UNWASTE

Tackling waste trafficking to support a circular economy

Webinar, 27 January 2022

UN Environment programme – UNODC – European Union
OLAF Mission and Mandate

The European Anti-Fraud Office (OLAF) is the only EU investigative body mandated to detect, investigate and work towards stopping fraud involving EU funds or resources.

What can OLAF investigate?

- EU revenue: customs and anti-dumping duties
- EU expenditure: structural funds, rural development funds, external aid
- Suspicions of serious misconduct by EU staff and members of the EU institutions

Recent OLAF re-organisation to include new goals

Fight against IPR infringement, Health, Environment

- Special mandate, even if no financial impact on EU budget
- Regulation (EU) 608/2013 concerning customs enforcement of intellectual property rights.
- Regulation (EU) 515/1995 mutual assistance in customs matter
- Globalisation of the crime needs new strategies, first of all a wide cooperation with new actors (traditional LEAs, Institutions, MSAs, other agencies)
OLAF investigative tools

- Investigation activities
  - Interviews (take statements)
  - Inspections of premises
  - On-the-spot checks
  - Forensic operations
  - Investigative missions in non-EU countries
  - Access to documents, computer data, budgetary, and accounting documents
  - Taking and checking of samples

+ Transnational Coordination
Illicit shipment of waste

Since 2019, OLAF, independent investigations (four to date)

Suspicious movements of waste from EU to South East Asia, Turkey, Africa.

Hazardous and non-hazardous waste
Green listed waste: one of the major concerns (mis-declaration, lack of controls at the departure, lack of international cooperation)
Loopholes related to the traffic of waste

- Export to unauthorized companies
- Mis-declaration
- Circumvention of the procedure (EU Regulation 1013/2006 and Basel Convention)
- Diversion of the shipments
- Massive use of intermediaries
- Lack of cooperation with Non-EU countries
- Intra EU movements of waste*
Consequences...

PLASTIC WASTE MANAGEMENT HAZARDS
Investigative strategies

How to build a winning strategy in three steps starting from scratch

Data collection and targeting

International networking

Operational activities
Case study

Data collection and targeting

- Data Collection
  - EU Data base
  - Further relevant sources

- Data analysis
Case study

International networking

- Needs to know in details the procedure in place in the countries of destination to assess the legitimacy of the shipments. The X case.

- Contacts with the relevant authorities in order to strengthen the cooperation and facilitate operational activities.

  - The X import system in place is based on Authorizations (Approved Permit (AP) and e-Permit (E-P)) released to companies under certain condition.
  - The AP is a preliminary authorization to operate in the plastic waste recycling sector and it is preparatory to obtain the E-P (single authorization for each shipment to import plastic waste).
  - According to X authorities it is mandatory to acquire AP consent, under their domestic legislation, prior the movements.
  - A list of authorized companies facilitate the controls and limit the need to multiply control requests.

- UNWASTE can play a key role in supporting the first two steps.
Case study

Operational activities

- Strengthen controls at the EU border
- Collect documents provide alerts/notification to the Authorities of the destination countries
- Facilitate the exchange of evidence related to illicit shipment of waste
- Support LEAs to collect evidence of exporter/importer responsibility
- EU investigation based on information from non-EU countries
- Support investigation in the non-EU Countries
- Support activities related to the repatriation of the waste
Case study

Preliminary results

- Taking into account the preliminary results from MS
- Huge amount of waste blocked at the border thanks to the information provided by the country of destination
- The role of the country of destination is key. An active (and pro-active) role can support EU efforts to stop illegal trafficking.
Objective: strengthen and harmonize export controls

- Waste shipments (hazardous non-hazardous).

- Provide the competent Authorities of the EU Member States with the conditions established by the third country of destination.

- Facilitate the customs controls and prevent illicit waste trafficking.
Thanks for your attention

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