



European Union Network for the Implementation  
and Enforcement of Environmental Law

## IMPEL Waste and TFS Conference 14<sup>th</sup> to 16<sup>th</sup> November 2023, Dresden (Germany)

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### ***Waste legislative changes; Opportunities & Challenges***

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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 European Union (EU) Member States, and of other European authorities, namely from acceding and candidate countries of the EU and European Economic Area (EEA). 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 8th Environment Action Programme that guide European environmental policy until 2030, the EU Action Plan: "Towards a Zero Pollution for Air, Water and Soil" on Flagship 5 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](http://www.impel.eu)

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<b>Executive Summary</b>  <p>The 2023 annual IMPEL Waste and TFS Conference took place onsite from 14 to 16 November 2023 in Dresden. The conference was run as a hybrid, 48 participants in situ and 37 on line representing 31 IMPEL member countries, European institutions and global organisations including the Secretariat of the Basel, Rotterdam and Stockholm Convention, UNODC, the European Commission DG Environment, OLAF, the European Union Forum of Judges for the Environment, the European Network of Prosecutors for the Environment, the ENVICRIME Network, representatives from Environmental Network Africa and Asia Network, representatives from the waste industry, and journalism.</p> <p>The focus of the conference was <b>Waste Legislative Changes and the Challenges and Potential Opportunities</b>.</p> <p>Following issues were covered during the conference:</p> <ul style="list-style-type: none"> <li>- Update on ongoing projects under Waste &amp; TFS ET</li> <li>- Update from European Commission, BRS Secretariat and partner networks</li> <li>- OLAF activities related to waste</li> <li>- Breakout sessions related to Packaging and Export of Tyres for in situ participants and EOW Plastics and Used Batteries for online participants</li> <li>- Case studies, presented by Spanish police and Norwegian Environment Agency colleagues</li> <li>- The view of the industry on challenges of new Waste Legislation</li> <li>- Freelance journalist's views on implementation of waste legislation</li> </ul>	
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## 1. Day 1 of the conference

The conference was opened by **Mr Helge Ziolkowski** (Team Leader of the Waste and TFS Expert Team in IMPEL and member of Swedish EPA) and participants were welcomed by **Ms Schreck**, Vice President of Landesdirektion Sachsen and **Mr Robert Blochwitz**, Saxony State Ministry for Energy, Climate Protection, Environment and Agriculture. The agenda was adopted.

The first point on the agenda was an update from **Mr Chiel Berends**, European Commission, DG Environment. He gave an update on the latest developments on several regulations and Directives including the proposed Waste Shipment Regulations which will bring in some new tools such as the EC's control of transport (OLAF), the creation of a new enforcement group at the EC, the computerisation of documentation for transport of all waste shipments including green waste. Also discussed was End of Life Vehicles Directive, Packaging and Packaging Waste Directive, Waste Framework Directive, End of Waste and By Products, WEEE Directive, Ship Recycling Regulation, RoHS Directive and the Batteries Regulation.

This was followed by updates from the IMPEL Waste and TFS Projects portfolio:

- NCP meeting (**Mr Martin Zemek**)
- Plastics and Plastic waste (**Mr Brian Heffernan**)
- Ship Recycling (**Mr Huib van Westen**)
- Waste and the Circular Economy (**Mr Romano Ruggeri**, online)
- WEEE (**Ms Janka Steinert**)

**Ms Tatiana Terekhova** from Basel, Rotterdam and Stockholm Convention Secretariat (BRS Secretariat) reported about recent developments under the Basel, Rotterdam and Stockholm Conventions. The focus was especially on the items of e-waste that had been approved in the Basel Convention negotiations. As of 2025, exports of e-waste from the EU to 3rd countries should be regulated under the PIC (notification and consent) process, items still need to be implemented into EU law (similar to plastic waste).

## 2. Day 2 of the conference

Day 2 was opened by **Ms Allison Townley** (Waste and TFS Expert Team) commencing with updates from Third Countries and partner networks.

**Ms Minako Kageyama** (on line), representing the Asian Network for Prevention of Illegal Transboundary Movement of Hazardous Wastes, provided an update on how network colleagues were dealing with the new e-waste entries in the Basel Convention with many having difficulties in understanding the categories of items covered. Results from the previous Workshop questionnaire survey to the Basel Plastic amendments (10 Asian countries responded) showed the biggest issues colleagues had was interpreting terminology of the annexes and difficulty in distinguishing regulated plastic waste by relevant agencies, such as Customs due to all the different plastics – not having the expertise.

