



European Union Network for  
the Implementation and Enforcement  
of Environmental Law

**IMPEL-TFS CLUSTER  
TRANSFRONTIER SHIPMENTS OF WASTE “TFS”**

# **IMPEL-TFS CONFERENCE 2008 REPORT**

*Sofia, Bulgaria  
23, 24 and 25 of April 2008*



The European Union Network for the Implementation and Enforcement of Environmental Law is an informal network of the environmental authorities of EU Member States, acceding and candidate countries, and Norway. The European Commission is also a member of IMPEL and shares the chairmanship of its Plenary Meetings.

The network is commonly known as the IMPEL Network
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The expertise and experience of the participants within IMPEL make the network uniquely qualified to work on certain of the technical and regulatory aspects of EU environmental legislation. 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. It promotes the exchange of information and experience and the development of greater consistency of approach in the implementation, application and enforcement of environmental legislation, with special emphasis on Community environmental legislation. It provides a framework for policy makers, environmental inspectors and enforcement officers to exchange ideas, and encourages the development of enforcement structures and best practices.

Information on the IMPEL Network is also available through its web site at:  
<http://ec.europa.eu/environment/impel/>



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<p><b>Executive Summary</b></p> <p>The annual conference of the IMPEL-TFS cluster was held from 23 to 25 of April 2008 in Sofia. 94 representatives from 29 countries including representatives from the Secretariat of the Basel Convention, UNEP/ROAP, Basel Convention Regional Centre Nigeria, the Ministry of Environmental Protection of the people’s republic of China, and other Asian delegates from Japan (Asian network) and Thailand, Interpol and RILO attended the meeting. Also for the first time, representatives from Industry attended a part of the meeting.</p> <p>Main aim of the conference was to inform the participants about new and ongoing activities within the IMPEL-TFS cluster related to the enforcement of the Waste Shipment Regulation 1013/2006, to share experiences between frontline regulators and to present and discuss the possibilities to improve collaboration with the Asian and African regions. The conference ended with a session regarding Industry view on enforcement followed by an open panel discussion.</p> <p>Subgroups discussed items as the launching of the e-waste project and the follow up of the Enforcement Actions Project and the results of the ELV project. Also session were organised to elaborate further on collaboration with the Chinese authorities, national collaboration issues and the organisation of a high level management meeting.</p> <p>All participants reaffirmed its commitment to continued cooperation and collaboration in preventing and combating illegal shipments of waste.</p>	
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## TABLE OF CONTENTS

	Page
1. Introduction	8
2. Conference Conclusions	12
3. Conference Action List	13
4. Outcomes of Subgroup Discussions	14
Annexes:	
I. Conference Programme	
II. Attendants List	

# 1. INTRODUCTION

On 23, 24 and 25 of April the IMPEL-TFS conference was held in Sofia, Bulgaria, relating to the control of Transfrontier Shipments of Waste (TFS) as regulated in the EU Regulation 1013/2006 (hereafter referred to as the WSR).

The conference, which is carried out under the IMPEL network, is an annual event and has been organised since 1992. 94 Delegates from 29 countries including representatives from the Secretariat of the Basel Convention, UNEP/ROAP, Basel Convention Regional Centre Nigeria, the Ministry of Environmental Protection of the people's republic of China and other Asian delegates from Japan (Asian network) and Thailand, Interpol and RILO attended the meeting. Also for the first time, representatives from Industry attended a part of the meeting.

The conference concentrated on the ongoing activities and projects of the IMPEL TFS cluster, collaboration with the Asian and African region and the relation with Industry.

The main aims of the conference were:

- Enhancing knowledge of the new European Waste Shipment Regulation (WSR) and the consequences for its enforcement
- Improving contacts with countries and organisations outside the EU
- Discussing the progress of running projects and related activities
- Promoting exchange of knowledge and experience with the enforcement of the WSR
- Reaching an efficient collaboration between waste enforcement authorities, police and customs
- Discussing future enforcement activities of IMPEL/TFS

The conference, which was hosted by the Bulgarian Ministry of Environment and Water, was opened by the Minister of Environment and Water, Mr Djevdet Tchakarov. He underlined the importance of cross-border collaboration and enforcement and wished everyone a fruitful meeting.

The conference was chaired by Ms Magda Gosk from the Polish Chief Inspectorate for Environmental Protection, Mr Pat Fenton, Department of the Environment, Heritage and Local Government of the Republic of Ireland and Mr John Burns, Environment Agency of England and Wales on the first, second and third days respectively.

