IMPEL-TFS ENFORCEMENT ACTIONS I

Enforcement of EU Waste Shipment Regulation

“Learning by doing”

June 2008

Final Report
The European Union Network for the Implementation and Enforcement of Environmental Law is an international association of the environmental authorities of EU Member States, EU acceding and candidate countries, and Norway.

The network is commonly known as the IMPEL Network

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

Information on the IMPEL Network is also available through its web site at: http://europa.eu.int/comm/environment/impel.
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### Executive Summary:

This report describes the results of the IMPEL-TFS Enforcement Actions project carried out by 22 EU Member States and three European countries. After the Seaport project and Verification project this Enforcement Actions project is a new enforcement project under the umbrella of the IMPEL-TFS Network.

Main aim of this Enforcement Actions project is to contribute to a permanent and consistent level of enforcement of Waste Shipment Regulation within Europe.

A management summary is enclosed further on in this report.

### Disclaimer:

This report on the Enforcement Actions 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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- **Annex I:** List of country coordinators and project management
- **Annex II:** Examples of press releases during the project
- **Annex III:** Project products and materials
- **Annex IV:** Project evaluation
Foreword

I am very pleased to present the final report of the Impel-TFS project Enforcement Actions. The most important aim was the contribution to a permanent common and consistent level of enforcement within Europe of the EU Regulation 1013/2006 (before 1 July 2007 the EU regulation 259/93) on the transfrontier shipment of waste within, through and from the European Union. The regulation on transfrontier shipment of waste is only effective when it is thoroughly enforced and this can only be effective through international cooperation.

In this Enforcement Actions Project 168 inspections were organized all over Europe and almost 14.000 transports were inspected; more than 2000 concerned transfrontier shipments of waste. 15% of these wasteshipments turned out to be in violation with the Regulation. The inspections were carried out on the road, in ports, at companies and at railways.

This project was important because good working contacts were established between the countries and their inspectors. These became more acquainted with one another and could more easily support each other and exchange information. In this way international cooperation, one of the goals of the project, was improved.

Inspections are important. Waste markets change rapidly, waste is business and huge amounts of the waste are transported to countries outside Europe. Waste is a source of raw materials which can be recycled. Often the treatment and reprocessing of waste is performed well. But also it occurs that waste does not reach its prescribed destiny resulting in risks for man and environment. Enforcement must reduce these risks. That's why the activities of the inspectors contribute to the integrity of the internal waste market and European environmental goals.

During the project again a main obstacle came to the surface: enforcement has often not enough priority and in several countries effective enforcement depends on the enthusiasm of individual persons. Many countries still lack enough support and sufficient sources.

It is my ambition to continue the cooperation between countries and their inspectors. We must further reduce illegal waste shipments and illegal treatment and processing of waste. The destiny of waste in developing countries should have the highest priority to prevent wastedump or polluting, poor processing of waste at low costs but against high environmental damage. Only through permanent joint actions and enforcement of the Waste Shipment Regulation and with political support and priority, we can reduce the risks of incidents.

I support the recommendations of the report and call upon the European Commission, EU member states and IMPEL-TFS to strengthen the enforcement of the Waste Shipment Regulation.

And finally I would like to thank all participating countries, inspectors and persons involved for their efforts and great work. This project was a success. Keep on performing inspections, maintaining the network and the cooperation.

Dr. Jacqueline Cramer,
Minister of Housing, Spatial Planning and the Environment
The Netherlands
0 MANAGEMENT SUMMARY

Introduction

The amount of waste shipped around the world is increasing. In the European Union approximately 15% of all shipments involve waste. In most cases waste ends up in environmental sound processing facilities. Waste however is also being shipped by road, railway, marine or air transport all over the world for making profits, saving costs or transferring environmental and health problems to other places, as the Probo Koala and Trafifgura scandals in 2007 clearly demonstrated. In order to prevent such ‘illegal’ waste shipments and its potential risks for the environment and health, worldwide provisions are in place.

EU Regulation 259/93, on the supervision and control of shipments of waste within, into and out of the European Union is replaced by Regulation 1013/2006 on shipments of waste. This revised Waste Shipment Regulation (WSR) came into force on 12 July 2007. Revised WSR contains a new and important Article 50 on the enforcement in European Member States (MS). Paragraph 5 of Article 50 states that “Member States shall cooperate, bilaterally or multilaterally, with one another in order to facilitate the prevention and detection of illegal shipments”.

