

ToR Reference No.: 2021/19	Author(s): Steering Group Waste and TFS: Simonne Rufener, Allison Townley, Jenny van Houten, Romano Rugger, Kevin Mercieca, Helge Ziolkowski, Hannele Nikander and Martin Zemek
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TERMS OF REFERENCE FOR WORK UNDER THE AUSPICES OF IMPEL	

1. Work type and title

1.1 Identify which Expert Team this needs to go to for initial consideration	
Industry and air	<input type="checkbox"/>
Waste and TFS	<input checked="" 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 checked="" type="checkbox"/>
Development of tools/guidance	<input type="checkbox"/>
Comparison studies	<input type="checkbox"/>
Assessing legislation (checklist)	<input type="checkbox"/>
Other, (please describe):	<input checked="" type="checkbox"/>
Strategic Meetings	
Think Thank	
Best practice exchange	
Collaboration with other networks	
1.3 Full name of work (enough to fully describe what the work area is)	
OPERATIONAL AND STRATEGIC WORK of the IMPEL ET WASTE and TFS	
1.4 Abbreviated name of work or project	
Operational aspects of the ET Waste and TFS Steering Group, NCPs, Expert Team Members and strategic orientation and collaboration	
ET = Expert Team	
TFS = Transfrontier Shipment of Waste	
NCPs = National Contact Points	

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

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

- European Waste Shipment Regulation (EC) No 1013/2006.
- Commission Regulation (EC) 1418/2007 concerning the export of certain wastes for recovery to NON-OECD countries.
- The enforcement activities are based on the EC Regulation (EC) No 1013/2006 on the supervision and control of shipments of waste within, into and out of the European Community. This is directly applicable in all Member States of the EU. Article 50 requires Member States to enforce the regulation and to check shipments and to cooperate bilaterally or multilaterally with one another in order to facilitate the prevention and detection of illegal shipments.
- OECD-Ratsbeschluss C(2001)107/FINAL
- International Conventions: Basel, Hong Kong and Bamako Convention

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 type="checkbox"/> |
| 3. Work on 'problem areas' of implementation identified by IMPEL and the European Commission. | <input checked="" type="checkbox"/> |
| 4. Other, (please specify): | <input type="checkbox"/> |

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

The operational and strategic structure of the Waste and TFS Expert Team is based on 4 pillars: the Steering Group, the National Contact Points (NCPs), the Expert Team Members and Partners such as international Enforcement Authorities (Network Collaboration). Activities for the period of 2021-2024 are coordinated and steered by the Steering Group (for actual members see "Authors"). The (remote) meetings are mainly organised back to back and a regular exchange of the 4 pillars is foreseen (joint meetings). The main focuses of each pillar are described below:

Steering Group:

The steering Group is the overarching group that strategically guides and organise the IMPEL TFS and Waste activities.

NCPs:

- International cooperation and alignment is very important when it comes to the enforcement of the European Waste Shipment Regulation (WSR) (EC) No 1013/2006.
- Previous and running IMPEL-TFS projects showed that it is very much needed to work together as competent authorities. The enforcement deficit of the EU waste shipment regulation remains serious.
- To improve the collaboration and alignment of enforcement, frequent contact between the European enforcement authorities is necessary. Therefore, it would be very helpful if enforcers have structural, personal and frequent contact moments where they can

strengthen their network, exchange experiences and best practices, discuss ongoing cases and align their WSR enforcement activities together.

- This project focuses solely on the exchange of information and experience by workshops, where the running IMPEL SWEAP project (former Enforcement Actions Project) intends to stimulate practical enforcement by joint actions, inspector's exchange-programmes and other activities. The target group overlaps partly.
- More involvement in new project proposals for IMPEL activities. The expertise from the NCP's and the experiences in their countries is crucial for this.
- Stricter policies and controls in destination countries outside Europe, such as e.g. China, Vietnam and Thailand are leading to a change in the waste shipments 'landscape'. Exchanging of information and experiences on this are crucial for European wide inspections and enforcement activities.

Expert Team Meeting (annual conference):

- International cooperation and alignment is very important when it comes to the enforcement of the European Waste Shipment Regulation (WSR) (EC) No 1013/2006.
- Previous and running IMPEL-TFS projects showed that it is very much needed to work together as competent authorities. The enforcement deficit of the EU waste shipment regulation remains serious.
- First day: To improve the collaboration and alignment of enforcement, frequent contact between the European enforcement authorities and partner organisations such as the European Commission, the Secretariat of the Basel Convention, ENPE and EUFJE is necessary. Therefore, it would be very helpful if enforcers have structural, personal and frequent contact moments where they can strengthen their network, exchange experiences and best practices, discuss ongoing cases and align their WSR enforcement activities together.
- Second day: on the second day the conference will be open also to industry participants as this collaboration has not to be neglected.