The first day of the conference was divided in two parts. A separate session in the morning was organized for the IMPEL-TFS National Contact Points. The afternoon programme included a number of presentations which aimed at updating the participants on the following activities:

- IMPEL-TFS Steering Committee (Ms Magda Gosk)
- National Contact Points Exchange Day (Ms Jenny van Houten)
- Manual 'Managing illegal waste shipments' (Mr Rainer Werneburg)
- End-of-life vehicles project (Ms Martina Duignan)
- European Enforcement Action Project (Ms Jolanda Roelofs)

Ms Ester Janssen (consultant international management) gave a presentation on intercultural management and the cultural aspects of enforcement.



Ms Katharina Kummer Peiry (Executive Secretary of the Basel Convention) introduced the Basel Secretariat to the participants and talked about the recently signed MoU with IMPEL and future collaboration initiatives with IMPEL TFS (e.g. in relation to both e-waste projects and the link with the Compliance Committee of the BC). The SBC wants to focus more on the implementation of the provisions of the BC and look at possible measures to enhance enforcement and combat illegal traffic.

Mr Frans Geysels, member of Interpol's Pollution Crimes Working Group, gave an update on Interpol's activities. He mentioned the cooperation with Interpol's sub regional offices, the project 'Operation Clean Seas', the case study on e-waste and the penalties project.

(More info on the penalties project:

<http://www.interpol.int/Public/EnvironmentalCrime/Pollution/issues/ArgumentsProsecutorsEC.pdf> )

Mr Gerard Wolters, chair of the provisional board of the IMPEL association, explained the new legal status of the IMPEL network as an association and stressed the importance of collaboration also in the field of criminal environmental enforcement.

Mr Junya Kikuhara, secretariat of the Asian Network for Prevention of Illegal Transboundary Movement of Hazardous Wastes, introduced the network, discussed the current challenges within the region regarding informal recyclers and future activities in the field of waste/non-waste research and sharing of good practices. The network has asked the EU colleagues to use English in their communication with the Asian Region and to follow Basel Convention and OECD rules and not EU rules, which are not applicable to Asian countries.

(Link: [http://www.env.go.jp/en/recycle/asian\\_net/](http://www.env.go.jp/en/recycle/asian_net/) )

The day ended with a presentation by Mr Martin Ganyushkin from the Bulgarian Ministry of Environment and Water, informing the audience about the experiences and results of a waste shipment inspection at the border between Bulgaria and Greece.

The second day of the conference focused at collaboration with the African and Asian region. It started with a presentation by Prof. Oladele Osibanjo, director of the Basel Convention Regional Centre in Nigeria. He talked about the role and activities of the regional centre, the impact of waste imports into Nigeria, priority waste streams and the waste scenario in Africa with a special focus on Nigeria. Most African countries lack the legal, administrative and operational framework to deal in an environmentally sound manner with waste and to manage it. Especially e-waste poses an enormous threat on the environment and human health. Provisions of MEA's have not yet been transposed and implemented in domestic laws.

After the presentation a discussion took place with the audience, on issues as extended producer responsibility outside the EU, the certification and testing of equipment and pre-shipment inspections before it leaves the EU and the need to collaborate between African and EU countries.

The second part of the morning contained introductions and subgroup discussions on the following issues/projects:

- The new IMPEL TFS E-waste project
- The draft report and core procedure of the ELV project
- Follow up of the Enforcement Action Project

A summary of the outcome of the discussions is outlined in Section 4.

The afternoon session opened with a presentation by Ms Pia Jonsson from the Regional Office for Asia and the Pacific of UNEP. The MEA-REN project is set up to provide cooperation between environmental and Customs officers in order to improve the control of transboundary movements of hazardous wastes and hazardous chemicals covered by the Rotterdam, Stockholm and Basel Convention and the Montreal Protocol. UNEP/ROAP also initiated the establishment of a Regional Partners Forum. This forum provides better coordination of Green Customs Initiative activities and activities relating to enforcement in regard to environmental crime issues at the regional level. Ms Jonsson underlined the need for a close collaboration between the EU and Asia at various levels; firstly by joining the Regional Partners Forum and secondly by linking projects, such as the TFS e-waste project and the Sky-Hole-Patching Project.

Ms. Piyanee Thangtongtawi, Director of International Hazardous Waste Management Division from the Thai Ministry of Industry then presented the e-waste management system in Thailand and the strategic plan and cases of illegal trafficking of waste.

