



European Union Network for the Implementation
and Enforcement of Environmental Law

IMPEL Waste & TFS CONFERENCE 2016 REPORT

Theme: "Circular Economy and International Cooperation"

Eschborn, Germany

8 – 10 June 2016

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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<p>Project Manager/Authors</p> <p>Nancy Isarin (IMPEL Secretariat)</p>	<p>Report adopted at IMPEL General Assembly Meeting: 1-2 December 2016, Bratislava, Slovakia</p>
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<p>Executive Summary</p> <p>This year's conference on Waste and TransFrontier Shipments of Waste (TFS), took place between 8 and 10 June in Eschborn, Germany and was hosted by the German Agency for International Cooperation and Development (GIZ). The conference programme was drafted around the theme 'Circular Economy and International Cooperation'. Besides updates and discussions on IMPEL activities, workshops and panel discussions were facilitated with contributions from development experts, international partner organisations and non-EU countries – notably in Africa – who are at the receiving end of the waste. The last day contributions from Industry and NGOs were welcomed.</p> <p>Overall conference conclusions</p> <p>The conference provided a good opportunity for a variety of EU and international stakeholders to discuss issues related to the circular economy principle - especially related to waste management. A circular economy is important to deal with scarce resources and to create a sustainable economy. However, illegal exports of waste and unsound management practices are a threat for the circular economy. Waste of electrical and electronic devices (WEEE) continues to be a problem in that regard. International cooperation therefor remains important to ensure a more environmental sound circular economy. IMPEL could help to continue improving international cooperation and cooperation between different authorities. Key element to consider is the continuation and sustainability of international contacts and links between involved regions. Possible new projects could focus on a better implementation of the WEEE Directive, ship dismantling and data exchange and improving the quality of the data.</p>	

Disclaimer

This report on the IMPEL Waste& TFS Conference 2016 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 8 and 10 June the IMPEL Waste & TFS conference was held in Eschborn, Germany. 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).

The German Agency for International Cooperation and Development (GIZ), in cooperation with the State of Hessen and IMPEL, kindly hosted the conference. The theme of this year's conference was "Circular Economy and International Cooperation" and the event aimed to:

- Exchanges of best practices and experiences,
- Promotion of IMPEL work to a broader audience,
- More uniform approach, interpretation and enforcement of the EU waste legislation,
- Discussion of the planned EU "Circular Economy" package,
- Better cooperation on waste issues between EU and African countries, including coordinated action against illegal waste shipments to Africa,
- Improved collaboration between the involved law enforcement agencies,
- Collecting ideas for future work of the Waste and TFS team,
- Exploring possible synergies and potentials for collaboration between IMPEL and international development cooperation.

In total 94 people attended the meeting. They represented 25 IMPEL Member Countries and European and global organisations including the Secretariat of the Basel Convention, the European Commission (DG ENV and DG TAXUD), Ghana Revenue Authority, NESREA Nigeria, BCCC Nigeria, the Basel Action Network, the United Nations University, Sustainable Recycling Industries and Philips.

2. CONFERENCE PROGRAMME

Day 1

Mr Harald Küpers opened the conference and introduced the first two speakers. **Ms Beatrix Tappeser (Deputy Minister of the Environment, State of Hesse, DE)** provided the opening speech, where she mentioned that waste management is an important issue for Hessen, referring to the visit of house of clean energy. She highlighted that Hessen would embrace efforts to prevent illegal waste shipments to developing - especially African - countries and pointed to a couple of regulatory efforts in Hessen (inspection plans etc.) and on the European level.

Ms Sabine Müller (Head of Department, GIZ) delivered the opening speech of behalf of the hosting agency GIZ. She mentioned the problem that, in developing countries, waste disposal would be an important source of income in the informal sector and that Germany, as a source of illegal waste shipment streams, part of the problem.

Ms Allison Townley, (Waste & TFS Expert Team leader), facilitated the programme on day 1, which included an update from several partner organisations and IMPEL projects:

1. **Peter Wessman: The EU's Circular Economy Package and International Cooperation – a Commission Perspective.** Peter emphasized importance of IMPEL project on waste shipment inspection planning and hoped to draw insights for future regulation. He presented the circular economy package as proposed by the Commission, which includes an action plan, follow up initiatives and legislative proposals. Waste prevention is considered as a first priority. He described sustainable development goals such as the legal obligation to separate certain waste streams, binding landfill targets and the harmonization of extended producer responsibility schemes. Recently the UN adopted a resolution mentioning of circular economy on the international level. It can be assumed that the package has an international dimension, focusing not only on the EU but also on the impact on other part of the world. A remaining problem is the criteria for end of waste criteria when being exported to outside the EU.
2. **Update IMPEL projects by Katie Olley: IMPEL Enforcement Actions project, Thomas Ormond: Waste Shipment inspection planning project, Franz Waldner: Landfill project and Huib van Westen: NCP days Best Practices Exchange Days.**
3. **Ms Yvonne Ewang (BRS Secretariat)** provided an update by Basel Convention Secretariat, especially on Second meeting of ENFORCE (ENFORCE-2), the tenth meeting of the Open-ended Working Group and the twelfth meeting of the Implementation and Compliance Committee. Key for the TFS group are the Technical guidelines on TBM of electrical and electronic waste and used electrical and electronic equipment, in particular regarding the distinction between waste and non-waste under the Basel Convention, consultations on draft guidance on the implementation of the BC provisions dealing with the consequences of illegal traffic and the work on providing legal clarity.

4. **Tackling e-waste challenges together: Synergies of twinning partnerships for international cooperation** was presented by **Michael Funcke-Bartz** (GIZ). He introduced the GIZ network of project partners and the focus of GIZ on Climate and Resource Protection.

