



European Union Network for
the Implementation and Enforcement
of Environmental Law

IMPEL TFS

Multi Annual Work Programme

2011-2015

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Introduction to IMPEL

The European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) is an international non-profit association of the environmental authorities of the EU Member States, acceding and candidate countries of the European Union and EEA countries. The association is registered in Belgium and its legal seat is in Brussels, Belgium.

IMPEL was set up in 1992 as an informal Network of European regulators and authorities concerned with the implementation and enforcement of environmental law. The Network's objective is to create the necessary impetus in the European Community to make progress on ensuring a more effective application of environmental legislation. The core of the IMPEL activities concerns awareness raising, capacity building and exchange of information and experiences on implementation, enforcement and international enforcement collaboration as well as promoting and supporting the practicability and enforceability of European environmental legislation.

During the previous years IMPEL has developed into a considerable, widely known organisation, being mentioned in a number of EU legislative and policy documents, e.g. the 6th Environment Action Programme and the Recommendation on Minimum Criteria for Environmental Inspections.

The expertise and experience of the participants within IMPEL make the network uniquely qualified to work on both technical and regulatory aspects of EU environmental legislation.

Information on the IMPEL Network is also available through its website at: www.impel.eu

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1. Introduction to IMPEL TFS

The Cluster IMPEL TFS is a Network or forum for competent authorities in the EU Member States that enforce the European Waste Shipments Regulation No.1013/2006 together with other countries such as Norway, Croatia, Turkey and Switzerland. The Network shares information and experience in implementing and enforcing this Regulation. Meetings are held regularly to exchange information on waste shipment inspection and enforcement issues. In addition the Network has established a Steering Committee to oversee its Multi Annual Work Programme and a National Contact Points Network to discuss ongoing issues of concern. The Network aims to develop methods and common minimum standards for monitoring and enforcing compliance to waste shipment regulations throughout the European Union. The Network has also built up collaboration with other regulators globally including Interpol, police, customs and the authorities of non-European States. The Network has a Permanent Secretariat, which is funded by voluntary contributions from Member States.

1.1 Aim of this document

THIS DOCUMENT PRESENTS BACKGROUND INFORMATION AND THE KEY PRIORITIES OF THE CLUSTER KNOWN AS IMPEL-TFS AND DEALS WITH THE PERIOD 2011 – 2015. A CLEAR LINK EXISTS WITH THE MULTI ANNUAL WORK PROGRAMME 2007 – 2010 OF THE IMPEL NETWORK. IMPEL DESCRIBES IN THEIR MAWP WASTE SHIPMENTS AS ONE OF THEIR FOCUSES. THIS MAWP DESCRIBES MORE DETAILED THE GOALS AND FUTURE ACTIVITIES OF THE IMPEL-TFS NETWORK.

The Legislative Basis for Cooperation and the Role IMPELTFS plays in this

Regulation N° 1013/2006 of the European Parliament and of the Council on shipments of waste (hereafter referred to as WSR) establishes concrete obligations for the Member States to prevent and detect illegal shipments of waste. Article 50.2. states that Member States shall, by way of enforcement measures, provide inter alia for inspections of establishments and undertakings in accordance with Article 13 of Directive 2006/12/EC, and for spot checks of shipments of waste or of the related recovery or disposal. Article 50.5 and 50.6 introduces new obligations for the Member States:

Member States shall cooperate, bilaterally or multilaterally, with one another in order to facilitate the prevention and detection of illegal shipments. Member States shall identify those members of their permanent staff responsible for such cooperation and identify the focal points for physical checks. The information shall be sent to the Commission, which shall distribute a compiled list to the correspondents referred to in Article 54.

In addition, Article 34 of Directive 2008/98/EC on waste states, inter alia,:

- 1. Establishments or undertakings which carry out waste treatment operations , establishments or undertakings which collect or transport waste on a professional basis , brokers and dealers, and establishments or undertakings which produce hazardous waste shall be subject to appropriate periodic inspections by the competent authorities.*
- 2. Inspections concerning collection and transport operations shall cover the origin, nature, quantity and destination of the waste collected and transported.*

These provisions encourage IMPEL TFS to intensify the cooperation of European environmental authorities in combating illegal waste shipments. The Governments of the Member States are invited to make use of the network in order to fulfil the obligations of the Regulation concerning the international cooperation and the Declaration beneath-which all IMPELTFS participants agree to aim for -is a mechanism of meeting the statutory requirements.