Mr Chen Yan, deputy head of RILO for Asia and the Pacific in Beijing introduced the Sky-Hole-Patching project. The main objective of this project is to form a united anti-environmental crime front in the Asian / Pacific region to curb the illegal trade in ODS and hazardous wastes. Twenty states participated in the project. A monitoring and reporting system has been developed by which information regarding shipments is exchanged and mutual assistance is provided for during investigations. As outcomes of the project many shipments of illegal movements of ODS and hazardous waste have been seized, the awareness concerning combating environmental crime has grown, mutual cooperation between Customs and EPA's has been enhanced and customs officers are more alert to these type of movements. It is recommended that the cooperation is extended to the EU member states.

The second part of the afternoon contained introductions and subgroup discussions on the following issues/projects:

- EU-China collaboration
- Efficient enforcement collaboration
- The organisation of a high-level management meeting

A summary of the outcome of the discussions is outlined in Section 4.

The third day was dedicated to Industry's view on enforcement of transfrontier shipments of waste.

Firstly Ms Suzanne Arup Veltzé, Managing Director of DAKOFA, Danish Waste Management Association presented the Danish bottom up approach to more efficient administration and enforcement of the waste shipment regulation and introduced the cross sector forum. This forum represents private enterprises, NGO's and government officials and aims at developing measures to avoid illegal shipments of waste. Dialogues, meetings and conferences have been organised and a website, web portal and catalogue have been developed. Main problems occur due to the fact that the WSR regulation is very complex and difficulties in classifying waste streams.

Secondly Ms. Temenuzhka Kostova, from the Bulgarian Association for Recycling, explained the situation of Bulgaria concerning shipments of waste and obligations resulting from the accession treaty. Also the transfrontier movements of waste mentioned annex III, have to be notified.

Due to increased export of metals, there is a lack of raw materials within Bulgaria. Ms Kostova underlined the need for neighbouring countries to cooperate, unify interim operations, the need for better enforcement, education of Industry and a reduction of the transitional period for Bulgaria.

And lastly Mr Borad Surendra from Gemini Corporation NV shared his experiences with exporting waste to non-OECD countries. Gemini Corporation has developed its own quality and pre-shipment inspection system to avoid rejections of the waste or non-compliance with the regulations.

After the break, a panel discussion was facilitated between the group and the speakers. Topics as the organisation of a conference on enforcement of waste shipments with all stakeholders, the system of pre-shipment inspections, liability issues, and the possible use of using environmental tax for enforcement and compliance assistance measures were openly discussed.

The conference was closed with an overview of the main outcomes of the conference.

Main upcoming meetings and conferences include:

- The IMPEL Plenary will be held in Ljubljana, Slovenia, from 28 - 30 May 2008.
- The IMPEL/TFS Steering Group Committee will meet in Warsaw on 16 June.
- The next IMPEL/TFS Conference will be hosted by Sweden in 2009.

## **2. CONFERENCE CONCLUSIONS**

The conference discussed issues concerning:

1. The experience of enforcing the new Waste Shipment Regulation.
2. The importance of cooperation with colleagues in worldwide enforcement agencies.
3. Impact of waste export on destinations in Asia and Africa.
4. Ongoing and future enforcement projects
5. National Contact Points discussed issues arising out of the new legislation.
6. Industry perspective on waste shipment regulation and its enforcement.
7. Opportunities to collaborate with other projects being run by international organizations including Secretariat of the Basel Convention.
8. Recognition that we have not got everything right but we are getting better!

### 3. CONFERENCE ACTION LIST

#### Action list Sofia, Bulgaria, 23-25 April 2008

<b>Responsible</b>	<b>Action</b>	<b>Before</b>
All participants	Give input on the African and Asian collaboration theme in the TFS Multi Annual Programme	As soon as possible
All participants	Forward the names, e-mail addresses, fax/phone numbers of the TFS NCP, if not already done, to Nancy Isarin (IMPEL-TFS Secretariat)	As soon as possible
All participants	Explore possibilities to join the IMPEL-TFS Steering Committee	As soon as possible
IMPEL-TFS Secretariat	Send all participants the Final Report on the Conference	May 2008
Steering Committee	Next meeting of the Steering Committee in Warsaw	16 June 2008
Sweden	To host the IMPEL/TFS conference in 2009	April 2009 (exact date to be confirmed)

## **4. SUBGROUP DISCUSSION SUMMARY OUTCOMES**

### **Workgroup 1 – IMPEL TFS E-waste project**

Chair: John Burns  
Reporter: Joachim Wuttke

The purpose of the E-waste project is to achieve a better understanding of the E-waste chain, to detect where the EU E-waste management system is weak, who are the acting and involved persons, which are the driving factors and which actions are appropriate to tackle the illegal export of E-waste.