Network Collaboration:

A large part of the work of the IMPEL Waste & TFS cluster is focussing on compliance of transboundary movement of waste. Because a large volume of waste shipments is destined for countries outside Europe it is important to have good contacts with the authorities in these destination countries. Most IMPEL members have minimal contact with these far away countries. Environmental damage such as e-waste dumping in Africa and plastic dumping in Asia is unfortunately quite common and we see a high number of structural illicit traffic taking place. The market is dynamic and as a result of recent political developments such as the import ban in China and European authorities struggle to keep up with what is the situation in practice. In these cases, international collaboration is essential.

Also, IMPEL Waste & TFS participants are facing differences between the European WSR and the Basel Convention such as the classification of waste and export and import restrictions. Furthermore, in case of an illegal shipment there is a lack of structural good collaboration between all the authorities of countries on different continents. Only good alignment and communication can prevent problems and illegal shipments, a level playing field, improve notification procedures, repatriations of waste to the country of origin and prosecution of waste crime.

To assist the members of IMPEL the Waste & TFS, the Expert Team aims to support the cluster and it's projects with strategic structural efficient collaboration with the TFS networks outside Europe

(e.g. ENFORCE). An example of these networks is the Asian Network for prevention of illegal transboundary movement of hazardous wastes.

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?)

Steering Group:

Strategic guiding on the activities of the ET waste and TFS. Representation to the IMPEL Project Management Group (PMG).

NCPs:

- Exchange information, working methods, case studies and experiences.
- Inform participants on new developments.
- Strengthen the network of NCP's involved in the enforcement of the WSR 1013/2006.
- A more common understanding and involvement in new IMPEL project proposals.
- Think thank for new project proposals.

To improve enforcement activities of the Waste Shipment Regulation and stimulate consistent application of its provisions.

Expert Team Meeting (annual conference):

- Exchange information, working methods, case studies and experiences.
- Inform participants on new developments.
- Networking.

To improve enforcement activities of the Waste Shipment Regulation and stimulate consistent application of its provisions.

Network Collaboration:

Build partner relationships with sister networks of environmental authorities and enforcement bodies outside Europe on the field of enforcement and the compliance of waste shipments. Examples of these networks are the port environmental network of Africa, the Asian Network for prevention of illegal transboundary movement of hazardous wastes. These networks may vary in status and members as long as they are useful for the goals of the IMPEL Waste & TFS activities and projects.

The goal is a better collaboration and alignment of activities in the field of compliance of the legislation that is applicable on different types of waste shipments. The authorities in the networks can use each other's knowledge and tools and participate in the activities that are organised. Also, a better understanding of each other's activities, applicable legislation and recycling capacity and licenced facilities are desired. In case of illegal shipment perhaps it is needed to assist authorities of waste from countries of destination to the country of origin. Of course, the contacts with the Basel Convention Secretariat and Regional Centres and the European Commission are essential for the collaboration too.

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

The Operational and Strategic Work of the IMPEL ET Waste and TFS links to all projects within the Waste and TFS Expert Team. As for now these are:

- Plastic Waste Shipments
- Waste Management and Circular Economy
- WEEE Art. 17 Free-riders
- End of Life Ships
- Big/Little TFS

Projects funded by partner organisations:

- SWEAP (Life+)
- SRSS Cyprus
- WasteForce (UNU)

3. Structure of the proposed activity

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

Steering Group:

- Feedback and execution of instructions from the Board Meetings
- Feedback and execution of from the PMG
- Preparation of NCP Meeting and ET Meeting (Annual Conference)
- Strategic Alignment
- Approval of Waste and TFS project
- Approval of Waste and TFS reports

NCPs:

The following (and other) topics can be in the programme:

- Experiences with enforcement of the Waste Shipment Regulation 1013/2006
- Experiences with repatriations between member states or with third countries
- A better view on the waste shipment industry
- Export of waste outside the EU (in relation to Basel Convention, (EC) No 1418/2007)
- Generating input for the IMPEL-TFS and waste expert team by discussing new project proposals
- Enforcement case studies
- Field trip

Expert Team Meeting (annual conference):

Organising the annual conference based on the following programme grid:

- Presentations by partner organisations
- Presentation of internally funded projects
- Presentation of projects financed by IMPEL partner organisations
- Workshops on current waste topics such as “Plastic Waste”, “Big data”, “Digitalisation”, etc.
- Presentations by customs, police and enforcement officers
- Presentations by NGOs

- Presentations by industry

Network Collaboration:

Exchange of representatives of IMPEL Waste & TFS experts to the networks outside Europe. The exchanges can be persons of the Expert Team but also other representatives of the IMPEL Waste & TFS projects with a link to the network or IMPEL project managers. Furthermore, the Expert Team will maintain the contacts throughout the year, try to build new relationships and assist members of IMPEL in their work by providing the useful contacts and information that has been gathered. The participants will share the knowledge gathered and pursue the goals of IMPEL members in the events outside Europe.

