local conditions.

All Parties are required to take a decision as to whether or not they will allow future import of each of the chemicals in Annex III of the Convention. These decisions are known as import responses. A listing of the import responses given for each chemical subject to the PIC procedure is circulated by

the Secretariat to all Designated National Authorities (DNAs) every six months via the PIC Circular and all import responses are available on the Convention's website.

All exporting Parties are required to ensure that exports of chemicals subject to the PIC procedure do not occur contrary to the decision of each importing Party. They should ensure that import responses published in the PIC Circular are immediately communicated to their exporters, industry and any other relevant authorities, such as the Customs Administration.

The Rotterdam Convention also requires each Party to notify the Secretariat when taking a domestic regulatory action to ban or severely restrict a chemical. When a chemical that is banned or severely restricted by a Party is exported from its territory, that Party must notify each individual importing Party before the first shipment and annually thereafter.

1.2.3 The Stockholm Convention

Persistent Organic Pollutants (POPs) are semi-volatile and take a long time to degrade in the environment, which means they can be carried globally by wind and water currents and end up accumulating throughout the global food chain. POPs, therefore, cause harm in areas far away from their production sites, irrespective of national boundaries. Exposure to POPs can lead to serious health effects, including cancers, birth defects, dysfunctional immune and reproductive systems, a greater susceptibility to disease and even diminished intelligence.

The Stockholm Convention is a global treaty to protect human health and the environment from the harmful impact of chemicals that remain intact in the environment for long periods, become widely distributed geographically and accumulate in the fatty tissue of humans and wildlife.

The Stockholm Convention, which was adopted in 2001 and entered into force in 2004, requires Parties to take measures to eliminate or reduce the release of POPs into the environment. There are 186 Parties to the Convention as of July 2023.

The Convention covers both intentionally and unintentionally produced POPs and regulates the export and import of intentionally produced POPs listed in Annexes A and B. Unintentionally produced POPs, which are by-products of industrial processes or other processes involving combustion, are listed in Annex C.

To ensure the ESM of stockpiles, wastes and products and articles that, upon becoming wastes, consist of, contain or are contaminated by POPs, the Stockholm Convention sets the following obligations for its Parties:

- Develop appropriate strategies to identify stockpiles, products and articles in use, and wastes containing, consisting of or contaminated with POPs.
- Manage stockpiles consisting of or containing POPs in a safe, efficient, and environmentally sound manner until they are deemed to be wastes.
- Take appropriate measures to handle, collect, transport and store wastes in an environmentally sound manner and dispose of wastes in a way that destroys POP content, or otherwise in an environmentally sound manner, taking into account international rules, standards and guidelines.
- Take appropriate measures to not allow such wastes, including products and articles on becoming wastes, to be subjected to disposal operations that may lead to recovery, recycling, reclamation, direct reuse or alternative uses of POPs.
- Take appropriate measures so that such wastes, including products and articles on becoming wastes, are not transported across international boundaries without taking into account relevant international rules, standards and guidelines (e.g. POPs that are also chemicals listed in Annex III to the Rotterdam Convention).

Under the Convention, the Parties are also obligated to develop, review and update national implementation plans. Parties report to the Conference of Parties (COP) on their national implementation measures by providing data on imports and exports of each POP in the Convention.

Finally, the Parties are obligated to facilitate and undertake information exchanges, promote public awareness and education, and encourage research, development and monitoring under the Convention.

1.3 Controlled substances

1.3.1 Wastes covered the Basel Convention

The Basel Convention defines “wastes” as substances or objects which are disposed of, or intended to be disposed of, or required to be disposed of by the provisions of national law.

Wastes controlled under the Basel Convention regulatory regime are listed the following annexes to the Basel Convention³:

³ The annexes can be found in the text of the Basel Convention here: <https://www.basel.int/Portals/4/download.aspx?d=UNEP-CHW-IMPL-CONVTEXT.English.pdf>

Annex I

Contains the “categories of wastes to be controlled”. The list distinguishes between waste streams (Y1-Y18) – for example clinical wastes, waste containing polychlorinated biphenyls (PCBs), waste from the production of organic solvents etc. – and wastes having certain constituents (Y19-Y45) – such as arsenic, cadmium, mercury, or lead.

Annex II

Contains “categories of wastes requiring special consideration” due to their composition, namely:

- Y46: Wastes collected from households
- Y47: Residues arising from the incineration of household wastes
- Y48: Plastic waste, including mixtures of such waste, with various exceptions.

Annex III

Contains a list of hazardous characteristics, identified with H-codes and classes as per the UN hazard classification system. Examples of the characteristics listed include explosive, flammable liquids, oxidizing, poisonous, ecotoxic etc.

Annex VIII

Wastes contained in Annex VIII are characterized as hazardous under Art. 1, paragraph 1 (a) and their designation on this Annex does not preclude the use of Annex III to demonstrate that waste is not hazardous. The list distinguishes between the following main categories:

- A1: Metal and metal-bearing wastes
- A2: Wastes containing principally inorganic constituents, which may contain metals and organic materials
- A3: Wastes containing principally organic constituents, which may contain metals and inorganic materials
- A4: Wastes which may contain either inorganic or organic constituents

Annex IX

Wastes contained in Annex IX are not covered by the Basel Convention unless they contain Annex I constituents to an extent causing them to exhibit an Annex III characteristic. The list distinguishes between the following main categories:

- B1: Metal and metal-bearing wastes
- B2: Wastes containing principally inorganic constituents, which may contain metals and organic materials
- B3: Wastes containing principally organic constituents, which may contain metals and inorganic materials
- B4: Wastes which may contain either inorganic or organic constituents

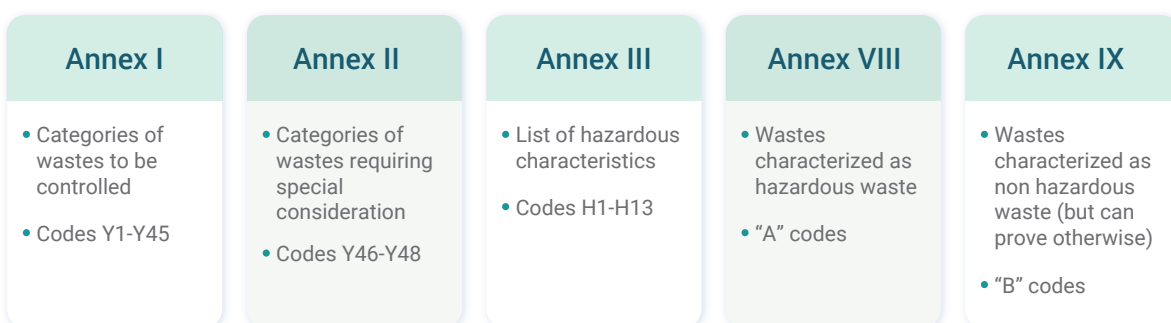


Figure 1 Overview of Basel Convention annexes relevant for waste classification

1.3.2 Chemicals covered by the Rotterdam Convention

The Rotterdam Convention applies to banned or severely restricted chemicals and severely hazardous pesticides formulations. According to the definition in the Rotterdam Convention, a chemical means a substance whether by itself or in a mixture or preparation and whether manufactured or obtained from nature, but does not include any living organism.

The terms "banned chemical" and "severely restricted chemical" are defined in Article 2 of the Convention. Simply put:

- a ban is where all uses of a chemical as a pesticide, an industrial chemical or both are prohibited;
- a severe restriction is where virtually all use of a chemical as a pesticide, an industrial chemical or both has been prohibited but for which certain specific uses are still permitted.

Annex III

Chemicals subject to the Prior Informed Consent procedure are listed in Annex III of the Rotterdam Convention. As of July 2023, there are a total of 54 chemicals listed in Annex III⁴, of which:

- 35 pesticides (including 3 severely hazardous pesticide formulations);
- 18 industrial chemicals, and
- 1 chemical in both the pesticide and the industrial chemical categories.

1.3.3 Persistent Organic Pollutants covered by the Stockholm Convention

The Stockholm Convention regulates the export and import of covered POPs⁵.

The five (5) POPs categories:

1. Pesticides

eg. DDT, Lindane



2. Perfluorooctane Sulfonic Acid and its Salts (PFOS)

Firefighting Foam, Aviation Fluid, Metal Plating, Oil Production, Insecticide for Fire Ants, Textiles & Carpets



⁴ A list of Annex III chemicals, can be found via:

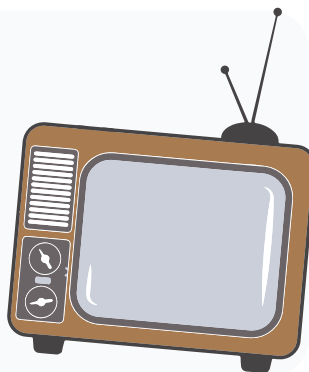
<https://www.pic.int/TheConvention/Chemicals/AnnexIIIChemicals/tabid/1132/language/en-US/Default.aspx>

⁵The POPs listed in annex A, annex B and annex C of the Stockholm Convention, can be found here:

<https://chm.pops.int/TheConvention/ThePOPs/AllPOPs/tabid/2509/Default.aspx>

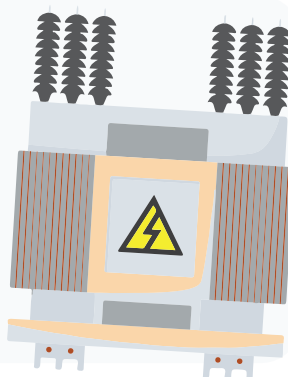
3. Brominated Flame Retardants

Foam in Vehicles,
Plastic (CRT TVs and Monitors)



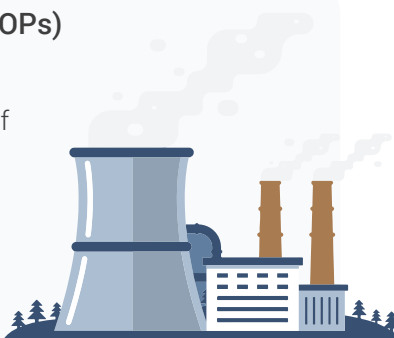
4. Polychlorinated biphenyls (PCBs)

Electrical transformers and
capacitor oils (pre-1985)



4. Unintentionally Produced POPs (UPOPs)

Waste incineration, metal production,
heat and power generation, production of
mineral products.



Control measures of the Parties under the Convention include:

1. Annex A: the POPs listed in Annex A should be eliminated. Use of these POPs is only possible under specific exemptions, when alternatives are not readily available or affordable to all Parties.
2. Annex B: the restricted POPs are listed in Annex B. Use of Annex B chemicals is only possible when a Party has registered for a specific exemption or an acceptable purpose.
3. Annex C: unintentionally produced POPs to be reduced and eventually eliminated are listed in Annex C. Unintentional produced POPs are not subject to trade.

2. Import and Export Procedures

2.1 Basel Convention Prior Informed Consent Procedure

The PIC procedure lies at the heart of the control system for wastes covered by the Basel Convention. It requires that, before any transboundary movement of wastes covered by the Basel Convention may take place, the authorities of the prospective countries of import and transit are notified of the intended movement(s). This enables the competent authorities, such as environmental authorities, customs and border control agencies, to monitor the movements of hazardous and other wastes as controlled by the Basel Convention and to ensure the disposal of the wastes in accordance with national requirements for waste management operations. Only after consent has been given by all competent authorities involved in the transboundary movement may the transboundary movements commence.

PIC procedure explained in nine steps (see also Figure 2):

1. Contract: The exporter/generator of the wastes and the proposed disposer enter into a contract specifying that the wastes will be disposed of in an environmentally sound manner.
2. Notification: The exporter/generator notifies the competent authority (CA) of the country/state from which the wastes are to be exported of the proposed movement. The country/state of export forwards the notifications. The country/state of export then notifies, or requires the generator/exporter to notify, the country/state of import (and, if applicable, the country/countries or state(s) of transit) of the proposed movement of hazardous wastes or other wastes through a notification document.
3. Response from the competent authority (CA): The CA of the country/state of import must provide the country/state of export with written consent, and must confirm the existence of a contract between the generator/exporter and the disposer, specifying the ESM of the wastes. If applicable, a written response from the countries/states of transit is also required.
4. Decision submitted to the exporter/generator: Upon receipt of the written consent from the country/state of import and any countries/states of transit, and the confirmation of the contract from the country/state of import, the CA of the country/state of export may authorize the shipment to start.
5. Waste movement document: The exporter/generator completes a movement document for each transboundary movement/shipment of waste and signs the declaration in box 15. A copy of the notification form and consent should also accompany the movement/shipment.

6. Signing of waste movement document by the carrier(s): The carrier(s) also have to sign box 8 of the waste movement document.
7. Certification of receipt and disposal of the waste: The disposer must inform the exporter/generator and the CA of the country/state of export on arrival of the waste at the country/state of import, on receipt of the wastes, and once the disposal has been completed in accordance with the terms of the disposal contract.
8. Release of financial guarantees: Once the country/state of export has received the signed movement document from the disposer stating that the waste has been disposed of properly, the financial guarantee/bond/insurance can be released, if applicable

Basel Convention Prior Informed Consent Procedure for Hazardous and Other Wastes (Y and A Codes)

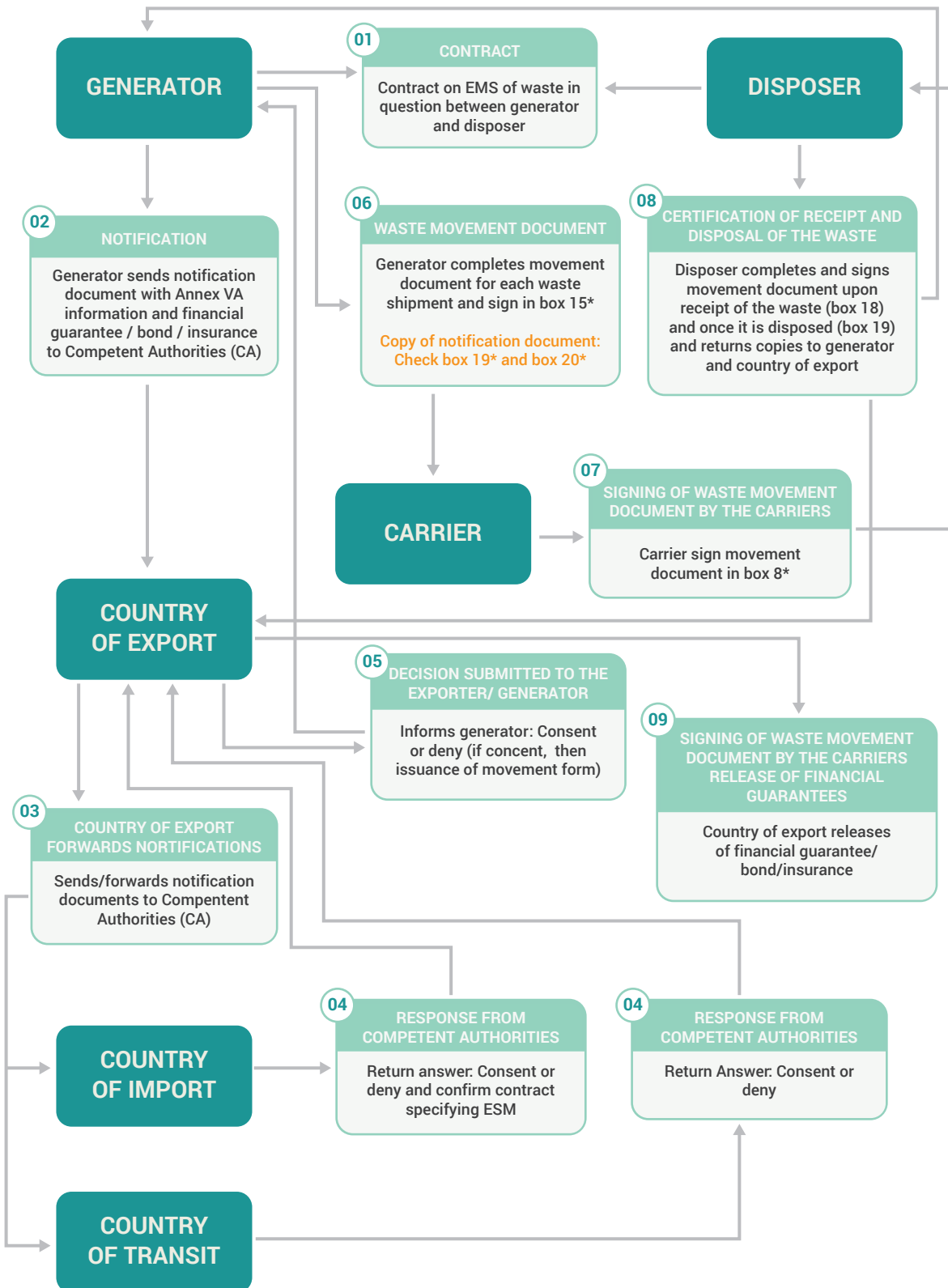


Figure 2 Overview of the Basel Convention PIC procedure (prepared by Nancy Isarin)

2.2 Prior Informed Consent Procedure for Chemicals

The PIC procedure under the Rotterdam Convention is a mechanism for obtaining national decisions on the import of hazardous chemicals listed in Annex III of the Convention, and for ensuring compliance with these decisions by exporting Parties

The procedure gives Parties the power to make informed decisions on which chemicals they want to import and to exclude those they cannot manage safely. The PIC procedure does not ban or restrict chemicals. Instead, under the PIC procedure, chemicals exporters must obtain prior informed consent from the countries to which they wish to export before they proceed with trade.