Concerning participation in the IMPEL TFS E-waste project Austria, Croatia, Czech Republic, Estonia, England & Wales, Germany, The Netherlands, Northern Ireland, Poland, Portugal, Slovenia, Sweden and Turkey declared their willingness to participate in the project.

Problems mentioned during discussions are the distinction between WEEE (waste) and EEE (non-waste), the differentiation between hazardous and non-hazardous E-waste, and the question whether a load is for personnel use. Furthermore the by-pass of the EU WEEE waste management system, unknown outlets of the EU collection system and the lack of inspection has been mentioned. The representatives of Asian and African region expressed their views that EU countries should follow the rules of the importing country and that capacity building in their regions is very important. This concerns both the building up and strengthening of enforcement and also the development and installation of environmental sound recycling and treatment facilities.

Actions identified by the working group are the reinforcement of information exchange, awareness raising, carrying out joint actions together with customs and other responsible authorities, conduct inspection at source or place of loading of containers, to diligent enforce the EU export ban for hazardous waste, to gain experience on implementing Correspondence Guideline No 1 and to enhance the cooperation with the Asian and African region, for example by linking the IMPEL-TFS E-waste project with the Asian project Sky-Hole-Patching.

### **Workgroup 2 – IMPEL TFS European Enforcement Action project II**

Chair: Jolanda Roelofs  
Reporter: Niekol Dols

The workshop started with a brief introduction of the project Enforcement Action II. The project will be carried out from 2008 until 2010. Within the project II the collaboration will be focussed at co-operation between Member States in terms of investigations in order to detect illegal waste shipment and the network between national responsible officials.

After the introduction the participants of the workshop filled in a questionnaire. The questionnaire was divided in four subjects: organisation, inspections, instruments and communication for each subject there were different questions. Due to the lack of time, 6 questions were discussed during the workshop. At the end of the workshop the questionnaire were collected. 19 forms were returned. The answers are processed in the following scheme.

### ***Organisation***

<b>Question</b>	<b>Answers</b>	<b>Remarks</b>
We better can stop with the project because we will never reach a level playing field.	1 agree 21 not agree	Much of support of the group. Cooperation, communication and training are essential to reach a higher level of enforcement.
Waste shipment enforcement is an integrated part of the waste shipment management cycle in my country.	10 agree 10 not agree	The level of integrating depends on the country. Some of the countries are in the beginning phase and others have 100% integrated it.
More help and support from the EU is needed.	21 agree 1 not agree	Especially for level of sanctions, guidelines, and decisions about waste or not waste. An EU sign on the lorry indicating the load as waste.
It is not necessary that more countries will participate in the project.	0 agree 17 not agree	This is difficult to organise.
The waste chain is no stronger than its weakest link.	12 agree 0 not agree	

### ***Inspections***

<b>Question</b>	<b>Answers</b>	<b>Remarks</b>
The number of Inspections witch were carried out in Enforcement Action I was adequate.	1 agree 8 not agree	Most participants did not have a meaning. Due to the new regulation, fewer inspections were conducted. More inspections are necessary, but depending on resources.
Organising (waste shipment) inspections in my country is easy: enough money, people and means are available!	1 agree 16 not agree	We have to try to be more efficient with the resources that are available. Inspections have to be carried out by all the actors (e.g. police, customs)
New WSR 1013/2006 art 50 force my organisation to enforce the waste shipment regulation	10 agree 6 not agree	All the MS need to do enforce the regulation. Some new obligations. Good for the co-operation. Art 50 has not driven change. It is already a priority.
Establishing a minimum frequency of inspections is useful.	20 agree 2 not agree	It is difficult to define inspections. Different countries have different problems. It is better that each participant will make an enforcement action plan with how to tackle national enforcement gaps. Numbers of inspections are not a goal (no numbers) but focus on achieving compliance.
National cooperation is easy to organise.	7 agree 8 not agree	Sometimes is it difficult. Good national network is important.

### ***Instruments***

<b>Question</b>	<b>Answers</b>	<b>Remarks</b>
Training of inspectors in my country is not necessary. We have enough facilities to organise trainings.	5 agree 17 not agree	Important are exchanges of inspectors, capacity building in workshops and sharing practical experience.
Following the progress of the other current TFS projects will be easier with the assistance of a special web site.	16 agree 0 not agree	

### ***Communication***

<b>Question</b>	<b>Answers</b>	<b>Remarks</b>
Communicating the report is pointless.	2 agree 14 not agree	The message needs to be clear and supported. Communication is fundamental.
I will use the results of the Enforcement Action I for more awareness raising in my country.	17 agree 1 not agree	If the conclusions are relevant. We need greater recognition of the value of the waste exports. The press will probably report the outcome.

