



European Union Network for
the Implementation and Enforcement
of Environmental Law

**IMPEL CLUSTER
TRANSFRONTIER SHIPMENTS OF WASTE "TFS"**

IMPEL-TFS CONFERENCE 2013 REPORT

*Utrecht, the Netherlands
18-20 June 2013*

Introduction to IMPEL

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

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

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

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

Information on the IMPEL Network is also available through its website at:

www.impel.eu

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Project Manager/Authors Nancy Isarin (IMPEL-TFS Secretariat)	Report adopted at IMPEL General Assembly Meeting: December 2013, Vilnius
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Executive Summary <p>Between 18 and 20 June 2013 the annual IMPEL-TFS conference was held in Utrecht, the Netherlands. In total 82 people attended the meeting, representing 26 IMPEL Member Countries and European and global organisations including Interpol, the Secretariat of the Basel Convention, Europol, the European Commission (DG ENV and DG TAXUD) and the Asian Network on the Prevention of Illegal Transboundary Movements of Hazardous Waste.</p> <p>The conference was held at the LEF centre. LEF is the future centre of the Netherlands' Directorate-General of Public Works and Water Management and provides an environment and facilitators that can help create breakthroughs within and amongst organisations. The breakthrough IMPEL TFS wished to create at the conference was about the future of the network. Topics in the programme therefore focused around strengthening the network and improving the quality of joint work.</p> <p>The key questions during this conference were:</p> <ol style="list-style-type: none"> 1. How can we enforce the WSR in a smarter and more innovative way? 2. How to get a better grip on the waste chain? How to improve the cooperation and information exchange within countries between different inspection authorities and prosecutors, between EU member states and receiving countries outside Europe? 3. How to improve communication within the TFS-cluster? 4. What should be the scope and the activities of the TFS cluster in the future? How does this fit with the wider IMPEL Multi Annual Strategic Programme? <p>It was recommended that IMPEL TFS would:</p> <ol style="list-style-type: none"> i. Consider developing a project which would develop a tool to assess the impact of new legislation on transfrontier shipments of waste; ii. Consider conducting a study on the possible side-effects of illegal shipments of waste on society; iii. Optimize the use of its network of National Contact Points and develop a procedure to intensify and improve the use of its online communication tool; iv. Share best practices on how collaboration between law enforcement agencies, such as Customs, Police and prosecutors can be improved and formalized. 	
Disclaimer This report on the IMPEL TFS Conference 2012 is the result of a project within the IMPEL Network. The content does not necessarily represent the view of the national administrations or the Commission.	

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1. INTRODUCTION

Between 18 and 20 June the IMPEL-TFS conference was held in Utrecht, the Netherlands. The conference, which since 1992 is organized annually by the IMPEL network, relates to the control of Transfrontier Shipments of Waste (TFS) as regulated in the EU Regulation 1013/2006 (hereafter referred to as the WSR).

In total 82 people attended the meeting. They represented 26 IMPEL Member Countries and European and global organisations including Interpol, the Secretariat of the Basel Convention, Europol, the European Commission (DG ENV and DG TAXUD) and the Asian Network on the Prevention of Illegal Transboundary Movements of Hazardous Waste.

The conference was held at the LEF centre. LEF is the future centre of the Netherlands' Directorate-General of Public Works and Water Management, which is part of the Ministry of Infrastructure and Environment in the Netherlands. LEF provides an environment and facilitators that can help create breakthroughs within and amongst organisations. The breakthrough IMPEL TFS wished to create at the conference was about the future of the network. Topics in the programme therefore focused around strengthening the network and improving the quality of joint work. As consequence the conference was different in setup from previous conferences.