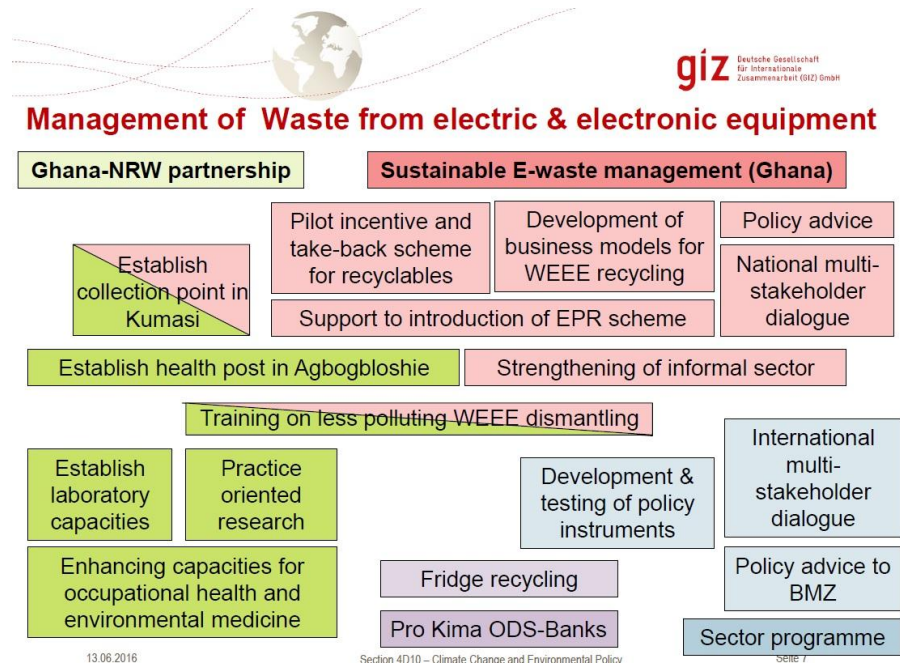


Figure 1: Over of GIZ work on WEEE Management

5. **Panel Discussion on Transboundary Shipments and Sub-Standard Management of Waste – Challenges for EU and African Countries.** This session was chaired by Michael Funcke-Bartz (GIZ, DE). Each panellist provided first some opening remarks:

Simonne Rufener (CH):

- E-waste one of the fastest growing waste streams in the world
- Ghana & Nigeria known hot spots for illegal waste shipments
- There is a strong demand in Africa for second hand electric & electronic equipment
- Crucial to ensure good quality of these goods
- Problematic to divide second hand equipment from e-waste, especially since these items are being shipped in mixed containers
- Intervention into e-waste markets should always take into account that these markets represent a strong source of income in the informal sector
- In Europe, the difficult distinction between waste and second hand goods is tackled by various guidelines [IMPEL guideline, Swiss Guideline]
- However, these guidelines mainly reflect the European view. There is a need to be able to also refer to tools which originate from developing countries
- Lack of smooth collaboration between importing and exporting countries when it comes to return-shipments
- Need to improve collaboration and harmonize enforcement

Percy Onianwa (Basel Convention Coordinating Centre)

- Mandate of Basel Convention Regional Centre covers the entire African region
- Study 2010-2012 “were are we Africa”: Nigeria imported 1,200,000 tons of e-waste per year, Ghana is second with 215,000 tons/year
- Participating in studies on e-waste flows was, in itself, a challenge and led to conflicting results
- Absence of binding policies and regulations on e-waste
- Lack of will on the legislative level to pass already existing draft bills into law
- Not enough trained prosecutors, judiciary, legislators
- Africa has the least capacity to deal with e-waste, informal sector dominates the market
- Hope to develop pilot plans regarding e-waste recycling
- E-waste African alliance aims to assist in establishing recycling standards

Opening Remarks Godfried Appiah Okoh (Ghana Revenue Authority, GH)

- 80% of waste shipments pass through Tema port
- Governmental revenue generated through electronic and electrical waste items main reason for lack of will to enact draft bills
- European second-hand items in high demand, since their quality is often better than first hand African products and since they are cheaper to get (☑ low income levels)
- Problem needs to be tackled on the demand end
- Revenue on e-waste to set incentives as a possible solution

Opening Remarks Otmar Deubzer (UNU)

- Project in Lagos, Nigeria: Chance to participate in waste inspections, check papers, do some basic testing
- Project has the support of the port authorities
- Given access to import documentation
- Problematic that declarations like “household goods” not specific enough to hint to waste shipments
- Since there is no specific declaration code for used electronics the documentation papers do not provide the information whether the electronics are new or used
- Possible solutions:
- More specific declaration codes
- Development of obligatory standard tests to ensure that items are working
- Need to cut the connection between imports and waste ☑ responsibility must not be shifted to importing countries ☑ need to enact draft bills

Opening Remarks Peter Wessmann (EU Commission)

- European Commission lays a strong focus on legislation
- Existence of a comprehensive regulatory framework
- Strict legislation in place on how to handle waste
- Circular economy identified as a strong economic factor
- Business cooperation and the development of networking systems as possible solutions

Panel Discussion

How is it that not properly declared containers are not simply sent back to the exporting country?

- Because of the existing lack of clear legislation
- Because there is not enough intelligence to ensure that 100% of the containers are controlled at their arrival. The same goes for their departure. Better intelligence is key here.
- Emphasize the importance of not breaking down small scale initiatives which have been formed within Africa. These initiatives should be integrated into the international scheme
- Extended producer responsibility can be a possible solution. However, this can only work in case certain requirements are fulfilled, such as a level of transparency which ensures that funds are not misused etc.
- Emphasize the importance of implementing and enforcing the already existing European frameworks. States that it would be beneficial to further promote the idea of circular economy on an international level

The open discussion that followed touched the following topics:

- The suggestion linking the person-in-port project with IMPEL projects.
- IMPEL had been in charge of executing an european-african-enforcement-network-project which stopped working, once the project funds had ended.
- Unfeasibility of testing electronic items unfeasible. European intelligence required in order to tell the difference between waste and used goods
- Which are the main challenges while enacting inspection plans? Changing environmental policies of the government; it could be observed that the informal sector is able sabotage pilot plans ☹ thus informal sector needs to be carefully integrated into projects; some plans chose business models which were not well suited for the African environment.
- Would an export ban f used electrical goods be a potential solution? No, as this is a big market. Lots of jobs involved and need for access to electrical equipment.
- Which incentives can be set for the informal sector to facilitate better waste management? Deposit systems? Such systems can impact the internal market. However, their usefulness has been proven and the idea seems worth to be spread on an international level.

