

TOR Reference No.:	Author: Chris Dijkens
Version: 2	Date: 07/08/2015
<b>TERMS OF REFERENCE FOR WORK UNDER THE AUSPICES OF IMPEL</b>	

## 1. Work type and title

1.1 Identify which Expert Team this needs to go to for initial consideration	
Industry	<input type="checkbox"/>
Waste and TFS	<input type="checkbox"/>
Water and land	<input type="checkbox"/>
Nature protection	<input type="checkbox"/>
Cross-cutting – tools and approaches -	<input type="checkbox"/>
1.2 Type of work you need funding for	
Exchange visits	<input type="checkbox"/>
Peer reviews (e.g. IRI)	<input type="checkbox"/>
Conference	<input type="checkbox"/>
Development of tools/guidance	<input type="checkbox"/>
Comparison studies	<input type="checkbox"/>
Assessing legislation (checklist)	<input checked="" type="checkbox"/>
Other (please describe):	<input checked="" type="checkbox"/>
	The project will further elaborate specific challenges in implementing EU environmental law how these should be addressed in IMPEL's work programme. It also intends to identify opportunities for further improvement of future surveys as input for a separate project on this matter.
1.3 Full name of work (enough to fully describe what the work area is)	
Embedding the results of the recent project on 'Challenges in the practical implementation of EU environmental law and how IMPEL could help overcome them' in IMPEL's work programme and the Multi- annual Strategy and provisional identification of opportunities for the improvement of the survey methodology.	
1.4 Abbreviated name of work or project	
Implementation Challenge – embedding the results in IMPEL's work programme.	

## 2. Outline business case (why this piece of work?)

### 2.1 Name the legislative driver(s) where they exist (name the Directive, Regulation, etc.)

Improving the implementation of environmental law is a key priority for the European Union and is a major theme in the current 7<sup>th</sup> Environment Action Programme. The Commission has previously also published a communication on improving implementation of EU Environment law in 2012 and this suggested that failure to fully implement environment legislation costs the EU around €50 billion every year in health costs and direct costs to the environment. Improved implementation will not only protect human health and the environment, but contribute to creating a more level playing field for industry across EU Member States, aid job creation and support resolution of trans-national environmental issues. Identifying practical obstacles to implementation and eliminating them can help reduce administrative burdens and reduce the costs of implementation.

### 2.2 Link to IMPEL MASP priority work areas

- |  |                                     |
|--|-------------------------------------|
| 1. Assist members to implement new legislation   | <input checked="" type="checkbox"/> |
| 2. Build capacity in member organisations through the IMPEL Review Initiatives               | <input checked="" type="checkbox"/> |
| 3. Work on 'problem areas' of implementation identified by IMPEL and the European Commission | <input type="checkbox"/>            |
|  | <input checked="" type="checkbox"/> |

### 2.3 Why is this work needed? (background, motivations, aims, etc.)

IMPEL recently carried out a study - 'Challenges in the practical implementation of EU environmental law and how IMPEL could help overcome them' - involving a questionnaire survey and desk-based research to identify key implementation challenges faced by environmental authorities in its member countries. This has provided very useful information to help focus IMPEL's work programmes for the future.

Further work is now needed to elaborate on the more detailed nature of the implementation challenges that have been identified and to investigate cross-cutting issues and themes. This will provide a valuable input to help identify specific priorities for IMPEL's 5 Expert Teams and to shape IMPEL's multi-annual strategy for the future.

This work also helps to identify provisional opportunities for improvement of the survey methodology and will serve as an important input in a specific project on this matter to be conducted at a later stage. The methodology will help countries and organizations to recognize trends and developments in barriers against implementation in Member States.

### 2.4 Desired outcome of the work (what do you want to achieve? What will be better / done differently as a result of this project?)

