



16th IMPEL General Assembly

06-07 December 2017
Tallinn, Estonia
Minutes – final version

Wednesday 06 December 2017

Session 1: Welcome

Chair: *Chris Dijkens*

1. Opening address by Chair of IMPEL

Chris Dijkens opened the meeting and welcomed all the participants to the city of Tallinn for the 16th IMPEL General Assembly.

He expressed words of respect about Epaminondas Toleris from Greece, who sadly passed away in September 2017. A highly valued colleague who was heavily involved in IMPEL since the beginning and contributed to the development of the network. He was a lovely person and he will be missed. Chris thanked him for all he has done for the IMPEL network.

2. Adoption of the agenda

The agenda was adopted without any changes.

3. Welcome presentation by Ms Margit Martinson, Deputy Secretary General, Ministry of the Environment

Ms Martinson warmly welcomed all the participants to Tallinn. As a small country, Estonia wishes to be a resource efficient country, using new technologies for monitoring and public services, data mining, the use of satellite images and application of apps. Another important aspect is collaboration and the exchange of know-how between experts; both as national as international level. She wished the participants a fruitful meeting.

Chris thanked her for her warm welcome and recognised that Estonia is a frontrunner in the use of information technology.

4. Introduction extra secretariat capacity

Ana Garcia recalled the need for increasing the secretariat capacity and the written procedure through which the General Assembly approved the proposal to expand the Secretariat capacity. A job vacancy was published through various channels. The applications were reviewed by a panel that prepared a short list of 5 persons. After a series of interviews and tests, Carmen Herreras from Spain was selected. Ana welcomed her to the IMPEL family.

Carmen then shortly introduced herself. She thanked IMPEL for this opportunity and talked about her task, which will be in financial management and internal communications. She will further provide support to the project managers and logistical support.

Chris thanked Carmen for her introduction. With Carmen added to the Secretariat, the backbone of the IMPEL network and support has been further secured.

Session 2: Network & Membership issues

Chair: *Chris Dijkens*

1. Welcome to the new IMPEL National Coordinators

The new National Coordinators of Serbia (Ms. Olivera Topalov), Slovak Republic (Ms. Dasa Sulekova), Lithuania (Ms. Natalja Šulga – Jakučioninė), Denmark (Ms. Mette Lumbye) and the United Kingdom (Rob Hayes) introduced themselves to the General Assembly.

Chris welcomed them to the IMPEL family and looked forward to a fruitful cooperation.

2. National Coordinators workshop

Henk Ruessink (NL) shared the outcomes of the National Coordinators (NC) workshop held on 05 December 2017. The workshop was attended by 23 participants from 21 Member countries. A number of topics were presented and discussed, such as the national reporting and the NC mentoring initiative. This initiative offers voluntary support to National Coordinators which are new on the job or have special questions, for which other National Coordinators can provide answers based on their professional experiences. 27 NCs responded to the mentoring survey which was distributed among the NCs. The outcomes are available on Basecamp. The workshop also facilitated the opportunity for members to present some of their national experiences; such as Romania on their IRI and the use of social media to improve compliance.

Ana Garcia provided an update on behalf of the Secretariat, mainly on the procedures for the role and tasks of the NCs and project management. A discussion took place on the enlargement of IMPEL. It was underlined that IMPEL is a network of practitioners, and that permittees and inspectors should continue forming the core of IMPEL members. Concerning the membership of individual municipalities, there was a common view that preferably, associations of local administrative bodies should be encouraged to become IMPEL members and that we should keep in mind to differentiate between membership and involvement in IMPEL projects and other activities. New challenges for IMPEL were discussed, including taking on board the area of agriculture, which is suggested by the outcomes of the 2017 Implementation Challenge survey. The establishment of a working group with links into all expert teams was recommended to further work on this issue and develop a possible way forward.

Chris asked if the NC discussed ways on how to approach new members within IMPEL member countries. Henk responded by stating that this very much depends on the organisation structure within a country. Here is a key role for the NC to guide and advise the IMPEL board on the matter of enlargement. The mapping exercise of key organisations that will be finished in 2018 would also support this action.

Chris also asked about the establishment of this working group on new items. Kristina Rabe (DE) said various approaches were discussed and that initial considerations within the Water and Land Expert Team might form a good starting point for further activities.

3. IMPEL Board's engagement with members

Chris Dijkens provided feedback to the General Assembly on the Board's efforts in 2017 to engage and stimulate interactions within the IMPEL network. The engagement exercise is part of the Strategic Work Programme 2016 – 2020.

In 2017 4 country engagement meetings were carried out. The meetings are planned in a way that they are back to back with other relevant IMPEL meetings. A template for an agenda is used for the meetings. Meetings with the following countries and organisations were held:

- Austrian Federal Ministry of Agriculture, Forestry, Environment and Water Management (29 March)
- Croatian Ministry of Environment and Energy, Directorate for Inspectional Affairs (5 July)
- Cypriot Ministry of Agriculture, Rural Development & Environment (17 November)
- Estonian Ministry of Environment (5 December)

The meetings generate valuable information about country experiences and challenges with implementing environmental legislation, how they have benefited from IMPEL, and where IMPEL can further assist. The meetings also guide IMPEL on their work for the future.