Day 2 - Workshops

Day two consisted of parallel sessions in break-out groups on the following topics:

- i. Inspection planning and prioritisation (Chair: Thomas Ormond)
- ii. Priorities for action against illegal WEEE trade with Africa (Chair: Michael Funcke-Bartz)
- iii. Recycling targets (Chair: Kevin Mercieca, MT)
- iv. Cooperating against waste crime: The “LIFE SMART Waste Expert Platform” (Chair: Katie Olley, UK)
- v. EU-Africa collaboration for circular economy of EEE and WEEE (Chair: Ellen Gunsilius, GIZ)
- vi. Ship dismantling (Chair: Huib van Westen, NL)

Day 3

The final day of the conference covered presentations by IMPEL members and other organisations and a panel discussion.

1. **Mathias Schlupe: Turning waste into resources for development.** He introduced a long term project called sustainable recycling industries (SRS), which is funded by the Swiss Secretariat of Economic Affairs. The project aims to build capacity for sustainable recycling in developing countries and chooses an integrated approach and building strong local partnerships. The activities cover three areas: life cycle inventories, recycling initiatives, SRI Roundtable. The main beneficiaries would be workers involved in subsistence activities & economic operators involved in unofficial and official business activities (elaborated on the fact that “unofficial business” would be a more accurate term than “informal sector”, since the activities would not necessarily be illegal – more of a grey area). He stated that the extended producer responsibility approach would fail in case of primary metals – in this case, instead of following the product, it would be necessary to focus on the materials/the mines. Further he highlighted importance of institutionalization, of building an official course to become a recycler (apprentice program), of cooperation with informal associations in the informal sector.
2. **Amélie Frey: Prevention of Illegal Exports – The French Experience.** Her presentation described the law enforcement procedures of the French authorities. Recently a new joint organisation was established of public authorities in place which simultaneously focuses on environmental issues, fiscal issues, illegal work activities etc. Work to improve the collection of waste (upstream approach) , include: EPR schemes (higher collection rates required from PROs (producer responsibility organisations), organisation of specific collection events in dense urban centers and the development new channels of collection. The downstream approach includes measures like a ban on cash payment for metal waste, minimum requirements for shipments (annex VI WEEE directive) to distinguish used EEE from WEEE and regulatory requirement for treatment operators (including sorting) to set up a contract with PROs. Some results: between 2012-2014: Identification of 500 illegal sites (i.e. sites which were not declared to the environmental authorities) , 225 of which were removed.
3. **Federico Magalini – DOTCOM waste project.** He explained idea behind recent project called “DOTCOM waste project” – a project set up for a two-year period. It involves 6 consortium partners – not just from Europe but also from Africa and China. The aim is to develop tools to counter illegal management and trade of waste and to facilitate the flow of information between the different stakeholders involved in the enforcement cycle (judges, prosecutors, police etc.). The key deliverable or output would be a toolkit comprise of all relevant tools and materials to improve the capacity and links between law enforcement agencies. Further information: www.dotcomwaste.eu
4. **Isabelle de Stobbeleir/Ding Ye: EU-China Customs Cooperation on illicit trade.** An agreement between China-EU set up legal framework for customs cooperation to tackle illicit waste trade.



Figure 2 Deliverables and future actions

So far 2 working groups were established and 1 seminar held. The Working groups are following 3 step approach: 1) data collection re waste flows 2) difficulties 3) recommendations, which include:

- 1) Intensified exchange of data and improvement of its quality (use of pre-defined templates)
 - 2) Carry out recurrent collection of data (customs = leading authorities)
 - 3) Ensure effective cooperation between customs and other competent authorities in the daily practice (customs = leading authorities)
 - 4) Upgrade cooperation with private stakeholders, clarification of respective responsibilities (NCA's = leading authorities)
 - 5) Establishment of single network of local contact points
5. **Jim Puckett (Basel Action Network): Tracking illegal waste shipments.** He was critical about the latest developments at Basel Meeting, as according to latest guidelines, repairable goods would not count as waste. BAN considered that a big loophole in the WEEE management system. He then presented the e-trash transparency project. Utilizing high-tech methods to track high-tech wastes, the environmental watchdog, Basel Action Network (BAN) as part of their e-Trash Transparency Project, funded by the Body Shop Foundation, planted GPS trackers into 205 old printers and monitors and then delivered them to charities and recyclers. The results found that many of the containers went to Hong Kong and were then smuggled into the mainland. Allocation of the 200 devices gave the following results: 33 stayed in the US, 36 went to Hong Kong, 10 to Mainland China, 5 to Taiwan, just 1 to Africa (Kenya). Besides the tracking exercises, visits were executed to electronic junkyards in Hong Kong and China.

Weaknesses of Container Tracking are that it starts with known export so cannot provide relative percentages of that which is exported and that which is not, it can't show final destinations beyond first port (actual facilities, or transshipments) and it could be challenging to deploy consistently.

