



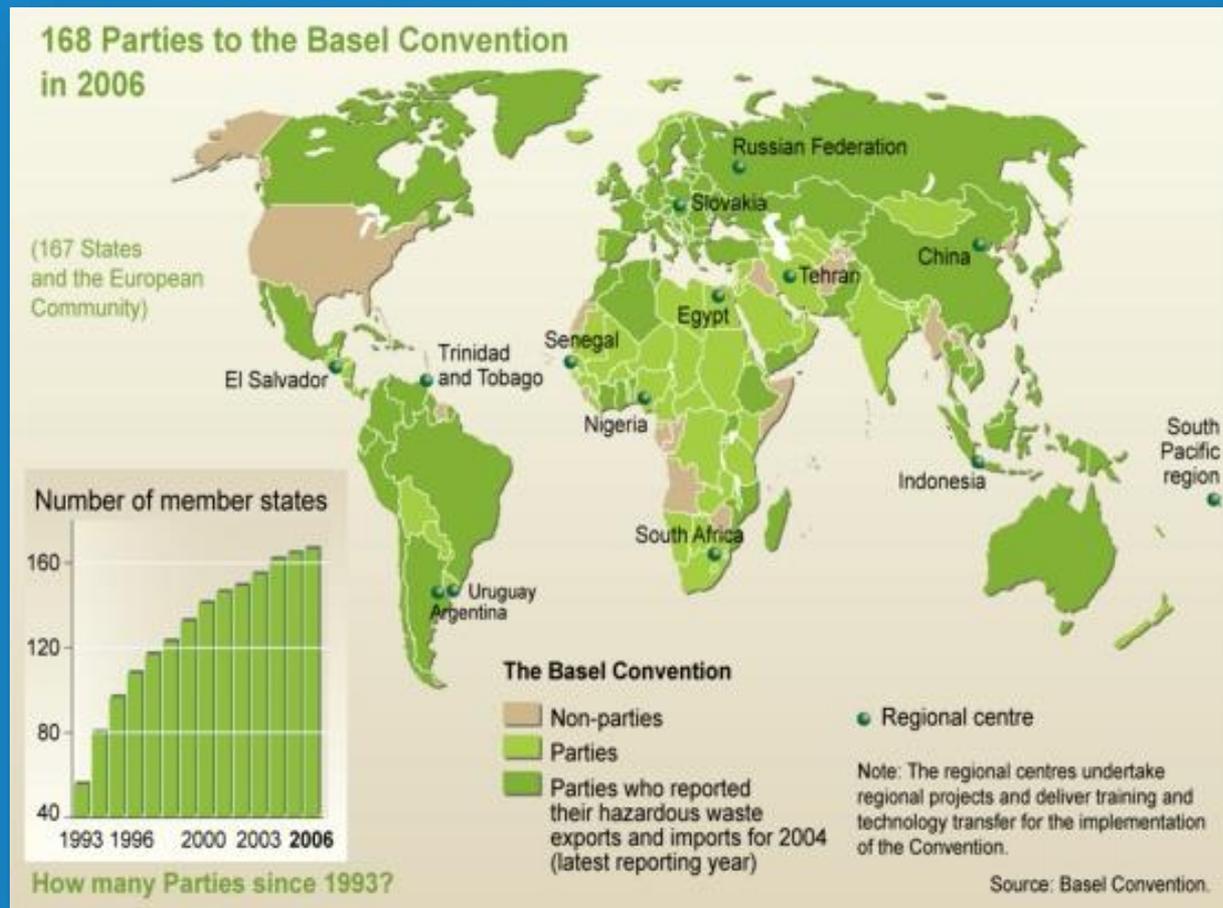
## Transboundary movement of waste between Ukraine, Slovakia and Poland in light of the Basel Convention

The Supreme Audit Office of Poland

Rzeszów, November 2021

# The Basel Convention

The provisions of *the Basel Convention* are aimed, in particular, at protecting people and the environment against adverse effects of hazardous wastes and other wastes, limiting the generation of such wastes, promoting environmentally sound wastes management and limiting movements of hazardous wastes across country borders.