Some conclusions:

- IMPEL's work is an 'eye opener' for senior management
- Engagements meetings are important for staff that is involved in IMPEL
- Involvement of staff in IMPEL activities is challenging
- English language and lacking resources to translate IMPEL products into national languages are in many cases a barrier
- Contacts across the Member States are valuable
- Comparison activities (such as 'lessons learnt ...') facilitate vital exchange of important experiences across borders
- Organisations benefit from shared methodologies and guidance
- Mutual learning and mutual benefits through sharing of good practices can support individual experts
- It would be helpful to have more discussion on projects in ET and GA
- IMPEL activities may support better insight into the country's Implementation Challenges on the national level

Anita Pokrovac Patekar (HR) added that the meeting was not only an eye-opener, but created further support and recognition of the involvement in IMPEL activities and use of IMPEL products; for example the use of Easytools and Lessons Learned from Industrial Accidents.

Chrystalla Stylianou (Cyprus) echoed Anita's comments. She also stated that the meeting increased the support at the higher level management to take part in IMPEL activities, but also to use IMPEL practices in the daily work.

Florin Homorean (Romania) supported the previous comments. He also reminded the GA to refer at national level to the letter from the European Commission encouraging countries to take part in IMPEL activities.

4. Annual Reporting

Ana Garcia provided feedback to the General Assembly on the results of the 2016 Annual Report and on the template of Annual report for 2017. Firstly, she thanked Michael Nicholson (IMPEL Secretariat) and Florin Homorean (RO) for their support in this matter. The template was trialled for the year 2016. Feedback was used to further improve the template. NC's are invited to complete the template for 2017.

Ana highlighted the need and benefits of having more insight in the use, update and imbedding of IMPEL practices by the members. 27 members countries have responded over 2016 and Ana provided a summary of the annual reports.

Some highlights:

- 113 experts participated in Expert Teams (few in some countries)
- 343 participants, 97 core group
- Leading or co-leading: only a small number of countries
- Number of days spent in IMPEL activities per year, per country varies: 5, 30, 70, 120, up to 500

120 examples of use of IMPEL products were cited, such as:

- Tools used directly (translated) or as a basis for countries to develop own guidelines and methodologies;
- Contributing to overcome implementation challenges, through: sharing knowledge, best practice exchange, improving cooperation within and between country authorities, focus on 'problem' areas and on how to better use their resources.

The annual reports also gave insight of obstacles and challenges in participating in or leading IMPEL activities and suggested approaches to overcome these. Some possible approaches include wider projects, enforcement activities, peer reviews (strategically, operationally), training (the trainers), tailored support to embedment and use of IMPEL products, IMPEL national networks, guidance and "training on the job" for project managers.

Horst Buether (ETL Industry and Air) had one remark on finding leaders or co-leaders of projects. As example of good practice he mentioned the IED Implementation projects, where project leaders are 'trained' by taking the lead of sub-topics within the IED projects to get familiar with the procedures.

Rob Hayes (UK) mentioned the sharing of IMPEL's work back at member's own organisations. Ideas to improve awareness and involvement include the availability of following meetings on-line or having easier access to workshop and meeting procedures.

Chris posed the question how we can start the improvement process, based on the outcomes of the national reporting exercise. Ana said this was discussed in detail at the NC meeting. Besides a role for the IMPEL Board, there is an important role for the Expert Teams to take up some of the suggestions from the NC meeting.

Waltraud Petek (AT) thanked the team for the report, as it clearly shows some of the challenges organisations face; especially in relation to participation in projects and Expert Teams. She stressed the voluntary character of the IMPEL network and members should identify also their own priorities and decide in which activities they want to take part. Enlarging the scope of IMPEL might increase the challenge of participation.

Henk Ruessink (NL) referred to the 120 examples that were given, where IMPEL practice were used and applied within member countries. They should be used as an inspiration.

Nuno Banza (PT) shared his vision in the importance of IMPEL. He raised the point on how our work affects the lives of EU citizens. He stressed to have a more outward approach and communication strategy to get IMPEL's message across.

Jean-Luc Perrin (FR) referred to discussions on the use of indicators to prove or measure the work by the environmental authorities. This point underlines the need to have commitment from the high-level management.

After the General Assembly the new template for national reporting will be published. The exact deadline will be communicated, but probably NCs are invited to complete the report and send it in by the middle of February.

Decision: The GA approved the decision to set up a working group of NCs, to come up with a plan that includes main topics and practical solutions to involve, when that is the interest of a country, more organisations, cooperating under IMPEL at national level, but also on how to further support embedment and use of IMPEL products.

Chair: *Chris Dijkens*

1. European Compliance Assurance (ECA) Initiative

- a) Hans Lopatta gave a brief overview of the European Commission's ECA initiative.