More information on the project website: <http://www.ban.org/trash-transparency>

6. Panel discussion on Circular Economy and Control of Transboundary Waste Shipments

Chair: Michael Funcke-Bartz

Panel: Huib van Westen (IMPEL), Isabelle de Stobbeleir (DG TAXUD), Johannes Frommann (GIZ), Eelco Smit (Philips), Jim Puckett (BAN)

The discussion started with questions and comments about the tracking of shipments, as presented by Jim Puckett in the previous presentation. A lot of different sides showed interest in the project. However funding would be a major challenge. It was added that IMPEL uses the tracking method themselves in Scandinavia. Regarding the role of the private sector it was stated that they showed a rather negative picture. Industry need to promote trash transparency. The Philips representative said it would not back step on their responsibilities, and it would have a chat with their compliance teams to see if they can use a similar project to check on their suppliers. Philips talked about project to establish policy schemes (Philips together with other OEM's and already ongoing since 5 years). BAN noted that, at the latest Basel Convention Meetings, OEM's would have turned guidelines upside down and that EU would have been the strongest lobby for lower standards in Basel. The problem should be tackled by extended producer responsibility approach; noted that Apple would lobby against requirements of reparability. Philips' goal is to enhance circular economy. Consumers would need to play their role in this as well, e.g. desire for slim phones vs. implementation of (thicker) replaceable batteries. On role of private sector in China it was commented that producers need to register with government authorities, obligation to dispose of waste in an environmental friendly way is in place, the will to recycle would be there. On the Customs Cooperation Agreement between EU-China it was underlined that it should promote innovation and development of new roles of customs, e.g. enforcement of environmental regulation. With respect to the tracking project data: port detention data also qualifies as "real data" which also confirmed the route used for e-waste movement via or to Hong Kong and the smuggling going on there as well. Again the problems of costs came up when cracking down facilities and repatriating illegally shipped waste. The importance of communication between national authorities was emphasized in this matter. Competent EU authorities should be notified in case of reshippments from China. This would too often not be the case

The final question was about results of conference – what did we learn? It was mentioned that it is still necessary to have a look inside Europe; focus on circular economy; critical to talk about the division of waste and non waste; need to build up legal structure which allows us transit into the circular economy. Political will is key. There needs to be more awareness about loopholes. It is a fact we need to do our homework in Europe as well.

3. Conference conclusions

- The conference provided a good opportunity for a variety of EU and international stakeholders to discuss issues related to the circular economy principle - especially related to waste management.
- A circular economy is important to deal with scarce resources and to create a sustainable economy. However, illegal exports of waste and unsound management practices are a threat for the circular economy.
- Waste of electrical and electronic devices (WEEE) continues to be a problem in that regard. International cooperation therefor remains important to ensure a more environmental sound circular economy.
- IMPEL could help to continue improving international cooperation and cooperation between different authorities. Key element to consider is the continuation and sustainability of international contacts and links between involved regions.
- Possible new projects could focus on a better implementation of the WEEE Directive, ship dismantling and data exchange and improving the quality of the data.

Annexes

Annex I. CONFERENCE PROGRAMME

IMPEL Waste & TFS Conference

8-10 June 2016

Theme: “Circular economy and international cooperation”

Wednesday 8 June

12.30	<i>Lunch and registration of conference participants</i>
	<p><i>Conference opening and welcome</i></p> <ul style="list-style-type: none"> - <i>Beatrix Tappser (Deputy Minister of the Environment, State of Hesse, DE)</i> - <i>Sabine Müller (Head of Department, GIZ)</i> - <i>Franz-Birger Marré (Head of Division Water, Urban Development, Mobility, BMZ)</i>
13.55	<p>Adoption of the agenda</p> <p><i>Allison Townley (Chair of IMPEL Waste & TFS Steering Committee; Northern Ireland Environment Agency, UK)</i></p>
14.00	<p>The EU’s circular economy package and international cooperation - a Commission perspective</p> <ul style="list-style-type: none"> - <i>Peter Wessman (European Commission / DG ENV)</i>
14.30	<p>Update IMPEL Waste & TFS Projects</p> <ul style="list-style-type: none"> - <i>Enforcement Actions (Katie Olley, UK)</i> - <i>Waste Shipment Inspection Planning (Thomas Ormond, DE)</i> - <i>Landfill project (Franz Waldner, AU)</i> - <i>NCP days (Huib van Westen, NL)</i>
15.00	<p>Update by Basel Convention Secretariat (especially on outcome of Basel OEWG 10)</p> <p><i>Yvonne Ewang (BRS Secretariat)</i></p>
15.30	<p>Tackling e-waste challenges together: Synergies of twinning partnerships for international cooperation</p> <p><i>Michael Funcke-Bartz (GIZ)</i></p>
15.55	<i>Coffee/tea break</i>
Wednesday 8 June (cont’)	
16.15	<p>Plenary discussion with panelists:</p> <p>Transboundary shipments and sub-standard management of wastes - Challenges for EU and African countries</p>

Chair: Michael Funcke-Bartz (GIZ)

Two short inputs from

- 1) **Simonne Rufener (CH)**
- 2) **Percy Onianwa (Basel Conv. Regional Centre West Africa)**

Comments from other panelists:

- 3) **Peter Wessman (EU Commission), Otmar Deubzer (UNU),**
- 4) **Godfried Appiah Okoh (Ghana Revenue Authority)**

Comments from the plenary

17.30	Group photo
17.35	Closing of day 1
18.00-20.00	<i>Dinner – at GIZ headquarters</i>

Thursday 9 June

09.00	Opening remarks <i>Chair: Thomas Ormond</i>
09.05	IMPEL update <i>Nancy Isarin (IMPEL Secretariat)</i>
09.15	Short introductions to the 6 workshop sessions <i>(Workshop chairs)</i>
10.30	<i>Coffee/tea break</i>
11.00	Break-out session with 3 parallel workshops: 1. Inspection planning and prioritisation (Chair: Thomas Ormond) 2. Priorities for action against illegal WEEE trade with Africa (Chair: Michael Funcke-Bartz) 3. Recycling targets (Chair: Kevin Mercieca, MT)
12.30	<i>Lunch</i>
13.30	Break-out session 2 with 3 more workshops 4. Cooperating against waste crime: The “LIFE SMART Waste Expert Platform” (Chair: Katie Olley, UK) 5. EU-Africa collaboration for circular economy of EEE and WEEE (Chair: Ellen Gunsilius, GIZ) 6. Ship dismantling (Chair: Huib van Westen, NL)
15.00	<i>Coffee/tea break</i>
15.30	Plenary feedback and discussion on all 6 workshops
17.00	Closing of day 2
17.30	<i>Departure for visit House of Clean Energy and waste management centre (18.00) and joint dinner at Weingut Flick (Flörsheim-Wicker)</i>