## Why we took joint audit? - a historical overview

- ❖ Previous international audit on waste movements - 2008.
- ❖ Joint Report findings - Poland, Ukraine and Slovakia did not implement provisions of the Basel Convention regarding effective audit of transboundary movements of waste;
- ❖ SAI conclusions - elimination of inadequacies in supervision and audit of waste movements;
- ❖ Since the previous audit, things have changed:
  - ❖ the provisions of both European and national law concerning international movements of waste;
  - ❖ the competence of national authorities in this area.



## Signing of the Common Position in Bratislava



March 2019. Bratislava, Slovakia

*Joint position on cooperation and division of responsibilities in the framework of the follow-up audit Transboundary movements of waste in light of the Basel Convention.*

The audit was conducted in H2 2019, covering the years 2015. - H1 2019

# Signing of the Common Position in Bratislava

## Objective of this audit :

- the correct application of the new rules, and their impact on improving the effectiveness of the audit system for waste movements, especially in areas previously identified as malfunctioning;
- whether - and to what extent? - the competent authorities in each country have implemented the conclusions of the previous "Joint Report".



# 5 | What did we audit?

The reliability and effectiveness of the procedures followed by national administrations when handling transboundary movements of waste, in particular:

- ✓ the correct application of the rules when issuing a permit or objection to a movement of waste;
- ✓ the correctness and effectiveness of checks on compliance of movements of waste with documents;
- ✓ the effectiveness of the supervision and control of the management of internationally traded waste.



# Who was audited?

## On the Ukrainian side:

- ❖ Ministry of Ecology and Natural Resources of Ukraine (as of 3 September 2019 - Ministry of Energy and Environmental Policy of Ukraine)
- ❖ three Customs Offices of the State Fiscal Service of Ukraine in the regions: Volyn, Odessa and Lviv regions

## On the Slovak side:

- ❖ Ministry of the Environment of the Slovak Republic
- ❖ Slovak Environmental Inspectorate
- ❖ Financial Directorate of the Slovak Republic

## On the Polish side:

- ❖ Chief Inspectorate for Environmental Protectiontwo Voivodeship Inspectorates for Environmental Protection: in Lublin and in Rzeszów
- ❖ two Customs and Fiscal Offices: in Biała Podlaska and in Przemyśl
- ❖ five Border Guard Posts: in Dorohusk, Hrebenne, Hrubieszów, Korczowa and Medyka.

# Consistency of SAIs' assessments and conclusions based on national audit results

**The SAIs of Poland, Slovakia and Ukraine showed that:**

- ☞ proper audit of transboundary movements of waste and their identification is not ensured
- ☞ there is still no effective control system for transboundary movements of waste because:
  - ☞ audit of waste at border crossings between Ukraine and Slovakia and Poland was of formal character - no physical control of waste with documents was performed
  - ☞ the services at border crossing points are not equipped with equipment and devices to ensure the identification of the waste transported or its quantity.

## Joint assessment of existing procedures

**The SAls thus assessed that the provisions of the Basel Convention to ensure an effective system of control of transboundary movements of waste had not been implemented**

- ☞ The notification procedure for waste, included in the 'amber' list, only allows for formal control of its movement
- ☞ There is a real danger that some such waste does not leave the territory of the country of transit at all - no state authority is obliged to trace the movement of this waste
- ☞ The environmental services supervising waste management operators are not obliged to check every waste movement

# 9 Joint recommendations

- ☞ The system of control of waste movements between Ukraine and Slovakia and Poland requires necessary concerted actions in accordance with the provisions of Article 10 (1) and (2) of the Basel Convention and the provisions of Regulation No. 1013/2006.
- ☞ "Joint Report", signed on 30 July 2021 in Rzeszów, indicates that the system of control of waste movements between Ukraine and Slovakia and Poland needs to be improved in terms of supervision at border crossings and elimination of uncontrolled leaving of waste on the territory of the country through which it is transited.
- ☞ In order to achieve this objective, it is necessary, in particular, to:
  - ☞ amend national legislation in order to clarify the obligation to audit waste, including the scope and modalities of such audits and the cooperation of the responsible authorities;
  - ☞ ensure that border authorities are equipped with devices that enable them to accurately determine the amount and type of waste being moved.

# Signing the Joint Report



Signing the Joint Report about the audit results

Rzeszów, 30 July 2021

The Supreme Audit Office of Poland  
The Regional Branch in Rzeszów





**Najwyższa Izba Kontroli**  
**Delegatura w Rzeszowie**  
**The Supreme Audit Office of Poland**  
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