The aims of this initiative are to:

- Increase cooperation across Europe - organise Commission support to Member States
- Improve strategic approaches and efficiency
- Spread existing successful practices and develop tools to support practitioners on the ground
- Strengthen networks cooperation
- Improve transparency and public confidence
- Underpin implementation and support the EIR (Environmental Implementation Report) and other Commission initiatives

In 2016 the COM started already with the preparations by gathering evidence and internal consultations. In 2017 the activities intensified. A stakeholders conference was held in January 2017 and a workshop on environmental crime in March 2017. IMPEL submitted a position paper to the COM with its views on their role in the ECA initiative. This input was highly valued by the COM.

Currently all input from the stakeholders is being considered and by January 2018 a Communication will be issued by the COM on their support actions in relation to the ECA.

The following significant themes are identified where IMPEL could play an important role:

- Deployment of expertise
- Training and capacity building
- Development of guidance and know-how
- Better information sharing at national and EU level
- Development of a peer to peer structure to support effective environmental compliance assurance
- Support use of EU level space technologies

Governance aspects:

- Possible establishment of a High-Level Group with Member States to steer and help implement the proposed actions (first meeting in March 2018, tbc)
- Networks representatives to be invited as members as well
- Role of IMPEL and other networks in the Action Plan:
 - assist in implementation of individual actions
 - enhance collaboration with COM Services in specific areas
 - engage with Forum on root causes for non-implementation and solutions

Most of the actions will be launched in 2018 and 2019.

Chris opened the floor for questions on the Initiative.

Kristina Rabe (DE) asked how the High-level Group is linked to the Forum and to the European Semester. Hans responded by stating that the High-Level Group is the Forum and that a link will be established between the EIR and the European Semester; but the details are not defined yet.

Chris asked about the mandate of the Forum. Their work and recommendations will be more in the form of advice and not by taking legally binding decisions.

- b) Chris gave a summary of the Board's engagement with the European Commission (specifically DG Environment) on this issue including the two DG Environment stakeholder events that took place throughout 2017 and the meeting with the Director General, Mr. Daniel Calleja.

IMPEL was invited to share its view on the ECA Initiative; which it did in the form of a position paper (GA adoption via written procedure). The position paper was presented to the COM in June 2017.

Conclusions of this meeting:

- Commission is drafting ECA's Action Plan
- Important role foreseen for IMPEL to contribute to its aims
- Topics will be further explored and described
- Developing IMPEL's work programme 2018 as 'business as usual'
- Where possible IMPEL's work programme will relate to the topics in the draft Action Plan where it is 'expected' to play a role
- Commission will search for additional funding
- IMPEL will forecast on a situation that additional finances may become available
- Early 2018 continued discussions on IMPEL's role in the scope of the Action Plan and the impact on our network (human and financial resources)
- Early 2018 continued discussions with the Commission about the operationalisation of IMPEL's Position Paper 'Next Generation IMPEL' and its impact

For now 'business as usual', however IMPEL wants to take significant steps in 2018 to operationalise IMPEL's Position Paper 'Next Generation IMPEL' to prepare ourselves for the future. A roadmap and implementation plan are needed to guide this process.

Where IMPEL is expected to play a major role:

1. Offering IRI / peer review
2. Supporting Enforcement actions
3. Making Training tools on identified best practice easily available (e.g. via internet)

Where IMPEL is expected to be involved in:

- Encouraging the development of national enforcement strategies and guidance
- Contributing to the development of advanced concept EIR's
- Offering assistance to strengthen and enhance compliance assurance activities in the countryside
- Developing guidance on 'mining waste'
- Collecting and promoting best practice on Complaints handling
- Facilitating Communication on challenges for compliance
- Supporting the use of geospatial intelligence

Chris then went into more detail into the Position Paper and our 7 ambitions.

1. Understanding implementation challenges
2. To carry out strategic engagement
3. Building capacity
4. Sharing know-how
5. Becoming a 'Knowledge and Innovation Centre'
6. Carry out Inspection & coordination of enforcement actions
7. Formalise the feedback loop

Chris opened the floor for comments or questions.

Waltraud Petek (AT) expressed concerns if IMPEL can deliver and fulfil the expectations set out in the paper. She asked who will do the actual work and doubted if members are able to provide required resources.

Rikard Janson (SE) thanked the chair for his explanation. He agreed with Waltraud's concern on fulfilling the ambitions. He stressed the need to balance this ECA work with the practical work – the core of the IMPEL activities. IMPEL should maintain focus on its informal role and soft information sharing and refrain from creating new policies.

Rafael David (ES) firstly mentioned the fact that IMPEL does not only cover EU member states but also other countries. The ECA Initiative is considered very useful for Spain, but he also stated that the position paper is quite ambitious. Further he wondered about the link between the Copernicus Programme on the use of satellite data (under DG Grow) and this matter under the ECA Initiative (DG ENV). On the latter, Hans Lopatta replied Copernicus is a horizontal programme, so involving also other relevant DGs. Rafael encouraged to link both initiatives, as not to lose the environmental point of view under Copernicus.