The IMPEL-TFS Steering committee selected the following issues to focus the discussions on:

1. How can we enforce the WSR in a smarter and more innovative way? The trade in waste worldwide comes with great economic benefits for traders. The last years a lot has been done to improve the enforcement of the WSR, but nevertheless there is still a lot of illegal waste export. Are there other ways to improve the enforcement of the WSR? This question also applies to the topic of ship dismantling;
2. How to get a better grip on the waste chain? How to improve the cooperation and information exchange within countries between different inspection authorities and prosecutors, between EU member states and receiving countries outside Europe, in order to get a better understanding of the functioning of the waste chain?;
3. How to improve communication within the TFS-cluster. We have a good network with National Contact Points, but still we believe there is a lot we can do to improve the communication, both within the network but also in relation to stakeholders outside the network. There are still some barriers to overcome before we get there. How can we overcome those barriers and at the same time become more effective as a network?;
4. What should be the scope and the activities of the TFS cluster in the future? How does this fit with the wider IMPEL Multi Annual Strategic Programme? The Commission wishes to broaden the scope of IMPEL-TFS to other waste issues. Some of our activities are running for years and there will be less funding available to carry out activities. What should be the new waste and waste shipment topics of the cluster, what does this mean for the organisation, activities and structure without losing the strength of this network?

2. CONFERENCE PROGRAMME

Day 1 Programme

Opening statements of the conference were given by Mr Robert van der Bogert (Head of the Intelligence and Investigation Service of the Human Environment and Transport Inspectorate), Mr Rob de Rijck (Director, Public Prosecutor Service) and Mr John Seager (Chairperson of the IMPEL board).



Photo: Fish-bowl interview

Robert explained the importance for the Netherlands of international cooperation. “Almost 50 % of all the waste exported outside Europe is via Rotterdam. International cooperation is very important for our daily work, not only with our colleagues in Europe, but also with our colleagues in the main countries of destination”. Rob highlighted the importance of cooperation within a country with different enforcement authorities (customs, police and public prosecutors). And John explained the wish of the European Commission to broaden the scope of IMPEL towards nature and bird issues.

Mr Pepijn Nicolas (facilitator at the LEF centre) then went through the programme of the conference, and explained the roles and responsibilities.

Next the Steering Committee was interviewed in a so-called fish-bowl session about the goals and expected outcomes of this working conference. Questions raised during this session were about the possible expansion of the scope of work or re-focus of the TFS network and of the future of the IMPEL network overall.

What followed then was a carousel of presentations where the audience was updated on the following topics:

1. The main outcomes of the 11th Meeting of the Conference of the Parties (COP-11) to the Basel Convention 2013 as they relate to preventing and combating illegal traffic in hazardous and other wastes, by Ms Juliette Voinov-Kohler of the Secretariat of the Basel, Rotterdam and Stockholm Conventions; In her presentation she reported on the establishment of the Environmental Network for Optimizing Regulatory Compliance on Illegal Traffic (ENFORCE), the work of the Compliance Committee on developing guidance on the take-back of illegal shipments, the decision on illegal traffic adopted by COP-11 and the development of guidance with a view to clarifying terminology (eg. waste / non-waste; e-waste / used EEE);
2. The activities of the Commission regarding the Waste Shipment Regulation and vision of the Commission on future IMPEL-TFS activities by George Kiayias (DG ENV) and Ms Isabelle de Stobbeleir (DG TAXUD);
3. The use of Earth Observation based monitoring of waste to detect illegal waste sites and transshipment of waste to third world countries, by Martin Critchley from ERA-Maptec Ltd, one of the organisation selected by the European Space Agency to develop services for the monitoring of waste activities using spaceborne satellite imagery;

4. Associates in enforcement. “It is as the song goes: Together we’re strong” by Rob de Rijck from the Public Prosecution Service, The Netherlands. In this presentation was explained how different authorities (customs, police, prosecutor, regional authority and ILT) work together to investigate and work towards a successful prosecution of suspected companies by using the different strengths, roles and competences of these authorities;
5. The outcome of a study among 8 European countries regarding the enforcement of the Waste Shipment Regulation by Louise van Loon en Jan-Willem van der Wardt from the Supreme Court of Audit;
6. An update of the projects Enforcement Actions III, Waste Sites II and Asian Collaboration by the respective project leader Katie Olley, Thomas Ormond and Carl Huijbregts.