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

Steering Group:

- Fortnightly to monthly remote Meetings (2h)
- 2 physical Meetings

NCPs:

- 2 NCP Meetings/year (one back to back with annual conference)

Expert Team Meeting (annual conference):

- two-day annual conference

Network Collaboration:

- Conference reports, presentations, participant lists and contact persons
- Insight in applicable legislation in countries of destination and licenced facilities in countries of destination
- A better knowledge of each other's possibilities and limitations in enforcement and prosecution of waste crime
- Assistance of IMPEL members in general or on a case by case-based situation

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

Annually recurring phases of the 4 pillars:

Steering Group:

- Phase 1: Adoption of this ToR IMPEL GA (Q4 2020)
- Phase 2: Steering Group Meeting – Q2 2021
- Phase 3: Design Programme of Annual Conference and NCP Meeting (Q2-Q3 2021)
- Phase 4: Steering Group Meeting - Q3 2021
- Phase 5: Carrying out annual conference (Q3 2021) and NCP meetings (Q2 and Q3 2021)

NCPs:

- Phase 1: Adoption of this ToR IMPEL GA (Q42020).
- Phase 2: Draft meeting agenda – Q2 2021
- Phase 3: NCP think thank meeting, Q2/Q3 2021

- Phase 4: NCP meeting back-to-back with IMPEL annual conference – Q3 2021
- Phase 5: Final Report: Q4 2021

Expert Team Meeting (annual conference):

- Phase 1: Adoption of this ToR by IMPEL GA (Q4, 2020)
- Phase 2: Draft conference agenda March (Q1-Q2, 2021)
- Phase 3: Annual conference (Q3 or Q4, 2021, or remotely)
- Phase 4: Final Report (Q4, 2021)

Network Collaboration:

- Phase 1: participation of IMPEL Waste & TFS in the annual conference of the Asian Network for the prevention of illegal transboundary movement of hazardous wastes (Q4/Q5 2021).
- Phase 2: Participation in other relevant activities to be approved by the Expert Team.

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

Lack of funding and time commitment. Restrictions caused by the COVID-19 pandemic.

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)

Steering Group: ET Co-Leader Waste and TFS (For 2021: Jenny van Houten and Allison Townley) + deputy ET Leader Waste and TFS (Simonne Rufener and Helge Ziolkowski)

NCPs: Martin Zemek and Simonne Rufener

Expert Team Meeting (annual conference): ET (Co-)Leader + Hosting Country

Network Collaboration: Jenny von Houten, Allison Townley

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

- IMPEL ET TFS and Waste Steering Group
- IMPEL ET TFS and Waste

4.3 Other IMPEL participants (name, organisation and country)

- National Contact Points (NCP's) of IMPEL TFS (or their representatives)
- Other Waste &TFS participants

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

- Customs, police and prosecutors
- Other networks within and out of Europe
- Representative from EC, BC secretariat and partly NGOs and industry

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

This is an Excel Table, please double click on it to open it and to fill it.	2021 (exact)	2022	2023	2024
Travel and subsistence costs for IMPEL (should match the total costs of Annex I)	73'000.00 €	73'000.00 €	73'000.00 €	73'000.00 €
Travel and subsistence costs co-financed	0.00 €	0.00 €	0.00 €	0.00 €
Consultant(s) costs for IMPEL	10'000.00 €	10'000.00 €	10'000.00 €	10'000.00 €
Consultant(s) costs co-financed	0.00 €	0.00 €	0.00 €	0.00 €
Translation costs for IMPEL	0.00 €	0.00 €	0.00 €	0.00 €
Translation costs co-financed	0.00 €	0.00 €	0.00 €	0.00 €
Total costs for IMPEL	83'000.00 €	83'000.00 €	83'000.00 €	83'000.00 €
Total co-financed	0.00 €	0.00 €	0.00 €	0.00 €
Total budget	83'000.00 €	83'000.00 €	83'000.00 €	83'000.00 €