## **Workgroup 3 – IMPEL TFS End-of-life vehicles project**

Chair: Martina Duignan  
Reporter: Laurence Matringe

The participants to this workshop made comments on the 3 criteria provided in the presentation made in the plenary on the basis of the experience gained during inspections.

Member States of the EU have put different systems in place to transpose the European directive on end-of-life vehicles (ELV). Therefore solutions proposed by some countries can sometimes not be used in other. For example, the requirement for a certificate for testing accompanying the vehicles will imply a modification of the domestic law in some countries.

When it comes to inspections, the persons who shall bear the burden of proof (and the cost arising) regarding the "waste status" of vehicles are different. In some countries, the owner of the car has to prove that the car is not a waste (and to pay for the testing). But in other countries, it's up to the inspectors. If they are not experts, they will have to hire and pay a mechanic expert to make the testing. In some MS (Spain) the tax system could help on defining at what stage a car begins to be waste. Each year, the owner of a car has to pay a tax. If he doesn't the car is automatically deregistered and considered as an ELV.

It was therefore further discussed who should certify that the vehicle is still working or is repairable. Several proposals were made:

- a qualified mechanic: in this case he must be accredited and associated to a national accredited body;
- a licensed expert: because database of such experts do exist and because they would be prudent so as not to lose their license.



Discussions were held as well on the documentation accompanying the vehicles.

It was suggested that to facilitate the controls, it could be a good idea to incorporate in the domestic legislation the requirement for the owner to present the document for each vehicle. It was underlined that one shall not spend too much time checking at papers (because certification might be false and it does take time to verify it) but to spent time on the vehicle itself. One way forward could be to do random inspection on the worst looking vehicles and then inspect closely the documentation.

The group then discussed the form and content of the documentation:

- a checklist by the mechanist of what should be corrected/repaired
- a sticker because stickers are already used for other checking (tax, insurance...) and very easy to verify.

Whatever the form and content of documentation, it was very clear that a European solution was to be found.

Other feedbacks were given based on the outcomes from inspections:

- when controlling the testing of the car, the respective locations of the port of shipment and of the mechanic could be a signal that something is wrong,
- during inspections conducted in Ireland and Sweden, deregistered cars posed specific problems because it's not anymore possible to identify an owner.

The proposal made in the plenary to put an “age limit” for import was further discussed (prohibition to import in Third Countries cars that are older than 8 years for example). Some participants pointed out that there is no legal basis for blocking shipments of vehicles beyond this limit. Several solutions were proposed like sending a note to the secretariat of the Basel convention or (for non-OECD countries) to put this requirement in their response to the European Commission so that it could be added in the European regulations and, therefore, enforced.

Some participants pointed out that the assessment on reparability made by an EU mechanist could differ from the assessment made by a mechanist outside EU. Some other mentioned that the question to be asked is “do we really want to let this old car go and to be used with all the pollution it will create?”. If the car is repairable in EU, one proposal made was to require the car to be repaired before allowing it to be sent aboard.

National examples were given on criteria used to determine which second hand parts are wastes and which aren't. In Hungary, the transport authorities do require certificate for each second hand spare part before allowing it to be re-use. If this certificate is present the second part is not considered as a waste. In Spain, national rules are foreseen to deal with spare part (pursuant to article 6 of the ELV directive). They would state that every spare part replaced in a repair shop, couldn't be used again in a vehicle (for security reasons).

Discussions showed that the requirement for individual packaging for second hand parts (criteria 3) must be refined. Asking for individual packaging for lights or glass does make sense because they can be broken during the shipment. But for car doors, it is useless. Sometimes this requirement could even make the controls much more difficult because it's not possible to see what is hidden under black plastic packaging. A solution could be to ask the second hand parts to be individually packaged “if necessary”.

The proposal to make the guidelines of the correspondent's of the waste shipment regulation legally binding was shortly discussed. Whereas some countries already make them legally binding through their domestic legislation, other countries were reluctant to go in that direction (because this could lead to a modification of the definition of waste and the interpretation of the law is the competence of the European Court of Justice). However there was a consensus on the fact that the guidelines constitute a very useful and practical tool, which provides an umbrella cover even if they cannot deal with all cases encountered in practice.

The Belgium representative informed the group that it will start a procedure to amend the ELV-Directive 2000/53, so that a pre-export motor test will become compulsory. Amending this directive is a long term project, but the result will be a solid solution for our ELV inspection problem. Meanwhile, drafting new correspondents' guidelines to make the distinction between ELV and vehicle in the field could be a good short-term alternative.