The day ended with a session where all participants were asked to write on white boards their thoughts about how IMPEL TFS is doing now and what is important for the future of the TFS.

Day 2 Programme

After opening the second day of the conference and explaining the programme, the participants split up in four groups to discuss, investigate and evaluate the following items:

- i. A possible broadening of the scope of the TFS network;
- ii. Smarter enforcement of the WSR. This session also included a presentation by Simonne Rufener, Federal office for the Environment Switzerland: “Control system for the export of double and triple used tires: a more effective enforcement by working together with the private sector”;
- iii. How to gain better grip on the wastechain. Mr Pär Kollberg and Martin Johansson of the Swedish Environmental Protection Agency and Customs of Sweden presented their experiences about better cooperation between authorities;
- iv. How to improve the communication within TFS.



Photo: Presentation by Simonne Rufener during the session ‘Smarter enforcement of the WSR.’

The desired outcome was a joint understanding of TFS and participants’ positions within TFS and a list of bottlenecks and/or opportunities for strengthening the TFS network.

The second part of the day focused on building plans to improve the working of TFS. Therefore plan groups of participants’ choice were created which discussed items that came up during the morning session. It was their aim to build new, attractive plans and actions for a possible follow up.

In total seven ideas were presented:

1. Information sharing. Firstly secure information which would cover intelligence for investigations and operational data, but requires a legal framework. Secondly non-secure data, such as databases with successful prosecutions and environmental legislation, and information about general waste trends. It was proposed to ensure each stakeholder country can support information exchange, to consider mirroring INTERPOL'S I 24/7 format and to target the information exchange.
2. Optimize the link between the National Contact Points of the TFS network and intensify the use of Basecamp to exchange information and to come up with solutions or joint approaches for ad hoc situations. This includes finding ways to gather posted questions and answers given and make a short overview, to (further or re)define the roles and responsibilities of the NCPs and the use ongoing TFS projects for short/concrete actions. Examples given were waste exports to Russia, waste oil and brokers.
3. Co-operation between competent authorities and industry on technical matters. This idea included study tours, seminars, sharing guidelines, simplifying the WSR, developing a waste interpretation database and formulating minimum standards for waste brokers.
4. Developing a tool for performing an impact assessment on how new legislation will affect transboundary shipments of waste.
5. Developing a risk-based incentive scheme for reliable companies to facilitate the waste trade. The incentives would involve less inspection by law enforcement agencies, brand recognition as a reliable trader and the use of green label(s). In order to develop such an agreement the system of "Authorised Economic Operator (AEO)" should be linked with EMAS certification and the EU regulations would have to be amended.
6. Conduct a study on the side-effects of illegal waste shipments on society. Examples of possible side-effects are loss of jobs, loss of tax income, financial consequences and unequal competition for businesses.
7. The national authority leading for the WSR should put more effort on engaging other law enforcement authorities and stakeholders to co-operate.

At the end of the meeting participants were invited to sign their name to the ideas that appealed most to them.

A brief presentation from the outcome of the discussions of the morning session was also done on the possible broadening of the scope of the TFS network. In general it was noted that wide divergence of ideas exists in the group about the possible future structure of the cluster. While some believe that it would be fruitful for the cluster to expand beyond TFS and start dealing with the wider issues of Waste Management other cluster members prefer that the cluster keeps on focussing specifically on just TFS. This may be a reflection of the current membership of the cluster which is mainly consisting of TFS experts and practitioners. There was no consensus on the idea that the TFS cluster should be proactive in widening its scope to broader Waste Management issues in order to avoid being taken over by events.

Day 3 Programme

The last day of the conference included a dedicated session for the National Contact Points (NCPs) of the TFS network and a session for non-NCPs.