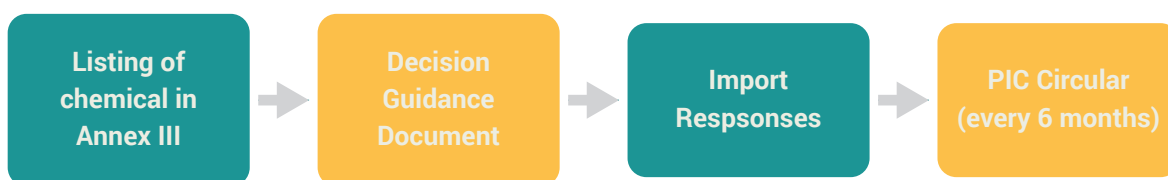
A list of the chemicals in Annex III of the Rotterdam Convention can be found at the Convention website (www.pic.int). Decisions on chemicals subject to the PIC procedure may be incorporated into the provisions of national pesticides and toxic chemicals laws, which address prohibition, restriction and permitting of pesticides and/or hazardous chemicals.

The Rotterdam Convention sets out provisions for the import and export of chemicals between Parties. The key elements are the (1) Prior Informed Consent procedure, (2) Export Notification and (3) Labelling Requirements.

A. Prior informed consent

The PIC procedure applies to the chemicals listed in Annex III of the Rotterdam Convention. For each of these chemicals a document, known as a Decision Guidance Document (DGD), is prepared and sent to all Parties with a request that they take a decision as to whether or not they will allow future import of the chemical⁶.

These decisions, known as import responses, are sent to the Secretariat. The Secretariat compiles these decisions and circulates them to all Parties every six months via the PIC Circular⁷.



⁶ The DGDs can be accessed via: <http://www.pic.int/TheConvention/ChemicalsDecisionGuidanceDocuments/tabid/2413/language/en-US/Default.aspx>

⁷ The PIC Circulars can be accessed via: <http://www.pic.int/Procedures/ImportResponses/Database/tabid/1370/language/en-US/Default.aspx>

All Parties are required to ensure that exports of chemicals subject to the PIC procedure do not occur contrary to the decision of an importing Party. This means that the export of a chemical in Annex III must not be made to a Party that has indicated that it does not wish to receive imports of that chemical. Similarly, if the importing Party has indicated that it will allow import of a chemical subject to certain condition(s), then the exporting Party must ensure that exports to that importing Party complies with these condition(s).

According to Article 11 paragraph 2 of the Rotterdam Convention, exporting Parties should ensure that a chemical listed in Annex III is not exported from its territory to an importing Party that has not provided an import response (or has provided an interim response that does not contain an interim decision), unless:

- a) The chemical is already registered and allowed in the receiving country; or
- b) There is proof that the chemical was used or imported into the receiving country before, and there are no rules against it; or
- c) Explicit consent to the import has been sought and received by the exporter through a designated national authority of the importing Party.

The importing Party shall respond to such a request within sixty days and shall promptly notify the Secretariat of its decision. These obligations of exporting Parties apply from the expiration of a period of six months from the date on which the Secretariat first informs Parties, through the PIC Circular, that a Party has failed to transmit a response (or has transmitted an interim response that does not contain an interim decision) and apply for one year.

It is important to note that many chemicals are not necessarily traded in bulk but could be contained in products. Furthermore, it is useful to know the types of products that may contain these chemicals so that assessment and evaluation can be done on these products when imported if no information is provided as to the chemicals contained. The DGD should be kept at hand to have as an information tool to guide the customs officer in the assessment of any given product that may contain listed chemicals from the Convention. This requires vigilance by customs officers, as often the information on a listed chemical in a product is not fully disclosed.

B. Export notification

The Rotterdam Convention contains several provisions pertaining to information exchange. One such provision is the requirement for Parties that have banned or severely restricted a chemical in their own territory to notify importing Parties of this fact through an export notification⁸. Export notifications are provided from exporting to importing Parties for that chemical before the first export in each calendar year. The export notification must contain the specific information set out in Annex V to the Convention.

Export notifications shall contain the following information:

- a. Name and address of the relevant designated national authorities of the exporting Party and the importing Party;
- b. Expected date of export to the importing Party;
- c. Name of the banned or severely restricted chemical and a summary of the information specified in Annex I that is to be provided to the Secretariat in accordance with Article 5. Where more than one such chemical is included in a mixture or preparation, such information shall be provided for each chemical;
- d. A statement indicating, if known, the foreseen category of the chemical and its foreseen use within that category in the importing Party;
- e. Information on precautionary measures to reduce exposure to, and emission of, the chemical;
- f. In the case of a mixture or a preparation, the concentration of the banned or severely restricted chemical or chemicals in question;
- g. Name and address of the importer;
- h. Any additional information that is readily available to the relevant designated national authority of the exporting Party that would be of assistance to the designated national authority of the importing Party.

⁸ The Export Notification Form and instructions can be assessed via:
<https://www.pic.int/Procedures/ExportNotifications/FormandInstructions/tabid/1365/language/en-US/DefNBault.aspx>

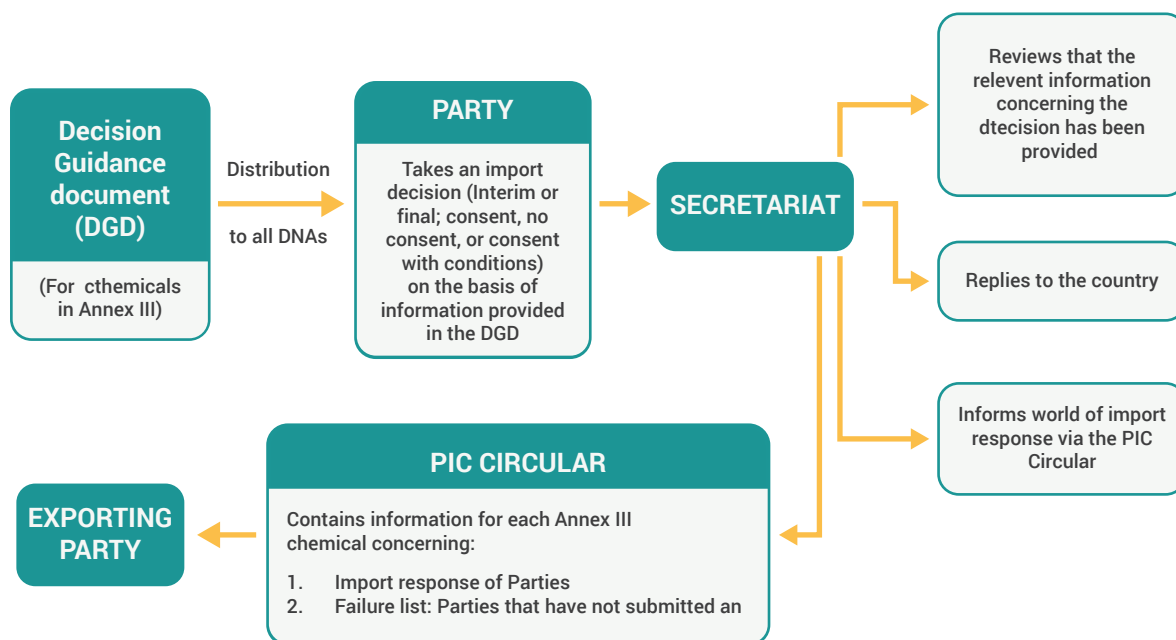


Figure 3 Graphic of the Rotterdam PIC procedure (source: Manual for Customs on hazardous chemicals and wastes under the Basel, Rotterdam and Stockholm Conventions, BRS Convention, 2014)

2.3 Stockholm Convention import and export control procedures

In general, the Stockholm Convention prohibits the production and use of POPs and bans their trade across international boundaries. However, the conventions can allow some exceptions to these rules for specific POPs when used in specific applications by Parties that have registered for such uses. The import and export of POPs wastes is also allowed for the purpose of environmentally sound disposal, taking into account relevant international rules, standards and guidelines, such as provided by the Basel Convention PIC procedure.

A. POPs in use

The purpose for the production or use of a POP listed in Annex A (elimination) or B (restriction). This is done by informing the Secretariat of the Stockholm Convention. Import and export of these exempted POPs may only take place for a permitted use in the importing Party.

Export is also allowed to a State that is not party to the Convention if the State provides an annual certification in which it specifies the intended use of the chemical and includes a statement in which it commits to:

- Protecting human health and the environment by minimizing or preventing releases;
- Complying with provisions of the Convention on the management of wastes and stockpiles;
- Complying with requirements for DDT production and use, if applicable.

B. POPs wastes

For stockpiles consisting of or containing chemicals listed either in Annexes A (elimination) or B (restriction) and wastes, including products and articles upon becoming wastes, consisting of, containing or contaminated with a chemical listed in Annexes A (elimination) and B (restriction), the import and export is allowed only for the purpose of environmentally sound disposal. All other imports are prohibited. Export is allowed to a State that is a non-Party to the Convention, when it is certified that it will comply with applicable provisions of the Convention.

Thus, in cases where POPs wastes are being imported or exported, the Basel Convention rules have to be followed and a PIC procedure for the movement is required.

For the purposes of a Party's reporting requirements under the Stockholm Convention, it is suggested that customs officers:

- I. Register the imports and exports of each chemical
- II. Maintain a list of States from which chemicals are imported
- III. Maintain a list of States to which chemicals are exported.

2.4 Required documentation

The PIC procedure under the Basel Convention starts with the notification document for a specific waste and intended movement. If consent has been given by all Competent Authorities, the TBM of the waste should be accompanied by a movement document (see 2.4.1).

The PIC procedure under the Rotterdam Convention requires responses from Parties at chemical level, based on import responses, which are published in the PIC Circular every six months. If import is allowed, the movement of the chemicals should be accompanied by a safety data sheets and in accordance with the labeling requirements (see 2.4.2).

2.4.1 Documents for the transboundary movements of waste

For TBM of waste for which the PIC procedure has been followed, the following two key documents are relevant. First, the notification document, which contains information about the intended movement, such as composition of the waste, the total amount, the disposer and the intended treatment of the waste. It is recommended that a copy of the notification form accompanies a TBM of the notified waste.

The other document is the movement document. An original, signed by all involved entities, should accompany the individual TBM of the notified waste.

Examples of these documents are enclosed below.

Notification document for transboundary movements/shipments of waste

1. Exporter - notifier Registration No: Name: Address: Contact person: Tel: Fax: E-mail:	3. Notification No: Notification concerning A.(i) Individual shipment: <input type="checkbox"/> (ii) Multiple shipments: <input type="checkbox"/> B.(i) Disposal (1): <input type="checkbox"/> (ii) Recovery: <input type="checkbox"/> C. Pre-consented recovery facility (2;3) Yes <input type="checkbox"/> No <input type="checkbox"/> 4. Total intended number of shipments:
2. Importer - consignee Registration No: Name: Address: Contact person: Tel: Fax: E-mail:	5. Total intended quantity (4): Tonnes (Mg): m ³ : 6. Intended period of time for shipment(s) (4): First departure: Last departure: 7. Packaging type(s) (5): Special handling requirements (6): Yes: <input type="checkbox"/> No: <input type="checkbox"/>
8. Intended carrier(s) Registration No: Name(7): Address: Contact person: Tel: Fax: E-mail: Means of transport (5):	11. Disposal / recovery operation(s) (2) D-code / R-code (5): Technology employed (6): Reason for export (1;6):
9. Waste generator(s) - producer(s) (1;7;8) Registration No: Name: Address: Contact person: Tel: Fax: E-mail: Site and process of generation (6)	12. Designation and composition of the waste (6): 13. Physical characteristics (5):
10. Disposal facility (2): <input type="checkbox"/> or recovery facility (2): <input type="checkbox"/> Registration No: Name: Address: Contact person: Tel: Fax: E-mail: Actual site of disposal/recovery:	14. Waste identification (fill in relevant codes) (i) Basel Annex VIII (or IX if applicable): (ii) OECD code (if different from (i)): (iii) EC list of wastes: (iv) National code in country of export: (v) National code in country of import: (vi) Other (specify): (vii) Y-code: (viii) H-code (5): (ix) UN class (5): (x) UN Number: (xi) UN Shipping name: (xii) Customs code(s) (HS):

E-mail:	(xi) UN Shipping name:	
Actual site of disposal/recovery:	(xii) Customs code(s) (HS):	
15. (a) Countries/States concerned, (b) Code no. of competent authorities where applicable, (c) Specific points of exit or entry (border crossing or port)		
State of export - dispatch	State(s) of transit (entry and exit)	State of import - destination
(a)		
(b)		
(c)		
16. Customs offices of entry and/or exit and/or export (European Community):		
Entry:	Exit:	Export:
17. Exporter's - notifier's / generator's - producer's (1) declaration:		
I certify that the information is complete and correct to my best knowledge. I also certify that legally enforceable written contractual obligations have been entered into and that any applicable insurance or other financial guarantee is or shall be in force covering the transboundary movement.		
Exporter's - notifier's name:	Date:	Signature:
Generator's - producer's name:	Date:	Signature:
FOR USE BY COMPETENT AUTHORITIES		
19. Acknowledgement from the relevant competent authority of countries of import - destination / transit (1) / export - dispatch (9):	20. Written consent (1;8) to the movement provided by the competent authority of (country):	
Country:	Consent given on:	
Notification received on:	Consent valid from:	
Acknowledgement sent on:	Specific conditions: No: <input type="checkbox"/> If Yes, see block 21 (6): <input type="checkbox"/>	
Name of competent authority:	Name of competent authority:	
Stamp and/or signature:	Stamp and/or signature:	
21. Specific conditions on consenting to the movement document or reasons for objecting		

(1) Required by the Basel Convention

(2) In the case of an R12/R13 or D13-D15 operation, also attach corresponding information on any subsequent R12/R13 or D13-D15 facilities and on the subsequent R1-R11 or D1-D12 facility(ies) when required

(3) To be completed for movements within the OECD area and only if B(ii) applies

(4) Attach detailed list if multiple shipments

(5) See list of abbreviations and codes on the next page

(6) Attach details if necessary

(7) Attach list if more than one

(8) If required by national legislation

(9) If applicable under the OECD Decision

List of abbreviations and codes used in the notification document

DISPOSAL OPERATIONS (block 11)		
D1	Deposit into or onto land, (e.g., landfill, etc.)	
D2	Land treatment, (e.g., biodegradation of liquid or sludgy discards in soils, etc.)	
D3	Deep injection, (e.g., injection of pumpable discards into wells, salt domes or naturally occurring repositories, etc.)	
D4	Surface impoundment, (e.g., placement of liquid or sludge discards into pits, ponds or lagoons, etc.)	
D5	Specially engineered landfill, (e.g., placement into lined discrete cells which are capped and isolated from one another and the environment, etc.)	
D6	Release into a water body except seas/oceans	
D7	Release into seas/oceans including sea-bed insertion	
D8	Biological treatment not specified elsewhere in this list which results in final compounds or mixtures which are discarded by means of any of the operations in this list	
D9	Physico-chemical treatment not specified elsewhere in this list which results in final compounds or mixtures which are discarded by means of any of the operations in this list (e.g., evaporation, drying, calcination, etc.)	
D10	Incineration on land	
D11	Incineration at sea	
D12	Permanent storage, (e.g., emplacement of containers in a mine, etc.)	
D13	Blending or mixing prior to submission to any of the operations in this list	
D14	Repackaging prior to submission to any of the operations in this list	
D15	Storage pending any of the operations in this list	
RECOVERY OPERATIONS (block 11)		
R1	Use as a fuel (other than in direct incineration) or other means to generate energy (Basel/OECD) - Use principally as a fuel or other means to generate energy (EU)	
R2	Solvent reclamation/regeneration	
R3	Recycling/reclamation of organic substances which are not used as solvents	
R4	Recycling/reclamation of metals and metal compounds	
R5	Recycling/reclamation of other inorganic materials	
R6	Regeneration of acids or bases	
R7	Recovery of components used for pollution abatement	
R8	Recovery of components from catalysts	
R9	Used oil re-refining or other reuses of previously used oil	
R10	Land treatment resulting in benefit to agriculture or ecological improvement	
R11	Uses of residual materials obtained from any of the operations numbered R1-R10	
R12	Exchange of wastes for submission to any of the operations numbered R1-R11	
R13	Accumulation of material intended for any operation in this list.	
PACKAGING TYPES (block 7)		H-CODE AND UN CLASS (block 14)
1. Drum		UN ClassH-code Characteristics
2. Wooden barrel		1 H1 Explosive
3. Jerrican		3 H3 Flammable liquids
4. Box		4.1 H4.1 Flammable solids
5. Bag		4.2 H4.2 Substances or wastes liable to spontaneous combustion
6. Composite packaging		4.3 H4.3 Substances or wastes which, in contact with water, emit flammable gases
7. Pressure receptacle		5.1 H5.1 Oxidizing
8. Bulk		5.2 H5.2 Organic peroxides
9. Other (specify)		6.1 H6.1 Poisonous (acute)
		6.2 H6.2 Infectious substances
		8 H8 Corrosives
		9 H10 Liberation of toxic gases in contact with air or water
		9 H11 Toxic (delayed or chronic)
MEANS OF TRANSPORT (block 8)		
R = Road		
T = Train/rail		
S = Sea		
A = Air		
W = Inland waterways		
PHYSICAL CHARACTERISTICS (block 13)		9 H12 Ecotoxic
1. Powdery/powder		9 H13 Capable, by any means, after disposal of yielding another material, e. g., leachate, which possesses any of the characteristics listed above
2. Solid		
3. Viscous/paste		
4. Sludgy		
5. Liquid		
6. Gaseous		
7. Other (specify)		

Further information, in particular related to waste identification (block 14), i.e. on Basel Annexes VIII and IX codes, OECD codes and Y-codes, can be found in a Guidance/Instruction Manual available from the OECD and the Secretariat of the Basel Convention.