#### **Workgroup 4 – EU-China collaboration**

Chair: Bart Palmans

Reporter: Katie Willis

##### Chinese legislation on shipment of waste

The Chinese officials present (MEP - Ministry of Environmental Protection; Solid Waste and Toxic Chemical Management Department) and give a brief overview of legislation covering the import of waste into China. Chinese environmental laws developed during the 1980s and 1990s. There is now a rigid system in place that bans the import of any waste into China that cannot be used as a raw material. Those importing waste must have a licence to do so, and recycling must take place under environmentally sound management. Shipments must also be pre-inspected before being dispatched. The maximum penalty set down in Chinese law for failing to comply with the legal requirements is five years imprisonment.

##### Enforcement

In 2007, work undertaken by AQSIQ revealed that 1693 of consignments of waste inspected prior to shipment were found to be meeting the Chinese standards. Port inspections found an additional 959 illegal shipments; these included shipments of clinical waste, waste electronics and ammunitions.

Chinese Customs is currently taking part in the 'Sky-hole Patching' campaign. International co-operation has been extended, and now includes working with officials in Japan, the EU, Republic of Korea and the USA.

##### Outcomes

1. The Dutch enforcement authorities are to begin working more closely with Chinese agencies. This may include a structured project starting with plastic and cable waste.
2. A list of companies licensed to import waste into China will be translated into English. In the meantime, Chinese official Jialing ([zhang.jialing@sepa.gov.cn](mailto:zhang.jialing@sepa.gov.cn)) may be contacted for this information.

3. IMPEL is to extend its co-operation with China. Discussions are ongoing as to how this is to be done.

4. Chinese officials will contact AQSIQ to see if a list of companies known to have violated Chinese requirements can be provided to IMPEL members.

5. Chinese catalogue on wastes permitted to be imported into China have been sent to the European Commission. It is hoped that a short English version of these standards will be available on the MEP website as well.

6. China will cooperate with IMPEL TFS and its members to crack down the illegal shipments of waste.

### **Workgroup 5 – efficient collaboration between waste enforcement authorities, police and customs**

Chair: Mario van Leeuwen

Reporter: Karl Frauenberger

At first three presentations were given in order to promote the need of collaboration and to give an overview of current collaboration practises:

- Collaboration status of European police agencies and other authorities responsible for the WSR
- Collaboration of the police in Austria with the relevant authorities and neighbour countries
- French enforcement project ESCEPS

The presentations outlined that within the European police authorities the awareness related to WSR is growing. Even though the attention and development of the police agencies vary, close collaboration need within the related authorities was identified.

Possible collaboration in one country, namely Austria, was shown; collaboration within the environmental ministry, environmental inspection, custom and police through law and regulations and necessary collaboration in case of transboundary relevance. Depending on the case the initial contact is made by the environmental ministry or/and police informing the other enforcement partners in the chain. Due to different development status of the relevant authorities (environmental-custom-police) in each (new) EU member state the information and collaboration chain may vary.

The following discussion identified the public prosecutor as additional enforcement partner besides the environmental ministry, environmental inspection, custom and police. In order to enable possible prosecutor's efficient support in dealing with serious environmental crime a international framework, potentially TFS, would be practical.

In countries where collaboration is not possible through law only, the possibility of so called MOU (memorandum of understanding) was mentioned as very efficient. Exchange example of model of MoU from the Netherlands between Environmental authority, police and custom will be done via the TFS secretariat.

Since the environmental administration authorities are in first line responsible for the waste legislation it is up to them to identify the expectations from the police. Within their legal framework the police authorities may support on national level and initiate information exchange on international level. Environmental (waste) crime is EUROPOL as well as INTERPOL mandate. These channels are well suited and experienced.

The group agreed that collaboration has to be started on national level at first. The authority which is developed best has to initiate and force collaboration. Support may be given from international level.

Finally the group agreed that due to the above mentioned various situations within the member states that there should be put a request to the TFS steering group via Magda Gosk that all enforcement authorities should remain in the TFS group in order to practise direct information exchange and collaboration.

The French Gendarmerie, leader of the ESCEPS project, has invited IMPEL TFS to participate in a seminar on waste trafficking coming October in Paris. Though it is a seminar gathering EU police forces, IMPEL will also be invited and asked to present the network as well as customs and international organisations to show the importance of a well organised network and the need of a good cooperation.