The NCPs discussed the seven ideas that were presented on the second day. First the number of signatures were counted and then a rating system was agreed to rate the proposals. This rating system ranged between

0. Doing nothing
1. Just do it
2. Recommendation to the Board
3. Developing a Terms of Reference for a new project

	Proposal	Signatures	Rating	Follow up	By
1	Information sharing	13	0	-	-
2	Optimize NCP network + Basecamp	17	1	Updating and sharing the roles and tasks of NCPs and developing a procedures on how to use Basecamp	Nancy (lead), Jon, Allison, Katie and Simonne
3	Co-operation Industry – Competent Authorities	14	0	-	-
4	Tool impact assessment	28	8/3, 9/2	Gathering thoughts and input for a possible project on this	Katie, Allison, Jon, Kevin, Gill and Nancy
5	Risk-based incentive scheme	6	Not rated	-	-
6	Study on side-effects illegal waste shipments	30	10/1, 3/2, 2/3	Develop a ToR for a possible project	Harald (lead), Simonne, Walter and Enes.
7	Engaging other authorities to co-operate	12	Not rated	-	-

During the session of the non-NCPs, the following topics were discussed:

- Cooperation between Industry and Competent Authorities;
- Engaging other authorities to co-operate;
- Finding hidden traders.

Cooperation between Industry and Competent Authorities

This discussion focused on agreements with reliable companies could be developed in order to facilitate the trade of waste. The incentives for industry are less inspections, having a kind of green label and recognition of being a reliable trader. Criteria before getting a kind of green label could be EMAS and AEO certificates.

Engaging other authorities to cooperate

In some countries there is a lack of cooperation among relevant law enforcement agencies. In these countries it is important to first convince that cooperation is useful and needed in order to enforce the WSR effectively and efficiently. In other countries there is only informal cooperation, which can be vulnerable, because the cooperation is based on personal contacts and enthusiasm of some inspectors. It is important to try to make the cooperation formal by agreements or Memorandums of Understanding. Some countries have such kind of agreements. Within IMPEL-TFS best practices should be exchanged on this issue by collecting and sharing existing manuals and Memorandums of Understanding.

Discussion group “Finding hidden traders”

A small group discussed the problems and possibilities of identifying illegal waste traders, e.g. those who arrange illegal exports of e-waste to Africa, and stopping their activities. The discussion turned in particular around the successful policing measures in the UK and the Netherlands, and whether these experiences can be copied in other countries. Doubts were based on geographical and legal differences. However, it was seen as important to explore in more depth the actual limitations and options under national law. The UK participant highlighted the added value of readily accessible databases on traders and their connections, and of employing ex-police officers in intelligence-led operations of the environmental inspection authorities. Apart from that, it became once again clear that adequate resources depend on political priorities, and that in order to combat illegal waste shipments effectively it would be very useful to have an updated threat assessment about the negative effects of illegal trade on environment and society.

COLOPHON

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Date: September 2013

Annexes

Annex I. CONFERENCE PROGRAMME

Tuesday 18th of June

12.30	Lunch, Arrival and registration of participants, pre-talks
13.30	Welcome and opening Welcome in LEF (by Pepijn Nicolas, LEF) Opening statements <ul style="list-style-type: none">- Roeland Nieuweboer (Director Hazardous Substances and Products of ILT)- Rob de Rijck (Director, Public Prosecutor Service)- John Seager Chair of IMPEL Programme, roles, etc.
13.55	Purpose of the meeting A 'fishbowl interview' with the preparatory committee about the goals of this working-conference
14.25	Update Carrousel 6 subgroups, 6 short presentations, 6 rounds of presentations. See annex for list of topics and speakers 14.30-15.45 round 1 14.45-15.00 round 2 15.00-15.15 round 3 15.15-15.35 break 15.35-15.50 round 4 15.50-16.05 round 5 16.05-16.20 round 6
16.20	Gathering questions and insights <ul style="list-style-type: none">- How are we doing?- What is important now, and for the future of IMPEL?
17.10	Evaluation day 1 and closure
17.40	End of day 1
19.00	Dinerbuffet at NH hotel