Movement document for transboundary movements/shipments of waste

1. Corresponding to notification No:		2. Serial/total number of shipments: /	
3. Exporter - notifier Registration No: Name: Address: Contact person: Tel: Fax: E-mail:		4. Importer - consignee Registration No: Name: Address: Contact person: Tel: Fax: E-mail:	
5. Actual quantity: Tonnes m ³ : (Mg):		6. Actual date of shipment:	
7. Packaging Type(s) (1): Number of packages: Special handling requirements: (2) Yes: <input type="checkbox"/> No: <input type="checkbox"/>			
8.(a) 1st Carrier (3): Registration No: Name: Address: Tel: Fax: E-mail:		8.(b) 2nd Carrier: Registration No: Name: Address: Tel: Fax: E-mail:	
		8.(c) Last Carrier: Registration No: Name: Address: Tel: Fax: E-mail:	
----- To be completed by carrier's representative ----- More than 3 carriers (2) <input type="checkbox"/>			
Means of transport (1): Date of transfer: Signature:		Means of transport (1): Date of transfer: Signature:	
9. Waste generator(s) - producer(s) (4,5,6): Registration No: Name: Address: Contact person: Tel: Fax: E-mail: Site of generation (2):		12. Designation and composition of the waste (2):	
10. Disposal facility <input type="checkbox"/> or recovery facility <input type="checkbox"/> Registration No: Name: Address: Contact person: Tel: Fax: E-mail: Actual site of disposal/recovery (2)		13. Physical characteristics (1):	
11. Disposal/recovery operation(s) D-code / R-code (1):		14. Waste identification (fill in relevant codes) (i) Basel Annex VIII (or IX if applicable): (ii) OECD code (if different from (i)): (iii) EC list of wastes: (iv) National code in country of export: (v) National code in country of import: (vi) Other (specify): (vii) Y-code: (viii) H-code (1): (ix) UN class (1): (x) UN Number: (xi) UN Shipping name: (xii) Customs code(s) (HS):	
15. Exporter's - notifier's / generator's - producer's (4) declaration: I certify that the above information is complete and correct to my best knowledge. I also certify that legally enforceable written contractual obligations have been entered into, that any applicable insurance or other financial guarantee is in force covering the transboundary movement and that all necessary consents have been received from the competent authorities of the countries concerned. Name: Date: Signature:			

16. For use by any person involved in the transboundary movement in case additional information is required		
17. Shipment received by importer - consignee (if not facility):		
Date:	Name:	Signature:
TO BE COMPLETED BY DISPOSAL / RECOVERY FACILITY		
18. Shipment received at disposal facility <input type="checkbox"/> or recovery facility Date of reception: <input type="checkbox"/> Accepted: <input type="checkbox"/> Rejected*: <input type="checkbox"/> Quantity received: Tonnes m ³ : (Mg): Approximate date of disposal/recovery: Disposal/recovery operation (1): Name: Date: Signature:		19. I certify that the disposal/recovery of the waste described above has been completed. Name: Date: Signature and stamp:

(1) See list of abbreviations and codes on the next page

(2) Attach details if necessary

(3) If more than 3 carriers, attach information as required in blocks 8 (a,b,c).

(4) Required by the Basel Convention

(5) Attach list if more than one

(6) If required by national legislation

FOR USE BY CUSTOMS OFFICES (if required by national legislation)			
20. Country of export - dispatch or customs office of exit The waste described in this movement document left the country on: Signature: : Stamp:		21. Country of import - destination or customs office of entry The waste described in this movement document entered the country on: Signature: : Stamp:	
22. Stamps of customs offices of transit countries			
Name of country: Entry:	Exit:	Name of country: Entry:	Exit:
Name of country: Entry:	Exit:	Name of country: Entry:	Exit:

List of Abbreviations and Codes Used in the Movement Document

DISPOSAL OPERATIONS (block 11)		RECOVERY OPERATIONS (block 11)	
D1 Deposit into or onto land, (e.g., landfill, etc.)		R1 Use as a fuel (other than in direct incineration) or other means to generate energy (Basel/OECD) - Use principally as a fuel or other means to generate energy (EU)	
D2 Land treatment, (e.g. biodegradation of liquid or sludgy discards in soils, etc.)		R2 Solvent reclamation/regeneration	
D3 Deep injection, (e.g., injection of pumpable discards into wells, salt domes or naturally occurring repositories, etc.)		R3 Recycling/reclamation of organic substances which are not used as solvents	
D4 Surface impoundment, (e.g., placement of liquid or sludge discards into pits, ponds or lagoons, etc.)		R4 Recycling/reclamation of metals and metal compounds	
D5 Specially engineered landfill, (e.g., placement into lined discrete cells which are capped and isolated from one another and the environment), etc.		R5 Recycling/reclamation of other inorganic materials	
D6 Release into a water body except seas/oceans		R6 Regeneration of acids or bases	
D7 Release into seas/oceans including sea-bed insertion		R7 Recovery of components used for pollution abatement	
D8 Biological treatment not specified elsewhere in this list which results in final compounds or mixtures which are discarded by means of any of the operations in this list		R8 Recovery of components from catalysts	
D9 Physico-chemical treatment not specified elsewhere in this list which results in final compounds or mixtures which are discarded by means of any of the operations in this list (e.g., evaporation, drying, calcination, etc.)		R9 Used oil re-refining or other reuses of previously used oil	
D10 Incineration on land		R10 Land treatment resulting in benefit to agriculture or ecological improvement	
D11 Incineration at sea		R11 Uses of residual materials obtained from any of the operations numbered R1-R10	
D12 Permanent storage, (e.g., emplacement of containers in a mine, etc.)		R12 Exchange of wastes for submission to any of the operations numbered R1-R11	
D13 Blending or mixing prior to submission to any of the operations in this list		R13 Accumulation of material intended for any operation in this list	
D14 Repackaging prior to submission to any of the operations in this list			
D15 Storage pending any of the operations in this list			

PACKAGING TYPES (block 7)		H-CODE AND UN CLASS (block 14)	
1. Drum		UN class	H-code Characteristics
2. Wooden barrel		1	H1 Explosive
3. Jerrican		3	H3 Flammable liquids
4. Box		4.1	H4.1 Flammable solids
5. Bag		4.2	H4.2 Substances or wastes liable to spontaneous combustion
6. Composite packaging		4.3	H4.3 Substances or wastes which, in contact with water, emit flammable gases
7. Pressure receptacle		5.1	H5.1 Oxidizing
8. Bulk		5.2	H5.2 Organic peroxides
9. Other (specify)		6.1	H6.1 Poisonous (acute)
		6.2	H6.2 Infectious substances
		8	H8 Corrosives
		9	H10 Liberation of toxic gases in contact with air or water
		9	H11 Toxic (delayed or chronic)
		9	H12 Ecotoxic
		9	H13 Capable, by any means, after disposal of yielding another material, e. g., leachate, which possesses any of the characteristics listed above

MEANS OF TRANSPORT (block 8)	
R = Road	A = Air
T = Train/rail	W = Inland waterways
S = Sea	

PHYSICAL CHARACTERISTICS (block 13)	
1. Powdery / powder	5. Liquid
2. Solid	6. Gaseous
3. Viscous / paste (specify)	7. Other
4. Sludgy	

Further information, in particular related to waste identification (block 14), i.e. on Basel Annexes VIII and IX codes, OECD codes and Y-codes, can be found in a Guidance/Instruction Manual available from the OECD and the Secretariat of the Basel Convention.

2.4.2 Import and export of chemicals and POPs

Prior Informed Consent (PIC) procedure is based on import responses pertaining to chemicals listed in Annex III of the Rotterdam Convention. Import responses⁹ are the decisions taken by Parties indicating whether or not they will consent to the import of chemicals listed in Annex III of the Convention and subject to the PIC Procedure. If a country responded with “no consent to import” for one or more chemicals, customs should control the entry of these chemicals in the country.

Export notifications for chemicals banned or restricted by the exporting country is based on information exchange. Written acknowledgement by importing Party is to be given, but lack thereof does not preclude export from taking place. Customs control in the case of export focus on labelling requirements and the existence of safety data sheets for the chemicals in question.

	Basel	Rotterdam (import)	Rotterdam (export)
Object	All the <u>hazardous and other wastes</u> covered by the Convention	Chemicals <u>listed in annex III</u> of the Convention.	Chemicals <u>outside annex III</u> that are banned or restricted by the <u>Exporting Party</u>
Trigger	TBM proposed by State of export to State of transit and State of import, using a notification document	Decision Guidance Document sent to all Parties	Export notification sent by State of export to State of import
Decision by the State of import (and State of transit)	Consent/ deny/ request for additional information	Consent/ no consent/ consent with conditions.	Acknowledgement
Form tfor expressing decision	Written decision communicated to the State of export by the import (and transit) State in the notification document	Written notification sent to the Secretariat. Notifications (so -called “import responses”) made available in the PIC circular	Written
Routine customs control	Check the movement document	Check PIC circular or contact Designated National Authority (DNA). Check labelling/SFD.	Check labelling/SFD
Contact	Competent Authority	Designated National Authority	Designated National Authority

• *Table 1 Summary of import and export procedures*

⁹ Import responses are available at: <http://www.pic.int/Procedures/PICProcedure/tabid/1364/language/en-US/Default.aspx>

2.5 Labelling requirements

Under the Rotterdam Convention, Parties should also require that both chemicals listed in Annex III and chemicals banned or severely restricted on a national level are, when exported, subject to labelling requirements that ensure adequate availability of information with regard to risks and/or hazards to human health or the environment, taking into account relevant international standards. It is advised to develop procedures within the Party to monitor and ensure that the labelling provisions of the Convention are met and the necessary information is provided to accompany exports, including HS custom codes and safety data sheets in the official language(s) of the importing Party.

• Figure 4 Example of arrangement of label elements (source: UNECE)

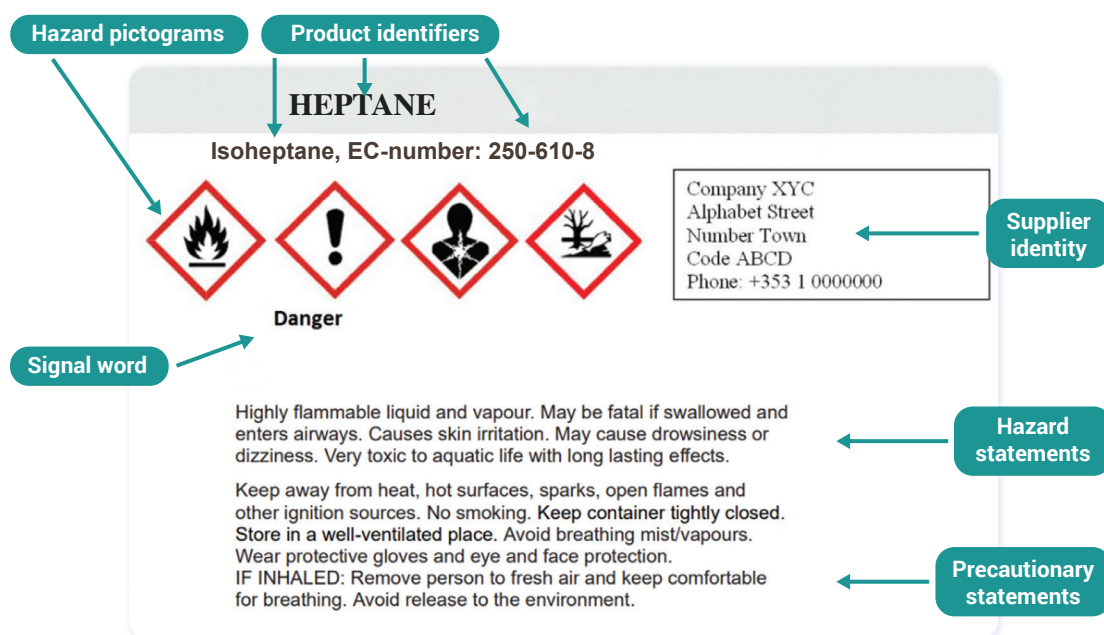


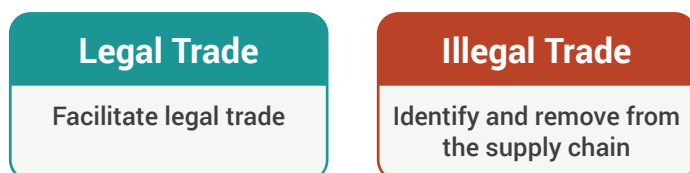
Figure 5 Example based on EU Chemicals Legislation (source: ECHA Guidance on Labelling)

3. Customs control

3.1 Role of Customs

Customs administrations must ensure that MEAs are implemented by enforcing trade provisions and, where necessary, restricting or prohibiting trade in certain substances.

Frontline customs officers have two primary considerations:



Customs need to facilitate legal trade. Trade facilitation in the customs context means avoiding unnecessary trade restrictions. This can be achieved by applying modern techniques and technologies while improving the quality of controls in an internationally harmonized manner. In this context, the customs community aspires to enhance the efficiency and effectiveness of Customs administrations by harmonizing and simplifying customs rules, processes, and procedures. This promotes trade facilitation, which is a key objective of customs.

It is imperative for customs to acknowledge and respond to environmental risks and crimes, and to ensure that such crimes receive the strategic and policy recognition and operational attention they deserve.

The effective enforcement of MEAs requires that law enforcement agencies, such as customs, know the provisions of the MEAs, and have the legal and technical capacity to enforce them. The national, or domestic legal and institutional frameworks are indispensable, and should be well understood when dealing with MEAs. This requires close cooperation with other national competent authorities. Customs administrations are uniquely mandated and positioned at the borders of a country or at critical 'chokepoints' in the supply chain, and their role in enforcing environmental regulations is indispensable. The authority to control transboundary consignment movements (i.e. to stop, open and physically inspect them, and to detain them for further investigation) is essential to the functioning of customs and ultimately for the wellbeing of society and protection of the economy.

3.1.1 Controlling waste trade

Customs officers and/or border control officials should verify that the appropriate notification and consent procedures have been followed. They should also verify that the wastes being transported are in accordance with the information provided in the notification and reflected on the movement document. This involves checking the documents, packages/containers of waste and possibly the contents of the containers. The responsibility to verify applies to officers in the countries of export, transit and import.

Formal verification/document checks

First, customs officers and/or border control officials need to verify that all the documents required are presented and correctly completed with all information required. Guidance on how movement and notification documents should be completed is available at the Basel Convention website¹⁰.

Basel Convention	
Checklist documents transboundary movements of waste	
Notification document	Movement document
<ul style="list-style-type: none">✓ Has it been signed by all Competent Authorities? (box 19 and box 20)✓ Does the notification number (box 3) match with the notification number on the movement document? (box 1)✓ Is the consent still valid ? (box 6)✓ Does the waste description match the physical waste that is being shipped? (box 12, 13 and 14)	<ul style="list-style-type: none">✓ Does the notification number on the notification form (box 3) match with the notification number on the movement document? (box 1)✓ Does the shipment take place (box 6) within the consented time frame? (box 6 of the notification form)✓ Did the carrier sign the movement document? (box 8)✓ Did the exporter/notifier sign the declaration? (box 15)✓ Does the waste description match the physical waste that is being shipped? (box 12, 13 and 14)

Table 2 Checklist for Customs officers Basel Convention documents (source: Nancy Isarin)

¹⁰ Further information about the Notification and Movement Documents can be assessed here: <https://www.basel.int/Procedures/NotificationMovementDocuments/tabid/1327/Default.aspx>

Material verification/physical checks

Next a physical inspection of the shipment should be carried out. During this inspection officers should verify that the number of containers, their type, and their volume correspond to what is indicated on the movement document. Officers should also verify that the containers are appropriately labelled. To the extent possible without endangering safety and health, officers should verify the contents of the containers to ensure that they correspond with the permitted substances. If assistance is needed with verifying the composition of the waste, officers should contact the national Competent Authority, which in the case of the Maldives is the Environmental Protection Agency (EPA).

Any discrepancies between documents, or between the documents and the actual shipment, may be evidence of illegal trafficking. In such cases, customs should stop the movement of the waste and contact the National Competent Authority as soon as possible, so that further investigation can be carried out. If the illegal traffic is the result of conduct on the part of the exporter or generator, the waste can be refused entry and returned to the State of export.

Officers in the country of import should be especially vigilant with respect to shipments of hazardous wastes, because the wastes are intended for disposal in their country.

If customs and the Competent Authority are satisfied with the validity and legitimacy of the shipment, the wastes may be released for onward movement and disposal.