### **Workgroup 6 – High Level Management Meeting**

Chair: Nancy Isarin  
Reporter: Vivienne Ahern

The meeting commenced with a presentation by Nancy Isarin on the background to the proposal to organise a High Level Management Meeting. Five questions were put to the attendees at the end of the slideshow to start a brainstorming session:

1. Do you support a High Level Management Meeting?
2. Who should be invited and how could people be encouraged to attend?
3. How could publicity be generated for the meeting?
4. Proposed Programme Topics
5. Aims and Outcomes

As Questions 1-3 are linked and feed into each other, the group discussed these first. There was support for such a meeting within the group but it would be important that the correct people be invited. A high level meeting was held three years ago and was attended by approximately 20 people; therefore how to attract attendees is a big issue.

For Germany a manager from the region Hessen attended the high level meeting. Therefore some different persons from other German regions should be invited. Within the UK it would be best to get the person who controls the allocation of funding to attend such a meeting but they would still need to get the approval from the Government to release any money. The Environment Agency are aware of the problems but any funding requests still have to be justified to a third body. Enforcement activities have received extra funding already therefore it would be difficult to identify the appropriate person to invite.

Austria and the Czech Republic are in a similar situation to the UK in that Government personnel are the ones who approve funding requests not the competent authority. In Slovenia, higher ministers focus on drafting legislation and not the implementation aspect. An invitation from the EU Commission to a meeting may interest them if it were accompanied by a short explanation of the issues to be discussed. It would also provide an opportunity to make them aware of any problems currently being experienced in relation to TFS.

The following was agreed:

- Once the appropriate people have been identified a letter of invitation should be sent by IMPEL and co-signed by the EU Commission to add weight and stimulate interest
- Topics for discussion should be different to those already covered by the informal meetings hosted by the Commission
- An explanation of the financial cost of illegal shipments may be helpful in attracting senior officials
- Outcomes from previous high level meetings (such as that held on the 22<sup>nd</sup> April 2008) may link to discussion topics for the proposed meeting

#### Question 4: Proposed Programme Topics

The group felt that the agenda will depend on who the attendees are and their level of knowledge on the issues. Items for discussion may include:

- Discussion of minimum enforcement criteria
- Support for IMPEL TFS network and promotion of projects
- Emphasise the importance of enforcement actions (added value of IMPEL)
- Introduction to IMPEL, TFS structure and tasks
- Identification of priority waste streams and consequences of illegal shipments
- Actions to date, future actions and resources required to support this
- Presentations from Africa/Asia to help make the connection between EU waste and illegal shipments
- Need objective facts and statistics (not just data from NGO's) to add weight to arguments and foster support for projects and initiatives

#### Question 5: Aims and Objectives

Again these will depend on the level of understanding of participants and new member states may not have as good a level of awareness of some of the issues. The group agreed that if the following items were achieved this would be a positive outcome:

- Understanding of participants of the current practical situation with enforcement issues
- Renewed commitment for funding and resources
- Minimum Waste Shipment Regulations enforcement criteria
- Stronger international links
- Input for Second Multi Annual Programme for IMPEL

## Annex I. CONFERENCE PROGRAMME

<b>DAY 1</b>	IMPEL TFS-conference, 23-25 April 2008, Sofia (Bulgaria)
<b>Wednesday 23 April</b>	<b>MORNING SESSION UNTIL 13.00 HRS FOR THE IMPEL-TFS NATIONAL CONTACT POINTS ONLY!!!</b>
09.00 hrs	Opening <i>By Mr John Burns</i>
09.05 hrs	Introduction <ul style="list-style-type: none"> <li>- <i>Feedback first Inspectors Exchange Day 22 January, by Ms. Jenny van Houten</i></li> <li>- <i>Workshop A) Current Enforcement Level, by Mr Rainer Werneburg</i></li> <li>- <i>Workshop B) Problems encountered, by Mr John Burns</i></li> <li>- <i>Workshop C) Better Collaboration between the NCP's, by Ms Martina Duignan</i></li> </ul>
09.30 hrs	Workshops A, B and C.
10.30 hrs	Coffee / Tea break
11.00 hrs	Feedback from the subgroups
11.15 hrs	Information sharing: the development of a database <i>Presentation by Nancy Isarin followed by an open discussion</i>
12.15 hrs	Lunch
13.00 hrs	Registration Conference participants
13.30 hrs	Welcomes's word by host <i>Bulgarian Minister of Environment and Water</i>
13.45 hrs	Adoption agenda & Update IMPEL-TFS Steering Committee <i>by Ms. Magda Gosk (chair IMPEL-TFS Steering Committee)</i>
14.00 hrs	Intercultural management <i>By Ms. Ester Janssen</i>

