

The following points for action were put forward and presented to the plenary meeting.

- Organise some simple/initial though effective means for exchange of TFS-data;
- It is recommend to appoint focal points in each of the relevant interested countries – as is done in the IMPEL-TFS projects. These focal points have the role to disseminate the general knowledge in their countries and to exchange specific information on shipments with colleague focal points in other countries;
- In conjunction with the focal points, organise joint inspections for training/instruction and as a means to share and adopt good practices in tackling TFS problems;
- Come up with a simple instrumental toolkit that interested countries can use to find out whether they have a (potential) problem with TFS of waste through their ports;
- Work further on the awareness of the problem of (hazardous) waste shipments, e.g. by ensuring that media pick up and spread stories of successful enforcement cases against illegal waste transports. Naming and blaming of the offenders could also be considered. To get the problem on the political agenda, information to the NGO's and the general public is essential, such that pressure can be built;
- On the basis of what is known from IMPEL-projects and other information, identify ports, countries and regions that are probably the most sensitive targets for illegal shipments, and/or specific waste streams that represent the most severe risks.

For more information contact Henk Ruessink via henk.ruessink@minvrom.nl

5th Interpol conference on Environmental Crime

On 2 and 3 June 2005 Ms Nancy Isarin attended the 5th Interpol conference on Environmental Crime in Lyon (France). She was invited to give a presentation about the IMPEL-TFS Seaport project. Approximately 110 participants from 46 countries were represented. Many presentations were given regarding protection of Wildlife and the CITES -convention. A totally different subject than waste, but also very interesting to hear.

During her presentation she informed the participants about the results of the first IMPEL-TFS Seaport project and the progress of the second project.



Presentation IMPEL-TFS Seaport II project at the Interpol conference

A representative of Italy is going to investigate if the Italian customs is interested in joining the second Seaport project. Furthermore officers from Canada, United States and China asked a copy of the presentation and expressed their willingness to exchange information and to cooperate.

Interpol also again stressed the need for more Ecomessages! If illegal waste shipments are detected during the inspections within the Seaport project, please fill in an Ecomessage and send it to your national contact person for Interpol (NCB). So, a lot of positive reactions and maybe some new ideas or actions will follow....

More information about the Ecomessage and national contact persons for Interpol, can be found on their website: www.interpol.com
For more information contact Nancy Isarin via nancy.isarin@minvrom.nl

8. Other things worth knowing

- Participants which have access to the IMPEL-TFS Seaport II database of Viadesk, are asked to update their personal profile;
- The third newsletter will be published at the end of this year. If you have interesting enforcement cases or particular subjects for this newsletter, please contact the editors;
- Finally we wish all Seaport II project participants a good summer holiday, and that it may gain lots of new energy for new enforcement actions!

Colophon

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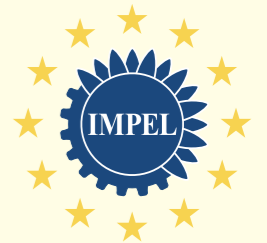
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VROM

Second edition

Newsletter IMPEL-TFS Seaport – Project II



European Union Network for
the Implementation and Enforcement
of Environmental Law

July 2005

1. Introduction

In the summer of 2004 the second IMPEL-TFS Seaport project has started. By means of this newsletter the project management informs all their contacts about the progress and findings of the project so far.

This second newsletter gives you some very interesting project information! First of all, the most important outcomes of the IMPEL-TFS Seaport II interim meeting are presented, followed by a short view on the state of the art in the operational phase of the project so far. An important part of this second newsletter is focussing on the practical enforcement experiences during the operational phase of the project. Furthermore, some interesting national and international developments are highlighted. Following newsletters will highlight the overall results of the joint enforcement actions and the follow up activities.

A lot of news in this second edition!

2. Outcomes interim meeting

An interim meeting of the IMPEL-TFS Seaport II project was organised on 18 and 19 April 2005, and was hosted by Sweden. Almost all participating countries attended the meeting. Results achieved so far were discussed intensively and presentations were given by several countries about their activities, successes and bottlenecks faced so far. Also a draft version of the interim report has been discussed. This interim report has been submitted to the IMPEL-TFS conference (Mechelen, Belgium, mid June 2005, see the article further on in this edition).

New ambitions for the second half of the operational phase of the project have been formulated at the interim meeting as well. Also agreements have been made about the exchange of inspectors.



Participants interim meeting, Stockholm

Furthermore, three recommendations have been formulated for the interim report, which will be elaborated in more detail during the rest of the operational phase:

- Gathering of national policies and criteria concerning waste (or discussion about this) and the classification of waste streams. This information will be made available for the project team on Viadesk;
- Existing materials for the training and education of inspectors on waste shipments will be collected and will be placed on Viadesk as well;
- Overview of contacts with countries of destination. This information is crucial to verify the existence of waste receiving companies, availability of an adequate permit and to gather information on what happens with wastes.