1. A better understanding of the linkages between the implementation challenges and cross-cutting themes and issues.
2. Greater clarity on the underlying causes of implementation problems and where they are occurring, and how IMPEL can address them through projects and activities in its work programme.
3. A better prioritised and targeted work programme for future years with greater benefits for IMPEL members who participate in the programme.

4. The identification of provisional opportunities for improvement of the survey methodology

### **2.5 Does this project link to any previous or current IMPEL projects? (state which projects and how they are related)**

This work links with a wide range of projects in IMPEL's previous and current programme. It builds on the initial project on Implementation challenges and is intended to provide a further level of insight and detail. It is a strategic project and therefore links closely with the work carried out previously by the Task Group to develop a new strategic direction for IMPEL. It builds on the Multi Annual Strategic Work Programme (MASP) and will support the development of the next phase of IMPEL's multi-annual strategy that will bring together the work of the 5 Expert Teams in an integrated way. The project will also deliver a provisional input for a separate project to further improve a methodology for future surveys on implementation challenges to be carried out by IMPEL and or Member States.

## **3.**

### **3.1 Describe the activities of the proposal (what are you going to do and how?)**

The work will be carried out primarily by a consultant, working closely with IMPEL's Board and the 5 Expert Teams. Key activities to be included in the project are:

1. Consultation with relevant Heads of Units and key experts in the European Commission, to gather specific feedback on the Implementation Challenge conclusions and recommendations, to understand current and planned work of the Commission in these areas, and to assess how IMPEL can work in a complimentary but independent manner with the Commission to strengthen implementation of environmental law across Europe, building on the respective strengths of the two organisations and avoiding duplication.
2. Working with the 5 Expert Team Leaders to help frame specific projects to address implementation problems for 2016 and beyond, and with the Programme Management Group to identify cross-cutting themes that can be addressed in an integrated way across IMPEL's programme as a whole.
3. Further analysis of questionnaire responses to identify the nature and causes of particular problems and gaps in different countries.
4. Supporting IMPEL's Board in developing an integrated and coherent multi-annual strategy that will guide IMPEL's work over the next 5 years and targets solutions to key implementation challenges.
5. Engaging with IMPEL's community and the General Assembly in taking the outputs from this work forward and tackling implementation challenges in member countries.
6. Mapping of external networks and organisations that are key partners and stakeholders in addressing implementation challenges for the future.
7. Provisional identification and collecting of opportunities for improvement of the questionnaire as used in the survey which will serve as input in a separate project on this matter.

### **3.2 Describe the products of the proposal (what are you going to produce in terms of output / outcome?)**

1. Synthesis of relevant information to be fed into meetings with IMPEL's Expert teams, the European Commission and other stakeholders.
2. A project report that documents key findings and recommendations to shape IMPEL's work programme for 2016 and beyond.

3. A provisional shortlist with opportunities for improvement of the questionnaire and the survey methodology.

### **3.3 Describe the milestones of this proposal (how will you know if you are on track to complete the work on time?)**

An overview of planned activities are detailed below:

1. Consultation on this ToR with the IMPEL Board – 23 June
2. Engaging the Consultant – end of June
3. Meetings with Expert Team leaders – July/ August
4. Meetings with the European Commission – July/ August
5. Meeting with the Programme Management Group- July (date to be confirmed)
6. Meeting with Programme Management Group – 24 Sept
7. Presentation to the IMPEL Board - 25 Sept
8. Final report - End Sept
9. Presentation to IMPEL General Assembly – 1/2 December

### **3.4 Risks (what are the potential risks for this project and what actions will be put in place to mitigate these?)**

1. Scope creep – clear boundaries will be set around what areas we will review this includes focusing on practical implementation issues only and areas which are relevant to the IMPEL Network e.g. TFS/Waste, Industry Regulation, Land and Water, Nature and cross cutting (Inspections, Enforcement, compliance) and which IMPEL can influence and improve by its work.
2. Tight timescales for delivery – this will be managed by engaging a consultant to support the work.