This report describes the results of the IMPEL-TFS Enforcement Actions project carried out by 22 EU Member States and three European countries. After the Seaport project and Verification project this Enforcement Actions project is the new enforcement project under the umbrella of the IMPEL-TFS Network.

Main aim of this Enforcement Actions project is to contribute to a permanent and consistent level of enforcement of Waste Shipment Regulation within Europe. The following objectives are derived from the project’s aim:

- to continue performing inspections;
- to improve (inter)national cooperation and exchange of knowledge and experience;
- to develop and improve enforcement tools.

Project description

The Enforcement Actions project lasted from September 2006 to June 2008 and was organised, managed and financed by VROM-Inspectorate (The Netherlands) and co-financed by IMPEL-TFS.

In total 25 European countries joined the project. In this period three project conferences are organised, four inspection periods were planned and performed and 34 inspectors joined the international exchange programme. During the conferences the inspections were prepared and plans for improvement were agreed on. During the Start conference the participating countries agreed, among other things, to focus on transport inspections, company inspections and (customs) documents. The inspections were held in between the conferences and the results both of the conferences and inspections were reported. As a growing document this final report is the synthesis of all (interim) reports.

Project results

The project shows several results to be subdivided into:

- Inspections
- Cooperation.
Inspections
During the project four inspection months were organised in February, June and October 2007 and in January-February 2008. In order to prevent and detect (illegal) waste shipments seventeen countries carried out a total amount of 168 inspections, most of which (65%) transport inspections. During these 168 inspections a total number of almost 14,000 transports were inspected, of which more than 2,000 (16%) concerned transfrontier shipments of waste. Of these 2,000 waste shipments, more than 300 (15%) turned out to be in violation of the requirements of European Waste Shipment Regulation. 40% of these violations concerned illegal shipments and the other 60% were administrative violations. Some countries detected no violation whatsoever (0%) others had a hit rate of 100% violations.

The total amount of violations of new WSR 1013/2006 is half as the amount of old WSR 259/93 and most violations of new WSR concern infringements of Annex VII.

The most common cases of illegal shipment are either exports of hazardous waste destined for non-OECD countries or loads containing waste which were shipped under the procedure for green listed waste, where this is not allowed.

In the case of illegal waste shipments, waste electrical and electronic equipment (WEEE) comes out as the most important waste stream, followed by end-of-life vehicles (ELV) and vehicle parts, plastic waste and metal waste.

One important aspect of inspections is to verify whether the inspected waste shipment is allowed. Verification can be done after administrative checks (inspecting the transport documents) and/or physical inspection of the load. Should verification on inspection location not be possible, verification requests can be done. Although the total amount of formal verification requests during the project is low (eighteen), quite some verification requests were done informally by contacting people within the network via e-mail or telephone, but these request have not been registered. This can be explained by the wish to gain time and the existence of close network relations, not only the network within this project, but the IMPEL-TFS network (Competent Authorities, National Contact Points, etc.) as well.

Cooperation
Another objective of the project was to stimulate cooperation by organising joint inspections and exchange (send or invite) inspectors to and from other countries. Joint inspections mean inspections in which different enforcement authorities cooperate on a national or an international level. In most of the countries cooperation is necessary to perform inspections. Cooperation is also important, because it mobilises capacity; skills and experiences of different participants can be effectively combined. The project revealed that in 90% of the inspections national cooperation takes place.

During international joint inspections enforcement agencies of two or more countries prepared and performed inspections on the same day and at the same border crossing with mutual assistance during the inspections. Another way to stimulate cooperation and the exchange of knowledge and experience was to join the Inspector Exchange programme that was financed by IMPEL-TFS. In total fifteen countries joined this Programme and 34 inspectors were in this way exchanged to other countries.