Border Control Procedures for Export (Basel Convention)



Figure 6 Checklist waste export controls

Border Control Procedures: Entry at Country (Basel Convention)

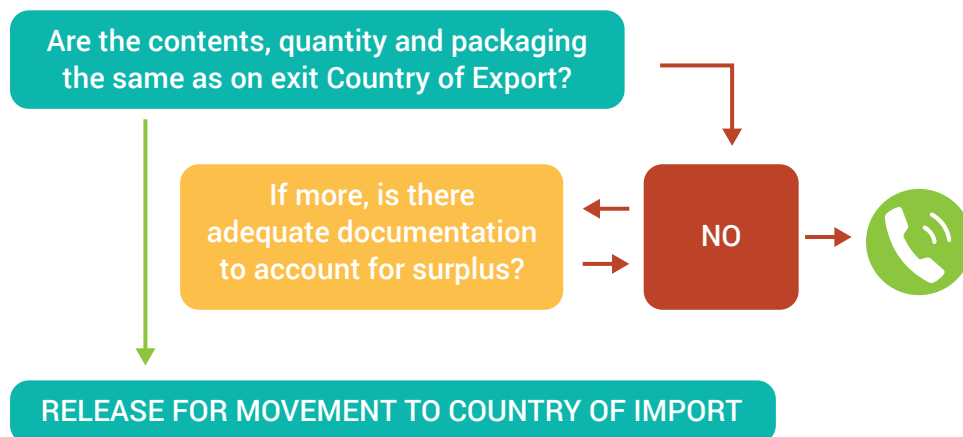


Figure 7 Checklist waste import controls

Case study 1: Illegal export of household waste from Canada to the Philippines

From June to August 2013, 55 sea containers arrived from Canada at the International Container Port in Manila, the Philippines. The consignments were declared as recyclable plastic scrap materials. A second batch of 48 containers were sent by the same company from late 2013 to early 2014. As the containers remained unclaimed by the receiver, customs officers opened 18 of the containers and discovered that the load was not plastic waste but mixed hazardous materials, including household waste and diapers, which is listed in Annex II of the Basel Convention. According to the Basel Convention and national waste legislation, these materials were not allowed to be imported by the Philippines.

Based on the findings by customs, cases were initiated against the owner of the Philippine company, for allegedly violating the Tariff and Customs Code of the Philippines and the Toxic Substance and Hazardous Wastes and Nuclear Wastes Control Act of 1990. The latter prohibits the importation of hazardous waste to the Philippines. Also charged were the company's licensed customs brokers.

When the case was brought for prosecution, the court ruled that Chronic Plastics should bear the costs of repatriating the waste, which is in accordance with the provisions of the Basel Convention. Media outlets later revealed that the company had long ceased operations and could not be located. In 2019, five years after the illegal waste was discovered, and after lengthy diplomatic discussion between the Philippines and Canada, 69 of the containers were eventually repatriated, with the Canadian government paying for PHP 10 million (USD 177,000) in costs. Twenty-six of the containers had previously been disposed of in a private landfill in Tarlac in the Philippines. Environmental groups have stated that the remaining eight containers are unaccounted for.

Source: 'Waste Trade in the Philippines', Greenpeace (March 2020)



Lesson learnt: Customs should maintain information on waste imports to enable post-clearance audits to verify the final destination of the imported waste.

3.1.2 Controlling trade in chemicals

Customs officers and other border control officials are on the front line when it comes to ensuring that trade provisions relevant to the Rotterdam Convention are respected. They play a vital role in making sure that chemicals subject to the PIC procedure are not shipped or traded in contravention of the Convention and/or relevant national legislation.

Customs officers and border control officials are expected to be able to:

- Identify, through the use of HS Codes and Trade names, the PIC chemicals covered by Annex III of the Rotterdam Convention.
- Understand the applicable national laws relating to the Convention
- Communicate effectively with the Rotterdam Convention Designated National Authorities (DNAs).

Verification of imports

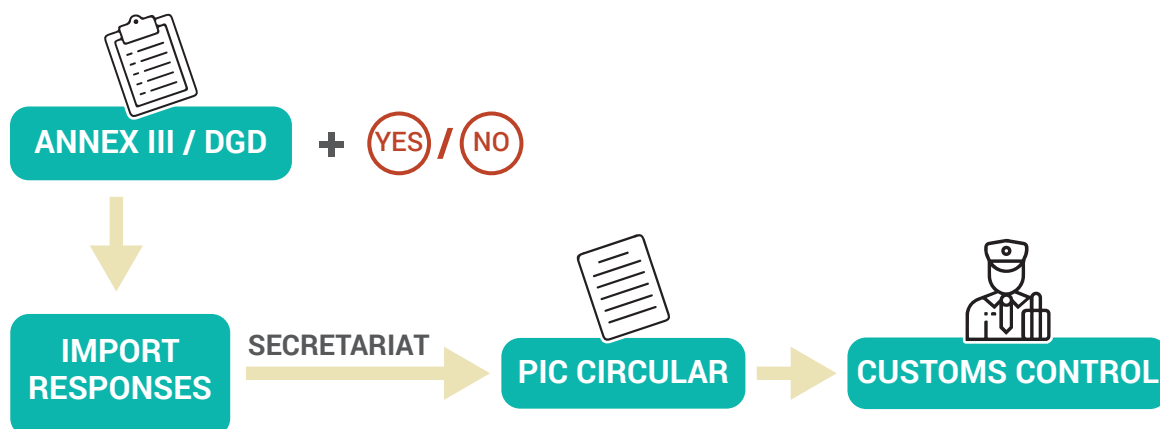
In inspecting shipments of chemicals intended for import, officers should first check whether the chemicals are listed in Annex III of the Rotterdam Convention, and are therefore subject to the PIC procedure.

Officers should verify if the government has banned or restricted the chemicals under relevant national legislation, or if the government has prohibited importation by means of a PIC import decision.

If the chemical is banned or otherwise prohibited, importation should not be allowed. If the chemical is subject to the PIC procedure and has not been banned or otherwise prohibited, or if the government has not issued an import decision, import should only be allowed if:

- The chemical is already registered for use in the importing country, and all relevant import conditions and restrictions applying to the chemical are complied with
- The chemical is adequately labelled, including use of the appropriate HS code where applicable, and is accompanied by adequate safety information
- A safety data sheet in an internationally recognized format is provided, for chemicals to be used for occupational purposes
- Labels, safety data sheets and other hazard information are provided, if possible, in the language of the importing party.

Customs and border control authorities should contact the DNAs for the Rotterdam Convention for assistance in verification, and to obtain further information and clarification as necessary.



Verification of exports

When inspecting shipments of chemicals intended for export, officers should check whether the chemical is listed in Annex III of the Rotterdam Convention.

If the chemical is listed, officers should check whether the importing country is Party to the Convention and has made an import decision under the PIC procedure. This information is available on the Convention website (www.pic.int). If an import decision has been issued and it is not one of consent, then the export should not be allowed to proceed. If the decision is conditional, or if no decision has been transmitted, the officer should contact the DNAs concerned, in the exporting and importing countries, for further information and guidance.

For all exports of chemicals that are listed in Annex III of the Convention, or that are banned or severely restricted in the exporting country, export should only be allowed if:

- the chemical is not banned or otherwise prohibited in the importing country
- the appropriate export notifications have been issued to the DNA in the importing country
- the chemical is adequately labelled and accompanied by adequate safety information
- a safety data sheet in an internationally recognized format is provided for chemicals to be used for occupational purposes
- all other relevant obligations and requirements under national law are met.

Close collaboration and communication between customs and DNA is necessary for the Convention to be implemented successfully. In the Maldives the Ministry of Tourism and Environment is the DNA. Customs should contact Ministry when additional information or advice is needed to make a correct decision in respect of imports and exports of chemicals. In return, the DNA should keep customs appraised of PIC-related information that would facilitate their work.

3.1.3 Controlling the trade in persistent organic pollutants

The role of Parties’ customs administrations is to ensure that imports and exports of intentionally produced POPs listed in Annexes A and B of the Convention do not take place if they are not in compliance with the Convention.

To successfully control the import and export of POPs under the Convention, customs officers should consider the country’s obligations under the Convention.

For the purposes of a Party’s reporting requirements under the Convention, customs officers should:

- register the imports and exports of each chemical
- maintain a list of States from which chemicals are imported maintain a list of States to which chemicals are exported

Import: POPs Chemical / Waste	Export: POPs Chemical / Waste
<ul style="list-style-type: none">• Import of Annexes A and B chemicals / wastes is Only allowed for:<ul style="list-style-type: none">• The purpose of environmentally sound disposal;• A Party that benefits from a specific exemption / acceptable purpose.	<ul style="list-style-type: none">• Export of Annexes A and B chemicals / wastes is only allowed:<ul style="list-style-type: none">• For the purpose of environmentally sound disposal;• to a Party that benefits from a specific exemption / acceptable purpose;• To a non-Party that certifies that it will comply with the stockpiles and wastes provisions of the Convention.
<ul style="list-style-type: none">• If conditions are fulfilled, trade may take place, subject to the relevant PIC procedures:• If POPs waste, Basel PIC procedure apply;• If POPs chemical covered by Rotterdam Annex III, PIC procedure apply.	

Figure 8 Import and Export controls under the Stockholm Convention



• Exemptions • Disposal



In case of exceptions, trade may take place:

If waste, Basel PIC

If chemicals covered by Rotterdam

• Figure 9 Stockholm Convention ban and exemptions

Customs administrations should cooperate with their counterparts in other Parties to ensure that all Parties share responsibility for the export and import of POPs under the Convention. Customs administrations should also cooperate closely with national implementing agencies, in particular with the coordinators of national implementation plans.

3.2 Smuggling schemes

International trade in hazardous chemicals and wastes is expected to be considered legal, as far as the conventions are concerned, when the conditions and procedures embodied in these conventions are complied with. For instance, under the Basel Convention, a Party is not allowed to import hazardous wastes from a non-Party, unless a specific agreement is concluded. In a similar way, imports and exports of POPs included in the Stockholm Convention are allowed only for the purpose of environmentally sound disposal or for a use which is permitted by the importing State. Other requirements for trade to be considered “legal” may be imposed by other international treaties as well as by the national legal framework within a country: such requirements must thus also be contended with in order to determine whether a particular shipment is legal.

Among the three conventions, the Basel Convention is the only treaty to define what amounts to “illegal traffic” in hazardous and other wastes. Whether an import or export of chemicals covered by the Rotterdam and Stockholm Conventions amounts to illegal trade is a matter for the domestic legal framework to clarify.

When targeting illegal movements of hazardous chemicals and wastes, customs officers need to be aware of the techniques used to conceal these illegal shipments.

In the paperwork accompanying the shipment, the contentious load will either not be mentioned or will not be described accurately. For example, wastes are wrongly classified as a product or a second-hand good, or hazardous wastes are wrongly declared as non-hazardous wastes.

Frequent cases of mis-declarations are:

- E-waste declared as second-hand goods;
- Mixed household residues declared as paper or plastic waste;
- PCB-containing transformers classified as metal scrap;
- Expired chemicals and pigments declared as products.

In addition to concealing the true nature of a shipment, the goods that are illegally traded are often physically hidden. Common concealment methods are:

- Using a cover load: placing the illegal goods behind rows of legal goods or under layers of legal goods;
- Placing false labels on the goods or removing old labels.
- Hiding e-waste in blinded and sealed vehicles or trucks
- Mixing hazardous waste with non-hazardous waste or materia

Cases of misdeclarations and concealment methods.



Image 1 Oil coated ground cable, declared as copper waste (photo credit Huib van Westen)



Image 2 Photo: mixture of household waste, declared as paper waste (photo credit Nancy Isarin)

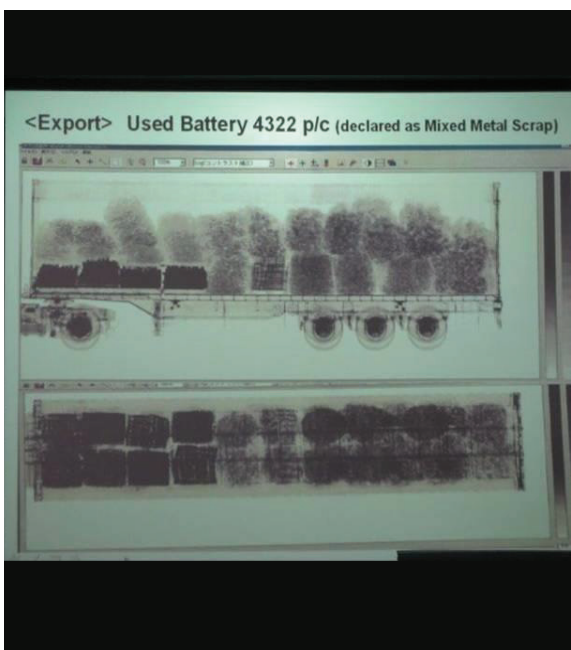


Image 3 X-ray scan showing hidden waste batteries (photo credit: Jan Oomen)



Image 4 PCB-containing transformers in the (source: SBC ppt)

Frequent cases of misdeclarations

In addition to concealing the true nature of a shipment, illegally trafficked wastes are often physically hidden by concealing the load.

Common concealment methods.

- Using a cover load: placing the illegal goods behind rows of legal goods or under layers of legal goods
- Placing false labels on the goods or removing original labels
- Hiding e-waste in blinded and sealed vehicles or trucks
- Mixing hazardous waste with non-hazardous waste or material

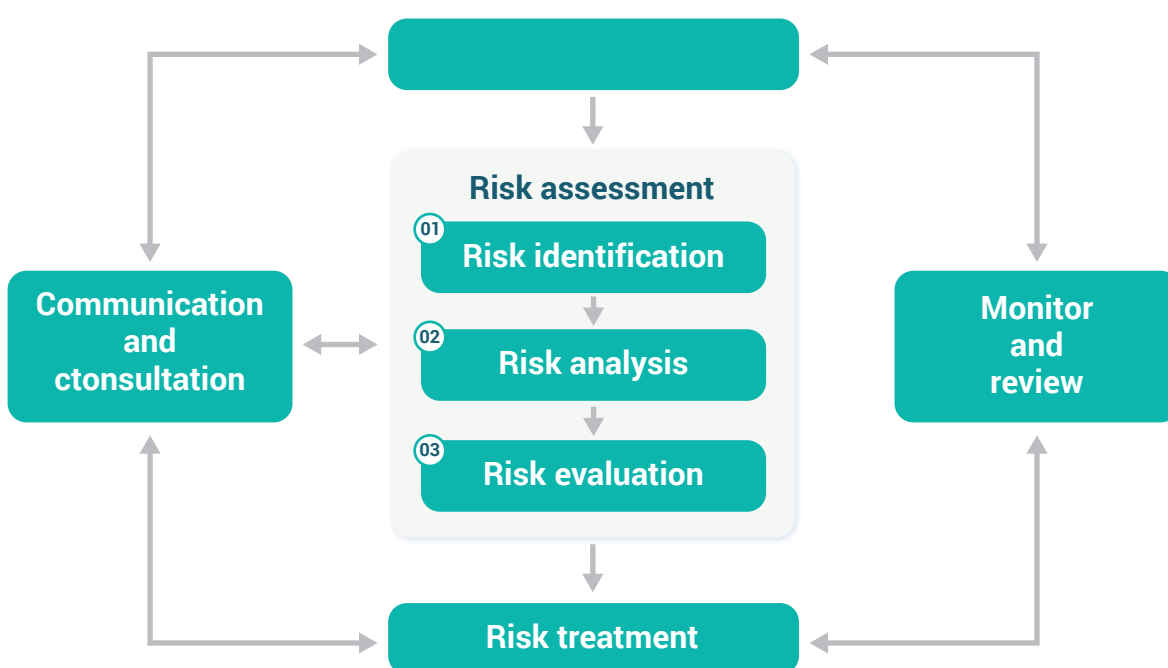


Image 4 PCB containing transformers in the (source: SBC ppt)

3.3 Screening methods

Customs' monitoring activities cannot focus on all the movements that take place within a port or at a terrestrial border. Therefore, priorities may be set to focus these efforts. One of the approaches that helps to target and identify potential illegal trade is the Risk Management approach.

A first step is to perform a **risk assessment** of the current situation. Risk here is defined as non-compliance with relevant rules and regulations. This assessment may provide, for instance, information on the risks associated with the legal trade of hazardous chemicals and wastes, an evaluation of the existence of illegal trade/traffic, and the impact of illegal trade/traffic on human health, the environment and the economy. It is recommended to perform the risk assessment together with other relevant governmental entities, in particular the police as well as environmental, health and agricultural authorities.



• Figure 10 Key steps of Risk Management

The production of a risk assessment may rely on the following 3 phases (see figure 4):

1. Risk identification

Examples of questions that may be asked during the risk identification phase include for instance the following:

- a. What? What kind of illegal activity is taking place? What kind of hazardous chemicals and wastes are being illegally traded and how were these described in the paperwork? What is the magnitude of the illegal trade/traffic? How many offences have taken place within a given time? What is the historical trend? What is the seriousness of these offences? What is the actual and potential impact of illegal activities on human health, the environment and the economy? What is the current risk for violators of getting caught? If offences are detected, what are the likely consequences for those violating the law? How do these consequences compare with the gains that may be generated by the illegal activity? What is the current enforcement response? How much effort goes into detecting and preventing illegal trade/traffic? How effective are these efforts?
- b. Where? Where are illegal activities taking place or most likely to take place within the country or on which route? Are there any illegal trade “hotspots” that can be identified? Consider the entire international trade chain: where is the chemical produced? Where is the waste generated and at what point in time does the waste enter the illegal waste chain? What transport route does it follow? And where is it imported or disposed of?
- c. Why? Why do individuals or legal entities engage in illegal trade/traffic? What are the gains to be made? How big is the market for the chemicals and wastes illegally traded? What is the current market value for the chemicals and wastes being traded? Is illegal trade/traffic associated with other violations of the law (car theft, tax fraud or forgery for example)? Do contraveners act intentionally, recklessly, or negligently? How far may a lack of awareness of a regulatory framework or the complexity of that framework explain illegal activities?
- d. When? When does illegal trade/traffic take place? Are there seasonal trends or particular times within a month / year when illegal activities reach higher or lower levels?
- e. Who? Who is violating the law? Are these individuals or legal entities? Is this “organized” crime? Are contraveners repeated offenders or occasional ones? What is the contravener’s relationship to chemicals and wastes (eg. producer, generator, shipper, broker/freight forwarder, carrier, disposer)? Can profiles of contraveners be established? What other illegal activities have been committed by contraveners?
- f. How? What is the modus operandi of the contraveners? How do they conceal their activities? How are they organised?