Henk Ruessink (NL) questioned the impact and effect of the work under the position paper for the members, considering the high ambitions. If no further (financial) support will be provided by the COM to IMPEL, how does the Board see going forward with the ambitions?

Kristina Rabe (DE) expressed the German view on IMPEL, as a network being the voice of practitioners involved in the field of implementation and enforcement of environmental law. IMPEL should preserve this role and to abstain from more political work. She supported extending IMPEL's work in the field of helping the practitioners, if the additional funding and resources are provided for. She also supported increases IMPEL's role in the field of capacity building and generating and collecting best practices.

Jean-Luc Perrin (FR) shared some national experiences on merging regions a delivering training and capacity building. He likely would face challenges to mobilise people for training and capacity building activities.

Florin Homorean (RO) stressed that the IMPEL Next Generation ambitions would further support the members in implementing environmental legislation. He asked the GA to keep an open mind for re-scoping our work and increasing the ambitions.

Chrystalla Stylianou (CY) on the one hand expressed her concerns in relation to required human resources. On the other hand she mentioned that most of the work described in the position paper is already carried out by IMPEL. She welcomed the increased role of IMPEL and longer-term vision. However, additional resources are a must to fulfil the ambitions.

Simon Bingham (ET Leader Cross-cutting) said IMPEL should progress, develop, be more innovative and increase our relevance and impact if we want to make a change.

Larry Kavanough (IR) welcomed the strategic discussion on the question 'How are we making a difference?'. He supports IMPEL's move to forward this paper, irrespective of the ECA Initiative developments. He is less concerned about IMPEL moving towards the political area. The Irish EPA broadly support the ambitions set out in the Position Paper.

Chris thanked everyone for their interventions. He understands the concerns raised in relation to resources and ambitions. Having that said, he referred to the fact that the paper covers a longer-term plan, requiring a step-by-step approach. He does not recognise the concern about moving into a policy or political movement. IMPEL will continue to contribute to improving the practical implementation of EU environmental law rather than moving towards the political arena. Most of the suggested activities are already carried out. What would change, is the way things are organised and structured. He rather sees the ECA Initiative as an opportunity than as a threat, but also keep our eyes open for other opportunities. What is plan B in case we do not get any additional resources? Than IMPEL cannot carry out any additional activities in relation to the ECA Initiative. He reiterated the fact that IMPEL is and will remain a network for and by practitioners.

He suggested drafting a step-by-step roadmap with quick wins for the shorter term and longer terms goals and required resources.

Waltraud Petek (AT) still questioned the capacity of the Board and the Secretariat – especially in relation to the ECA High-Level Group/Forum. Chris mentioned the additional capacity that will be added to the Secretariat as of January 2018.

Rikard Janson (SE) responded that the suggested roadmap does not deal with his concerns. And he still wondered about the training ambition. Is it a one-way communication, or will the sharing of experiences and practices still be facilitated?

Jean-Luc Perrin (FR) asked to keep flexibility when applying IMPEL tools and products at national level, depending on specific needs and circumstances.

Horst Buether (ET leader Industry and Air) said that no one will be obliged to use or to apply IMPEL tools. Individual organisations adoptcanadopt tools to their needs if they like or prefer. From his experience, he knows that if funding is available for training, it can be delivered.

Chris again stated that the ambitions in the position paper are already work we currently carry out, except at another level of ambition. IMPEL is therefore not changing it's focus, but intends to do things in a more structured way, leading to greater benefits and impacts.

Chris presented the following proposal:

- The ambitions of IMPEL as in the position paper, remain as they are
- The implementation of the paper will be carried out via a step-by-step approach.
- The Board will draft scenarios or business cases for the ambitions, including goals, planning, actions and required resources.
- Other funding opportunities will be considered.
- The Board will prepare a paper with the scenarios for consideration for the General Assembly.

Rikard Janson (SE) suggested clarifying how priorities are defined for the ambitions set out in the paper. Chris agreed to inform the GA about the prioritisation process early spring 2018.

Henk Ruessink (NL) asked how this now relates to the Table to support the development of a Road Map. Chris responded by stating that this table is now not up for approval, but will be used as guidance when developing the roadmap.

Kristina Rabe (DE) stated she can agree on the step-by-step approach as suggested by the Board.

Chris suggested that the step-by-step approach does not exclude the development and implementation on quick wins. As example an on-line training tool is given.

Decision: The decision is taken by the GA that in 2018 a paper will be presented including the different scenarios, including human resources, financial resources, timing and actions. At the moment there is no need to agree or adopt the currently presented documents under this item.

Session 4: IMPEL activities

Chair: *Chris Dijkens*

1. Presentation of projects in 2017

The five Expert Team Leaders each presented the work carried out by their respective Expert teams as well as the project reports ready for adoption.

Simon Bingham (Cross Cutting Approaches and Tools), Marina de Gier (Waste & TFS), Horst Buether (Industry & Air), John Visbeen (Nature Protection) & Giuseppe Sgorbati (Water & Land).