1.2 Review IMPEL TFS Work Programme 2006-2010

The first Multi Annual Work Programme developed by IMPEL covered the period of 2006 till 2010. During these four years the aim and strategy of the network was as follows:

Overall aim

The overall aim of the programme is to increase the efficiency of the measures taken at international level by the competent authorities for WSR with regard to tackling illegal waste activities and thereby fulfil the IMPEL-TFS Mission Statement.

Mission statement

To ensure that all those involved in the international trade in waste are aware of and comply with their international obligations under international law.

IMPEL TFS will maximize this by employing the combined resources of the WSR Competent authorities to maximize the effectiveness and efficiency of regulation and enforcement to protect the environment.

The following three strategic goals were identified to reach the aim and fulfil the mission of IMPEL TFS:

1. Increased Awareness
2. Capacity Building
3. Improved co-operation

Achievements of the IMPEL TFS 2006 - 2010

Several themes have been listed which were elaborated into actual projects. This section contains a short overview of the activities and outcomes of these projects.

Enforcement projects

One of the core activities of the network are the enforcement projects, as it is considered that only through operational international enforcement collaboration, illegal shipments of waste can be detected and tackled. The MAWP contained the following projects:

- Seaport Project II
- Verification Project II
- End of Life Vehicles Project
- E-waste Project
- Enforcement Actions

The projects¹ have shown the need for continued cross-border collaboration at an operational level in order to effectively implement and enforce the new Waste Shipment Regulation 1013/2006 and prevent illegal waste transports. During these projects valuable experience has already been gained regarding inspection methods, enforcement structures, planning inspections and exchange of staff and information.

THERE ARE STILL HIGH LEVELS OF ILLEGAL WASTE SHIPMENTS DETECTED DURING THE INSPECTION ACTIVITIES.

The interim report of the Enforcement Actions II project, published in February 2010 reveals that:

- *During the overall project phase a total number of 10,481 transports were inspected, this comprises the inspection of containers, trucks, trains and documents.*
- *Of these overall inspections reported, in 7,886 cases (roughly 75%) also physical inspections of cars, trains, containers or storage locations have taken place.*
- *Out of these physical inspections, 1,935 transports, i.e. roughly 25%, concerned transfrontier shipments of waste.*
- *All in all, 367 of the shipments, this means 19%, turned out to be in violation of the WSR requirements, of which 46% were administrative violations, 37% were illegal transports and 17 % other violations².*

It can be concluded that there has been a major success in terms of active participation of MS, number of inspections, exchange programs, joint activities and participation of customs and police officers in the projects. There are indications that enforcement of the EU waste shipment regulation is gaining in importance and priority.

On the other hand, Member States are not all equally involved in the enforcement projects and escape-routes still exist for those who want to illegally export waste.

On End of Life vehicles, the European Commission and the Waste Correspondents Group –are examining a guideline, based on a proposal from the IMPEL TFS project, with a view to its adoption.

Under the umbrella of the E-waste project, a practicability and enforceability assessment has been performed of the WEEE Directive recast proposal.

Threat assessment

A method for performing threat assessment has been developed. It is however not clear if this method is being used and implemented by the member states. At IMPEL TFS level, the E-waste project has performed a threat assessment.

¹ Reports are available at www.impel.eu

² It must be noticed that these figures are based on ad random and target-oriented inspections and therefore do not reflect the overall compliance level in Europe.

Use of Natural Resources

In order to implement the enforcement of the WSR at a national level and make it part of the daily job of inspectors, the Multi Annual Work Programme devoted several activities to support this.

At the IMPEL TFS 2009 conference a workshop took place on minimum criteria for inspections of waste shipments. The final report³ was published in October 2009 by the European Commission. At this point it is not clear what the follow up will be.

As part of some enforcement projects, exchange programmes for inspectors have been set up in order to train them and facilitate information exchange.

Also National Contact Points Exchange Days have been organised to exchange experiences and to discuss case studies. Although more member states have identified NCP's, still a few countries are missing.

Interpretation Issues

For an effective implementation and enforcement of the WSR it was considered that the Member States need to have the same opinions on interpretations issues and promote consistent approaches to interpretation. IMPEL TFS therefore developed a Waste Interpretation Database. Based on the pilot study, it was however concluded that the database at this moment and in its developed form would not be expanded and implemented. The project was therefore stopped.