To answer these questions, data can be collected both from open and closed sources. Examples of closed sources of information are the pre-arrival or pre-departure information, historical data collected by customs, shipping lines and law enforcement authorities. Internet, as an open source, holds information on trading sites, news items on discovered illegal trade, court cases, research, and study reports from NGOs and IGOs. Also, container tracking sites can be searched. In addition, interviews with stakeholders supply useful information for the risk assessment process as they can give insight into the trading schemes and trends, on the level of awareness and on involved actors.

2. Risk analysis

In the risk analysis phase systematic use of available information helps to determine how often specific risks may occur and the magnitude of their likely consequences.

3. Evaluation and prioritization

After analysing the information, priorities can be defined, and profiles can be developed. The outcomes of a risk assessment could for example be a reason for customs to focus on certain waste streams, chemicals, routes, countries, stakeholders, or descriptions used in paperwork.

3.3.1 Profiling and indicators

Risk indicators and search parameters are developed following completion of the risk identification and analysis phases of the risk assessment. Risk indicators flag potential problems with a particular shipment. If customs work with electronic systems, profiles can be built into their electronic systems.

Risk indicators can relate to the following topics:

1. The object of the trade

Examples include:

- False tariff heading, by using incorrect customs codes
- Inadequate, incomplete or inconsistent description of the good/waste being shipped
- Wastes declared as (second hand) goods or equipment
- False declaration of origin
- False declaration of quantity
- Low value in relation to weight and/or the customs code

2. Documents

Examples include:

- Missing documents
- Cash payment, freight paid in advance
- False certificates

3. Packaging

Examples include:

- Mislabelling
- Broken, defective or non-existent seals
- Packaging not corresponding to the goods/wastes description
- Dented, damaged or mishandled containers or drums
- Placards or labels on the container or on the packaging (drums, IBCs, boxes, etc.) indicating hazardous materials;
- Shippers-owned container (not owned by a shipping line leasing company, without a prefix or with a prefix not related to a shipping line and container number);
- Leaking containers or packaging; (3.2.2. Leaking containers: pyramid case)
- Expressions like: 'expired', 'discarded', 'do not return' or 'for disposal'.

4. Concealment methods

Examples include:

- Legitimate goods mixed with non-legitimate goods or wastes
- Hazardous waste mixed with non-hazardous waste

5. Customs procedures

Examples include:

- Returned merchandise
- Falsely declaring the use of goods as being granted exemption for analytical or laboratory use

6. Routing

Examples include:

- Diversion of shipments, for example by using an intermediary country
- Involved countries (import and/or export) known for parallel illicit markets

7. Individuals/companies

Examples include:

- Activity not corresponding to that usually carried out by the company
- Operator not known or unlicensed for hazardous waste management
- The name of the consignee company is not indicated, with only the freight forwarder's contact details being given
- Address of the consignee is a Post Office Box
- Address of the waste disposer is a sky scraper in a major city
- History of illegal activities

8. Countries concerned

Examples include:

- Import, transit or export country in conflict or facing internal instability
- Import country lacking the capacity to manage hazardous wastes in an environmentally sound manner

Examples of HS codes at high risk for illegal transboundary movements of hazardous waste

HS codes	Declared as	In fact can be
3915	Plastic scrap	Waste plastics mixed with other wastes, medical waste or used chemical bottles, municipal solid waste
7204	Metal scrap	Batteries, metal scrap contaminated with hazardous waste, electronic wastes
8528	CRT monitors	Waste CRT monitors



Image 7 Leaking containers (photo credit ILT)



Image 8 Photo: Placards indicating hazardous materials (photo credit: ILT)



Image 9 Mixture of old drums (photo credit ILT)

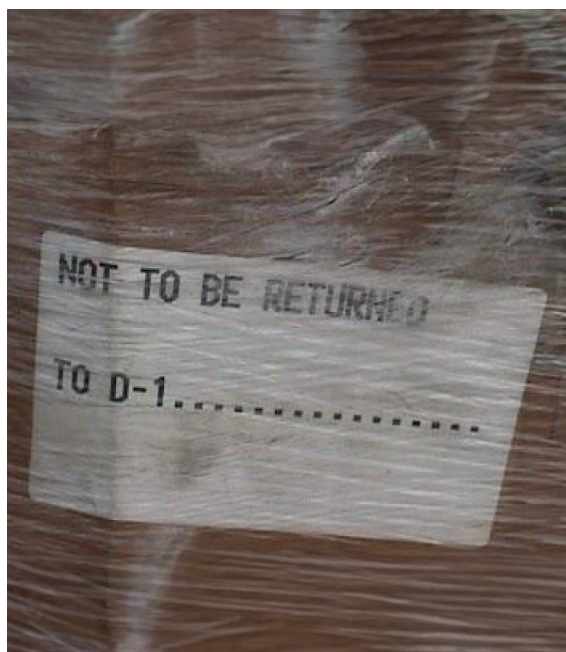


Image 10 Photo: label 'not be returned' (photo credit ILT)

3.3.2 Screening documentation

Once the profiles are developed and implemented, shipments can be targeted and selected for further document review and/or physical examination. When monitoring the legal trade in chemicals and wastes covered by the three conventions, customs officers need to verify that all required documents and information are presented and correctly completed. Screening shipping documents is a part of the day-to-day job of customs officers. Customs declarations, bills of lading and cargo manifests, for instance, hold important information. If Customs officers are trained to spot certain key words or indicators mentioned in such documents that might imply that an illegal shipment of chemicals or wastes could be taking place, they could trigger further investigation actions.

If a shipment of chemicals or wastes has been selected for further screening, first the relevant accompanying documentation should be collected and reviewed, such as:

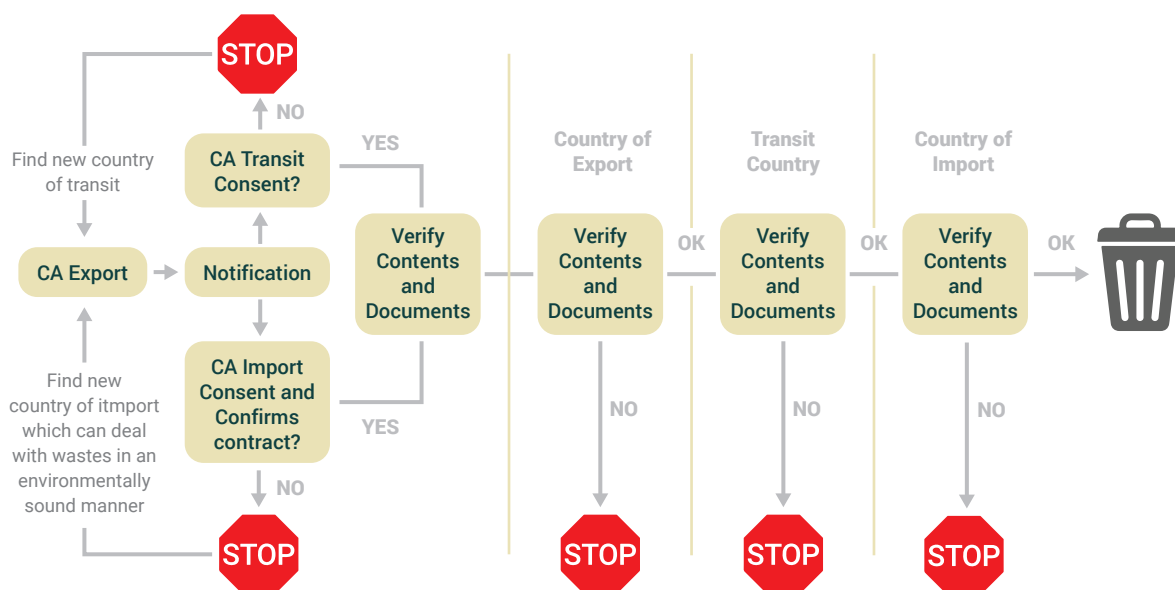
- Shipping documents
- Invoice
- Contract
- Certificate
- Licence
- Packing list

Specific additional documentation related to the trade of chemicals includes:

- Required import licences
- Safety data information sheet
- Correct HS Customs codes on the shipping documents

Specific additional documentation related to a transboundary movement of hazardous wastes and other wastes:

- Completed waste movement document
- Copy (or original if required) of the notification document



Key questions to consider when examining the documents are:

- Is this a waste or a product?
- Is this a waste falling under the scope of the Basel Convention? Check Annexes I, II, III, VIII and IX of the Basel Convention and national legislation implementing the Basel Convention provisions to see if the waste is classified as hazardous or not.
- Is the export of this chemical or waste allowed to the country of import?
- Is the import of this chemical or waste allowed into my country?
- Is this a chemical listed in Annex III of the Rotterdam Convention or a nationally banned or severely restricted chemical?

Further issues to consider when inspecting a shipment of a chemical listed in Annex III of the Rotterdam Convention:

In case of export:

- Are the specific World Customs Organization's Harmonized System codes assigned to the chemical included in the shipping documents?
- If the chemical is listed in Annex III of the Convention, there is a need to check the import decision of the importing country in Appendix IV of the PIC Circular (or the Convention website www.pic.int) for the chemical in question. If the decision is no consent then the export cannot proceed, if it is consent under certain condition it may be necessary to contact the DNA in the importing country before exporting the chemical in order to ensure that those conditions are met.

- If the exported chemical is listed in Annex III or is banned or severely restricted in your country check the following:
 - Does the chemical meet the labelling requirements for risks/hazards to human health and the environment? The label should contain information on possible hazards of the chemical and the safety data sheet should contain information on how to handle accidents and spills.
 - For chemicals that are to be used for occupational purposes, ensure that the safety data sheet, following an internationally recognised organisation, setting out the most up-to-date information available, is sent to each importer.
 - Are any corresponding requirements under national legislation relevant to this chemical or group of chemicals?

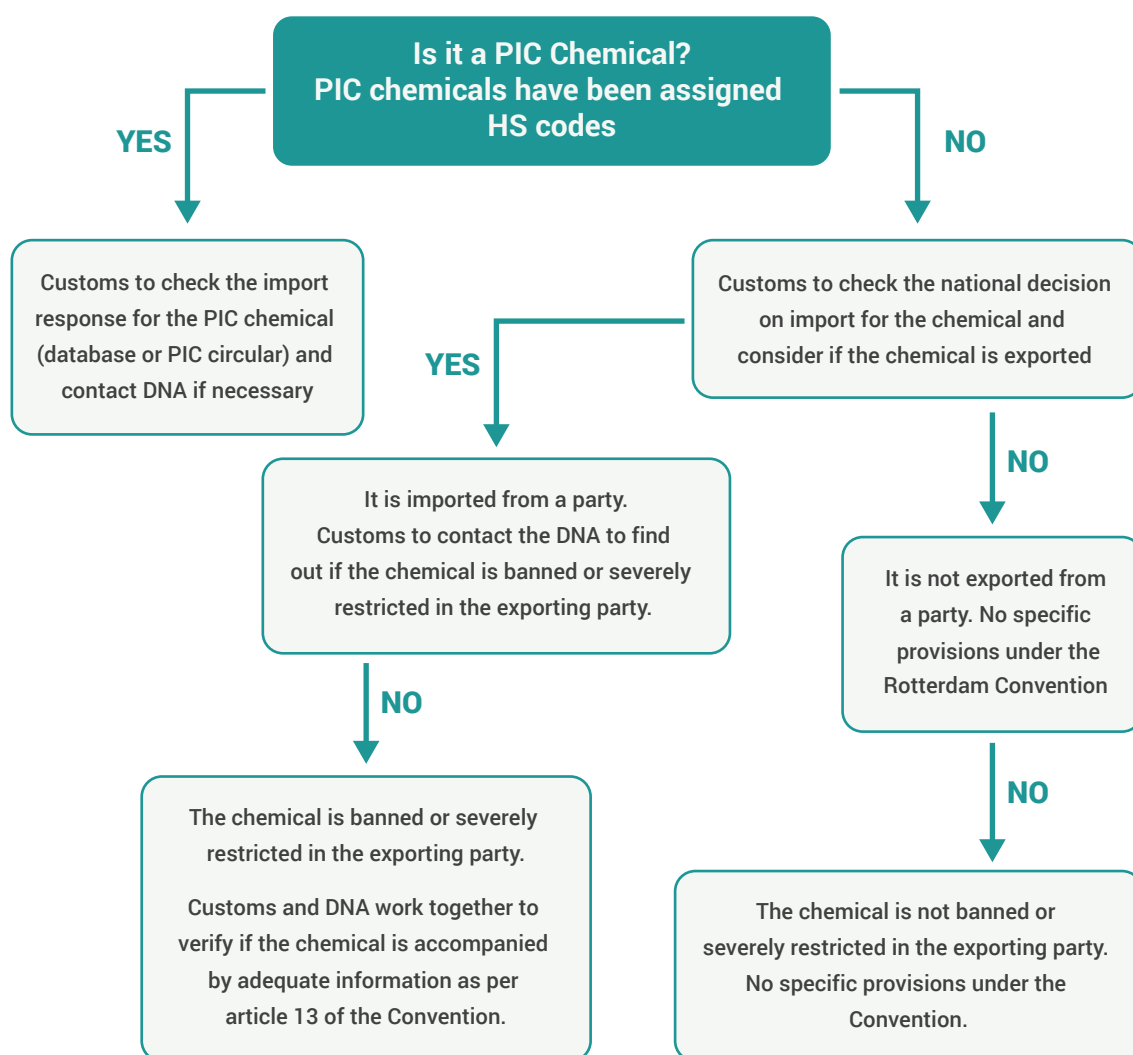


Figure 11 Graphic: Border control procedures Rotterdam Convention – import of a chemical (source: Manual for Customs on hazardous chemicals and wastes under the Basel, Rotterdam and Stockholm Conventions, BRS Convention, 2014)

For imports:

- Keep up-to-date regarding any import decision your Government has taken with respect to the chemical by checking Appendix IV of the PIC Circular or Rotterdam Convention website (www.pic.int);
- Is the chemical adequately labelled and accompanied by adequate information?
- Is a safety data sheet included if the chemical is used for occupational purposes? The safety data sheet should be in an internationally recognized format.
- Is the information on labels and safety data sheets provided, when possible, in the language of the importing Party?

If you are not sure, get in contact with your DNA(s), Focal Point or Competent Authority.