Questions for Waste & TFS Expert Team:

- Chrystalla Stylianou (CY) asked if the RDF project will continue in 2018? Not as a separate project, but probably a focus area under the Enforcement Actions project.
- Rob Hayes (UK) asked if there will be a report of the Asian Network meeting? Marina confirmed that the meeting took place very recently and a report will be prepared.

Questions for the Industry & Air Expert Team:

- Patricia Weenink-Driessen (NL) asked about the position of the Eco-Innovation project, and if this shouldn't be under the cross-cutting expert team. Horst explained that the Eco-Innovation project is part of the Make-it-Work project. They asked DTRT-Permitting time during their meeting, to present the Eco-Innovation project. So, in that sense, it is not an IMPEL project.

General comments

Waltraud Petek (AT) expressed her satisfaction with this session – informing the GA about the work of the expert teams. France and the Netherlands supported this view.

Chris asked the GA if on future assemblies this format of presenting the work done in current year should be maintained and that proposal had approval. There was general satisfaction and agreement on the current format and agreed to use this approach during the following GA meetings as well.

2. Approval of project reports and activities from 2017

Decision: The GA adopted the following IMPEL project reports & outputs:

- 2017/01 - IED Implementation
- 2017/06 - Landfill Project
- 2017/07 - WEEE Directive Implementation and Enforcement/ Plastics
- 2017/19 - Article 6.3 Habitats Directive – part 1 and part 2
- 2017/21 - Doing the Right Things (DTRT) - Permitting
- 2017/22 - Financial Provision & legacy Liabilities

3. IMPEL Review Initiative

- a) IMPEL IRI Workshop by Patricia Weenink – Driessen

Patricia explained the IRI programme to the GA. Hans Lopatta referred to the joint meeting between the Commission and the IMPEL on the IRI programme earlier this year. He suggested increasing the geographical coverage and/or the scope of a review to other topics. Peer reviews will also be included into the ECA initiative. As part of the EIR programme by the Commission, funding is available for IRIs under EIR PEER 2 PEER. National experts can subscribe to a roster of experts to perform reviews. Travel and accommodation costs are covered, as well as fees.

- b) Italian national peer review initiative

Giuseppe Sgorbatti presented the Italian national peer review scheme, developed under the experience of IMPEL Review. Italy decided to implement a National Peer Review Initiative (NPRI) because of the need of an instrument to foster homogenization of Environmental protection activities. The NPRI generated country wide support and is now in the framework of a law.

Chris congratulated Italy with this step forward and sharing its experiences with embedding an IMPEL tool at national level. He added that if countries are interested in this approach that Giuseppe will be happy to share experiences and to provide advices.

Kristina Rabe (DE) noticed the link between the results of the Italian SWOT -analysis and the outcomes of the Implementation Challenge study - as they show quite some similarities. She invited Italy to work together on this issue in the future.

Sessions 5: External Engagement

Chair: *Chris Dijkens*

1. European Commission

- a) Chris Dijkens referred to his presentation from the morning session on the collaborative work with the COM on the ECA Initiative.
- b) Hans Lopatta provided a brief update from the European Commission on general legislative developments at a European level. Most developments relate to the areas of Waste and Water and the ECA Initiative.

2. Networks

Chris briefly presented the written submission by the Board to the General Assembly on engagement activities in 2017. The engagement programme aims to identify and map key national, European and international organisations relevant to IMPEL's areas of activity and target those with which cooperation would be most beneficial, invite relevant networks to IMPEL events and use invitations to speak and participate in meetings, conferences and workshops as key opportunities to engage with other networks and to develop and track progress with MoUs with key national and international organisations and networks.

Session 6: Implementation Challenge

Chair: *Chris Dijkens*

1. A report on provisional findings from the Implementation Challenge project

Kristina Rabe presented a summary of findings from the 2017 Implementation Challenge project.

Jean-Luc Perrin (FR) asked if the study found that permitting and inspection responsibilities were covered by the same person. No, this was not the case.

Alessandro Peru (IT) expressed his appreciation for the study. He asked some clarifications on the numbers of responses. Kristina explained that in total 63 responses were provided by IMPEL NCs. This number included for some cases a merged answer from regional or local inputs. 29 different member states responded.

Alessandro was interested in how many answers were provided per country, as in some cases the questionnaire was distributed not only via the NC, but also via other channels.

Kristina explained the difference between organisational input and expert / technical input. As it was also possible to provide answers anonymously and some answers were given that way, and as not all national coordinators added information on how many national answers they integrated, the question cannot be answered for all Member states. For Germany, 189 answers were given by environmental administrations or experts therein.

Anita Pokrovac Patekar (HR) referred to the problem of huge differences in sanctions and prosecution of environmental crime between countries. Kristina confirms this was frequently mentioned – for example the dropping of cases or the low level of fines. This takes away the motivation by enforcement authorities to start up penal procedures and criminal investigations. Kristina also referred to the ongoing GENVAL assessment on penal procedures for environmental crime. Chris added that this is also a priority topic for the ENPE network in their activities.