Wednesday 19th of June

9.00	<p>Welcome with coffee and tea</p> <p>Registration of new participants</p>
9.30	<p>Good start of day 2</p> <ul style="list-style-type: none"> - Welcome newcomers - today's goals and programme
9.45	<p>An investigative morning</p> <p>A four step investigation/evaluation around four items:</p> <ol style="list-style-type: none"> 1. Broaden the scope of TFS 2. Smarter enforcement of the WSR (including a short presentation by Simonne Rufener, Federal office for the Environment Switzerland: "Control system for the export of double and triple used tires: a more effective enforcement by working together with the private sector") 3. Better grip on the wastechain (including a short presentation of Pär Kollberg and Martin Johansson of the Sweden Environmental Protection Agency and Customs of Sweden about better cooperation between authorities) 4. improve communication within TFS <p><i>Desired outcome is a joint understanding of TFS and participants' positions within TFS. And a list of bottlenecks and/or opportunities for strengthening TFS.</i></p>
12.00	<p>Decisionmaking Lunch</p> <p>Consensus-building and decision making on opportunities, issues and bottlenecks that need to be focused on in order to improve (the working of) TFS.</p>
13.15	<p>Planning a better future</p> <p>An afternoon of building plans to improve the working of TFS.</p> <ul style="list-style-type: none"> - Creation of plangroups of participants' choice - Building new, attractive plans <p><i>Short breaks at choice</i></p>
15.45	<p>Presentation and first evaluation of plans</p>
16.30	<p>Evaluation day 2 and end (17.00)</p>
19.00	<p>Diner at Sonneburg Museum (seeing the stars)</p>

Thursday 20th of June

8.30	Welcome with coffee and tea
9.00	1. Meeting of NCP's <ul style="list-style-type: none">- Decisionmaking on proposed plans: which plans to adopt and submit to the IMPEL Board /General Assembly? 2. Meeting non-ncp's: <ul style="list-style-type: none">- Possibilities for adopting proposed plans 3. Meeting venue open For all other participants for any other business
10.30	Short break
10.45	Presentation of selected plans
11.45	Evaluation, closure
12.15	Lunch and afterwords.

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TERMS OF REFERENCE FOR IMPEL PROJECT

1. Project details

Name of project
<i>Waste Shipments and Management Conference 2013</i>

2. Scope

2.1. Background	<p>The projects and activities of the TFS cluster are based on the European Waste Shipment Regulation (EC) N° 1013/2006 (WSR). Being a Regulation and including a cross-border aspect, it is of high importance to have an active and practical European network of inspectors and regulators that meet on a regular basis to exchange practical experiences. Not only environmental inspectors, but also Customs and Police officers and the Judiciary. Ongoing IMPEL-TFS projects continue to show the need for establishing and above all maintaining good and practical collaboration between Member States, third countries and relevant international organisations.</p> <p>Furthermore investigations have been carried out by a number of national courts of audit to check how governments enforce the WSR. The final report will be presented by the European Court of Auditors early 2013, which will present the outcomes of peer reviews carried out. Preliminary results of the investigations also show big gaps in the enforcement of the WSR within the Member States and huge differences between the Member States.</p>
2.2. Directive / Regulation / Decision	Waste Shipment Regulation EC N° 1013/06 and Regulations EC N° 1418/2007 and 740/2008 concerning the export of certain waste streams for recovery to non-OECD countries, the Recast WEEE Directive 2012/19/EU and the Regulation on the End of Waste 333/2011.
2.3. Article and description	EC Regulation N° 1013/06, article 50(5): “Member States shall cooperate, bilaterally or multilaterally, with one another in order to facilitate the prevention and detection of illegal shipments.”
2.4 Link to the 6th EAP	Articles 3(2) and 9(2,d)
2.5. Link to MAWP	The Waste Shipment Regulation and related pieces of legislation related to waste management, such as the WEEE and the ELV Directive and the End-of-Waste Regulation, are one of the key priorities of IMPEL. A conference like this and the agreements resulting from the conference contribute to capacity building, cross-border cooperation, joint enforcement activities, improving inspection methods, training of inspectors, exchange of information and awareness-raising. Also will it support a more equal and uniform implementation of the Waste Shipment Regulation in the Member States. One of the priorities of the European Community.