Revision of the Manual on the return of illegal waste shipments

The manual has been updated according to the new WSR and has been published.

Communication Strategy

To make the network more visible and increase awareness about its activities and the need for enforcement and collaboration in the field of waste shipments, IMPEL TFS has:

- developed a website (www.impeltfs.eu);
- published several newsletters;
- attended several seminars and meetings to present its activities (e.g the meeting of the ENVI committee of the EP, the COP9 of the Basel Convention and the Green Week of the European Commission);
- released press releases on the outcomes of its projects.

Improved collaboration with enforcement partners

To mobilize sufficient capacity and legal powers it is necessary that good cooperation between enforcement partners in Member States be established. Illegal shipments of waste may be detected if waste authorities, police, customs and other relevant enforcers closely collaborate. Also collaboration with receiving countries outside the EU is important in order to follow the waste and verify its final destination.

Collaboration with Customs and Police services has been improved. These organisations participate in some of the IMPEL TFS activities. They also are invited for the annual TFS conferences.

³ Report available at: http://ec.europa.eu/environment/waste/shipments/pdf/report_august09.pdf

IMPEL TFS has closely collaborated with the World Customs Organization in order to prepare 'Operation Demeter'⁴. One of the recommendations of this operation is to continue with these types of exercises and include more the environmental authorities.

In February 2008 IMPEL signed a MoU with the Secretariat of the Basel Convention⁵. Within the framework of this MoU, IMPEL and the SBC and collaborating on component 4 of the E-waste to Africa project. This component deals with the enforcement of e-waste shipments from Europe to Africa and includes two trainings in the EU and five training sessions in Ghana, Nigeria, Benin, Tunisia and Egypt.

Some contacts with non-OECD countries have been established, such as with China and India. IMPEL TFS has attended the conferences of the Asian Network for the prevention of illegal transboundary movements of hazardous wastes, held in China and Japan. IMPEL TFS was also represented at the MEA-REN meeting in October 2009 in Thailand.

As part of the IMPEL TFS EU-Africa Collaboration project, IMPEL TFS organised a workshop in Ghana in November 2009 on the enforcement of waste shipments. This meeting was attended by Ghana, Benin, Nigeria, Tunisia, Egypt and the regional centres of the Basel Convention as well as four EU Member States.

Conclusions

The IMPEL TFS network has been active on all its goals and thematic activities. Although not all aims have been reached, good progress has been made. IMPEL TFS will continue to work on its overall aim by building capacity, raising awareness and promoting and facilitating national and international collaboration. The results of IMPEL TFS enforcement projects and figures on inspections and illegal shipments have been used frequently by various organisations to demonstrate the lack of compliance with the Waste Shipment Regulation and therefore contributed to a higher awareness of the problems. In terms of capacity building especially the value of the inspector exchange programmes has been underlined and the need to continue with these programmes.

1.3 Future developments

One of the main aims of the IMPEL network is to identify and develop good and, whenever possible, best practices, produce guidance, tools and common standards and actively contribute to further improvements as regards inspection, permitting, monitoring, reporting and enforcement of EC environmental law.

Enforcement of transboundary movements of waste will remain a priority within the IMPEL network and for the European Commission. It is therefore key that IMPEL TFS stays involved and anticipates on future developments. These developments are among the next steps of the European Commission regarding the minimum criteria for waste shipments inspections and the possible establishment of a Waste Implementation Agency. For the Commissioner for Environment, Mr. Janez Potočnik, the implementation and enforcement of environmental law are priority.

IMPEL TFS should also aim at generating more input as a group for the discussions at the Waste Correspondents Group. It is clear that the Waste Shipment Correspondents Group is responsible for interpretation matters of the Waste Shipment Regulation. Nevertheless IMPEL TFS could play a more

⁴ See press release: <http://www.wcoomd.org/press/default.aspx?lid=1&id=187>

⁵ See press release: <http://www.basel.int/press/pr060208.doc>

active role in advising the Waste Shipment Correspondents Group especially on enforcement and practical implementation matters.

Future projects from the World Customs Organisation, e.g. a second Operation, Interpol (E-waste project) and INECE (Seaport Environmental Security Network) also might require involvement of the IMPEL TFS network.