More information on the project results and experiences are presented in more detail in chapter 3 and Annex IV.
Conclusions
Based on the objectives, results and experiences of this Enforcement Actions project the following main conclusions can be drawn:

- The project was stimulating, useful and successful in many ways.
- The project however also clearly demonstrates that the enforcement of Waste Shipment Regulation is not yet institutionalised equally in the European countries. A 'level playing field' within Europe is still a goal to be reached.
- Although quite some positive results have come out until now, a bottom-up approach alone, such as in the Verification, Seaport and Enforcement Actions I projects is not enough to create a permanent and consistent level of enforcement in all European countries. This challenge can only be accomplished by the appropriate (decision) levels.

These three main conclusions are worked out in more detail in chapter 4.

Recommendations
Generally, having concluded that the project was a success, but more top-down support should be given and basic conditions and facilities need to be established and improved first in order to create a (more) level playing field, main recommendations are:

1. **Create more political and high management support** for the enforcement of WSR by:
   - more political awareness;
   - involving as much Member States as possible;
   - enabling new countries to start with small steps;
   - investing more in institutional strengthening and capacity building;
   - involving all relevant authorities in national enforcement of WSR;
   - communicating in a more structural way inside and outside the IMPEL-TFS Network.

2. **Establish a more level playing field** by:
   - organising more education and training for all national enforcement partners;
   - developing 'tailor-made' national enforcement actions plans;
   - starting bilateral collaboration with neighbouring countries;
   - identifying the gaps and needs on the enforcement level.

3. **Organise a follow-up** by starting Enforcement Actions project II:
   - as soon as possible;
   - for all national enforcement authorities;
   - focusing on chain enforcement, verifications and custom (harmonised) codes;
   - by helping developing a 'train-the-trainers' programme;
   - with an extended and improved exchange programme;
   - with intensified internal and external communication;
   - with new enforcement tools, such as formats for national enforcement actions and inspection plans, standards for specific waste types, waste flow analyses, instructions on how to handle Annex VII of WSR and how to use custom codes and regularly updated and distributed lists of contact persons.

These three general recommendations are explained, worked out in more detail and assigned to specific target groups in chapter 4.
1 INTRODUCTION

1.1 Background

Transfrontier shipment of waste is defined as transport of waste across national borders and is a result of the world’s economy of demand and supply of waste and available waste treatment facilities. The amount of waste shipped around the world is increasing. In the European Union approximately 15% of all shipments involve waste. In most cases waste ends up in environmental sound processing facilities. Waste, however, is also being shipped by road, railway, marine or air transport all over the world in order to make profits, to save costs or to transfer environmental and health problems to other areas, as the Probo Koala and Trafigura scandals in 2007 clearly demonstrated. Worldwide provisions are in place preventing such waste shipments and their potential risks for the environment and health.

Figure 1.1.1: Example of unwanted waste shipments (Probo Koala, Ivory Coast)

In 1994 European Council Regulation 259/93 (OJ L30, 1993) on the supervision and control of shipments of waste within, into and out of the European Community, came into force. One of the main purposes of the European waste regulation was to take care of the environmentally sound processing of waste. Another purpose was to prevent shipment of environmentally harmful waste to countries not having any provisions to cope with these types of waste.

This new Waste Shipment Regulation (WSR) came into force on 12 July 2007 and is based on:

- the Basel convention (1989), which regulates the movement of hazardous waste;
- OECD decision (1992), which regulate shipment for recovery into European regulation;

Article 50 of the new WSR contains the provisions on enforcement (see figure 1.1.2)

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1. Member States shall lay down the rules on penalties applicable for infringement of the provisions of this Regulation and shall take all measures necessary to ensure that they are implemented. The penalties provided for must be effective, proportionate and dissuasive. Member States shall notify the Commission of their national legislation relating to prevention and detection of illegal shipments and penalties for such shipments.

2. Member States shall, by way of measures for the enforcement of this Regulation, provide, inter alia, for inspections of establishments and undertakings in accordance with Article 13 of Directive 2006/12/EC, and for spot checks on shipments of waste or on the related recovery or disposal.

3. Checks on shipments may take place in particular:
   (a) at the point of origin, carried out with the producer, holder or notifier;
   (b) at the destination, carried out with the consignee or the facility;
   (c) at the frontiers of the Community; and/or
   (d) during the shipment within the Community.

4. Checks on shipments shall include the inspection of documents, the confirmation of identity and, where appropriate, physical checking of the waste.