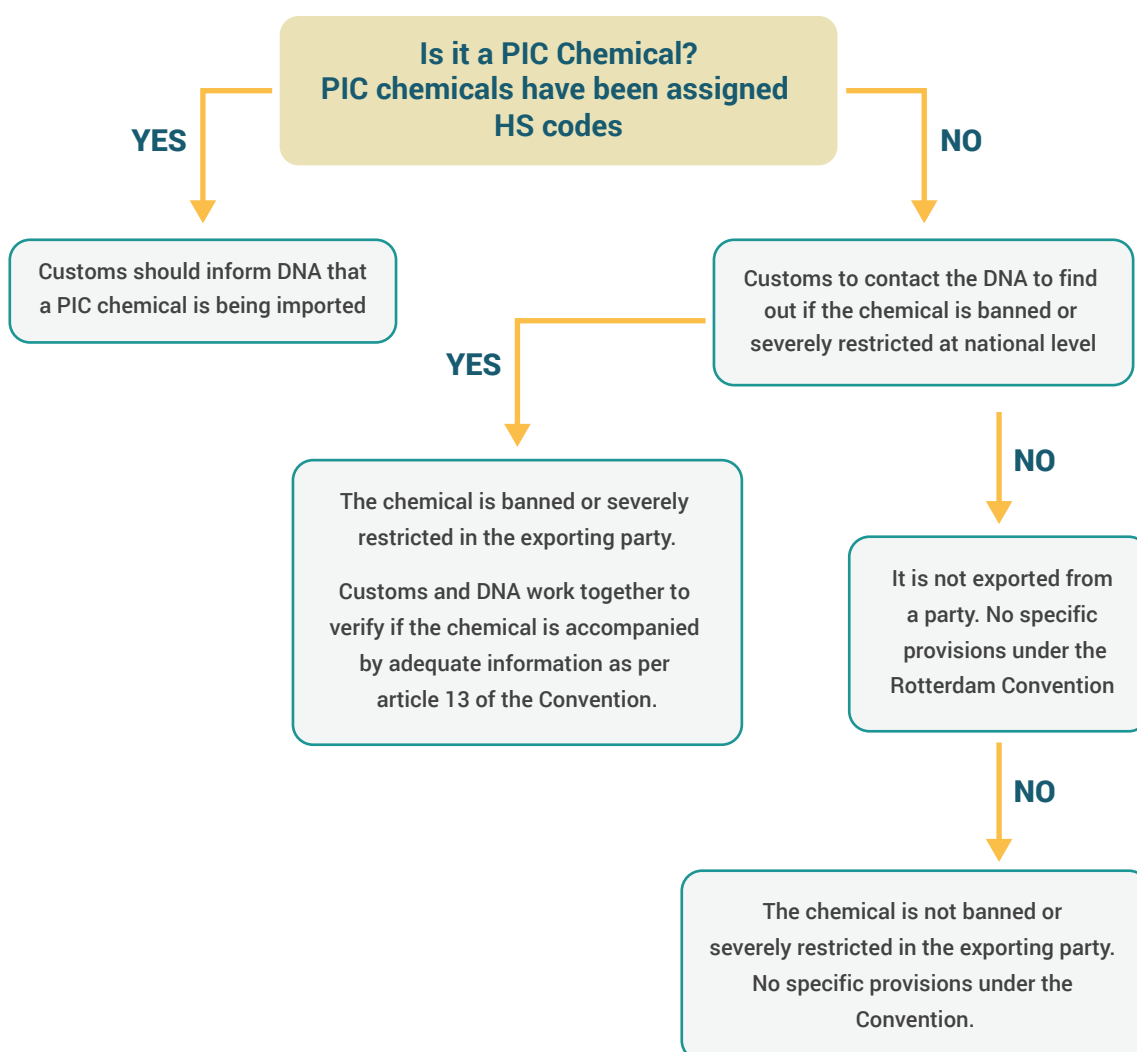


Figure 12 Graphic: Border control procedures Rotterdam Convention – export of a chemical (source: Manual for Customs on hazardous chemicals and wastes under the Basel, Rotterdam and Stockholm Conventions, BRS Convention, 2014)

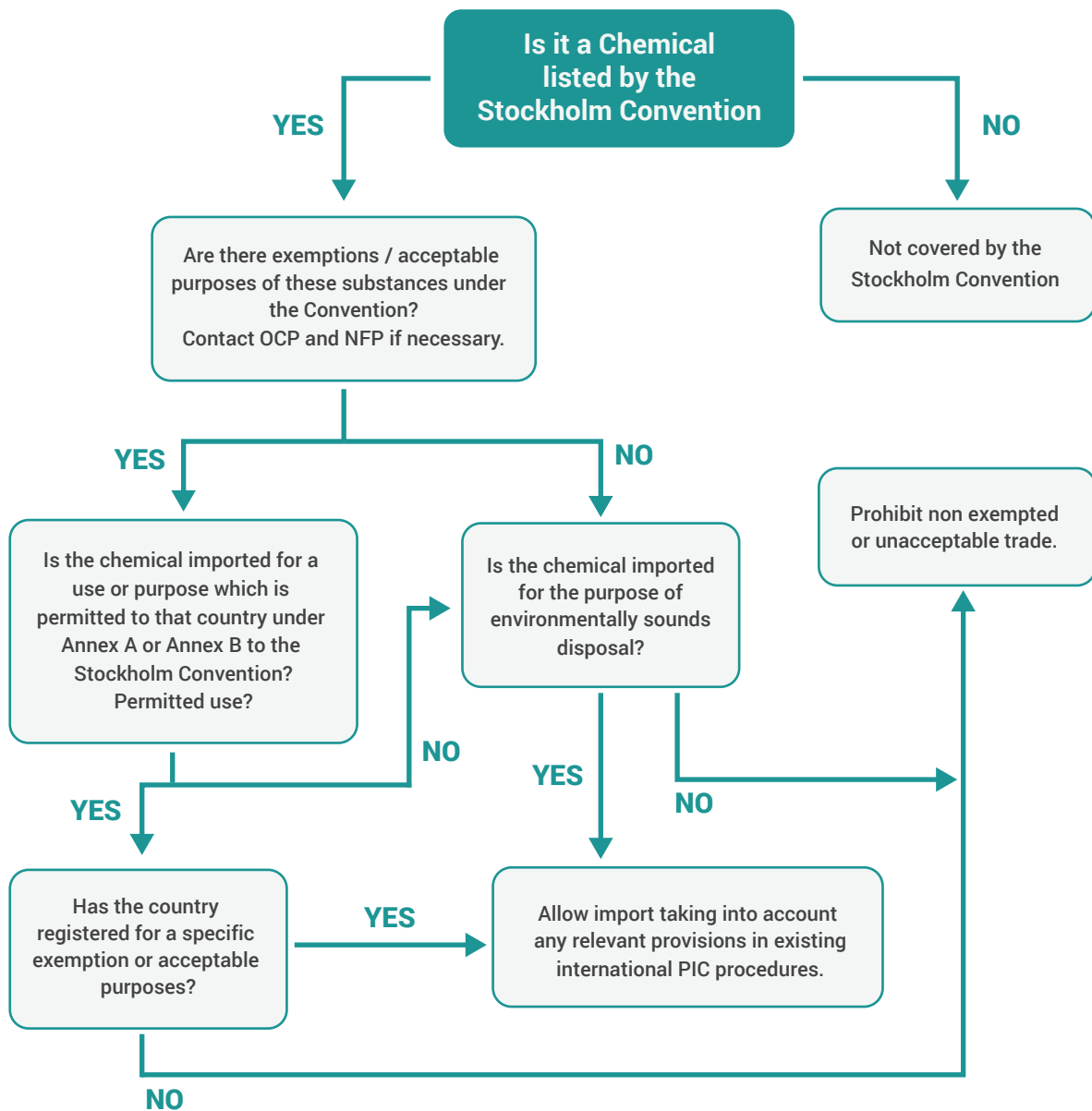


Figure 16 (source: Manual for Customs on hazardous chemicals and wastes under the Basel, Rotterdam and Stockholm Conventions, BRS Convention, 2014)

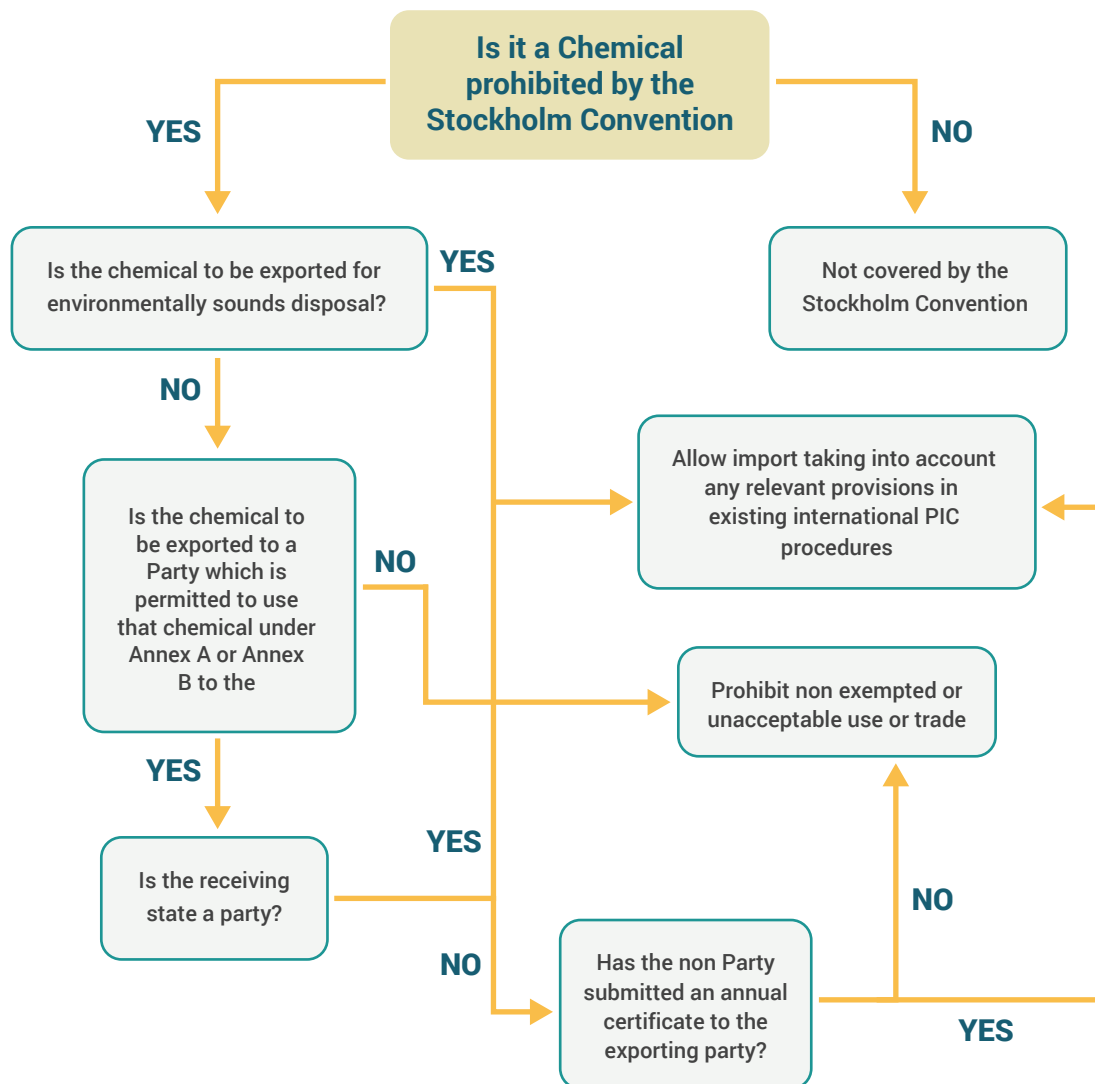


Figure 17 Border control procedures Stockholm Convention - exporting a chemical (source: Manual for Customs on hazardous chemicals and wastes under the Basel, Rotterdam and Stockholm Conventions, BRS Convention, 2014)

3.3.3 Physical examination

In some cases, a physical examination is required to verify if the information provided in the documents matches the actual load and if the requirements with regards to transporting, labelling and packaging are met. Depending on where a shipment is being stopped/blocked for a visual screening (at the port, at the side of the road or a train terminal) the container or transport medium should be offloaded and stored at a safe inspection area.

Verification

During the verification process you should check if the information in the documents corresponds with the actual content. Key questions to ask yourself are:

- Is the classification of the load correct?
- Does the description of the wastes or chemicals in the documents correspond to the actual composition?
- Are there indications that this is a waste instead of a product or second-hand good?
- Are the labelling and packaging requirements met?
- For chemicals in Annex III under the Rotterdam Convention and those that are banned or severely restricted domestically, one should check if the labelling provisions of the Convention are met. In the case of wastes covered by the Basel Convention, each Party shall require that transboundary movements be subject to generally accepted and recognized international rules in the field of packaging, labelling and transport.

In some cases a visual inspection will not provide conclusive information about the composition of the chemical or waste. Sampling, testing and analyzing might therefore be required.

Inspections following a request

It may happen that customs inspect a shipment based on a request from the DNA, Focal Point, Competent Authority or other involvement law enforcement agency within their own country or following a request from relevant authorities in another State. For instance, when there is a suspicion of an illegal shipment, the authorities with primary responsibility for the implementation of the conventions can exchange information on the name of a vessel, the container number(s) and the date of departure so that the shipment can be intercepted when it goes through a country of transit or upon its arrival in the country of final destination. This occurs when a container has already left the port, but the information, such as the (electronic) custom declaration, becomes only available afterwards.

At random or Ad-hoc inspections

At random or ad hoc inspections complement targeted inspections based on risk assessments, profiling, intelligence or inspections conducted following a request. Random or ad hoc inspections can take place within the country of export, transit or export. They have an important deterrent effect. Another reason for performing at random inspections is to learn if new modus operandi or concealment methods are being used or if new trends have emerged.

Checklist

Risk assessment

- Understand the what, when, why, where, who and how of the illegal trade in hazardous chemicals and wastes
- Gather information and intelligence from relevant sources (open and closed) about modus operandi and illegal trade in hazardous chemicals and wastes
- Develop risk indicators and search parameters and implement these in your targeting system

Check the documentation

- Is the shipment accompanied by all the correct paperwork?
- Review all the documentation if there are completed correctly
- Compare the documents that accompany the shipment to make sure that they match
- Is the valuation of the goods correct/realistic?

Verify the information

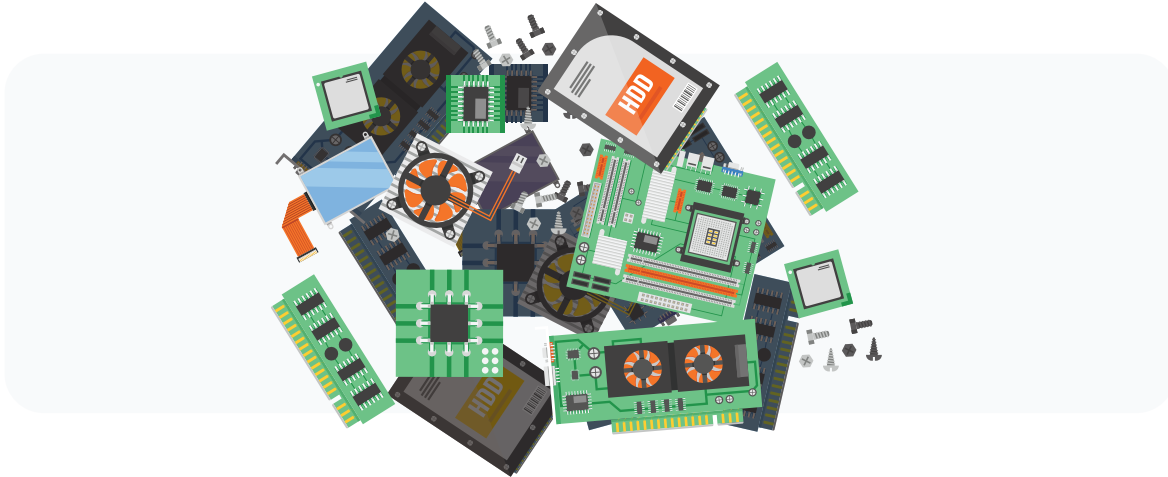
- Verify that the exporter and/or importer and place of business actually exist.
- Contact the relevant authorities to verify if the shipment of hazardous chemicals or wastes is indeed consented to
- Verify if the quantity, description of the goods, treatment, origin and destination matches with the information in the registration/notification form/movement form
- Visual screening

Verify the information

- Inspect the goods visually
- Check the packaging conditions
- Check the labelling requirements
- Match the load with the information in the paperwork
- Take samples if necessary
- Make photographic evidence if necessary

4. Problematic waste streams

E-waste



- Basel codes: B1110 (non-hazardous) or A1180 (hazardous)
- Customs Harmonised Code: 8548, Ex 85, Ex 7602, Ex 7802, Ex 7902, Ex 8002, Ex 7404, Ex 7503, Ex 7112, 8548, Ex 8471, Ex 8473, Ex 8528, Ex 8529
- Physical-chemical properties: electronic hardware (including white goods), or parts of equipment and corresponding shredded material if pre-treated according to state of technology. Metal parts packaged in plastics covering.
- Colour: various.
- Notes:
 - Depending on the composition e-waste is non-hazardous or hazardous waste. Examples of electronic hardware (or parts thereof) with dangerous components:
 - list A batteries,
 - PCB-capacitors,
 - accumulators,
 - condensers (PCB concentration level of 50 mg/kg (ppm) or more),
 - mercury switches,
 - glass from cathode-ray tubes or other activated glass,
 - toner cartridges,
 - monitors, TV screen with cathode ray tubes,
 - plasma screen or LCD-screen, big LCD displays;
 - printer drums containing heavy metals,
 - toner cartridges with dangerous compounds

- It is important to distinguish between waste and secondhand products. Criteria to distinguish between e-waste are for example contracts stating that the items will be used for direct re-use and is fully functional, testing/ functionality documents conducted by qualified, certified or trained technician, declaration that none of the items is waste and appropriate protection against damage during transport, loading and unloading through sufficient packaging/stacking¹¹.
- Plastic housings can contain considerable amounts of hazardous chemicals, such as brominated flame retardants.

Plastic waste



- Basel codes: Y48 (mixed plastic), A3210 (hazardous) or B3011 (non-hazardous)
- Customs Harmonised Code: 3915
- Physical-chemical properties: Solid and in variable sizes and forms including shredded, milled material or granulate of polymers and copolymers (e.g. PE, PS, PP, PET, PU foams, resins, and certain fluorinated polymer).
- Colour: various.
- Notes:
 - Classification depends on the type of polymer and if the polymers are sorted.
 - Should be destined for environmentally sound management for Y48 and B3011.
 - Should be almost free from contamination and other types of waste for Y48 and B3011.
 - Industrial or consumer packaging origin impacts the composition of the plastic waste.
 - Risk of contamination with hazardous substances or (food) residues.
 - For TBM of PVC, mixtures and hazardous plastic (BFR) waste a PIC is required.