A good working relation with the Secretariat of the Basel Convention, its regional centres and the Compliance Committee will remain important in order to coordinate activities and strengthen each others initiatives.

IMPEL TFS is considered a key stakeholder within the Waste Shipments Compliance Platform, which was established in December 2009.

What will be even more important for the future work of IMPEL TFS is to make more efficient use of (scarce) resources. In times of financial challenges, budgetary restrictions and even loss of staff, IMPEL TFS needs to look for smart ways to continue with its projects and activities. It should be underlined that the work of IMPEL TFS is to support the inspectors and enforcers in their daily work. Especially in a time of economic crises, collaboration and cooperation is key.

1.4 IMPEL TFS Declaration on Enforcement⁶

Enforcement Policy on Waste Shipments legislation

IT IS THE POLICY OF IMPELTFS TO FACILITATE DETECTION, AND SANCTION THROUGH THE MEMBERS USING THE REGULATORY POWERS AVAILABLE IN A SYSTEMATIC, COHERENT AND CONSISTENT MANNER. IT IS IMPELTFS POLICY TO DELIVER OUTCOMES FROM EFFECTIVE, PROPORTIONATE AND DISSUASIVE ENFORCEMENT ACTIONS.

In support of this policy, IMPELTFS will take the following actions:

- *Assess the threats posed (within the template of the Recommendation on the Minimum Criteria for Environmental Inspections (RMCEI) and take appropriate action in cooperation with other relevant competent authorities so that waste holders or facility operators do not contribute to illegal transfrontier waste activity;*
- *Co-operate as required by article 50 of the WSR -in particular through Enforcement Activities organised by IMPELTFS in actions to prevent and detect illegal waste activities;*
- *Take the necessary enforcement actions to protect the environment;*
- *Ensure the take back or removal of illegally deposited waste, where necessary in cooperation with other relevant competent authorities;*
- *Deter illegal waste activity and seek to remove any financial gain or advantage;*
- *Aim to ensure the lawful management of hazardous waste during transfrontier transport;*
- *Highlight the importance of compliance with the TFS legislation through the use of various media outlets and the provision of information and advice to stakeholders.*
- *Allocate resources, within its abilities, to achieve the above policy objectives and will review this policy and its enforcement plans regularly.*

⁶ This declaration was presented at the Informal Directors meeting hosted by the European Commission in April 2009 for consideration and any appropriate follow up action

2. Key Partners and issues

2.1 Key partners

In order to be effective and implement its Declaration the IMPEL TFS network has to cooperate with other organizations. The following organizations are recognized as key-partners.

Competent authorities of the EU Member States, IMPEL Member Countries, Candidate and Potential Countries and EFTA countries

The implementation and enforcement of WSR-regulation is the sovereign responsibility of the Member States-who provide the necessary means for TFS-enforcement and to support international cooperation. In many Member States the necessary legal powers to execute and enforce WSR are divided amongst a number of Governmental bodies.

Customs

In all countries the customs service provides regular checks on the outside borders and therefore the customs may provide vital information about and interventions in cross border shipments. Both the national customs in the Member States and their European and International organizations are considered a key partner and link with them needs further development particularly in countries where their role is not including environmental enforcement.

Besides the national customs services links with DG Taxud of the European Commission and the World Customs Organisation (WCO) and its regional centres (RILO's) are considered as valuable.

Police

What the customs are for the outside borders, the police are for the borders inside the European Union and their roles should be further nurtured and developed. The police may be involved in criminal investigations into illegal waste transports. Due to their specific role in information and intelligence gathering and analysing abilities, police play an important role in intelligence led enforcement. The police also carry out inspections on waste transports. Collaboration with Europol and Interpol is important for an effective exchange of information between police and environmental authorities.

European Commission and related organizations

The EU Commission plays an important role in the regulatory process and monitors the process of implementation and enforcement of WSR. The Commission services, (DG Environment), periodically arranges meetings of the National Waste Shipments Correspondents to examine and discuss questions that arise during the implementation of WSR. Different practical issues such as interpretations are discussed at these meetings with the aim of reaching a uniform interpretation and application of WSR-often through the publication of Information or guidance notes. The Technical Adaptation Committee (TAC) of the WSR has the task of elaborating guidelines on cooperation of competent authorities on illegal shipments.

The Commission is a member of the IMPELTFS Steering Committee and takes a keen interest in the results of enforcement projects carried out by members of the TFS cluster.