5. Member States shall cooperate, bilaterally or multilaterally, with one another in order to facilitate the prevention and detection of illegal shipments.

6. Member States shall identify those members of their permanent staff responsible for the cooperation referred to in paragraph 5 and identify the focal point(s) for the physical checks referred to in paragraph 4. The information shall be sent to the Commission which shall distribute a compiled list to the correspondents referred to in Article 54.

7. At the request of another Member State, a Member State may take enforcement action against persons suspected of being engaged in the illegal shipment of waste who are present in that Member State.

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**Figure 1.1.2: WSR Provisions on enforcement**
1.2 IMPEL-TFS

The European Union Network for the Implementation and Enforcement of Environmental Law (IMPEL) is an informal Network of the environmental authorities of the Member States, future Member States and candidate countries of the European Union and Norway. The network is commonly known as the IMPEL Network. The European Commission is also a member of IMPEL and shares the chairmanship of meetings.

The IMPEL-TFS (Trans Frontier Shipment of waste) network was set up in 1992 in order to harmonise the enforcement of EU Regulation 259/93 (replacing EC Directive 84/631) on Transfrontier Shipments of Waste with regard to the supervision and control of waste shipments into, out of and through the European Union.

IMPEL-TFS is one of the IMPEL network clusters. The network consists of representatives from enforcement authorities of the Member States and some other European countries working on Transfrontier Shipment of Waste.

The main aim of the IMPEL-TFS network is to promote compliance with WSR through enforcement, to carry out joint enforcement projects and to promote exchange of knowledge and experience. In addition, the network aims to develop methods and common minimum standards for monitoring and enforcing compliance to waste shipment regulations throughout the European Union. The network has also established collaboration with other authorities including Interpol and authorities outside the EU. In the Multi Annual Work Programme 2007-2010 the targets are set as follows:

- capacity building;
- improving methodologies;
- development of good practices;
- promotion of IMPEL and dissemination of its products.

Since 2003 the IMPEL-TFS cluster has carried out several enforcement projects. The overall aim of the projects is to support effective cross-border control of waste shipments. The intention of this enforcement collaboration is to target only those waste shipments suspected of being illegal and not disrupt the business of compliant operators. The collaborative activities involved are the exchange and sharing of information and performance of joint inspections by regulators from several European countries. Some obstacles and challenges still exist. Cooperation between the various involved authorities, such as environmental agencies, Customs and Police, is not yet a routine procedure. However, these authorities will undeniably need to call upon each other’s skills and experience. Sharing information between authorities at national and international levels is also a challenge, due to the different systems used and some of the legal restrictions that constrain information sharing in a number of organisations.

In the period between 2003 and June 2006 two enforcement projects were run under the umbrella of the IMPEL-TFS network:

- Seaport (1 and 2);
- Verification project (1 and 2).
Seaport project
The main objective of the Seaport projects 1 and 2 was to improve the joint enforcement of WSR 259/93 in the participating ports by aligning the enforcement activities and joint enforcement of waste shipped through ports. To reach this goal the enforcement structures in the participating ports were drawn up and the cooperation between national and international authorities involved in the enforcement of waste shipments started and intensified. Joint inspections were carried out in participating seaports, according to a uniform inspection method. Furthermore, experience, best practices and knowledge regarding the implementation and enforcement of WSR 259/93 were shared between the participating countries.

Verification project
The IMPEL-TFS Verification project includes projects 1 and 2. During the first project the participating countries checked whether notified waste actually did reach their final destination as stated in the given notification. These checks were based on a three-day prior notification. Seven EU countries participated in this project. The second Verification project focused on all waste streams of WSR 259/93.

The Verification project as well as the Seaport project ended in June 2006. The conclusions from both projects were similar: many illegal shipments were detected, and most illegal transports were found to be defined as ‘green listed waste’ or not defined as waste at all, while the actually transported waste had been defined as ‘not listed’, ‘amber’ or ‘red listed waste’ (lists of waste according WSR 259/93). Within these projects the first step towards work on a EU-wide level playing field concerning the enforcement of waste shipments was made, but there was a definite need for follow up. The final Seaport project conference in Liverpool and the Verification Project meeting in Zagreb concluded that both projects had ended too early. Through these projects valuable experience has been gained regarding inspection methods, planning inspections and exchange of staff and information. One of the recommendations was to combine the methods used in both projects into one strategy to be applied in future TFS activities. Based on these findings, all involved enforcement organisations stressed the need to continue joint inspections and enforcement of waste shipments.