Friday 10 June

09:00	Opening remarks <i>Chair: Marina de Gier (NL)</i>
09:05	Short presentations on various aspects of international cooperation: <ul style="list-style-type: none">- Sustainable recycling industries (Mathias Schluerp, World Resources Forum)- National best practices for prevention of illegal exports - the French example (Amélie Frey, FR)- "DOTCOM waste" project (Federico Magalini, UNU)- Cooperation of EU and Chinese Customs authorities (Isabelle de Stobbeleir, EU Commission, DG TAXUD and DING Ye, Chinese Customs)- Tracking illegal waste shipments (Jim Puckett, BAN)
10.30	Coffee/tea break
10.45	Plenary discussion with panelists: Promoting international collaboration on circular economy and control of transboundary waste shipments <i>Chair: Michael Funcke-Bartz</i> <i>Panel: Huib van Westen (IMPEL), Isabelle de Stobbeleir (DG TAXUD), Johannes Frommann (GIZ), Eelco Smit (Philips), Jim Puckett (BAN)</i>
12.00	Final remarks and conclusions of the conference
12.20	Official closing of the conference
12.30	<i>Farewell lunch and Departure</i>

Annex II. ATTENDANCE LIST

	First name	Last name	Organisation	Country
Mr	Walter	Pirstinger	BMLFUW	Austria
Mr	Franz	Waldner	Federal Ministry of Agriculture, Forestry, Environment and Water Management	Austria
Mr	Steven	Overmeire	Milieu-inspectie	Belgium
Mr	Peter	Wessman	European Commission	Belgium
Ms	Isabelle	De Stobbeleir	European Commission	Belgium
Ms	Silviya	Galabova	Ministry of Environment and Water	Bulgaria
Ms	Vlastica	Pašalić	Ministry of Environmental and Nature Protection	Croatia
Mr	Demetris	Demetriou	Cyprus Department of Environment	Cyprus
Mr	Martin	Zemek	Czech Environmental Inspectorate	Czech Republic
Ms	Jana	Samková	Ministry of Environment	Czech Republic
Ms	Jana	Samková	Ministry of the Environment	Czech Republic
Ms	Irena	Sedláčková	Ministry of the Environment	Czech Republic
Mr	Johan	Vestergaard Paulsen	Danish Environmental Protection Agency	Denmark
Ms	Dorthe	Lindberg	Danish Customs and Tax Administration, Compliance - Customs, External Relations	Denmark
Mr	Freddy	Agerskov	Danish National Police	Denmark
Mr	Rene	Rajasalu	Estonian Environmental Inspectorate	Estonia
Ms	Marja-Riitta	Korhonen	Finnish Environment Institute	Finland
Ms	Anna	Chashchyna	Independent professional	France
Ms	Amélie	FREY	OCLAESP	FRANCE
Mr	Thomas	Ormond	RP Darmstadt / Land Hessen	Germany
Ms	Maria	Ertl	Hessian Ministry of Environment, Climate Protection, Agricultur and Consumer Protection	Germany
Ms	Beatrix	Tappeser	Hessian Ministry of Environment, Climate Protection, Agriculture and Consumer Protection	Germany
Ms	Heike	Gundlich	Hessian Ministry of Environment	Germany
Ms	Maria	Polixa	Regional Authority of South Hessen	Germany

	First name	Last name	Organisation	Country
Mr	Harald	Junker	Umweltbundesamt	Germany
Ms	Caroline	Domkowski	Regierungspräsidium Darmstadt	Germany
Mr	Gernot	Hülser	Bezirksregierung Münster	Germany
Mr	Harald	Kueppers	GIZ	Germany
Ms	Milena	Gimmier	Trainee, Regional Authority for South Hessen	Germany
Ms	Barbara	Friedrich	Environment Protection Agency	Germany
Mr	Juergen	Decker	Regierungspraesidium Giessen	Germany
Ms	Hella	Dernier	RP Darmstadt, Abt. IV Wiesbaden	Germany
Mr	Brian	McGrath	Regierungs Präsidium Darmsatdt	Germany
Mr	Manfred	Stotz	University of Applied Sciences Darmstadt/former Public Prosecutor	Germany
Mr	Daniel	Hinchliffe	GIZ	Germany
Ms	Ellen	Gunsilius	GIZ	Germany
Mr	Michael	Funcke-Bartz	GIZ	Germany
Ms	Christine	Vorschneider	HMUCLV	Germany
Mr	Andre'	Wolff	Wasserschutzpolizei Hessen	Germany
Mr	Thomas	Fay	Regierungspraesidium Giessen	Germany
Mr	Pascal	Renaud	GIZ	Germany
Ms	Barbara	Friedrich	Federal Environment Agency	Germany
Ms	Christina	Venter	Police Frankfurt	Germany
Mr	Holger	Diehl	Hessian Ministry of Environment	Germany
Mr	Joachim	Thiemann	Federal Office for Goods Transport	Germany
Ms	Doris	Schaab	RP Darmstadt	Germany
Mr	Johannes	Frommann	Deutsche Gesellschaft für Internationale Zusammenarbeit (GIZ) GmbH	Germany
Mr	Timo	Krämer	Police Westhessen	Germany
Mr	Klaus	Willke	Senior expert	Germany
Mr	Otmar	Deubzer	United Nations University	Germany
Mr	Federico	Magalini	United Nations University	Germany