The IMPEL TFS network contributes by highlighting enforcement problems and submitting proposals on how to resolve them-primarily through the mechanism of participation at Waste Correspondents meetings. Also the relationship with DG Taxud and DG Trade should be expanded; DG Taxud because of their responsibility on customs legislation and implementation. DG Trade is responsible for the regulations on the export of non-hazardous waste to non-OECD countries and the Raw Material Initiative.

Secretariat of the Basel Convention

The Basel Secretariat is the key partner for all problems concerning the export and import of waste to and from countries outside the OECD. It can, in particular give assistance when the competent authorities of Member States need the names of contact persons in Basel countries or look for information about the situation of the waste management in Asian or African States. In order to underpin collaboration between IMPELTFS and the SBC, a memorandum of Understanding was agreed and signed by both parties in February 2008.

Asian and African Networks

In recent years the TFS network has developed contacts with the authorities in China, India and Ghana. The problems of exporting illegal waste can only successfully be tackled when an information exchange will be installed with other Regional Networks especially in Africa and Asia. Examples of regional networks are the Asian Network on the prevention of illegal transboundary movements of hazardous waste and the MEA-REN. The established contacts need to be further intensified and expanded to other relevant countries.

Public Prosecutors

Public prosecutors play an important role in the enforcement cycle, as they in many countries are responsible for prosecuting the offenders. IMPEL TFS will seek more collaboration with this partner group, with a focus on awareness raising and establishing links between the inspectors and public prosecutors. When considered appropriate, public prosecutors will be involved in IMPEL TFS activities.

Other relevant networks and stakeholders

Links with other international enforcement networks who are also active in the enforcement of waste shipments, such as INECE and ECENA will be further developed. Industry and NGO's are considered to be stakeholders for the IMPEL TFS network and will therefore be involved in IMPEL TFS activities when appropriate.

2.2 Key issues

- Acquiring a consistent and adequate level of enforcement in all Member States;
- Common interpretation and enforcement of the new European Regulation on Shipments of Waste;
- Good links between the Waste Shipment Correspondents, IMPEL-TFS National Contact Points and Focal Points;
- Tackling illegal shipments of (hazardous) waste to Asia and Africa.

It is recognized that the enforcement actions of IMPEL TFS participating countries are a matter for these countries - there is no wish to dictate or in any way interfere with internal sovereign arrangements - but the aim is to increase awareness, build capacity and improve cooperation to the mutual benefit of all participating countries - the common goal is to prevent/eliminate illegal traffic. It is equally recognized that international cooperation on the prevention and detection of illegal shipments is a critical factor for the effectiveness of WSR enforcement-a factor recognised in the EU WSR. Participation in the IMPEL TFS network and in the realization of its MAP is a very efficient way to fulfil the obligations for international cooperation.

3. Strategic Goals

3.1 STRATEGIC GOAL 1: INCREASED AWARENESS

Target

All relevant partners know the situation of illegal waste shipments in every Member State. This includes competent authorities in Member States and other involved agencies, their partners (e.g. customs, police), decision makers on political level both national and European (Council, European Commission and European Parliament).

Measures

- To encourage competent authorities in Member States to carry out their own threat assessment studies by giving recommendations on minimum standards for Threat Assessment, exchanging best practices and tools.
- To periodically evaluate the national threat assessments results and communicate these results to decision makers both at European and national level.
- To determine European wide enforcement priorities based on e.g. the outcome of the evaluation of national threat assessment.
- To provide tools for national communications strategy.

3.2 STRATEGIC GOAL 2: CAPACITY BUILDING

Target

All Member States have sufficient capacity to fulfil the enforcement obligations of WSR (human and financial resources, legal powers, international cooperation, etc.). The Member States should also have sufficient capacity in the maintenance and development of the IMPEL TFS network.

Measures

- To provide Member States with information on how to prepare national Enforcement Plans
- To facilitate training of enforcement officers and
- To facilitate better cooperation with police and customs

3.3 STRATEGIC GOAL 3: IMPROVED COOPERATION

Target

Cooperation between Member States and other enforcers both on national and European level and receiving countries outside Europe is improved in order to increase the effectiveness of national enforcement activities and to strengthen the mechanisms for prevention, detection and identification of illegal waste shipments.