¹¹ The "Technical guidelines on transboundary movements of electrical and electronic waste and used electrical and electronic equipment, in particular regarding the distinction between waste and non-waste under the Basel Convention" contain further criteria and explanations. The Guidelines can be accessed here: <https://www.basel.int/Implementation/Publications/TechnicalGuidelines/tabid/2362/Default.aspx>

Waste tyres



- Waste pneumatic/end-of-life tyres
- Classification
 - Basel code: B3140
 - Customs Harmonised Code: Ex 4012 20
- Physical-chemical properties: Solid, not granulated, flexible material (for example: inner pneumatic tyres). Rubber.
- Colour: dark grey / black.
- Notes:
 - Destination: Waste tyres destined for Annex IVA operations are not covered; certain countries do not like to receive waste tyres; some will receive shred, other baled tyres - check local controls at country of destination
 - Waste non waste; waste tyres are often intended to be shipped under product codes as used tyres. The national requirements of tread depth could be used in decision making whether the tyre is waste or second hand products.

End of live vehicles



- End-of-life vehicles
- Classification
 - Non-hazardous Basel code: B1250,
 - Hazardous Basel code: not listed
 - Customs Harmonised Code: Ex 7204
- Physical-chemical properties: Solid waste of motor vehicles. Variable sizes.
- Colour: various.
- Notes:
 - Distinction between hazardous and non-hazardous: End-of-life vehicles, containing neither liquids nor other hazardous components are considered as non hazardous.
 - Car wrecks and spare parts can be subdivided into three categories:
 1. damaged cars and occasions/historical vehicles;
 2. car wrecks;
 3. (spare) parts
 - The major decision to take is the classification as waste or second hand product and the second important decision is the classification as hazardous or non hazardous
- Main criteria for distinguishing these categories are:
 - the technical state of the vehicle (parts);
 - reparability at reasonable costs is viable;
 - the presence of absence of liquids or hazardous components
- Attention should be paid to the following properties of the vehicle (parts) and/or aspects: Does the vehicle meet the legal requirements to drive on public roads?

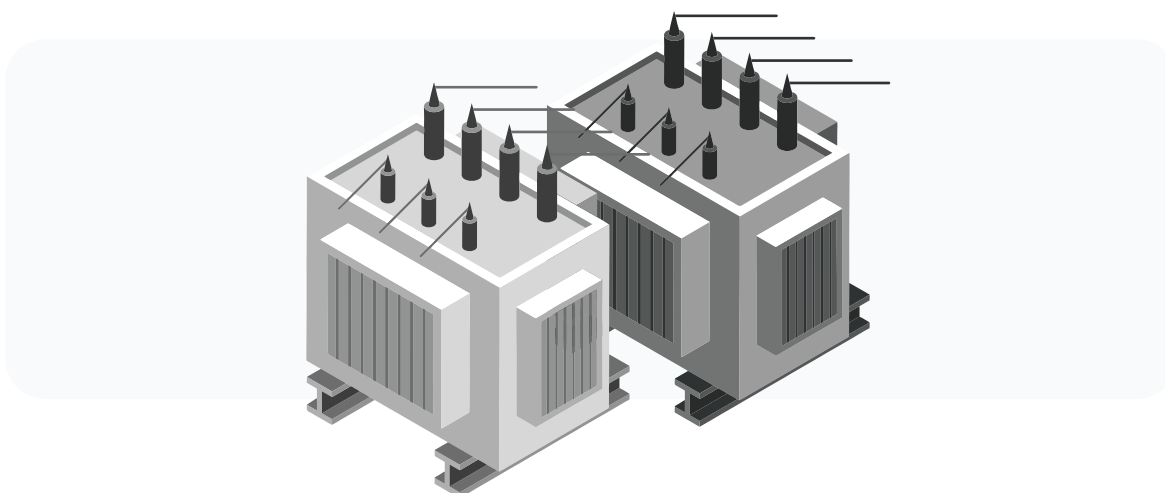
- Are any essential car parts missing or damaged?
- Are there a sales contract and or a certificate on functionality of a registered trader/ technician/garage?
- Can the vehicle be repaired at reasonable costs (use a recommended price list for occasions and/or a price list for standard car repairs)?
- Spare parts: how are they disassembled, packed and documented, in what technical state are they, what is the destination?
- Are there official vehicle (parts) registration certificates and sales contracts?
- Does the vehicle (or parts) contain any liquids (oils, fluids, diesel, petrol, etc.) or hazardous components (air bags, car battery, LPG tank, oil filter, cooling liquids/agents, condensers, lamps, etc.)? Check reservoirs, tubes, draw-off valves, etc.;

Lead-acid batteries



- Lead-acid batteries, whole or crushed
- Classification:
 - Basel code: A1160
 - Customs Harmonised Code: Ex 8548 10
- Physical-chemical properties: Solid or crushed boxes of variable size; easily recognizable.
- Relatively large batteries (also accumulators) - e.g. used for cars - containing liquids in non-sealable or semi-sealable containers; relatively heavy weight.
- Colour: black, white, greyish often with colourful stickers.
- Note:
 - Lead acid batteries are to be considered as hazardous!
 - Be aware of leaking acids!

PCB, PCT or PBB containing waste



- Waste substances and articles containing, consisting of or contaminated with polychlorinated biphenyl (PCB) and/or polychlorinated terphenyl (PCT) and/or polybrominated biphenyl (PBB).
- Classification:
 - Basel code: A3180
 - Customs Harmonised Code: Ex 3825
- Physical-chemical properties: Many different wastes can be contaminated with PCB and corresponding substances. Most important category are transformers and capacitors from electronic equipment (production date till 1986) if containing remaining oil,
- Colour: various.
- Notes:
 - Many different substances and articles can be contaminated with PCB, PCT, PCN, and PBB at a concentration level of 50 mg/kg or more. The classification applies also for any other polybrominated analogues of these compounds. The most important categories are big transformers and capacitors filled with PCB containing oil (from power stations).
 - However PCB, PCT, PBB or any other polybrominated analogues in corresponding concentrations can also be found in for example:
 - E-waste or scrap containing components such as PCB capacitors
 - Coated cables (waste cables A1190).

Criteria

Main criteria for distinguishing these categories are:

- the concentration level (> 50 mg/kg);
- the application (e.g. in transformers, capacitors or cables)
- the origin
- the production year of the equipment

Points of attention

Attention should be paid to the following properties of the waste and/or aspects:

- Content: is the PCB containing substance still in the product or article and does it need to be tapped off yet, or is it tapped off already and needs to be disposed off;
- Transformers refilled with PCB free oil can still contain high concentrations of PCBs, because of absorbed PCBs in especially wood and paper; existence of oil or oily liquid in old transformers/ capacitors should always be considered suspicious
- since it can be lucrative to mix PCB-containing oil (e.g. with fuel oil), check these kind of shipments too;
- In case of doubts take samples of the oil to be analysed.

5. Dealing with illegal trade

What customs should do when faced with a possible illegal shipment depends very much on the powers entrusted to them under the applicable rules and regulations. The authority to control documents, to stop, open and physically inspect vehicles/containers, and to detain shipments for further investigation seems to be commonplace. On the other hand, customs may not have the authority to take administrative, civil or criminal investigation/enforcement measures, for instance taking samples or gathering additional evidence. The national legal and institutional framework also specifies the responsibilities of other relevant authorities and may clarify how such authorities should cooperate.

5.1 Seizures and Storage

Pending the outcome of an investigation, the shipment may be detained in order to avoid further transportation of the suspicious load into the country or out of the country. Detaining a container has financial consequences and may be seen as disrupting legitimate trade. It is therefore important that the various stakeholders concerned (i.e. the exporter or importer, the shipping line, shipping agent, port authority, handling companies) be, if possible, informed about this action; for example by issuing a 'stop notice'.

During the time of the investigation, the load should be stored in a safe and protected area where it cannot harm human health and the environment and where evidence cannot be tampered with. Generally, is it only with the explicit approval of the authority that ordered the detainment that a shipment can be released.

The offloading of the container followed by the visual inspection and storage depends on how the container is transported: by vessel, truck or train. Port and train terminals are expected to provide the required storage facilities at the points of loading and of offloading. In case the container is being transported by truck, it could be required to have the container moved (preferably under escort) to an appropriate location to perform the inspection and store the load safely.

5.2 Evidence gathering and case documentation

The gathering of evidence aims first to support a decision by the responsible authority with respect to the suspicious shipment: allow the import, transit or export to proceed or not. Secondly, in the event the shipment is deemed illegal, the investigation aims at identifying the various elements associated with the shipment: the nature of the shipment, the stakeholders involved (states, individuals, companies) and where the responsibilities may lie. This latter point is especially important when it comes to the financial consequences of the illegal trade (i.e who is to cover the costs for, storing a

load, for taking it back, or for its disposal). The third aim is to collect as much evidence as possible, keeping in mind possible future steps: the takeback of the shipment by the exporter or its environmentally sound disposal, in the case the hazardous wastes; and possible administrative, civil or criminal proceedings.

It is important to collect and report as much relevant information as possible. Elements to be gathered may include:

- A written report of the findings describing all the steps of the investigation and the evidence gathered. It is important to include what triggered the inspection in the first place.
- Originals or copies of documents that contain evidence, such as shipping documents or information available from the exporter, importer, shipping lines and shipping agent. All the paperwork should be assessed carefully.
- Statements from persons involved or witnesses, for example shipping agents, truck drivers, the exporter or importer.
- Photographs or footage of the load itself, labels, placards, container, etc.
- Results of analyses if samples have been taken.

These elements could also be used in the framework of enforcement actions by a prosecutor. Preferably, customs should develop and implement a procedure on how to store the elements that have been gathered and on how these should be communicated to other authorities.

5.3 Take back of illegal traffic

The negative impacts of illegal trade and traffic in hazardous chemicals and wastes are not confined to human health and the environment. Economic crime, and thus economic harm, is usually associated with environmental crimes. Among the three conventions under consideration, only the Basel Convention clearly defines what amounts to “illegal traffic”. The Convention also stipulates that Parties consider illegal traffic as criminal, it requires that Parties take the appropriate measures to prevent and punish this crime, and it also provides for the consequences of a transboundary movement deemed to constitute illegal traffic. The Rotterdam and Stockholm Conventions, for their part, do not contain similar provisions. Ultimately, it is the national legal framework that will specify the consequences of illegal trade/traffic in hazardous chemicals and wastes and although such legal frameworks should not go below the minimal requirements contained in a treaty, they may go beyond and, for instance, provide for the consequences of the illegal trade of POPs. Such consequences may be of an administrative, civil or criminal nature.

The Basel Convention specifies some of the consequences of transboundary movements deemed to amount to illegal traffic.

Exporter or generator's responsibility

In the event of a transboundary movement of hazardous wastes or other wastes deemed to be illegal traffic as the result of conduct on the part of the exporter or generator, the State of export shall ensure that the wastes in question are:

- a. taken back by the exporter or the generator or, if necessary, by itself into the state of export; or, if impracticable,
- b. b. are otherwise disposed of in accordance with the provisions of this Convention, within 30 days from the time the state of export has been informed about the illegal traffic or such other period of time as states concerned may agree. To this end the Parties concerned shall not oppose, hinder or prevent the return of those wastes to the state of export.

Importer or disposer's responsibility

In the event of a transboundary movement of hazardous wastes deemed to be illegal traffic as the result of conduct on the part of the importer or disposer, the state of import shall ensure that the wastes in question are disposed of in an environmentally sound manner by the importer or disposer or, if necessary, by itself within 30 days from the time the illegal traffic has come to the attention of the state of import or such other period of time as the States concerned may agree. To this end, the Parties concerned shall cooperate, as necessary, in the disposal of the wastes in an environmentally sound manner.

Unclear assignment of responsibilities

In the event the responsibility for the illegal traffic cannot be assigned either to the exporter or generator or to the importer or disposer, the Parties concerned or other Parties, as appropriate, shall ensure, through cooperation, that the wastes in question are disposed of as soon as possible in an environmentally sound manner either in the State of export or in the State of import or elsewhere, as appropriate.

In the case of a transboundary movement of a shipment that should be taken back by the state of export, the following information may, for instance, be collected by customs and communicated to the Competent Authority:

- the date of the interception of the shipment and the precise location of the container;
- the name, address and contact details of the individuals or legal entities involved in the export (e.g. exporter, shipping agent, shipping line);
- specific details of the shipment: type, quantity, container number(s) (including why it is suspected to be waste and its waste classification);

- name, address and contact details of the consignee in the country of import;
- details of intended disposal operation (if any or if known) ;
- whether there are any shipping documents or photographic evidence;
- whether there is a Movement Document;
- the reasons why the shipment is deemed to be illegal;
- evidence that the conduct of the exporter or generator resulted in the case of illegal traffic
- evidence that the state requested to take back the shipment is the state of export.

The guidance to be developed is also expected to clarify who organizes the takeback procedure. For instance, the Competent Authority of the state of export would liaise with the exporter or waste generator to determine how they would arrange the takeback of the waste.

Case study: take back of illegally exported waste from the UK to Sri Lanka

Following an investigation, the Sri Lankan authorities requested the Environment Agency (EA) in England to repatriate thousands of tonnes of waste in July 2020. Sri Lankan customs officials had identified a large shipment of 263 containers that had been illegally exported. Local importers claimed the waste, which was exported from the UK between 2017 and 2019, was for recycling. However, hidden alongside the listed waste of used mattresses, carpets and rugs, hazardous waste and plastic waste, brought into the country in violation of international law governing the shipment of hazardous waste, including plastics.

By February 2021, 133 containers were returned to England in total. The Environment Agency continued to work with the Sri Lankan authorities to expedite the return of the remaining waste. Environment Agency enforcement officers further investigated to confirm the types of waste shipped, who exported it and the producer of the waste. Those responsible could face a custodial sentence of up to two years, an unlimited fine, and the recovery of money and assets gained through the course of their criminal activity.

(Source: <https://policymogul.com/parliamentary-record/written-q-and-a/68411/waste-disposal-sri-lanka>)

5.4 Investigations and Prosecution

Proceedings for offences will be governed by national laws dealing with environmental offences and national civil and criminal procedure laws. There are broadly three categories of possible proceedings: criminal, civil, and administrative. Though the definitions can vary per country, usually criminal law deals with crimes and their prosecution; offences range from minor infringements such as failure to stop at a red light to drug trafficking and murder. Civil law is the law governing the relations between private persons or organizations. Administrative law is the law regarding the rules or regulations made and enforced by governmental agencies, it regulates relations between governments and citizens.

Criminal proceedings

Under national law, it can be decided if cases should be addressed by civil or administrative means or whether a case should be the subject of a criminal prosecution. To take this decision, authorities may weigh the extent of the damage against that of the culpable conduct and the reasonable chances of success of a prosecution. In international cases, it may also be considered which jurisdiction has the best chances of leading to a conviction.

One criterion that may be used in the choice of proceedings is to determine the severity of the offence. In the case of waste offences, documentation-related offences may often appear as minor or moderate impact. However, consideration must also be given to whether the documentation offence was willful or deliberate and if the offence had not been identified, would the illegal waste have been disposed of in an approval waste management facility or would it have been dumped illegally causing further environmental harm (See Table 1 above). A second criterion can be the general conduct of the offender and another criterion may be to determine the culpability of the offender.

Administrative proceedings

Commonly and widely employed by competent authorities, administrative sanctions can be applied to cases in which operators, companies or persons involved in transboundary movements are deficient in their application of the specific movement and notification process. A range of responses may be used, including notices to require actions to be taken (or ceased) and penalties, without recourse to the courts and in proportion to the scale of the misdemeanour (the quantity of waste, hazardousness and lack of a proper description, among other things).

The penalties need to be proportionate to the scale of the misdemeanour, including to the quantity of waste, hazardousness, lack of a proper description, among other things. The availability of an administrative sanctions system is therefore important; administrative sanctions can be used in cases that would otherwise be dismissed without any formal remedy at all. The procedures for imposing administrative fines and the competent authorities diverge from country to country.

The same applies to the relationship with the criminal law. Yet in most legal systems the threshold of proof and thus the costs of imposing the administrative fine are lower than those in criminal procedures. Therefore, administrative fines can be recommended for minor offences, but they serve as a valid tool in general. It is important to avoid the situation that a serious environmental crime should be dealt with via a low administrative fine. There are various approaches for avoiding such issues. One model is to specify in the legislation, for which type of offences administrative fines can be imposed. Another possibility is for the compliance policy of the competent agency to give a key role to the prosecutor to make the determination as to the choice of proceedings. It would then be the prosecutor to decide whether the particular case will be prosecuted before the criminal court or sent to an administrative agency with the view on the imposition of an administrative fine.

Civil proceedings

Civil measures may be applied for breaches for which criminal trials are not deemed appropriate. The flexibility of civil measures may help to improve compliance with regulations without involving legal requirements. The penalties can be dispensed more rapidly and may be more proportionate and cost effective. If civil measures should be applied depends on the objective and if it can act as suitable deterrent. There may also be the possibility of applying compensation measures, as envisaged in Article 12 of the Convention (the Protocol on Liability and Compensation for Damage Resulting from Transboundary Movements of Hazardous Wastes and Their Disposal is not yet in force), through domestic legislation.

6. Cross Cutting Issues

6.1 Health and Safety

Officers should not approach a scene where there is a possibility that they could endanger themselves or other persons in the vicinity. Environmentally sensitive shipments may include toxic chemicals, hazardous waste, live animals, genetically-modified organisms or other unknown dangerous items.

A careful assessment must be carried out to determine the potential risks before taking any action.