Enforcement Actions project
Based on the above reasons IMPEL-TFS started a new enforcement project which also aims to prepare the EU MS for the enforcement of the new WSR (1013/2006). The Enforcement Actions (EA) project combines the objectives and activities of both Seaport and Verification projects.

With the Enforcement Actions project IMPEL-TFS aims at further improvement of implementation and enforcement of environmental legislation by the EU Member States. Within the project EU Member States can continue to develop their expertise in enforcement inspections and the new Member States can acquire the skills necessary to enforce legislation in their own countries. The current Enforcement Actions project (Enforcement Actions I) is coming to an end and will probably be followed up by Enforcement Actions project, part II.
1.3 Set-up of report

This report is the final report of Enforcement Actions I project and presents a description of the project, products, performed activities and results and gives recommendations for improvement.

The report is structured into five chapters:

- **Chapter 2** introduces the IMPEL-TFS Enforcement Actions Project, by explaining the project objectives and priorities, participating countries, project management, project approach and project products and activities;
- **Chapter 3** describes the project results subdivided into results of the inspections and verifications (3.2), cooperation and exchange of inspectors (3.3), products and materials (3.4) and project evaluation (3.5);
- **Chapter 4** summarises the results in conclusions and gives recommendations for improvement in Enforcement Actions II project.

1.4 Target group

The results of this Enforcement Actions I project will be distributed to the various stakeholders, namely IMPEL network, European Commission, Member States, IMPEL-TFS National Contact Points, European Parliament, Waste Shipment Correspondents Group, Basel Secretariat and NGO’s. Furthermore, the report will be published on the IMPEL Official Website.
2 PROJECT DESCRIPTION

2.1 Objectives and priorities
As explained in the previous chapter, the Enforcement Actions I project is a project organised by IMPEL-TFS, the network of enforcement agencies of the EU Waste Shipment Regulation (WSR). The aim of the project is improving the implementation and enforcement of WSR by the Member States. Within this project Member States can continue developing their expertise in enforcement inspections. New Member States can easily access the project and acquire the skills necessary for them to enforce legislation in their own countries. The project started in October 2006 when Council Regulation 259/93 on the supervision and control of shipments of waste within, into and out of the European Community, was in force. During the execution of the project, on 12th July 2007, the new WSR (1013/2006) was instated. Therefore the project also aims to prepare the EU MS for the enforcement of the new WSR.

The main objectives of the Enforcement Actions I project are to:
1. contribute to a permanent and consistent level of enforcement within Europe;
2. demonstrate that the Member States continue the joint European enforcement;
3. provide an easily accessible European enforcement project for all Member States.

More practical objectives are:
4. to detect illegal waste transports, including verification and monitoring, or to verify and monitor the destination of waste transports and the treatment of waste at its final destination within or outside Europe in order to improve environmentally and humanly sound waste processing.
5. to set up training and exchange programmes for inspectors in order to exchange knowledge and experience.
6. to deter potentially illegal waste exporters.
7. to maintain and improve the network of front line inspectors, inspection methods, exchange of information and exchange of knowledge.
8. to improve the collaboration between the different competent authorities and enforcement partners.

2.2 Participating countries
The following 22 EU Member States and three European countries (Croatia, Serbia and Switzerland) participate in this Enforcement Actions I project.

| 1. Austria          | 10. Germany       | 19. Scotland     |
| 8. Finland         | 17. Poland        |

Although not all participating countries carried out inspections, as will be shown in the next chapter, the amount of participating EU countries in this project is substantially higher than in the Seaport and Verification projects: 25 instead of thirteen and nine.
2.3 Project management

The Netherlands provided funding for the project and supplied the project manager. The coordinator of the project is the Dutch Ministry of Housing, Spatial Planning and the Environment (VROM) under the umbrella of the IMPEL-TFS. The project management comprise a principal and a project manager from the Netherlands. Royal Haskoning and FFact Management Consultants provided the project consultants. The members of the Project management team can be found in Annex I, part B.