Henk Ruessink (NL) congratulated Kristina with the study and findings. He asked how the findings and recommendations will be taken forward? Kristina responded that within IMPEL, this would depend on further activities of the network. The project consultants have listed some recommendations. For example the area of agriculture is considered a key challenge on which IMPEL should consider developing possible actions on.

Hans Lopatta (COM) informed the GA that both Environmental Crime and Agriculture are also included in the ECA Initiative. The COM was under the impression that the answers were individual responses, rather than merged input – so more than 63 responses. He suggested for future studies, to consider improving the readability of the outcomes and results. Kristina explained that it was up to the IMPEL NC how to distribute the questionnaire, collect and present the answer from their country.

Rob Hayes (UK) shared the views of the others and thanked Kristina with the product. The outcomes show similar challenges and confirm the need for networking. It also deals with the ambitions set out in the position paper.

Chris invited Kristina to join a Board meeting, when the report is completed, to discuss further actions to address the identified implementation challenges.

Decision: The General Assembly unanimously adopted the 2017 Implementation Challenge Report. It was also approved that Kristina can make changes to the summary, making it smaller and more conclusive, and add comments from the European Environment Agency, EEA (that was consulted by IMPEL), in case they do not contradict the findings, without going through a written procedure. In case the comments from EEA contradict and would necessitate explanations or interpretations, those would be submitted to require the approval through written procedure.

Close of day 1 by the Chair of IMPEL

Chris Dijkens summarised the discussions of this first day and before closing the meeting, he gave the floor to Nancy to inform IMPEL about the 25 years celebration of IMPEL.

For this special occasion, Nancy had developed an infographic summarising the history, achievements and highlights of IMPEL between 1992 and 2017. The infographic that was well received by the GA, is available on the website and Nancy encouraged everyone to share the infographic within the member countries and organisations.

Secondly a special edition of the IMPEL newsletter will be issued, to celebrate 25 years of IMPEL. Nuno Banza expressed that Portugal will translate the infographic and newsletter into their national language. Chris encouraged all countries to follow this proposal where possible.

And lastly, she had ordered special pins for the General Assembly with the IMPEL logo and 25 years that were distributed and handed them over to all participants of the attendants of GA.

Chris then closed the first day of the General Assembly meeting.

Thursday 07 December 2017

Session 7: Opening day 2

Chair: Ana Garcia

Ana opened the second day of the General Assembly and thanked the Estonian host for their hospitality.

Session 8: Organisational matters

Chair: *Ana Garcia*

1. Board report on financial state of IMPEL in 2016 & 2017

Nancy Isarin presented a summary of IMPEL's final financial position in 2016 and the interim result of 2017.

Rafael David (ES) informed the GA that the membership fee for 2017 was paid for Spain. The outstanding fee for 2016 will be paid together with the fee from 2018 at the end of next year.

Session 9: Broadening IMPEL's membership

Chair: *Ana Garcia*

1. Applications for Membership

IMPEL has received applications for membership from two new authorities: Dutch Association of Regional Environmental Protection Agencies (Omgevingsdienst NL) & Regional Inspectorate of the Azores (Inspeção Regional do Ambiente dos Açores), Portugal.

Pieter-Jan van Zanten (NL) introduced briefly the organisation and tasks of the Dutch Association of REPA (Regional Environmental Protection Agencies). Francisco Medeiros (PT) then presented the organisation of the Regional Environmental Inspectorate of the Azores, which is stretched out over 9 islands.

Decision: Both applications were unanimous adopted by the General Assembly.

Ana welcomed both organisations as new members to the IMPEL family.

2. Broadening IMPEL's membership

Ana presented the aim of the broadening and expanding our members. To support this initiative, the Board drafted a paper and a proposal for discussion and agreement by the General Assembly on broadening IMPEL's membership.

IMPEL wants to reach out to a wider number of potential members (European countries, organisations and practitioners at national, regional and local level). Proposals were presented to the General Assembly for decisions on:

- Proposal A: Expanding IMPEL Membership by reaching out to specific countries or groups of countries to become a member. This proposal included Liechtenstein. The proposal also included other countries with (part of) their territories in Europe, but for that a change in IMPEL Statutes/Rules, would be necessary.
- Proposal B: Expanding IMPEL Membership by allowing a representation of a group of individual organisations, such as an association of municipalities, provinces, districts, local councils, provinces, lander, regions at national, regional and local level, if not recognized as a legal entity, to have a special

financial arrangement (fee). Individual authorities would have to be IMPEL members and, if specific requirements would be met, could pay, together, a special fee.

Ana suggested to discuss the 2 proposals separately.

Alessandro Peru (IT) had a more procedural question about the proposals: if the proposal will be voted for now at the GA or by written procedure.

Anita Pokrovac Patekar (HR) asked in relation to proposal A, if the Republic of Moldova and Ukraine expressed interest in becoming a member?

Chrystalla Stylianou (CY) wondered about the political and legal issues on the membership proposal and asked for clarification on some parts of the proposal. She asked for more time and postpone the voting to discuss the proposal internally within her organisation.

Waltraud Petek (AT) expressed her concern about the enlargement to other European countries. She mentioned that other programmes exist that focus on improve knowledge and capacity of European countries out the current members.