6. Detailed other costs of the work for year 1

6.1 Are you using a consultant?	Yes <input checked="" type="checkbox"/> No <input type="checkbox"/>
6.2 What are the total costs for the consultant?	20 days / year EURO 500/ day = 10'000
6.3 Who is paying for the consultant?	1 st Option: IMPEL Member State (in-kind) or paying 2 nd Option: OGA
6.4 What will the consultant do?	Assist the Steering Group in Organising its meetings, the annual conference, the NCP meeting. Facilitating collaboration with other networks. Writing Reports and Notes.
6.5 Are there any additional costs (NOT included in point 5)?	Yes <input type="checkbox"/> No <input checked="" type="checkbox"/> If your answer is 'Yes', please describe:
6.6 What are the additional costs for?	Costs not shown in Table. In Annex 1 Organisational Support: EURO 10'000.-

	<p>SC Meeting 1-2 EURO 400,- each for the social dinner</p> <p>ET Waste and TFS (annual Conference): EURO 10'000.- for venue, EURO 5'000.- for social dinner</p> <p>NCPs: 2022-2023: EURO 27'000.- for additional physical meeting. (2021 only remote, resp. back-to-back with ET waste and TFS (annual Conference))</p>
6.7 Who is paying for the additional costs?	
6.8 Are you seeking other funding sources?	<p>Yes <input checked="" type="checkbox"/></p> <p>No <input type="checkbox"/></p> <p>If your answer is 'Yes', please describe: The host country may offer social dinner, venue and/or catering.</p>
6.9 Do you need budget for communications around the project? If so, describe what type of activities and the related costs.	<p>Yes <input type="checkbox"/></p> <p>No <input checked="" type="checkbox"/></p> <p>If your answer is 'Yes', please describe: This will be covered by the consultant</p>

7. Communication and follow-up (checklist)

	What		By when
7.1 Indicate which communication materials will be developed throughout the project and when? <i>(all to be sent to the Communications Officer at the IMPEL Secretariat)</i>	TOR ^{✓*}	<input checked="" type="checkbox"/>	
	Interim report ^{✓*}	<input type="checkbox"/>	
	Progress report(s) [✓]	<input type="checkbox"/>	
	Project report ^{✓*}	<input type="checkbox"/>	
	Press releases	<input checked="" type="checkbox"/>	
	News items for the website ^{✓*}	<input checked="" type="checkbox"/>	
	News items for the e-newsletter	<input type="checkbox"/>	
	Project abstract ^{✓*}	<input type="checkbox"/>	
	IMPEL at a Glance [✓]	<input type="checkbox"/>	

	Other, (give details):	<input type="checkbox"/>	
7.2 Milestones / Scheduled meetings (for the website diary).			
7.3 Images for the IMPEL image bank.	Yes <input type="checkbox"/>	No <input checked="" type="checkbox"/>	
7.4 Indicate which materials will be translated and into which languages.	Report of Annual Conference NCP Report Documentation on network collaboration (English only)		
7.5 Indicate if web-based tools will be developed and if hosting by IMPEL is required.	N/a.		
7.6 Identify which groups/institutions will be targeted and how.	Environmental enforcement authorities.		
7.7 Identify parallel developments / events by other organisations, where the project can be promoted.			

✓) Templates are available and should be used. *) Obligatory

8. 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.

Annex I – Detailed event costs of the project

	Event	Number of days	Travel (maximum per round trip) 360 €	Hotel (maximum per night) 120 €	Catering* (maximum per day) 25 €	Total costs per Event
Description of Event	SC Meeting 1	1	2'880.00 €	960.00 €	200.00 €	4'040.00 €
Location	NL					
Month	Q2					
Number of Participants	8					
Description of Event	SC Meeting 2	1	2'880.00 €	960.00 €	200.00 €	4'040.00 €
Location	UK					
Month	Q4					
Number of Participants	8					
Description of Event	NCPs (2021 remote, 2022-2024 own meeting)		0.00 €	0.00 €	0.00 €	0.00 €
Location	MT					
Month	Q3					
Number of Participants						
Description of Event	ET Waste and TFS (ann. Conf.)	2	21'600.00 €	14'400.00 €	3'000.00 €	39'000.00 €
Location	MT					
Month	Q3					
Number of Participants	60					
Description of Event	Network Collaboration	6	1'440.00 €	2'880.00 €	600.00 €	4'920.00 €
Location	Asia / Europe					
Month	Q3					
Number of Participants	4					
		Total Costs	27'360.00 €	16'320.00 €	3'400.00 €	47'080.00 €
* Catering = Lunch and coffee breaks per participant per day.						

To be added for the network collaboration with Asian/African Regions:

	Hotel (120.-)	Travel (360.-)	Food (25.-)
Third Country Collaboration			
Regional meeting Asia			
2 people	1'200	3'600	250
5 nights each			
TOTAL	1'200	3'600	250
GRAND TOTAL	5'050		