**Ms Vanessa Forti** from UNITAR provided an update on WEEE recycling in Africa through the SCycle Programme. There is very little data on WEEE collections in Africa available however it is estimated that 2.9 MT of e-waste is generated per annum with 0.03MT (0.9%) e-waste documented to be collected and properly recycled. Vanessa provided an insight into the work of the RedUCE Waste project in controlling imports of e waste into Tanzania.

**Mr. Faustino Gudin Rodriguez-Magariños** (online) from EUFJE provided an insight into the role of EUFJE against waste crime, the procedural problems associated with Environmental offences, the monies involved, the low

criminal convictions, money laundering, the need for international cooperation at all levels and the new Environmental Crime Directive.

**Mr Bojan Pockar** from IMPEL provided an update on the Four Networks Conference September 2023 in Rome. The conference concentrated on cooperation in strengthening environmental enforcement with the aim to improve collaboration and the alignment of enforcement activities.

**Ms Diana Helila** (online) from ENPE gave an update on the activities of ENPE, the work of its Waste and IP group, input to the consultation on the Environmental Crime Directive (ECD) 2022 and ENPE's contribution to training & projects in Waste Regulation in 2023.

**Mr Andreas Windolph** (online) from EnviCrimeNet provided an update on the work of the network, use of new technologies, intergovernmental cooperation, asset recovery, focus on prevention in collaboration with the other three networks and the EUROPOL Waste and Pollution Crime Conference.

**Ms Katie Olley** from Scottish Environment Protection Agency gave an update on the external project lead by IMPEL known as the SWEAP Project (Shipments of Waste Enforcement Action Project) providing background to the project, what's been happening, results, Enforcement Actions and next steps. 159 Customs Officers from 29 countries across Europe have received training and training has also been provided to Prosecutors and Judges through the European Law Academy. 12 Inspector Exchanges took place between 2018 and 2023 with 129 officers having taken part. Online toolkits/Apps have been produced, there have been data exchanges, site verification data exchanges and inspection data collated showing a 17% violation detection rate.

**Mr Luigi Garruto** from OLAF provided an update on his organisation's activities related to waste. A joint Customs Operation, NOXIA took place in spring 2023 which targeted deep-sea containers in EU and Asian ports preventing dangerous substances from being smuggled. Over 1222 tonnes of illicit waste were detected.

**Ms Ioana Cotutiu** (online) from UNODC gave an overview of the Unwaste Project tackling waste trafficking to support a circular economy. The aims being to better understand waste flows between Europe and Southeast Asia, to promote cooperation through national dialogues and to facilitate intra and inter-regional dialogues at the policy level to promote partnership between the EU and Southeast Asian nations.

**Ms. Justyna Banaszak** from Polish Chief Inspectorate of Environmental Protection Department of Transboundary Waste Shipment presented cases studies focusing in particular on the import of used vehicles from North America, where the vehicles had already been removed from the vehicle registers in Canada or the USA as vehicles to be scrapped. In Poland there are companies that can import these wrecks and legalise them for further use. However, all imports are under the second-hand goods regime, not the waste regime, and the recipients do not have the necessary authorisations.

**Mr. Arnstein Flatlandsmo** (online) and **Mr. Grunde Pellerud** from the Norwegian Environment Agency presented the planning of inspections based on risk analysis and practical experience from WSR inspections and enforcement - e.g. as an interesting fact they mentioned that they require the exporters of waste to return the returned and certified Annex VIIs of the shipments made. Without these receipts, the shipment cannot be considered completed and legal.

The next session was dedicated to work in breakout sessions. There were two sessions in situ and two sessions online:

- Packaging: **Mr. Martin van Braam/ Ms. Liana Noorlander**
- Export of used tyres: **Mr. Alfred Sharples**
- EoW plastics: **Mr. Romano Ruggeri – online participants only**
- Used batteries: **Ms. Hannah Woolridge – online participants only**

**Packaging:** Martin and Liana introduced the group to the proposal by presenting the aims of the proposed regulations focusing on monitoring and enforcement and the need for a project on Packaging and Packaging Waste. A level playing field and more effective regulation required. It was felt that to achieve a level playing field the Regulation needs to be more effective. There is a need for mutual working methods/inspection and coordination and cooperation when it comes to international corporations including joint inspections. Inspectors need guidelines. One way to achieving this is through joint inspections/audits and developing training courses. It was agreed this work should be part of the umbrella Packaging Project for 2025 – 2027.