Do:

- Assess the situation
- Try to identify the substance using the information provided
- Secure the scene
- Report incident to the appropriate authority

Don't:

- Take any action unless you have been trained in handling potentially dangerous goods
- Enter confined spaces
- Open trailers or trucks
- Open drums or other containers
- Presume the exact contents of the cargo based on label
- Destroy evidence

There is no 'one-size-fits-all' approach for every scenario! Always keep the following in mind:

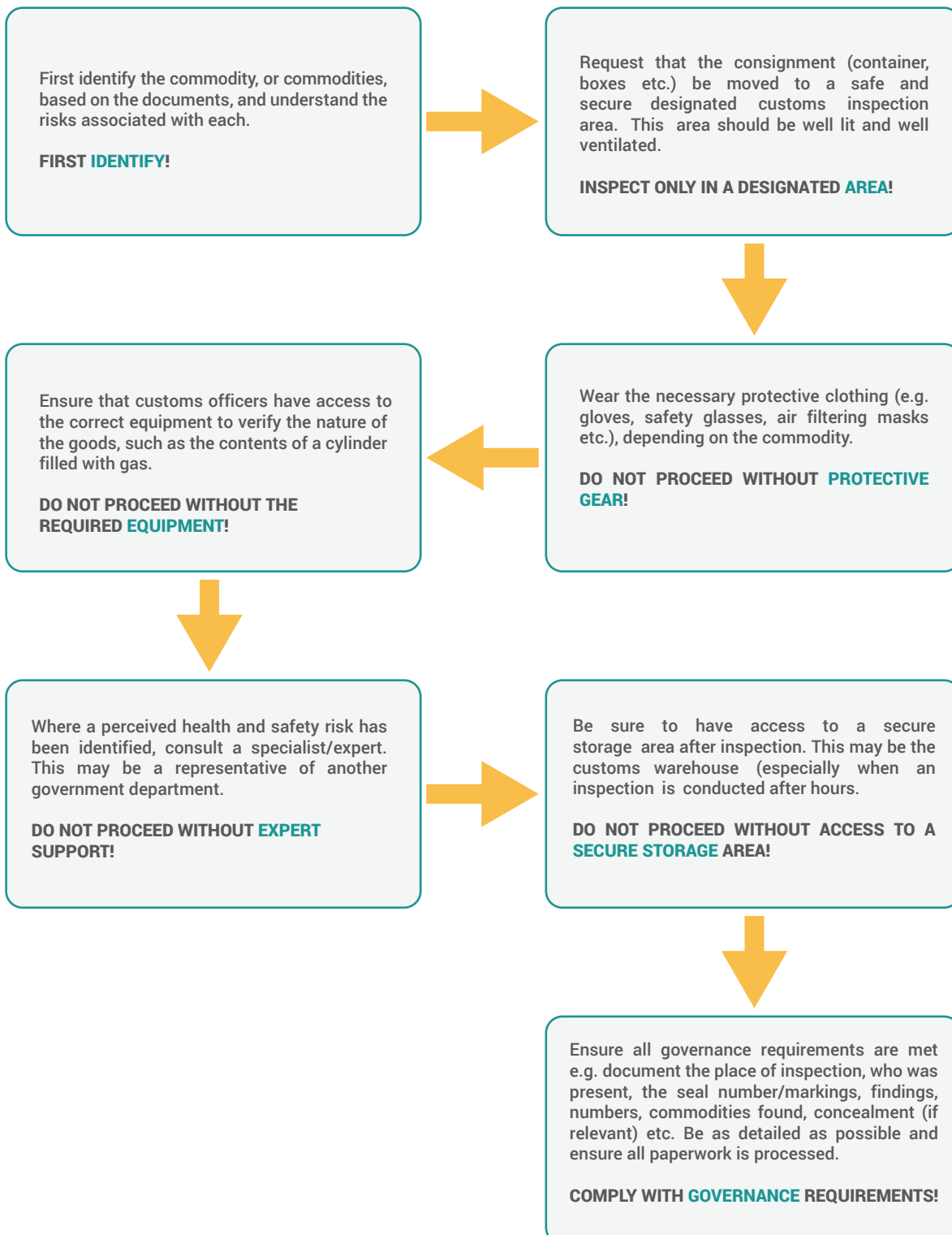


Figure 18 Steps to consider in order to assess the risks and safety aspects of a physical examination.

6.2 Communication and Collaboration

Various agencies, including environmental, public health, agricultural, trade and safety, are involved in regulating and enforcing the laws regarding the import, transit and export of substances, goods or wastes. Through good cooperation and coordination between customs and these agencies at the national level an adequate response can be formulated to promote the legal and safe trade and to prevent dangerous or unlawful trade. In addition, cooperation with agencies at the international level is also of particular importance.

6.2.1 Involved agencies

Customs officers usually have the competence to detain any good crossing borders, for instance in a shipping container, and have access to relevant data, for instance shipping data. Environmental authorities are expected to have particular legal and technical expertise pertaining to the international trade of specific kinds of chemicals or wastes. They may also have some competences in the field of the enforcement of environmental legislation. Police services have certain specific competences, such as detaining persons, tactical and strategic investigation skills and access to closed sources of information. Public prosecutors are responsible for the actual prosecution of potential offenders and may lead a criminal investigation. If authorities wish to ensure that the skills and competences of every relevant agency strengthen one another, appropriate mechanisms may be developed and implemented to organize effective monitoring and enforcement within a country. Generally speaking, the objectives of preventing and combating illegal traffic are best achieved if they are based on a complete picture of who is involved in the enforcement chain and with what rights and responsibilities.

As customs officer you might not have all the technical know-how in relation to chemicals and wastes. It is key to know which national, regional and even local authorities are involved in matters pertaining to the import, transit and export of chemicals and wastes. In addition to being aware of their role in enforcing legal frameworks regulating the international trade of hazardous chemicals and wastes, customs officers need to know who to contact in case of doubt, for support or if there is a need for more information. An up-to-date contact list of relevant authorities would therefore be of support to customs.

Customs officers have access to relevant data concerning import, export and transit of goods. Customs' mandate and legal powers may extend to the following kind of information and activities:

- Pre-arrival and pre-departure information
- Historical shipping data
- Alert system through profiles in the customs systems
- Power to detain, open, break seals and inspect containers

- Access to off-loading facilities and equipment and storage areas
- X-ray scanner
- Access to ships, trains or trucks.

6.2.2 Organizing inter-agency collaboration

There are various ways of setting up inter-agency collaboration: either on an informal basis or on a formal basis. The formal or informal nature of the cooperation will depend on the specificities of the national or local context. Agreeing on a formal basis for cooperation may take more time than establishing informal modes of cooperation. However, formal cooperation has the advantage of clarity and legal certainty. It also usually means that a higher level of management is involved in the process, with the associated benefit of stability in the joint or shared efforts that are to be undertaken to enforce environmental rules and regulations.

Examples of formal cooperation are the signing of an agreement between relevant agencies (e.g. a Memorandum of Understanding), the establishment of rules of procedure for communication between relevant authorities, and the adoption of joint-guidelines.

Useful steps to set up the cooperation between agencies that have responsibilities for the monitoring of chemicals and wastes import, transit and export and the enforcement of associated rules and regulations are to:

- Identify ministries, concerned agencies, and within these organisations the key personnel with (environmental) enforcement responsibilities.
- Establish communication channels.
- Clarify the relevant competences of each agency.
- Discuss and develop means of cooperation.
- Formalize cooperation by agreeing upon, signing and implementing an agreement.

6.2.3 Formal collaboration mechanisms at the international level

Basel Convention

The Basel Convention requires that its Parties designate two kinds of entities that will have a role at the international level: Focal Points are responsible for sharing information through the Basel Convention Secretariat; Competent Authorities are governmental authorities responsible for receiving the notification of a transboundary movement of hazardous wastes or other wastes and for responding to such a notification. For the purpose of controlling transboundary movements of hazardous and other wastes, Competent Authorities are thus the entities with the primary

responsibility under the Convention. The exchange of information between Competent Authorities is crucial to ensure that Parties are equipped with the necessary information to allow them to take informed decisions on the transboundary movement and subsequent management of hazardous wastes. The Competent Authorities can also be contacted by other countries in case of questions or concerns related to potentially illegal transboundary movements of wastes. The Secretariat of the Basel Convention is also mandated to assist Parties upon request in their identification of cases of illegal traffic.

The list of Focal Points and Competent Authorities is available at the website of the Basel Convention (*link*): <http://www.basel.int/contact-info/frsetmain.html>.

Rotterdam Convention

The Focal Point for the Rotterdam Convention in a country is the Designated National Authority (DNA). The DNAs play a crucial role in the implementation of the Convention for the dissemination of information concerning the provisions of the Convention to the relevant government departments as well as to other partners such as export and importing industries and Customs officers. The DNA is also the key contact point for matters related to the Convention for other Parties and the Secretariat.

One important task is to communicate import responses to stakeholders in the country. DNAs are specifically informed of all import responses from all countries that are Parties to the Convention through the PIC Circular every 6 months, and the information is also available at any time on the Convention's website. DNAs are expected to disseminate this information to all relevant agencies that may be involved in the regulation, production and trade of chemicals in the country, e.g. government departments, manufacturers, export industries, etc. This is to enable those entities to take the appropriate actions to ensure that exports do not occur contrary to the import responses of other Parties.

Another important task of the DNA is to send and acknowledge export notifications. When a Party has banned or severely restricted a chemical but continues to export it, the Convention requires that prior to the first shipment after the action or before the first shipment in a calendar year, the DNA must send an export notification to the importing Party. The importing Party must send an acknowledgement that it has received the export notification. This is usually done between DNAs.

Link:

<http://www.pic.int/Countries/DesignatedNationalAuthorities/Database/tabid/1375/language/en-US/Default.aspx>

Stockholm Convention

For official communications with Parties and observers of the Conference of the Parties of the Stockholm Convention, Parties and non-Party states are invited to nominate to the Secretariat an official contact point for the performance of administrative functions and all formal communications under the Convention through their Ministry of Foreign Affairs or their diplomatic missions. In accordance with Article 9 of the Stockholm Convention, each Party shall designate a national focal point for the exchange of information specified in the article. Non-Party States may also designate such national focal points and are encouraged by the Secretariat to do so. These nominations should be submitted through the Ministry of Foreign Affairs, diplomatic missions or through the Official Contact Point that has been nominated.

Link: <http://chm.pops.int/Countries/Contact%20Points/tabid/304/Default.aspx>

6.3 Potential equipment which can be used

- Gas meters, e.g., to measure levels of oxygen, or gases such as methyl bromide. Cargo shipped in sea containers is often fumigated against insects and rodents. Mostly when there is bamboo, rattan, or wood (pallets and crates) in the containers, but it can be used in shipments of any kind of goods which can be sensitive for insects and rodents. For the safety of the inspectors and workers which are discharging such containers the container should be measured for the presence of gases. These measurements can be done with specific equipment which can be used without breaking seals. Direct mass spectrometry is among others one of the techniques which is being used. It applies precisely controlled chemical ionization reactions to detect and quantify trace amounts of volatile organic compounds (VOCs) and inorganic gases. Infrared spectroscopy is a powerful gas measurement technology for simultaneous measurements of multiple gases and easy to use for shipping container measurements.
- Container chains are used to protect workers from cargo which falls out of a container. This equipment is easy to use.



X-ray fluorescence (XRF) is a non-destructive analytical technique used to determine the elemental composition of materials. XRF analyzers determine the chemistry of a sample by measuring the fluorescent (or secondary) X-ray emitted from a sample when it is excited by a primary X-ray source. Each of the elements present in a sample produces a set of characteristic fluorescent X-rays ("a fingerprint") that is unique for that specific element, which is why XRF spectroscopy is an excellent technology for qualitative and quantitative analysis of material composition. They are easy to use handheld XRF available on the market which can be used for the detection of heavy metals in products. For instance, the measurement of Brominated Flame Retardants in (waste) plastics.



Annex I – Rotterdam Convention listed chemicals

The chemicals listed in Annex III include pesticides and industrial chemicals that have been banned or severely restricted for health or environmental reasons by two or more Parties and which the Conference of the Parties has decided to subject to the PIC procedure.

As of August 2023, there are a total of 54 chemicals listed in Annex III, 35 pesticides (including 3 severely hazardous pesticide formulations), 18 industrial chemicals, and 1 chemical in both the pesticide and the industrial chemical categories.

Further information about the chemicals and the associated Decision Guidance Documents can be found at: <https://www.pic.int/TheConvention/Chemicals/AnnexIIIChemicals>

Chemical name	CAS number**	Category
2,4,5-T and its salts and esters	93-76-5 (*)	Pesticide
Alachlor	15972-60-8	Pesticide
Aldicarb	116-06-3	Pesticide
Aldrin	309-00-2	Pesticide
Azinphos-methyl	86-50-0	Pesticide
Binapacryl	485-31-4	Pesticide
Captafol	2425-06-1	Pesticide
Carbofuran	1563-66-2	Pesticide
Chlordane	57-74-9	Pesticide
Chlordimeform	6164-98-3	Pesticide
Chlorobenzilate	510-15-6	Pesticide
DDT	50-29-3	Pesticide
Dieldrin	60-57-1	Pesticide
Dinitro-ortho-cresol (DNOC) and its salts (such as ammonium salt, potassium salt and sodium salt)	534-52-1	Pesticide
Dinoseb and its salts and esters	88-85-7 (*)	Pesticide
EDB (1,2-dibromoethane)	106-93-4	Pesticide
Endosulfan	115-29-7	Pesticide
Ethylene dichloride	107-06-2	Pesticide
Ethylene oxide	75-21-8	Pesticide
Fluoroacetamide	640-19-7	Pesticide

Chemical name	CAS number**	Category
HCH (mixed isomers)	608-73-1	Pesticide
Heptachlor	76-44-8	Pesticide
Hexachlorobenzene	118-74-1	Pesticide
Lindane (gamma -HCH)	58-89-9	Pesticide
Mercury compounds, including inorganic mercury compounds, alkyl mercury compounds and alkyloxyalkyl and aryl mercury compounds	<u>99-99-9</u>	Pesticide
Methamidophos	10265-92-6	Pesticide
Monocrotophos	6923-22-4	Pesticide
Parathion	56-38-2	Pesticide
Pentachlorophenol and its salts and esters	87-86-5 (*)	Pesticide
Phorate	298-02-2	Pesticide
Toxaphene (Camphechlor)	8001-35-2	Pesticide
Tributyl tin compounds	1461-22-9, 1983-10-4, 2155-70-6, 24124-25-2, 4342-36-3, 56-35-9, 85409-17-2	Pesticide
Trichlorfon	52-68-6	Pesticide
Dustable powder formulations containing a combination of benomyl at or above 7%, carbofuran at or above 10% and thiram at or above 15%	137-26-8, 1563-66-2, 17804-35-2	Pesticide Formulation
Methyl -parathion (Emulsifiable concentrates (EC) at or above 19.5% active ingredient and dusts at or above 1.5% active ingredient)	298-00-0	Pesticide Formulation
Phosphamidon (Soluble liquid formulations of the substance that exceed 1000 g active ingredient/l)	13171-21-6	Pesticide Formulation
Actinolite asbestos	77536-66-4	Industrial
Amosite asbestos	12172-73-5	Industrial
Anthophyllite asbestos	77536-67-5	Industrial

Chemical name	CAS number**	Category
Commercial octabromodiphenyl ether (including Hexabromodiphenyl ether and Heptabromodiphenyl ether)	36483-60-0, 68928-80-3	Industrial
Commercial pentabromodiphenyl ether (including tetrabromodiphenyl ether and pentabromodiphenyl ether)	32534-81-9, 40088-47-9	Industrial
Crocidolite asbestos	12001-28-4	Industrial
Decabromodiphenyl ether (decaBDE)	1163-19-5	Industrial
Hexabromocyclododecane	134237-50-6, 134237-51-7, 134237-52-8, 25637-99-4, 3194-55-6	Industrial
Perfluorooctane sulfonic acid, perfluorooctane sulfonates, perfluorooctane sulfonamides and perfluorooctane sulfonyls	1691-99-2, 1763-23-1, 24448-09-7, 251099-16-8, 2795-39-3, 29081-56-9, 29457-72-5, 307-35-7, 31506-32-8, 4151-50-2, 56773-42-3, 70225-14-8	Industrial
Perfluorooctanoic acid (PFOA), its salts and PFOA-related compounds	335-67-1	Industrial
Polybrominated Biphenyls (PBBs)	<u>13654-09-6, 27858-07-7, 36355-01-8</u>	Industrial
Polychlorinated Biphenyls (PCBs)	<u>1336-36-3</u>	Industrial
Polychlorinated Terphenyls (PCTs)	61788-33-8	Industrial
Short-chain chlorinated paraffins (SCCP)	85535-84-8	Industrial
Tetraethyl lead	78-00-2	Industrial
Tetramethyl lead	75-74-1	Industrial
Tremolite asbestos	77536-68-6	Industrial
Tributyltin compounds	1461-22-9, 1983-10-4, 2155-70-6, 24124-25-2, 4342-36-3, 56-35-9, 85409-17-2	Industrial
Tris(2,3-dibromopropyl) phosphate	126-72-7	Industrial

*Only the CAS numbers of parent compounds are listed. For a list of other relevant CAS numbers, reference may be made to the relevant Decision Guidance Document.

** A CAS Registry Number is a unique identification number assigned by the Chemical Abstracts Service (CAS).



Eliminating Persistent Organic
Pollutants through
**Sound Management
of Chemicals**

Green Building, Handhuvaree Hingun, Maafannu, Male', 20392, Maldives.

 | +(960) 301 8300  | secretariat@environment.gov.mv  | www.environment.gov.mv