	<ul style="list-style-type: none"> • I/1/4/5/7/8 • II/7 • III/1/5/9 • VI/7/10
2.6. Objective (s)	<p>The conference has the following objectives:</p> <ol style="list-style-type: none"> 1. Maintain, strengthen and expand the TFS network 2. Discuss running and new projects and joint activities 3. Exchange practical information (e.g. by case studies) 4. Get updated by other relevant activities from related organisations (e.g. DG ENV, Basel Secretariat, WCO, INTERPOL) 5. Discuss experiences with the provisions of the Waste Shipment Regulation 1013/06 and Regulation 740/2008 and 1418/2007 and give feedback to the competent authorities and COM. <p>Continue cooperation agreements with third countries, regions and international networks</p>

3. Structure of the project

3.1. Activities	<p>The objectives will be achieved amongst by organising a conference¹, but different as the previous years. The 2013 conference will be held at the LEF Center in the Netherlands. The purpose of LEF is to force groundbreaking discoveries, trigger innovations and generate solutions to problems through workshops led by facilitators, in the interests of society. The building is made up of a number of unique spaces and facilities offering advanced features, where it is possible to use wall and other projections, colour, images, sound, layout and catering to create detailed atmospheres that support the processes in which people are involved. The conference will therefore be centred around a number of identified problems/discussions, such as:</p> <ul style="list-style-type: none"> • The scope of the TFS cluster is going to broaden to a waste shipment and management cluster. How can we broaden the scope of the cluster, what should be the new waste topics of the cluster, what does this mean for the organisation and structure without losing the strength of this network?; • How can we enforce the WSR in a smarter and innovative way? The trade in waste world wide comes with great economic benefits for traders. The last years a lot have been done to improve the enforcement of the WSR, but nevertheless there is still a lot of illegal waste export. Are there other, smarter innovative ways to improve the enforcement of the WSR? This also applies to the topic of ship dismantling; • How to get better grip on the waste chain? How to improve the cooperation and information exchange within countries between different inspection authorities (customs, police etc), between member states and receiving countries outside Europe to get a grip and a better understanding of the functioning of the waste chain?; • How to improve communication within the TFS cluster. We have a good network with NCPs, we use basecamp to discuss, to exchange information, but
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¹ For actual joint inspections and enforcement activities, separate TFS projects are set up.

	<p>still there are some barriers to have a more effective communication. How can we overcome these barriers?</p> <p>The general conference will be attended by approximately 90 participants, being inspectors and regulators from Competent Authorities, but also from other organisations such as police and customs and representatives from waste receiving countries such as China.</p>
3.2. Product(s)	A conference report, including conclusions and follow-up actions and a press release.
3.3. Planning (Milestones)	<ol style="list-style-type: none"> 1. Adoption ToR: December 2012 2. Preparation: January - May 2012 (programme, inviting speakers, accommodation and venue) 3. Invitation: March 2012 4. Conference: 18-20 June 2013 5. Report: August 2013

4. Organisation

4.1. Lead	Ms. Marina de Gier from the Inspectorate for Human Health and the Environment (Netherlands).
4.2. Project team	<p>The ones responsible for the organisation are:</p> <ul style="list-style-type: none"> • Ms. Marina de Gier from the Inspectorate for Human Health and the Environment (Netherlands); • Mr. Rob de Rijck, from the Public Prosecutors Office (Netherlands) • Ms. Nancy Isarin from the IMPEL-TFS Secretariat • Members of the IMPEL-TFS Steering Group
4.3. Participants	Approximately 90 participants from all the Member States, third countries and international organisations.

5. Quality review

The (draft) programme reports will be reviewed by the project participants and the IMPEL TFS Steering Committee. The final report will be submitted to the IMPEL GA for approval.