For more information contact Nancy Isarin via nancy.isarin@minvrom.nl

3. State of the art in the operational phase

A special point of attention at the interim meeting was the state of the art in the execution of enforcement activities in the operational phase so far. Generally speaking it was concluded that the ambitions, formulated at the first conference of the project (Riga, September 2004) have been reached. Many illegal shipments have been detected and cooperation with other enforcement agencies, like customs and police networks, have been established and intensified. Also the results of the European inspection week (week number 10 of 2005), emphasized the need for, but also the effectiveness of joint enforcement activities. During this week, 11 countries carried out 34 inspections, about 3.500 administrative checks and 393 physical checks, resulting in checking 240 TFS shipments, from which 113 have been identified as illegal, and 55 shipments with (administrative) infractions!

4. Enforcement cases!

Successful Specialist Enforcement Team in the UK

The UK Environment Agency has successfully prevented the illegal export of 133 loads of UK waste to destinations across the world. After an initial exercise to scope the level of illegal traffic coming into and leaving the UK, the Agency decided to combat this activity by setting up a dedicated team of specialist enforcement officers solely for the purpose of conducting seaport inspections across the UK. These seaport inspections were conducted in collaboration with HM Customs and Excise using intelligence lead profiling. During a six month period at the end of 2004 and start of 2005 a total of 278 document inspections and 153 physical examinations were carried out at 7 UK docks.

These inspections revealed and prevented 129 exports of municipal waste to India, China and the Philippines, 4 exports of waste electrical equipment to West Africa, 1 tyre export to Brazil, and 2 exports of plastic waste to Vietnam. At the same time 2 illegal imports were intercepted. The Environment Agency, who is an active member of the IMPEL-TFS Seaport II Project, also participated in the Europe wide simultaneous seaport inspection week during March, with two guests from the Netherlands' VROM Inspectorate. Not only did participation in this week prevent several illegal shipments, but it also highlighted the importance of co-operation between Competent Authorities. It also facilitated the sharing of intelligence and working procedures.

For more information contact Debbie Eley via debbie.eley@environment-agency.gov.uk

Illegal shipment of household refuse to China stopped and sent back

In January 2005, a large well known British company has tried to send 1600 tonnes (60 containers) of British household refuse disguised as 'waste paper' to China. No notifications were done for the shipment of these amber listed waste materials. The Chinese organisation CCIC Europe did not approve the import into China either. The shipment was discovered by Dutch customs in the Netherlands and 53 loads were stopped by inspectors on 5 different locations. After 2 months the waste materials were sent back from the Netherlands to the involved company in the UK. The Seaport project partners from the British Environment Agency and the VROM-Inspectorate worked closely together to return the waste.

Also various illegal shipments booked by the same company from the UK to Indonesia were discovered by the German authorities and the Indonesian authorities after they received a signal from the VROM-Inspectorate that the waste materials were shipped through Germany. Indonesian authorities and the Chinese organization CCIC Europe stated that this type of unsorted contaminated domestic recyclables is unwanted in their country.

For more information contact Jenny van Houten via jenny.vanhouten@minvrom.nl



Domestic waste or plastic waste? Shipment from Scotland to China, detected in Rotterdam and considered as green listed plastic waste

Joint inspection in Hamburg Seaport

As part of their preparation for the inspections within the Seaport project, Polish inspectors visited Hamburg to establish co-operation and to exchange experiences with German authorities. This visit took place on 23 and 24 February 2005. From Polish side representatives of Szczecin and Gdansk Regional Inspectorates for Environmental Protection, and

Customs Service in Szczecin attended. Representatives of the State Ministry of Urban Development and Environment in Hamburg (Transboundary shipment of waste) and Water Police in Hamburg attended the meeting from German side.

The joint inspection began with a visit to the Water Police station in Hamburg seaport. They showed their ZAPP digital database (i.e. Custom Export – Monitoring in a Paperless Port) which is used by the German Customs Service. The Water Police also has access to the database and can suggest the execution of certain inspections of doubtful shipments.



Presentation of ZAPP digital database at the Water Police station in Hamburg seaport

German and Polish inspectors carried out a joint inspection and checked a container with plastic, which was shipped to China. The inspection did not show any violations.

What were the benefits of this visit? The visitors saw how inspections of this type are carried out and how they differ from inspections in Poland. All participants from Poland expressed great interest and appreciation to their German colleagues for this arrangement, specially to Mr Klaus Willke, the German country coordinator in the IMPEL-TFS Seaport II project.