2.4 Project approach

This project was divided into different phases: preparation, implementation and reporting. A number of activities were encompassed within these phases. The project period was from September 2006 to June 2008. The planning of the main activities is presented in figure 2.4.1.

The general approach of this project consists of:
- preparation: organising conferences during which project products, plans for and results of inspections and expert exchanges were agreed on;
- operation: planning, preparing and executing inspections, verifications and inspector exchanges;
- reporting: collecting data, reporting and communication of the inspection and exchanges results.
### PHASE ACTIVITIES

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<td></td>
<td></td>
<td>11</td>
<td>12</td>
<td></td>
</tr>
<tr>
<td>Preparation</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Implementation</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Reporting</td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
</tbody>
</table>

Figure 2.4.1: Project phasing and activities

<table>
<thead>
<tr>
<th>Legend:</th>
</tr>
</thead>
<tbody>
<tr>
<td>Project execution</td>
</tr>
<tr>
<td>Conferences:</td>
</tr>
<tr>
<td>Interim meeting, Paris, France, 20-21 March 2007;</td>
</tr>
<tr>
<td>Conference, Brussels, Belgium, 6-7 December 2007;</td>
</tr>
<tr>
<td>Joint inspections</td>
</tr>
</tbody>
</table>

During the last conference in Brussels plans were also made for joint inspections and exchange of inspectors in May 2008. This in order to continue joint enforcement actions.

#### 2.4.1 Project preparation

The project preparation was mainly done by organising conferences during which the joint inspections and exchanges of inspectors were planned.

**Start conference**

The Start conference of the project was held in November 2006 in The Hague, The Netherlands.

![Figure 2.4.1.1: Participants of the Start Conference](image-url)
During the Start conference representatives of enforcement authorities from the eighteen countries agreed to:

- intensify joint inspections, exchange inspectors and information;
- focus on transport inspections, company inspections and (customs) documents;
- pay special attention to undeclared waste shipments, waste electronic equipment, end-of-life vehicles, green listed waste, batteries, household waste, waste disguised as second hand goods;
- focus on waste export to non-OECD countries and imports into new Member States;
- cooperate with national authorities like Environmental Inspectorates, custom services, police and port authorities.

**Interim meeting**

The results and some lessons learned during the inspections and inspector exchanges in February 2007 were presented during the interim meeting in Paris, France on 20 March 2007. Participants discussed their enforcement actions, successes and bottlenecks and agreed on new joint inspections and inspector exchanges.

During the Interim meeting on 20 March 2007 representatives of enforcement authorities from eighteen countries agreed:

- to extend and intensify joint inspections, exchange of inspectors and information, especially since the new WSR would come into force on the 12th of July, 2007;
- on a programme for further joint inspections and exchange of inspectors in 2007;
- to intensify and improve cooperation on national and international level;
- to contact neighbouring European countries that have expressed their interest in joining this project.

**Conference Brussels**

The last conference took place in Brussels on 6-7 December 2007. Representatives of seventeen EU Member States attended this conference. The conference included subgroup and plenary sessions, presentations, interactive sessions and discussions.

The results of the inspections that took place in June and October 2007 and experiences were discussed during this conference. Also an evaluation of the project’s activities (joint inspections, exchange of inspectors), instruments (manual, communication plan, Viadesk website, newsletter, etc.) and management was made and ideas for improvement regarding the project activities and instruments were discussed. New inspection and expert exchange plans for 2008 were also agreed upon.
2.4.2 Project operation

The lifecycle of waste can be described as a waste chain. From ‘cradle to grave’ waste is produced, transported, stored, transferred, sorted, reused, recycled, recovered and (finally) disposed of. Almost every waste stream has different chains and links. In order to prevent and deter potentially illegal waste activities supervision and control over waste chains should ideally be achieved by means of chain enforcement. This concept is illustrated in figure 3.1.1.

Chain enforcement is a strategic and intentionally prepared way of enforcement. It is executed deliberately based on waste chain analyses, threat assessments, pre-selected waste streams, companies, locations and/or sites prior to the actual inspections.

Based on the waste chain approach, the starting point for inspections can differ:
- transport (road, water, rail or air)
- companies where physical activities with waste take place
- others (administrative checks of documents at customs and other governmental authorities and waste trading companies, such as waste brokers).