	First name	Last name	Organisation	Country
Mr	GODFRIED APPIAH	OKOH	GHANA REVENUE AUTHORITY	GHANA
Ms	Andrea	Szabó	National Inspectorate for Environment and Nature	Hungary
Ms	Vivienne	Ahern	National TFS Office	Ireland
Mr	Patrick	McCartney	National TFS Office	Ireland
Ms	safete	kuci	MESP	Kosovo
Ms	Florije	Kqiku	Ministry of Environment and Spatial Planning	Kosovo
Ms	Inga	Seņavska	State Environmental Service	Latvia
Ms	Lilija	Dukaļska	State Environmental Service of Latvia	Latvia
Mr	Frank	Thewes	Environment Agency Luxembourg	Luxembourg
Mr	Melchior	Psaila	E.R.A	Malta
Mr	Kevin	Mercieca	Environment and Resources Authority	Malta
Mr	Huib	van Westen	ILT-IOD	Netherlands
Ms	Thera	Boelhouver	ILT-IOD	Netherlands
Mr	Enes	SRNDIC	Human Environment and Transport Inspectorate	Netherlands
Mr	Jan	Oomen	Netherlans customs	Netherlands
Mr	Eelco	Smit	Philips	Netherlands
Mr	Percy	Onianwa	BCCC-Africa	Nigeria
Ms	Anastasia	Akhigbe	NESREA	Nigeria
Ms	Allison	Townley	Northern Ireland Environment Agency	Northern Ireland, UK
Mr	Thor Jostein	Dahlstrom	The Norwegian Environment Agency	Norway
Ms	Beate	Langset	Norwegian Environment Agency	Norway
Ms	Magdalena	Kwarta KOZLOWSKA-	Norwegian Environment Agency	Norway
Ms	EDYTA	KUREK	CHIEF INSPECTORATE OF ENVIRONMENTAL PROTECTION	POLAND
Ms	ANNA	NEHRING	CHIEF INSPECTORATE OF ENVIRONMENTAL PROTECTION	POLAND
Ms	Cláudia	Simões	IGAMAOT	Portugal
Ms	Nancy	Isarin	IMPEL Secretariat	Portugal

	First name	Last name	Organisation	Country
Mr	Jonathan	Morris	SEPA	Scotland
Mr	Bojan	Počkar	Inspectorate of RS for the environment and spatial planning	Slovenia
Ms	Nada	Suhadolnik - Gjura	Environmental Agency of Republic of Slovenia	Slovenia
Mr	Santi	Davila	Ministry of Agriculture, Food and Environment	Spain
Mr	Martin	Johansson	Swedish Customs	Sweden
Mr	Jan-Eric	Moberg	The County Administrative Board of Skåne	Sweden
Mr	Jon	Engstrom	Swedish EPA	Sweden
Ms	Simonne	Rufener	BAFU	Switzerland
Mr	Andreas	Goessnitzer	Federal Office for the Environment	Switzerland
Mr	Mathias	Schluep	Sustainable Recycling Industries	Switzerland
Ms	YVONNE	EWANG-SANVINCENTI	UNEP/BRS	SWITZERLAND
Mr	Martijn	Ras	Dutch Customs	The Netherlands
Ms	Marina	de Gier	ILT	The Netherlands
Ms	Katie	Olley	SEPA	UK
Ms	Karen	Andrews	Environment Agency, England	United Kingdom
Mr	Jim	Puckett	Basel Action Network	United States

Annex III. Terms of Reference

TOR Reference No.:	Author(s): Allison Townley
Version: 2	Date: 15 October 2016
TERMS OF REFERENCE FOR WORK UNDER THE AUSPICES OF IMPEL	

1. Work type and title

1.1 Identify which Expert Team this needs to go to for initial consideration	
Industry	<input type="checkbox"/>
Waste and TFS	<input checked="" type="checkbox"/>
Water and land	<input type="checkbox"/>
Nature protection	<input type="checkbox"/>
Cross-cutting – tools and approaches -	<input type="checkbox"/>
1.2 Type of work you need funding for	
Exchange visits	<input type="checkbox"/>
Peer reviews (e.g. IRI)	<input type="checkbox"/>
Conference	<input checked="" type="checkbox"/>
Development of tools/guidance	<input type="checkbox"/>
Comparison studies	<input type="checkbox"/>
Assessing legislation (checklist)	<input type="checkbox"/>
Other (please describe):	<input type="checkbox"/>

1.3 Full name of work (enough to fully describe what the work area is)	
Conference on the Implementation and Enforcement of the Waste Shipment Regulation	
1.4 Abbreviated name of work or project	
IMPEL TFS Conference 2016	

2. Outline business case (why this piece of work?)

2.1 Name the legislative driver(s) where they exist (name the Directive, Regulation, etc.)	
<ul style="list-style-type: none"> • Waste Shipment Regulations • Landfill Directive • Waste Framework Directive • Packaging and Packaging Waste Directive • End of Life Vehicles Directive • WEEE Directive • Waste Batteries and Accumulators Directive 	
2.2 Link to IMPEL MASP priority work areas	
<ol style="list-style-type: none"> 1. Assist members to implement new legislation 2. Build capacity in member organisations through the IMPEL Review Initiatives 3. Work on 'problem areas' of implementation indentified by IMPEL and the European Commission 	<input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/>

2.3 Why is this work needed? (background, motivations, aims, etc.)

The projects and activities of the Waste and TFS Expert Team are based on the European Directives covering waste and also the Waste Shipment Regulations. Waste has been recognised as a priority with the 7th Environment Action Programme and the Road Map to Resource Efficient Europe identifying the need to have methodologies in achieving “waste as a resource” including ensuring full implementation of current legislation therefore 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.

Lastly building and strengthening the link between the EU and key third countries is also required in order to verify the environmentally sound treatment of waste outside the EU. Part of the activities will therefore also include attending the annual meetings from two Asian networks; namely the Asian Network and the REN network.

2.4 Desired outcome of the work (what do you want to achieve? What will be better / done differently as a result of this project?)