6. Communications

6.1. Dissemination of results	Press release, report on the IMPEL website, news item on the IMPEL website.
6.2. Main target groups	Members of the IMPEL TFS cluster, the IMPEL General Assembly, Waste Shipments Correspondents Meeting, the European Commission responsible desk officer.
6.3. Planned follow up	-

7. Project costs/Resources required

	Estimated costs	Budget requested from IMPEL (€)	Total payments committed by lead authority (€)	Payments by lead authority directly to the project (€)	Payments by lead authority via the IMPEL budget (€)
<ul style="list-style-type: none"> • Project meetings in total 					
<i>Meeting 1:</i> conference					
No of Participants: 90, but 30 on IMPEL budget.					
Travel:	10.800	10.800			
Accommodation:	8.100	8.100			
Catering:			20.000	20.000	
Meeting venue:					
<ul style="list-style-type: none"> • Consultant: 			7.000	7.000	
<ul style="list-style-type: none"> • Translation: 					
<ul style="list-style-type: none"> • Dissemination: 					
<ul style="list-style-type: none"> • Other (specify): 					
TOTAL	18.900	18.900	27.000	27.000	
Human Resources					

Annex IV. Feedback Update Carrousel

Outcomes of the COP-11

Juliette Voinov Kohler of the Basel, Rotterdam and Stockholm Conventions Secretariat provided a short overview of the outcomes of Eleventh meeting of the Conference of the Parties to the Basel Convention (BC COP-11), held 28 April-10 May 2013, in relation to enforcement matters:

1. ENFORCE (the Environmental Network for Optimizing Regulatory Compliance on Illegal Traffic)

This network aims to bring together existing resources and enhance and improve cooperation and coordination between relevant entities with a specific mandate to deliver capacity-building activities and tools on preventing and combating illegal traffic of wastes that fall under the scope of the Basel Convention. The first meeting of ENFORCE is expected to take place in the fall of 2013 in Asia. IMPEL will also be invited for this meeting.

2. ICC work programme for 2014-2015

Part of the work programme is to develop guidance on the take back provision, for consideration and possible adoption by COP-12. Comments from Parties and others welcome by 31 July 2013

Link:<http://www.basel.int/Implementation/LegalMatters/Compliance/Activities/IllegalTrafficTakeBackProvision/tabid/3195/Default.aspx>

3. Decision on illegal traffic

In relation to national legislation, Parties should develop stringent legislation including sanctions and penalties for illegal traffic. The BRS Secretariat will collect texts and provide advice on the development of legislation.

On the matter of enforcement it was decided that Parties should improve cooperation and coordination at the national level among entities, train enforcement personnel, provide incentives and remove disincentives for enforcement entities, participate in activities of enforcement networks and organizations Raise the awareness of all relevant stakeholders (private sector) and share information, through the Secretariat, on activities undertaken, best practices and cases of illegal traffic. The BRS secretariat should assist in the identification of cases of illegal traffic, collect forms for confirmed cases of illegal traffic, cooperate with enforcement networks and organizations and develop tools and organize enforcement training activities.

4. Guidance

As part of the Country Led Initiative, a draft technical guideline has been developed on transboundary movements of electronic and electrical waste (e-waste). The guideline has not been adopted at the COP-11 as further legal clarity was required. The revised guideline will be scheduled for adoption at the Cop-12.

Update on Waste Sites II project

Thomas Ormond gave a brief update on the Waste Sites II project. The follow-up to the "Waste Sites" project of 2011-2 held its kick-off meeting in Frankfurt in early April 2013. The main idea is to promote the practical use of the Waste Sites Manual developed last year, especially by translating it in other languages (a Slovenian translation will be available shortly) and by taking it as a basis for joint inspections of loading points, storage and dismantling facilities involved in illegal waste exports. Further, an expert workshop is planned for spring 2014 in Frankfurt which should focus on waste sites and getting a better grip on the waste chain. Currently, the task is to form international "twinning teams" to organize joint site inspections between countries affected by a problematic waste stream. This sometimes represents a challenge as the waste site inspectors needed for this purpose are still mostly outside the IMPEL network of waste shipment experts.

Work of the European Commission related to the WSR

A presentation by George Kiayias and Isabelle de Stobbeleir. At the 11th meeting of the Conference of the Parties to the Basel Convention two new waste entries were adopted, which require an adaptation to annex IIIB and V to the WSR.