## **4. Organisation of the work**

### **4.1 Lead (who will lead the work: name, organisation and country) – this must be confirmed prior to submission of the TOR to the General Assembly)**

Chris Dijkens (Netherlands) – IMPEL Vice-Chair

### **4.2 Project team (who will take part: name, organisation and country)**

IMPEL Programme Management Group; representatives from members of the General Assembly

### **4.3 Other IMPEL participants (name, organisation and country)**

### **4.4. Other non-IMPEL participants (name, organisation and country)**

European Commission. Other relevant European networks including Prosecutors and Judges

**5. High level budget projection of the proposal. In case this is a multi-year project, identify future requirements as much as possible**

	Year 1 (exact)	Year 2	Year 3	Year 4
How much money do you require from IMPEL?	12,000			
How much money is to be co-financed				
<b>Total budget</b>	12,000			

**6. Detailed event costs of the work for year 1**

	Travel € (max €360 per return journey)	Hotel € (max €90 per night)	Catering € (max €25 per day)	Total costs €
<b><u>Event 1</u></b>				
<b><u>Event 2</u></b>				
<Type of event>				
<Data of event>				
<Location>				
<No. of participants>				
<No. of days/nights>				
<b><u>Event 3</u></b>				
<Type of event>				
<Data of event>				
<Location>				
<No. of participants>				
<No. of days/nights>				
<b><u>Event 4</u></b>				
<Type of event>				
<Data of event>				
<Location>				
<No. of participants>				
<No. of days/nights>				

<b>Total costs for all events</b>				
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## 7. Detailed other costs of the work for year 1

<b>7.1 Are you using a consultant?</b>	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
<b>7.2 What are the total costs for the consultant?</b>	12,000
<b>7.3 Who is paying for the consultant?</b>	IMPEL
<b>7.4. What will the consultant do?</b>	Carry out all work items specified above
<b>7.5 Are there any additional costs?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Namely:
<b>7.6 What are the additional costs for?</b>	N/A
<b>7.7 Who is paying for the additional costs?</b>	N/A
<b>7.8. Are you seeking other funding sources?</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Namely:
<b>7.9 Do you need budget for communications around the project? If so, describe what type of activities and the related costs</b>	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Namely:

## 8. Communication and follow-up (checklist)

	What		By when
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<p><b>8.1 Indicate which communication materials will be developed throughout the project and when</b></p> <p><i>(all to be sent to the communications officer at the IMPEL secretariat)</i></p>	<p>TOR<sup>✓</sup> *</p> <p>Project report<sup>✓</sup> *</p>	<p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p> <p><input checked="" type="checkbox"/></p>	<p>End of June</p> <p>End of September</p>
<p><b>8.2 Milestones / Scheduled meetings (for the website diary)</b></p>			
<p><b>8.3 Images for the IMPEL image bank</b></p>	<p><input checked="" type="checkbox"/> Yes <input type="checkbox"/> No</p>		
<p><b>8.4 Indicate which materials will be translated and into which languages</b></p>	<p>None ( to be reviewed if required)</p>		
<p><b>8.5 Indicate if web-based tools will be developed and if hosting by IMPEL is required</b></p>	<p>No</p>		
<p><b>8.6 Identify which groups/institutions will be targeted and how</b></p>	<p>The European Commission IMPEL Members Heads of EPA Network Members</p>		
<p><b>8.7 Identify parallel developments / events by other organisations, where the project can be promoted</b></p>	<p>BRIG Meeting – Autumn 2015 Heads of EPA Plenary meeting Autumn 2015 'Make it work' Project</p>		

<sup>✓</sup> ) Templates are available and should be used. \*) Obligatory

## 9. Remarks

*Is there anything else you would like to add to the Terms of Reference that has not been covered above?*

*In case of doubts or questions please contact the  
IMPEL Secretariat.*

*Draft and final versions need to be sent to the  
IMPEL Secretariat in word format, not in PDF.*

*Thank you.*