- Exchanges of best practices and experiences
- Promotion of IMPEL work to a broader audience
- More uniform approach, interpretation and enforcement of the EU waste legislation
- Improved collaboration between the involved law enforcement agencies
- Collect ideas for future work of the Waste and TFS team
- Improved links and joint actions with Asian countries

2.5 Does this project link to any previous or current IMPEL projects? (state which projects and how they are related)

Previous IMPEL TFS Conferences and third party collaboration.

3. Structure of the proposed activity

3.1 Describe the activities of the proposal (what are you going to do and how?)

Decide on a theme for the conference, prepare the programme (speakers, presentations, workshops, etc), 2.5 days conference, report. The preparations will be done in close collaboration with the members of the IMPEL TFS Steering Committee and also the host organisation.

3.2 Describe the products of the proposal (what are you going to produce in terms of output / outcome?)

- Conference
- Conference report
- List of topics for possible future work for the cluster
- Press-release
- Reports from the two Asian meetings

3.3 Describe the milestones of this proposal (how will you know if you are on track to complete the work on time?)

January: Preparations

February: Invitations

March – May: Programme

June: Conference

September: Conference Report

November: Asian network and REN meetings

December: Adoption reports at the GA

3.4 Risks (what are the potential risks for this project and what actions will be put in place to mitigate these?)

- Location of conference as yet to be confirmed.
- Cost overrun if venue cannot be secured at expected rate

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4. Organisation of the work

4.1 Lead (who will lead the work: name, organisation and country) – this must be confirmed prior to submission of the TOR to the General Assembly)				
IMPEL TFS Steering Committee members				
4.2 Project team (who will take part: name, organisation and country)				
IMPEL TFS Steering Committee members				
4.3 Other IMPEL participants (name, organisation and country)				
4.4. Other non-IMPEL participants (name, organisation and country)				
Not yet determined				

5. High level budget projection of the proposal. In case this is a multi-year project, identify future requirements as much as possible

	Year 1 (exact)	Year 2	Year 3	Year 4
How much money do you require from IMPEL?	25470			

How much money is to be co-financed	-			
	25470			

6. Detailed event costs of the work for year 1

	Travel € (max €360 per return journey)	Hotel € (max €90 per night)	Catering € (max €25 per day)	Total costs €
<u>Event 1</u>	10,560	8910		19470
<i>Conference</i>				
<i>24-26 June 2015</i>				
<i>TBC</i>				
<i>90, but 33 on IMPEL budget</i>				
<i>3</i>				
<u>Event 2</u>	1500	500		4000
<i>Asian Network meeting</i>				
<i>Q4</i>				
<i>Asia</i>				
<i>2</i>				
<i>4</i>				
<u>Event 3</u>	1500	500		2000
<i>REN Meeting</i>				
<i>Q4</i>				
<i>Asia</i>				
<i>1</i>				

4				
Event 4				
<Type of event>				
<Data of event>				
<Location>				
<No. of participants>				
<No. of days/nights>				
Total costs for all events	14880	9910		25470

7. Detailed other costs of the work for year 1

7.1 Are you using a consultant?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No
7.2 What are the total costs for the consultant?	
7.3 Who is paying for the consultant?	
7.4. What will the consultant do?	
7.5 Are there any additional costs?	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No Namely:
7.6 What are the additional costs for?	
7.7 Who is paying for the	

additional costs?	
7.8. Are you seeking other funding sources?	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No Namely: 1 dinner and venue by host organisation
7.9 Do you need budget for communications around the project? If so, describe what type of activities and the related costs	<input type="checkbox"/> Yes <input checked="" type="checkbox"/> No

8. Communication and follow-up (checklist)

	What		By when
8.1 Indicate which communication materials will be developed throughout the project and when <i>(all to be sent to the communications officer at the IMPEL secretariat)</i>	TOR ^{✓*} Interim report ^{✓*} Project report ^{✓*} Progress report(s) [✓] Press releases News items for the website ^{✓*} News items for the e-newsletter Project abstract ^{✓*} IMPEL at a Glance [✓] Other, (give details):	<input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input checked="" type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/> <input type="checkbox"/>	October 2015 September 2016 June 2016 June 2016 June 2016
8.2 Milestones / Scheduled meetings (for the website	Conference		

diary)	
8.3 Images for the IMPEL image bank	<input checked="" type="checkbox"/> Yes <input type="checkbox"/> No
8.4 Indicate which materials will be translated and into which languages	No documents will be translated
8.5 Indicate if web-based tools will be developed and if hosting by IMPEL is required	n/a
8.6 Identify which groups/institutions will be targeted and how	All involved law enforcement agencies, international organisations, European Commission and Basel Secretariat
8.7 Identify parallel developments / events by other organisations, where the project can be promoted	

✓) Templates are available and should be used. *) Obligatory

9. Remarks

Is there anything else you would like to add to the Terms of Reference that has not been covered above?

Annex IV. Outcomes workshops

Workshop no. 1 – Inspection planning, concerning regulation 660/2014 on inspection plans.

The Chair, Mr Thomas Ormond, asked everyone to upload inspection plans to Basecamp, ideally with English translations. In general, many countries do not have plans ready, but to a large degree a working collaboration with customs and police authorities.

A tour the table followed about the status of the inspection plans. Then the participants were invited to share their comments on risk assessment, what are the problems, is it clear how to do risk assessment and what risks to look at? How are the risks environmental, are there other risks as well? Different risk assessments lead to different approaches. It is important to publish in a way that ensures it is clear what your message is. Also discussed was how to distinguish between small violations and serious ones. Most violations of article 18 belong to the small. What are the crimes done with notified waste? We should target sectors we are not usually working with.

Some countries have a database of annex VII documents used to target inspections.