Sigrún Ágústsdóttir (IC) pointed out that proposal A is divided in three parts: 1. Lichtenstein. They are a member of the EEA agreement, so Iceland would welcome them as a member. Proposal 2 and 3 need some more exploring before a decision can be taken.

Henk Ruessink (NL) followed Sigrún's comment on proposal A1 in relation to Lichtenstein. For the other proposals, he wondered if these countries already expressed pro-active interest in becoming a member.

Florin Homorean (RO) mentioned that it is not only about the money and adding membership fees, but to become more representative as an organisation.

Chris Dijkens (IMPEL chair) referred to the 2 existing association agreements that are already in place between the EU and some non-EU countries. These association agreements also include reference to EU environmental legislation and the obligation of the countries to implement applicable EU legislation, including environmental legislation. Another important element of these association agreements is the fact that EU countries by signing the agreements express their commitment to support the countries involved with the implementation. He mentioned that because of that these countries couldn't be ignored.

Sigrún Ágústsdóttir (IC) suggested to introduce IMPEL first to these other countries and then see if they show interest in becoming a member.

Kristina Rabe (DE) suggested separating the discussion and dividing between the principle of expanding membership and changes to the legal wording of the statutes and rules.

Ana summarised the comments and questions. Many members asked for more time for internal consultation on the political and legal implications. The countries mentioned in the proposal did not express interest yet to becoming a member. She again explained proposal B.

Chris commented that the document was made available to the GA well in time. He asked if additional information is needed for internal consultation.

Henk Ruessink (NL) asked for concrete examples in relation to proposal B.

Kristina Rabe (DE) suggested adding a list of countries for proposal A2 that have (part) of their territory in Europe.

Rafael David (ES) expressed some doubts on proposal B and also asked for some concrete examples in relation to it.

Chrystalla Stylianou (CY) echoed Spain's concern. A potential member must be a legal entity. The proposal as it stands now is not something Cyprus can agree on.

Ana explained that all the members would have to be legal entities, so proposal B would only concern the set of a special fee. Nevertheless it was suggested to give the GA more time to view the proposals and then go for written procedure. The Board will further improve the proposal, clarify certain issues and add information.

Kristina Rabe (DE) explained the part of the IMPEL statutes about the status of an organisation: legal entity or part of a legal entity. Proposal B refers to those organisations that are considered part of a legal entity.

Decision: The GA decided with more than a two-third majority to agree on proposal A1 only and to invite Lichtenstein to become a member of IMPEL.

Session 10: IMPEL work programme 2018

Chair: *Ana Garcia*

1. Work Programme 2018

Expert team leaders presented a summary of the work programme, followed by discussion and agreement on the 2018 work programme.

Rob Hayes asked about the possible funding of B-list projects. This would depend if additional funding would become available. At this point there is however no clarity on that.

Sigrún Ágústsdóttir (IC) asked if there would be a link between the IED and DTRT-Permitting projects. Horst replied that there will be such connection, both in terms of joint meetings and products .

Hans Lopatta (COM) mentioned the possible partial overlap between the financial provision project and some of the COM activities on electronic tools. He therefore asked to keep an eye on it. And he asked about the coverage of the Complaint and Emergency response project. Simon explained the projects will cover both complaints of citizen, as well as notifications/reports of accidents and incidents by operators.

Chrystalla Stylianou (CY) asked if Cyprus could still participate in the Landfill project? Of course this is possible.

Kristina Rabe (DE) asked if, in case no funding is available for the WEEE project, at least a Basecamp area could be set up to facilitate the exchange of information and experiences. This will be arranged for.

Henk Ruessink (NL) asked for an overview of the B-listed projects for all expert teams. This will be provided.

Kristina Rabe (DE) suggested when organising the Environmental Crime mini-conference, to remember the EU priority on environmental crime, including wildlife crime, and therefore to combine activities and cooperate with the work of the COSI and GENVAL working groups, such as the country assessments.

Further she highlighted the link between the 2018 activities and the outcomes of the Implementation Challenge report. This would imply a change of the executive summary of the report. She also asked the GA to agree to give the EEA a bit more time to respond to the Implementation Challenge report and include any comment if given.

This latter received no objections from the General Assembly, as long as the comments do not substantially change the conclusions and recommendations of the study.

Kristina was pleased to see that Agriculture topics are also included in the work of the Water & Land team. Because of the cross-cutting aspect of this matter, she asked to link this work with possible work by other expert teams. Giuseppe agreed with this comment. He also mentioned the Landfill project as a cross-cutting work and the use of observation techniques for different areas.

Chrystalla Stylianou (CY) focussed on the importance of carrying out projects dealing with challenges related to Agriculture (water, soil, air emissions).

Kristina Rabe (DE) suggested to map what has been done by IMPEL in the past on the topic of Agriculture and assess what is still relevant and where it links with suggested IMPEL projects. She suggested approaching the NC with a request to assess the practical mechanisms in place at national level to control water, land and nature protection measures and funding mechanisms.