Measures

- To undertake European enforcement projects addressing the priorities.
- To promote common interpretation of waste shipment issues.
- To improve cooperation with non-OECD countries and non-European networks e.g. through Basel Convention Secretariat or Asian TFS network.
- To promote the establishment and use of quick alert system.
- To further develop the cooperation between National Contact Points and to have NCP's in all Member States
- To involve police and customs in the IMPEL TFS activities.

4. The Multi Annual Programme –themes

4.1 EXPLANATORY NOTE

The multi annual programme is divided into a variety of themes to be elaborated into actual projects. The projects are the vehicle by which the themes are implemented and are detailed for the period of this programme in Chapter 5.

4.2 THEME 1 - THREAT ASSESSMENT

Definition

It is of vital importance for each Member State to have knowledge on illegal waste shipments so as to be able to deal with them. By making threat assessments Member States can provide for that knowledge. A previous TFS Threat Assessment Project has resulted in a methodology recommended for national threat assessment studies.

Expected results

- An overview of threats concerning waste shipments in the period of the MAP
- Priorities for European enforcement projects after 2010

Activities

What	Who	When
1. Examination of threats based on the Enforcement Actions project and other IMPELTFS projects	NCP's to assess	Ongoing
2. Examine priorities based on NCP advice	NCP's	Ongoing
3. Proposal for priorities	TFS Steering Committee to consider based on NCP advice	TFS Conferences

4.3 THEME 2 - COMMUNICATION STRATEGY

Definition

It is important to increase the awareness of the general public, those responsible for waste shipments and decision makers (both political and top management levels) concerning illegal operations, consequences of illegal traffic, about the WSR and what IMPEL TFS is doing by communicating the results of enforcement activities both national and international. Experience of Member States in using communication strategies varies substantially. Communication may also be used as an enforcement tool and preventive measure.

Expected results

- Member States are using better methods of communication to increase awareness.
- Better understanding of the importance of enforcement of Waste Shipment Regulation to protect the environment by general public and decision makers.

Activities

What	Who	When
1. Collection of best practices of communication by Member States	NCP's and TFS Secretariat	Ongoing
2. Analysis of collected information and recommendations for Member States	NCP's	Ongoing
3. Provide input for the IMPEL newsletter	TFS Secretariat with contributions of project leaders and Member States	Ongoing
4. Use and update of TFS part of the IMPEL website	TFS Secretariat	Ongoing
5. Active communication to the press of IMPEL TFS project results / activities	Project Leaders	Ongoing - at least once at the end of the project
6. Active communication of project and other results to key partners, especially to the political decision makers- such as the European Parliament.	Project leaders, TFS Steering Committee and TFS Secretariat	Ongoing - at least once at the end of the project
7. Participation at other international fora	Steering Committee, TFS Secretariat	Ongoing

4.4 THEME 3 – BETTER COLLABORATION ENFORCEMENT PARTNERS

Definition

Verification of waste destinations and better detection of Illegal shipments of waste are possible if competent authorities, police, customs and other relevant enforcers closely collaborate. Umbrella bodies for enforcement partners –such as INTERPOL -could help to facilitate national collaboration.

The WSR requires every Member State to appoint national enforcement contact points. IMPEL TFS network will facilitate collaboration between these contact points.

It is hardly possible to verify waste destinations without reliable contacts in the countries where the waste is supposed to be recycled. IMPEL TFS will try to build a network with the collaborating CA's in the receiving countries.

Expected results

- Formal arrangements (agreements, MoU, legislation) on collaboration between enforcement authorities in all Member States as well as collaboration agreements with other Networks and international organisations.
- European police and customs organizations are informed about TFS Network and are invited to support strategic goals of MAP and participate in TFS activities.
- A quick alert system is established and used by national contact points.
- Reliable contacts for the verification of waste destinations in the major countries of destinations are established.