**Export of Used Tyres:** Alfred introduced the group to the workshop by presenting the issues relating to ELV's, tyres and parts. Does Correspondents' Guideline no 9 cover heavy vehicles, should certified engines be depolluted prior to export. If not, should it be amended? Should there be a new Impel Waste/TFS project for the creation of a new technical guideline covering exports of small and heavy vehicles, parts, tyres to EU, OECD and African Countries. What about cut vehicles? Cut vehicles are waste but can be reassembled. What about electric vehicles? Should tyres have a life span when they stop being reusable? It was felt that clearer definitions of what is an ELV is needed and development of best practices and sharing of experiences. It was agreed to incorporate this issue into the Enforcement Actions Project.

**End of Waste Plastic Issues:** Romano (online) introduced the online only group to the proposal to develop EU wide End of Waste criteria for plastic waste focusing on 5 key plastic waste streams as identified by EC scoping exercise in 2021. The key points raised included Lack of EU Regulation, should there be case-by-case permits or self-assessment, what about technical and environmental standards and unfair competition. Major concern is plastic waste being shipped as End-of-waste to third countries and the point that the plastic reaches end-of-waste. What are the requirements on input materials (e.g. bottle-to-bottle, deposit schemes etc) and the need to include product legislation such as REACH. It was agreed that given the JRC are working on this IMPEL should await their outcomes.

**Used Batteries:** Hannah (online) introduced the online only group to the issues around used/second hand batteries with particular focus on electric vehicle lithium batteries. She was particularly interested in the experiences of the group with second use and therefore non waste batteries being moved internationally, where they originated and what happened. She asked the group What risks they foreseen with the increasing focus on second use batteries and what guidance would be helpful moving forward.

**Mr. Hector Santed Liébana** from SEPRONA (a specialised unit in the Guardia Civil, Spain, focusing on pollution crime) provided delegates with a background to environmental crime, setting context, how criminal networks are set up, their modus operandi followed by two case studies. Following an Interpol call for case studies of pollution crimes involving organised crime 27 cases were sent to Interpol. 22 of them involved waste, 9 involving waste mismanagement/dumping, 8 waste trafficking and 5 with a combination of both. Proceeds of these criminal activities averaged USD 19.6 million for each case which clearly demonstrates the lucrative nature of these crimes. There are three pillars involved in the criminal networks infrastructure; extensive use of document fraud, abuse of discrepancies in legislation and corruption as key. Hector then provided an outline of two case studies.

**Romano Ruggeri** (on line) showed how the End-of-waste database acted as a tool to promote the market of secondary raw material and support permitting and inspection processes by providing information on end of waste case by case decisions and promoting a common understanding. He showed delegates how to use it and how information is inputted and provided next steps to finalise the work.

### 3. Day 3 of the conference

Day 3 was opened by Allison Townley with the last day focused on the public sector and industry/industry perspectives.

**Michael Billig**, as an independent and leading German journalist on illegal waste management, presented a report on illegal waste exports to the Czech Republic and Poland. He also published a book on the German waste mafia in 2019. This year, he published a video/documentary on German public broadcaster ZDF, where he and his team exposed the system and modus operandi of exporting plastic waste from Germany to Poland and the Czech Republic, and exposed the legal and natural persons behind this business.

Other presentations focused on the views of private recyclers on current and future EU legislation in the field of waste management. The first presentation was by **Julie-Ann Adams**, EERA - a non-profit trade association that represents and expresses the views of electronics reuse, recycling and reprocessing companies across Europe. EERA expressed its support for IMPEL and the need to combat illegal practices in the export of secondary raw materials from the EU (whether as used electrical appliances or partially dismantled parts) to countries such as Pakistan, SE Asia, Africa, etc., It supported the introduction of standards and independent CENELEC certification within the EU for electronics recycling. Julie-Ann concluded that enforcement must be strengthened across Europe against rogue actors (e.g. scavengers) and operators acting outside of legal requirements.