For more information please contact Mrs Malgorzata Kolodziej-Nowakowska via mkn@wios.szczecin.pl

5. IMPEL-TFS Management meeting: "The iron is hot now, and we have to strike it"

On 16, 17 and 18 March, a meeting was held in Prague (Czech Republic) with managers responsible for the enforcement of TFS regulations. Representatives of 20 Member States and Switzerland, the Secretariat of the Basel Convention, Interpol and Police attended the meeting. Shocked by (recent) cases of illegal shipments of waste from Europe to China and India and insight into the consequences of Member States in cases of lack of capacity for enforcement, it was the right time to discuss bottlenecks and to reach agreement on fundamental improvement of the network and enforcement of TFS regulations. Some important outcomes:

- There was unanimous support for all improvement actions; commitments have been given by various countries about personal capacity and finances;
- The European Commission stressed the importance of the TFS networks in combating illegal movements of wastes. TFS is a priority of the Commission in 2005;
- A permanent secretariat will be established. This secretariat,

consisting of 3 till 5 Full Time Equivalents, will structure and organise the information exchange on enforcement matters concerning TFS;

- A website will be built on TFS to share information more adequately;
- A steering group, consisting of representatives from Germany, Ireland, The Netherlands, Poland and the United Kingdom, will set up a concise strategy for the network. This strategy will include target percentages. The steering group will also supervise the permanent secretariat and will control the progress of the various enforcement projects within IMPEL-TFS.

For more information contact Cornelis Nauta via cornelis.nauta@minvrom.nl

6. Outcomes IMPEL-TFS conference at Mechelen (Belgium)

Our colleagues from OVAM did a great job on the organization of the annual TFS Conference of 2005 in the city of Mechelen, Belgium. 60 representatives from 20 states as well Greenpeace and Fead were attending the meeting. Both the formal and informal proceedings of the conference were of high quality. This briefing focuses on the results directly relevant for the Seaport project.

Because Nancy Isarin was on holidays, Cornelis Nauta presented the preliminary results of the Seaport project. He emphasized the strong increase in port enforcement activities catalyzed by the project.

The number of participating countries from the first was doubled in the second and also the number of (planned) enforcement actions will be doubled in the second half of the project. The bottlenecks that were discussed in Stockholm, lack of EU-wide viewpoints on interpretation of WSR, lack of suitable educational material and lack of contacts in the receiving countries needed for verification purposes, were presented as well as the contribution the Seaport project wishes to make to their solution. Finally the issue of the future of the project was raised. The conference welcomed the results of the project so far. It was suggested to include the contributions to the bottlenecks to the new TFS-website. In a discussion on the future of enforcement-projects, the general opinion was that projects should have a clear beginning and end. However, the conference concluded also that the European enforcement weeks as developed in the Seaport project should be continued. It may be wise to lay down the experiences of the Seaport project organizing European enforcement weeks in a scenario to be presented at the next TFS Conference in Bonn (Germany).

The European enforcement weeks will be included in the Multi Annual Plan (MAP) of the TFS-network, amongst the other activities of the TFS-network. The Management Steering Committee will draft this TFS-MAP. Most states indicated their focal points to facilitate contacts and international cooperation on WSR enforcement cases. A list as well as a job description of the focal points will be on Viadesk as soon as available.

For more information please contact Mr Cornelis Nauta, via cornelis.nauta@minvrom.nl.

7. Interesting national and international developments

National TFS conference in Polish seaports

A national conference within the framework of the IMPEL-TFS Seaport II project took place on 22 and 23 March 2005 in Szczecin, Poland. During this conference a presentation was given on the results

of inspections in Poland which were carried out one week earlier. Conference participants included over 40 representatives from the Polish Customs Office, the Management of Szczecin and Swinoujscie Seaports and Gdynia Seaport, the Chief Inspectorate in Warsaw, the Border Guards, the Regional Government and the media. A special guest from the Netherlands - Jenny van Houten - presented the IMPEL-TFS Seaport II project and experiences of enforcement in the seaports of Rotterdam and Amsterdam.

A visit to Szczecin seaport and to the treatment facility for oil wastewater and water from washing ship holds was organized the next day. The Polish public TV broadcasted an interview with Jenny van Houten and Malgorzata Kolodziej-Nowakowska after the conference. Also a few articles in newspapers and magazines were published.



National TFS conference with representatives of the seaports of Szczecin, Swinoujscie and Gdynia

Hazardous waste at ports - INECE Workshop at Marrakech Meeting.

In april 2005 a conference was organised by INECE, the International Network for Environmental Compliance and Enforcement. One of the workshops was on hazardous waste at ports. It was attended by 12 participants, 5 of them from African countries. After short presentations by the facilitators on the topics, a lively discussion evolved. There was a general consensus about the relevance of the problem of illegal shipment of waste. In relation to this, not only hazardous waste was mentioned, but waste in general.

One of the first observations is that there is a substantial difference in awareness and knowledge of the problems related to illegal TFS of waste through ports. Countries of the European Union and in North America are relatively familiar with the problem. Many other countries do however not really know whether they have a problem and to what extent. Information on the waste imports and exports is often simply absent, as is the knowledge on the related environmental impact. Despite this, there is a general idea that illegal shipment of waste is a serious common problem of the developed and developing world. Therefore all attendees underlined the necessity to come to concrete action to combat the world-wide crime of illegal waste transports.

In response to this, INECE is challenged to take the lead to initiate/coordinate a number of activities on the short term to address the (enforcement of) illegal shipments of waste in a more world-wide perspective. This initiative should connect to existing activities, such as of IMPEL/EU, US/EPA, Secretariats of Basel Convention, and Green Customs as much as feasible.