Activities

What	Who	When
1. Establish Contacts with Asian/ African partners	Member State /IMPELTFS	Attendance at annual conferences -and commence target project –2010 and ongoing
2. To invite representatives of police/d customs and other relevant organisations organizations to IMPEL TFS conference	Host / Secretariat	Ongoing in advance for each annual conference
3 Attending conferences and meetings of enforcement partners and related organisations	Steering Committee IMPELTFS participants Secretariat	Ongoing

4.5 THEME 4 - INTERPRETATION ISSUES

Definition

Effective enforcement of WSR is only possible if involved competent authorities of the Member States have the same opinions on interpretations issues and promote consistent approaches to interpretation. Under the new Regulation greater guidance from the Commission is foreseen on certain issues (for instance mixtures of waste will be classified in an annex) but is unlikely that all problems will be solved. Uniform classification of waste for instance is very important for the detection of illegal waste shipments. The competence for the implementation of WSR rests with the Member States, subject to rulings of national and the European Court of Justice. Therefore the TFS Network cannot decide upon a uniform interpretation, but it can influence the process of decision-making on interpretation issues. Better collaboration between the Correspondents Group (WSR) and IMPELTFS-through a document detailing the relationship between both groups-and attendance at Correspondents meetings has been achieved.

Expected results

- TFS-network has an overview of the most important interpretation issues.
- A process to resolve interpretation problems is developed.
- The TFS network has proposed solutions for some major interpretation issues.

Actions

What	Who	When
1. Collect official interpretations of new WSR and making it available for all involved TFS-parties.	Steering committee/Member States	Ongoing
2. Collect possible interpretation issues from analysis by MS-and discuss with National Contact Points	TFS Secretariat	Ongoing
3 Select most common issues and make proposals for projects for these issues if required	NCP's	Ongoing
4. Decision upon proposals and submission to correspondents meeting (via the National Contact Points)	Steering Committee, NCP's, TFS Secretariat	Ongoing

5. Projects

Definition

Projects are the mechanism by which IMPEL TFS gives effect to all of the foregoing themes. At the beginning of this MAWP IMPEL TFS had seven running projects listed below which include priorities for European enforcement. If any additional projects emerge during the lifespan of the MAP these will emerge from national threat assessment studies and recommendations via the National Contact Points and filtered through the Steering Committee. A list of projects already completed –together with their reports –is on the IMPEL website.

Expected results

- Number of illegal shipments of priority waste streams is reduced significantly and environmental damage in countries of destination is diminished.
- Collaboration with countries of waste destination is established in the project framework.
- Better international cooperation and collaboration.
- The projects are considered as an important vehicle for the realisation of aims mentioned under differing themes, e.g. communication, capacity building , training and interpretation issues.

Activities

Running Projects	Lead Country	2010	2011	2012	2013	2014	2015
1. Enforcement Actions II	Netherlands and European Commission	Ongoing	To be finalized				
2. WEEE	United Kingdom	To be finalized					
3. EU-Asia Collaboration	Ireland	Ongoing					
4. EU-Africa Collaboration	Norway	To be finalized					
5. EU-Africa Collaboration follow up	Norway	Start		To be finalized			
6. NCP Exchange Days	Netherlands	Ongoing					
7. IMPEL TFS Annual Conference	Host country	Q2	Q2	Q2	Q2	Q2	Q2

Expected Projects	Lead Country	2011	2012	2013	2014	2015
8. Collaboration with enforcement partners	Tbd					
9. Inspection of Waste Sites	Germany	Start	To be finalized			
10. Doing the Right Things WSR	Tbd	Start				
11. Performance Indicators	Tbd		Start			
12. Return waste shipments experiences	Tbd		Start			
13. Practicability and Enforceability Assessments	Tbd	Start				

6. Oversight and delivery of the MAP

This Multi Annual Programme was prepared by the TFS Steering Committee, supported by the annual IMPEL TFS Conference 2010 and sent to the IMPEL General Assembly, held 18-19 November 2010 in Brussels, for endorsement. The implementation of the actions mentioned in this programme is the joint responsibility of all participating Member States.

The TFS Steering Committee, aided by the TFS-Secretariat, will follow the progress of the actions. If necessary, the TFS-Steering Committee will modify the actions in close cooperation with the leading Member States. The Chair of the TFS Steering Committee will present each year a progress report on the Multi Annual Programme at the annual IMPEL TFS Conference and to the IMPEL General Assembly meeting. This progress report will be accompanied with proposals for modifications that may originate from both the Steering Committee and the Member States. The annual IMPEL TFS Conference and subsequently the IMPEL Plenary will discuss the progress and decide on the proposals. Wherever possible IMPEL and TFS will benefit from each other's activities.

The IMPEL TFS Secretariat will support both the TFS Steering Committee and the project leaders in their activities to fulfil the aims of the MAP.



COLOPHON

Version

Final October 2010

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