During the inspections transport vehicles or vessels were selected for inspection. The advantage of seaport inspections over road inspections is the possibility to make a pre-selection of waste shipments based on customs documents. First, the documents are checked to see whether the transport is a transboundary movement of waste. If this is the case, the documents are scrutinised to check whether the administrative requirements of the Waste Shipment Regulations are fulfilled. The inspectors may then decide if they want to do a physical check of the load itself to ascertain whether the material transported actually corresponds with the information in the (transport) documents. Violations of the requirements of the Regulation are found if a shipment does not have the necessary documents, if the material transported does not correspond to the information in the documents or in case of illegal treatment or a ban.

![Figure 3.1.1: Waste chain and chain enforcement](image-url)
The way and the extent to which supervision and control over waste shipments is organised varies in the participating countries. For the sake of this project a ‘standard’ project organisation and operation was introduced as described below.

The general procedure and working methods used for the inspections within the project are illustrated in figure 2.4.2.1.

![Figure 2.4.2.1: General procedure and working methods for inspections](image)

On international collaboration level the country coordinators played a central role in this project. Every Member State delegated one country coordinator (see Annex I for the list of country coordinators) representing all national authorities involved in the enforcement of WSR and being responsible for the implementation and coordination of the project and the agreements on joint inspections and inspector exchanges. Secondly, the country coordinators also collected the inspection results and report to the project management.

On a national level the way and the extent to which inspections of waste shipments are organised vary, because in every country the tasks, responsibilities and authorities are organised in different ways.
2.4.3 Project reporting

Reporting
After the inspections had been executed, the country coordinator gathered all (individual) inspection result forms, filled in the total result form and sent it to the project management and project consultants.

The project consultants gathered and analysed all total result forms, as well as the results (reports) of the inspector exchanges over that period. Based on the facts & figures, an interim report was drafted with the main conclusions and recommendations of that inspection period. Every interim report was discussed during the next conference. As a growing document this final report is the synthesis of all (interim) reports.

Communication
Internal and external communication is a very important aspect, not only to demonstrate that Member States are able to organise joint European enforcement of transfrontier waste shipments, but also to spread and expose the results and benefits of the project's activities and to raise awareness on the (potential) dangers of illegal waste shipments.

Based on the Communication Plan, plans and products were established for the use of external and internal communication.

Regarding external communication, the interim reports and conference results were communicated by means of draft press releases to be used by national country coordinators for external communication (see examples in Annex II). Several countries also published articles and press releases on different waste shipment issues, derived from this Enforcement Actions project.

Regarding internal communication several communication products were made and distributed during the project. More information can be found in paragraph 3.4.
3 PROJECT RESULTS

3.1 Introduction

Based on the project objectives as outlined in paragraph 2.1, this chapter describes the results of the inspections, verifications, collaboration and exchange of inspectors.

Within this project, the most commonly used type of inspection is the one concerning (waste) shipments. Most participating countries have organised road transport inspections, and a number of them, also inspections in seaports. Less common are inspections of inland-water ports and rail transport. Sometimes it may be efficient to inspect companies, e.g. at warehouses or yards in ports, where waste is stored prior to shipment. Inspections at the company of origin or the destination of the waste may equally be efficient ways of enforcement of the shipments regulation.

The project aimed at establishing an EU wide coverage of the enforcement activities and to concentrate the activities of different countries in specific periods in order to increase the impact and visibility of the activities. During the project four inspection periods were planned and performed in:
- February 2007;
- June 2007;
- October 2007;

Table 3.1.1 gives an overview of the (type of) inspections during these inspection months.