Another contribution focused on the practical aspects of WSR compliance by obliged entities. The paper was presented by Magdalena Kwarta the Quality and Environment Import/Export Manager of Ragn-Sells (a private business group that operates waste management, environmental services and recycling companies in four countries: Sweden, Norway, Denmark, Estonia). Magdalena focused on the new challenges of the Waste Shipment Regulations and the need for simplification and harmonisation.

The conference was closed with final remarks and conclusions.

Besides annual reporting from international partner organisations, updates and discussions on IMPEL's activities and projects, panel discussions were facilitated with contributions from international partners organisations and non-EU countries, including from Africa and Asia, who are often at the receiving end of waste. There were presentations of case studies as well as practical examples of enforcement experiences on the implementation on the recent Basel amendment on plastic and on the electronic exchange of data.

The conference provided good opportunity to practitioners in the field of TFS and waste management to get an update of ongoing activities and share experience and new developments.

The conference has continued to build and maintain international cooperation with environmental enforcement practitioners and facilitating sustainable links between involved regions.

## Annexes

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## Annex 1: Conference Agenda



### IMPEL Waste & TFS Conference

14-16 November 2023 - Dresden

***Theme: Waste legislative changes; Opportunities & Challenges***

Tuesday 14 November	
13:00	Registration of conference participants
14:00	<b>Conference opening and welcome</b> <ul style="list-style-type: none"><li>- Mr. Helge Ziolkowski (Chair of IMPEL Waste &amp; TFS Steering Committee, Swedish EPA)</li><li>- Ms. Schreck, Vice President Landesdirektion Sachsen</li><li>- Robert Blochwitz, SAXON STATE MINISTRY FOR ENERGY, CLIMATE PROTECTION, ENVIRONMENT AND AGRICULTURE</li></ul>
14:15	<b>Adoption of the agenda</b> Mr. Helge Ziolkowski
14:20	<b>Update European Commission DG Environment</b> - Mr. Chiel Berends
15.15	<b>Coffee/tea break</b>
15.45	<b>Update IMPEL Waste &amp; TFS Projects</b>  NCP Meeting (Martin Zemek) Plastics (Brian Heffernan) Ship Recycling (Huib van Westen) Waste and Circular Economy (Romano Ruggeri - online) WEEE (Janka Steinert)
16:15	<b>Update BRS Secretariat</b> Ms. Tatiana Terekhova
17.00	Closing of day 1, details for the Social Dinner
19.00-onwards	Social dinner



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### Wednesday 15 November

09:00	<b>Opening remarks</b> Chair – Ms. Allison Townley
09:05	<b>Third countries updates</b>  <b>Asia;</b> The Asian Network for Prevention of Illegal Transboundary Movement of Hazardous Wastes, Ms Minako Kageyama - online <b>Africa ;</b> UNITAR, Ms. Vanessa Forti
9.45	<b>Update from IMPEL and partner networks</b>  <b>4 Networks Conference Outcomes</b> <b>IMPEL:</b> Mr. Bojan Pockar <b>ENPE:</b> Ms. Diana Helila - online <b>EUFJE:</b> Mr. Faustino Gudín Rodríguez-Magariños - online <b>EnviCrimenet:</b> Mr. Andreas Windolph - online
10.15	<b>Coffee/tea break</b>
10.45	<b>External projects update:</b> - SWEAP: Ms. Katie Olley - OLAF activities related to waste: Mr. Luigi Garruto - Unwaste: Ms. Ioana Cotutiu - online - Prohibit: Ms. Allison Townley
11.15	<b>Case study Poland</b> Ms. Justyna Banaszak
12.20	<b>Introduction to the group work:</b> Mr. Martin van Braam/ Ms. Liana Noorlander, Mr. Alfred Sharples
12:30	<b>Lunch break</b>



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10.45	<b>The view of the industry on the new challenges regarding to EU waste legislation</b> - Ms. Julie-Ann Adams (EERA) - Ms. M. Kwartka (Ragn Sells) - online
11:30	<b>AOB</b>
12.20	<b>Final remarks and conclusions of the conference</b>
12.30	<b>Farewell lunch and Departure</b>