This suggestion is taken on board by the Nature Protection and Water & Land expert teams.

Henk Ruessink (NL) stated it was difficult to agree or not to this proposal at the moment, due to the possible extra work load a survey would mean, but in principle he was positive.

The Netherlands further wanted to mention the following:

1. Programmatic approach of IMPEL's activities
2. Quality of ToRs
3. Balance between ongoing and new projects. Under this point Henk stressed to be open for new projects and demonstrate that the network is willing to take up new topics and approaches.
4. Funding of the Expert teams and their meetings.

Simon responded that the role of the PMG is limited in this regard; their focus is more on making sure there is no overlap between projects and the budget fits.

Decision: The GA adopted the 2018 Work Programme with more than a two-third majority.

Nancy explained that after the GA, the NC will receive further information and a link to an on-line form, to inform the project leaders and secretariat about the manifestation of interest in the various IMPEL projects. The NC are requested to provide as much as possible, names and email addresses of project participants. Deadline for this information will likely be set for the second half of January.

2. Board proposal on budget of IMPEL in 2018

Nancy Isarin from the Secretariat presented a summary of the proposed 2018 budget on behalf of the IMPEL Board and referred for further details to the excel sheet that was provided to the GA via Basecamp.

Rob Hayes mentioned the use of IMPEL reports, where third parties make use of IMPEL work without properly citing the network. He suggested to add a disclaimer and a clause to the report template about the use of IMPEL material. Kristina Rabe (DE) has offered to work on the wording of this. The GA agreed to this suggestion.

Hans Lopatta (COM) remembered the deadlines for sending in the application of the LIFE+ funding. Ana confirmed that the application will be sent in still in December 2017.

Decision: The General Assembly agreed with more than a two-third majority to adopt the 2018 budget.

Session 11: Elections

Chair: *Ana Garcia*

1. Election of Chair (2018-2019)

No candidates came forward for the position of Chair of IMPEL.

Ana explained that the Board predicted this scenario and asked Chris to consider staying for one more year, although he is retiring.

Kristina Rabe (DE) elaborated on the rules and statutes in relation to the voting procedures for the positions of vice-chair and chair, which is for a two-year term, and her legal interpretation of the rules and statutes. Chris was elected with a two-third majority as Chair of IMPEL as of January 2017 during the previous General Assembly (December 2016 in Bratislava). His announcement at that time, that he would only be available for one year, was a factual information but could not change the duration of term defined by the IMPEL statute. Legally, his term would therefore run until 31 December 2018, under the condition that the Dutch IMPEL member organisation continues to consider Chris Dijkens as a representative of their national organisation, and that Chris would continue as chair.

Henk Ruessink (NL) informed the GA that the Netherlands' Inspectorate supports Chris in case he is willing to continue as Chair of IMPEL, and will issue such a statement, if necessary.

Chris expressed his willingness to continue as Chair for one more year and how he is committed to the job.

Decision: The General Assembly decided with more than a two-third majority that Chris would continue with his mandate as Chair of IMPEL until 31 December 2018 and that, although there was no need for legal requirement for the Netherlands' Inspectorate to send a letter of support for Chris' his continuation as IMPEL Chair, due to the statement made by the National Coordinator from the Netherlands to the GA, the ILT will send such a letter to underline the support as expressed.

2. Appointment of Deputy Team Leaders (2018-2019)

Two Expert Teams proposed a change in the Deputy Team Leader position. The General Assembly is asked to confirm their appointment.

Candidates

- Tony Liebrechts (to replace Jesus Ocio) – Cross Cutting Approaches & Tools
- Simonne Rufener (to replace Allison Townley) – Waste & TFS

Decision: With a two-third majority the GA decided to appoint these two new deputy expert team leaders.

Session 12: Conclusions and close of meeting

Chair: *Ana Garcia*

1. Date of next meeting

Waltraud Petek (AT) announced that the 17th General Assembly will be held on 11-12 December in Vienna, Austria. On 10 December the National Coordinators meeting will be held in Vienna as well.

2. Conclusions and close of meeting

Ana closed the meeting by thanking Himot and Tiina and Silja and all the Colleagues from the Ministry of Environmental and Inspectorate for the wonderful organisation. During these days, the participants saw how after 25 years, IMPEL Experts continue to stay committed to IMPEL, ready for present and future challenges.

She also thanked Hans Lopatta, from European Commission for joining us and presenting European Commission's important updates from 2017 and foreseen for 2018. And, also the EUROSAI team, namely Tuuli Rasso, for attending IMPEL's General Assembly. The GA welcomed two new members, the Dutch Association of Regional Environmental Inspection Agencies and the Environmental Regional Inspectorate from Azores, Portugal.

The TORs presented for 2018 showed that IMPEL Experts and Teams are very willing and competent to continue their impressive work. The 25 years legacy is an inspiration, encouragement and, also a responsibility to continue IMPEL's excellent work and make it more and more robust and sustainable for the future. During these two days the GA had good discussions about the route that allows for a more structured robust and consistent approach to our future work, enabling to support our Members Countries in the needs and challenges they face.