How to define minimum number of inspections to make? It is also a key question to measure how much time is invested in inspections, based both on document check and physical checks. Different kinds of inspections show different complexities. Important to clarify what measurements you are using when describing number of inspections in the plan. It was briefly discussed whether measurement in tonnes is usable parallel to number of inspections.

Focus on waste streams, what is problematic? It is perhaps a strategy to target specific streams and say it out that we are targeting, “now do your best”.

How far do you need police enforcement? Generally, relations to the police is important, it is something built over the years. Trust is crucial. Different legislation provides for different targeting of inspections, sometimes police need a warrant that inspectors don't need.

Is there a formal agreement for corporation with police? Most countries seem to have no formal agreement, but an understanding with customs and police forces. Generally, it is important to meet and to raise awareness. Police may have slightly different interests than waste shipment inspectors. Important to find common ground.

Should the plan address follow-up inspections? The chair wishes to encourage using follow-up plans for inspections. Please see guidelines on that. Publication of the plan, experiences to share? In general, care must be taken as to what parts and when to publish. Publication can be an instrument to influence.

Workshop 3 - Management of Waste Electrical and Electronic Equipment (WEEE)

Background to Workshop

WEEE growing fast, most ends up being waste. Contains resources that are lost, contains hazardous substances. Leakage of waste – loss of EU resources, want to prevent env. Pollution and health effects. WEEE Directive is EPR directive. 10 categories of EEE, will move to 6 categories of EEE in August 2018. Product Design, separate collection. Targets: collection target, then from this a recycling target. Until Dec 2015 target collection was 4kg per inhabitant. (Malta only 12% of EEE placed on market)

From 2016 collect 45% of WEEE based on total EEE placed on market in 3 preceding years. From 2019 65% from 3 preceding years.

Recycling based on weight. Obligation for member states to reach these targets, some MS contract this out to recyclers.

Directive gives two possibilities: once put on market in member state, become producer. 2 options = self compliant by collection of own products – must have financial guarantee in place. Or can joint compliance scheme which does this on their behalf. E.g. in Malta 700 producers, only one is self compliant. Place financial guarantee on schemes themselves.

Questions for the workshop:

1. How is WEEE enforced in various member states?
2. What are the barriers faced by MS in fulfilling collection targets?
3. What are the barriers faced by MS in fulfilling recycling targets?
4. IMPEL projects for better implementation of WEEE Directive in EU?

Possible ideas:

- Look at all the EU registers in one place – IMPEL
- Best practice on collection in EU
- Quality of data put on market e.g. focus on what is put on market and is it correct
- Repairing shops included into the system? To be accounted for as recycling.
- Article 15 of WEEE Directive for treatment facilities mandates enforcement authorities to demand the content information of products in facility.

Workshop 4. - Enhancing collaboration through the LIFE SMART Waste platform: opportunities and issues

The workshop began with a comprehensive live demonstration of the platform given by Jonathan Morris (SEPA).

- Cloud based system developed by IBM
- Social Media Platform similar to Facebook/LinkedIn
- Files/Documents can be uploaded for collaborative review in real-time
- Can launch a meeting from the Document itself
 - Audio-Visual space
 - Meeting stream tracks on the screen
 - Meeting can be recorded and uploaded to a website afterwards
- Document viewer is read only at present but there is a product on offer from IBM which allows online editing
- Wiki function – can create pages on specific topics
- Can also create Forums or Discussion pages
- Activities tool enables you to identify tasks & allocate each task to specific users along with timelines etc.
- Ideation Blog – space where members can suggest ideas for projects etc, community is then polled to see whether the idea will be accepted

Five key questions were posed to the attendees for discussion. These together with the discussion held under each question are summarised below:

Question	Main Discussion Points
<p>1. Do we need a collaborative platform to enhance connectivity and communication between IMPEL colleagues?</p>	<ul style="list-style-type: none"> • Platform was initially set up for LifeSmart but the potential was see to be much wider • Subscription service costing £5/6 a month with unlimited guests • Review due at the end of June on how the system is performing for LifeSmart • Governance aspects to be taken into account including: <ul style="list-style-type: none"> ▪ privacy assessment (personal data) ▪ Data analysis (no risk with sharing data on this due to its nature) • Criminal data stored on dedicated systems not on this platform • Acceptable use policy in place • Inappropriate sharing/posting can be policed and users can be rejected/blocked
<p>What would you want a collaborative platform to do for you to support your work?</p>	<ul style="list-style-type: none"> • Currently we have BaseCamp which was set up for projects but is now being used as a chatroom • Difference between this and BaseCamp would be that it is easier to retrieve discussion via this forum and so queries would be less likely to be repeated. Wikis could also be created for specific topics of interest

	<ul style="list-style-type: none"> • Potential is there to run webinars
<p>What are the strengths, weaknesses, opportunities and threats of the platform?</p>	<ul style="list-style-type: none"> • Strengths/Opportunities – greater possibilities for integrating functions e.g. multimedia conferencing, document sharing, chat capabilities - currently being managed by separate applications so combining these in one platform would reduce running costs • Weaknesses – Data security • Threats - adoption and engagement, how to keep people using the application. • Administration of the service will need to be performed by IMPEL but it is easy to use and there is good support available from IBM • Storage of documents – who owns these (in terms of FoI), any personal information is housed by IBM i.e. they are the data processor/holder and don't actually know what the data is, the user retains ownership of the actual data • More detail on FoI to be provided but can be covered in the system operation procedures which users have to sign up to
<p>What features of the platform would you use in your work and why?</p>	<ul style="list-style-type: none"> • Good way of managing queries – difficult to retrieve previous queries on BaseCamp • Multiple functionality is a plus • Wiki – BIG plus

	<ul style="list-style-type: none">• Also possible to filter out unnecessary emails i.e. email strings etc.
What ideas do you have for a collaborative pilot project using the platform?	<ul style="list-style-type: none">• Better to keep it small and simple if possible• People will build their own communities organically• Could be used to engage with other interest groups (not just IMPEL) such as non-EU enforcement agencies