15.00 hrs	Update running projects & activities <ul style="list-style-type: none"> <li>- <i>Inspectors Exchange Days, by Ms. Jenny van Houten</i></li> <li>- <i>Manual 'Managing illegal waste shipments, by Mr. Rainer Werneburg</i></li> <li>- <i>European Enforcement Actions, by Ms. Jolanda Roelofs</i></li> <li>- <i>End of life vehicle projects, by Ms Martina Duignan</i></li> </ul>
15.45 hrs	Groupsfoto
16.00 hrs	Coffee / Tea break
16.30 hrs	Update other involved organisations <ul style="list-style-type: none"> <li>- <i>Secretariat Basel Convention, by Ms Katharina Kummer Peiry, Executive Secretary UNEP-Secretariat of the Basel Convention</i></li> <li>- <i>Interpol, by Mr Frans Geysels</i></li> <li>- <i>IMPEL developments, by Mr Gerard Wolters (chair provisional board IMPEL)</i></li> <li>- <i>Asian Network, Mr Junya Kikuhara</i></li> </ul>
17.30 hrs	Experiences waste shipment inspection at Bulgarian / Greek border, <i>by Mr Martin Ganyushkin (Bulgarian Ministry of Environment and Water)</i>
18.00 hrs	Closing day 1
20.00 hrs	Diner at Restaurant "Chevermeto" in Hotel HEMUS <i>31, Cherni vrah str, 1421 Sofia (near to he Hotel KEMPINSKI)</i>

<b>DAY 2</b>	<b>IMPEL TFS-conference, 23-25 April 2008, Sofia (Bulgaria)</b>
<b>Thursday 24 April</b>	
09.00 hrs	Opening remarks by day chair <i>Mr Pat Fenton (member of the IMPEL-TFS Steering Committee)</i>
09.05 hrs	African Collaboration <i>Professor Osibanjo, Director of the Basel Convention Regional Centre Nigeria</i>
10.00	Pop Up Session

10.30 hrs	<p>Introduction workshops</p> <p>1. E-waste project - <i>Presentation e-waste project, by Mr John Burns</i></p> <p>2. European Enforcement Action Project II - <i>Presentation project, by Ms Jolanda Roelofs</i></p> <p>3. End of life vehicles - <i>Presentation project, by Ms Martina Duignan</i></p>
10.45 hrs	Coffee / Tea break
11.15 hrs	Workshops 1, 2 and 3
12.15 hrs	Plenary feedback
12.30 hrs	Lunch
14.00 hrs	<p>Asian Collaboration</p> <ul style="list-style-type: none"> <li>- "MEA Enforcement Cooperation and Networking in the Asia Pacific Region", by <b>Ms Pia Jonsson, UNEP/ROAP (Bangkok)</b></li> <li>- E-waste management and illegal traffic for the SEA, by <b>Ms Piyanee Thangtongtawi, Ph.D. (Bangkok)</b></li> <li>- Sky-Hole-Patching Project, by <b>Mr Yan Chen and Ms Yunan Guo, RILO A/P (Beijing)</b></li> </ul>
14.45 hrs	Pop Up Session
15.15 hrs	<p>Introduction workshops</p> <p>4. EU – China Collaboration - <i>Introduction by Mr Bart Palmans</i></p> <p>5. Efficient Enforcement Collaboration - <i>Introduction by Ms Magda Gosk and Mr Mario van Leeuwen</i></p> <p>6. Organisation of a highlevel management meeting - <i>Introduction by Nancy Isarin</i></p>
15.30hrs	Coffee/ Tea break



16.00 hrs	Workshops 4, 5 and 6
17.00 hrs	Plenary feedback
17.30 hrs	Closing Day 2 & Preview day 3
18.00 – 19.00	Optional Sofia bus tour Free evening

<b>DAY 3</b>	<b>IMPEL TFS-conference, 23-25 April 2008, Sofia (Bulgaria)</b>
<b>Friday 25 April</b> 09.00 hrs	Opening remarks by day chair <i>Mr John Burns (member of the IMPEL-TFS Steering Committee)</i>
09.05 hrs	View by Industry <i>By Mrs Suzanne Arup Veltzé, International Solid Waste Association</i> <i>By Mrs Temenuzhka Kostova, Bulgarian Association for Recycling</i> <i>By Mr Borad Surendra, Gemini Corporation NV</i>
10.30 hrs	Coffee break
11.00 hrs	Open discussion / Q&A session in a panel <i>Facilitated by Pat Fenton (member of the IMPEL-TFS Steering Committee)</i>
12.00 hrs	Conclusions and Evaluation of the conference <i>Ms Magda Gosk and Mr John Burns</i>
12.15 hrs	Closing of the Conference
12.30 hrs	Lunch
14.00	Departure

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