The waste shipments correspondents will meet on the 27th of June. Main items on the agenda are several correspondents guidelines, the Commission's initiative to launch a study to explore the feasibility of establishing an Electronic Data Interchange system and a proposal for minimum criteria for waste shipments inspections.

DG TAXUD has established an Expert Group on Customs Action to protect Health, Cultural Heritage, the Environment and Nature. The Expert Group overall objective is to support customs in effectively carrying out control tasks assigned by non-customs regulations in the mentioned areas. The issue of transboundary waste shipment has been identified as one of these specific activity fields and an ad hoc sub-group on waste shipment has been created for this purpose. The sub-group on waste shipment will be developing specific guidelines for the smooth implementation by customs of the corresponding EU Regulation, the so-called Waste Shipment Regulation (WSR). As to the participants to join the sub-group on waste shipment, national customs officers with an experience in the field sit together with experts from the pertinent authorities of EU Member States in order to develop the guidelines (pertinent authorities mainly refer to environmental authorities). Twelve EU Member States volunteered to join the sub-group (AT - BE - BG - DK - FR - HR - IE - LV - NL - PT - SV - UK). Another activity is dealing with Customs codes for certain waste streams and their integration into the TARIC database. A final workshop is foreseen to take place in the autumn of 2013 in Belgium. IMPEL TFS is also represented in this working group.



Enforcement of European Waste Shipment Regulation

Coordinated audit based on eight national audits



Scope
European regulation for controlling international waste shipment. Focus on:

- Compliance with formal requirements;
- Enforcement by the authorities;
- Insight in effectiveness of enforcement.

Objective
Improving the enforcement of the European Waste Shipment Regulation by providing insight into the enforcement strategies and performance of the participating countries.

Process

- Coordinated audit was initiated under CC, in close collaboration with EUROSAI;
- A design matrix with audit questions was used by all SAIs;
- Meetings with the eight SAIs were organized in The Hague (2011) and Warsaw (2012);
- A special writing session by four SAIs was organized in Budapest (2012);
- The NCA coordinates the process.

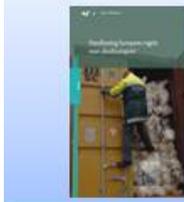


Status of the audit
Six out of eight national audits are published. In October 2013 the joint report will be launched during a Contact Committee meeting.

Some Dutch conclusions:

- Limited insight into impact of enforcement;
- No insight into functioning of the enforcement system as a whole;
- Two out of ten infringements not prosecuted.

A preliminary *international finding*: large differences exist on several enforcement aspects.



Please contact the NCA for more information: Mr Jan Willem van de Wardt (J.vandeWardt@rekenkamer.nl)

The audit report is available online: www.courttofaudit.nl

Joint report

The joint report will be presented to the Contact Committee of Heads of EU SAIs in October 2013.

Waste from space?

Dr. Martin Critchley from ERA-Maptec Ltd, Ireland, presented how the use of Earth Observation based monitoring of waste can detect illegal waste sites and transshipment of waste to third world countries. The aim of WEOS is build upon the results of Wastemon and to develop two services:

Service 1: Rapid response mapping of illegal waste treatment sites (RRW_Map)

This service provides timely information product according to the time range agreed during the service definition in cooperation with the user (a few hours to a few days). It is targeted towards providing intelligence information to support rapid on-site investigations by law enforcement agencies to target features for further on the ground investigation. And according to the user need, the product delivery may have to be 'low tech' in nature to allow use by local law enforcement agencies that might not have remote sensing expertise.

Service 2: Long term monitoring of illegal waste treatment sites (LTW_Mon)

The long term monitoring is aimed to provide intelligence gathering to support on the ground agencies. It will provide an extra layer of intelligence which is complimentary to existing methods. Mapping of these would require a combination of spatial information derived from Earth Observation data and non-EO data. In order to identify areas at suspected waste disposal, a risk analysis will be used.

The product development should take place between June and September 2013, followed by trials between October 2013 and June 2014.