<table>
<thead>
<tr>
<th>Type of Inspections</th>
<th>February 2007</th>
<th>June 2007</th>
<th>October 2007</th>
<th>Jan-Feb 2008</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Road transport</td>
<td>10</td>
<td>59</td>
<td>31</td>
<td>10</td>
<td>110</td>
</tr>
<tr>
<td>Seaport</td>
<td>8</td>
<td>11</td>
<td>8</td>
<td>5</td>
<td>31</td>
</tr>
<tr>
<td>Inland port inspections</td>
<td>1</td>
<td>3</td>
<td>2</td>
<td>4</td>
<td>3</td>
</tr>
<tr>
<td>Train inspections</td>
<td>1</td>
<td>2</td>
<td></td>
<td></td>
<td>3</td>
</tr>
<tr>
<td>Company inspections</td>
<td>2</td>
<td>3</td>
<td>2</td>
<td>4</td>
<td>4</td>
</tr>
<tr>
<td>Combination of inspections</td>
<td>1</td>
<td>3</td>
<td>2</td>
<td>9</td>
<td>15</td>
</tr>
<tr>
<td>Total</td>
<td>23</td>
<td>76</td>
<td>43</td>
<td>26</td>
<td>168</td>
</tr>
</tbody>
</table>

Based on the results as summarised in table 3.1.1 the following conclusions can be drawn:
- road transport inspections are the most common type of inspections carried out within this project, followed by seaport inspections;
- the fact that the total amount of company inspections is small, does not imply that few company inspections have been carried out, they have just been rarely reported;
- June 2007 holds the highest number of inspections carried out, February 2007 and January-February 2008 the lowest;
- the regression in October 2007 is caused by the fact, that the new WSR had just come into force and several countries were facing problems with both implementation and enforcement of the new regulation.
3.2 Inspections, violations and verifications

3.2.1 Inspections

The results for the different inspection periods are given in table 3.2.1.

Table 3.2.1: Inspection results during periods

<table>
<thead>
<tr>
<th>Type of action</th>
<th>February 2007</th>
<th>June 2007</th>
<th>October 2007</th>
<th>Jan-Feb 2008</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Total number of transports</td>
<td>1,510</td>
<td>6,619</td>
<td>4,007</td>
<td>1,641</td>
<td>13,777</td>
</tr>
<tr>
<td>Number of transfrontier shipments of waste</td>
<td>399</td>
<td>795</td>
<td>495</td>
<td>453</td>
<td>2,142</td>
</tr>
<tr>
<td>% shipments of waste of total number inspected</td>
<td>26%</td>
<td>12%</td>
<td>12%</td>
<td>28%</td>
<td>16%</td>
</tr>
<tr>
<td>Number of violations of the WSR</td>
<td>99</td>
<td>102</td>
<td>65</td>
<td>52</td>
<td>318</td>
</tr>
<tr>
<td>% of transfrontier shipments in violation of the WSR</td>
<td>25%</td>
<td>13%</td>
<td>12%</td>
<td>11%</td>
<td>15%</td>
</tr>
</tbody>
</table>

Based on the results as summarised in table 3.2.1, the following conclusions can be drawn:
- during the project a total number of 13,777 transports were inspected, this means inspection of containers, trucks, documents;
- out of these, 2,142 transports (16%) concerned transfrontier shipments of waste;
- on 250 of these shipments administrative checks only were done and 1877 were also checked physically;
- in total 318 of the shipments (15%) turned out to be in violation of the WSR requirements.

In the inspection periods with more (sea)port inspections (February and June 2007), the number and percentage of violations is higher than in October 2007 and January-February 2008, in which periods less (sea)port inspections were carried out. This phenomenon can be explained as follows. With port inspections it is easier to make a pre-selection of shipments to be inspected. On the basis of customs documents one can select containers likely to contain waste. This pre-selection is more complicated when performing a road inspection, e.g. via a roadblock, in which case one has to decide quickly and on the basis of visual indications only, which lorry to select for inspection. Therefore the number of transports inspected during road inspections is generally high, whereas the percentage of transfrontier shipments of waste within the controlled transports is generally lower than with port inspections.

Moreover, it should be noted that not all the inspection results were made up in the same way. Some inspections only reported the number of transfrontier shipments and not the total number of transports inspected. The total number of transports inspected during the inspection months is therefore somewhat larger than 13,777, while the percentage of transfrontier shipments as reported is probably slightly too high.
3.2.2 Violations

For this report a distinction is made between administrative violations and illegal shipments.

1. **Administrative violations**
   - are violations of the Regulation in which cases the papers accompanying the shipment are incomplete, (partly) incorrect or missing.

2. **Illegal shipments**
   - are violations of the Regulation when waste is shipped without authorisation, which should have been obtained via a notification, or shipments that are prohibited and which, if notified, never would have been granted authorisation. Cases in which the material transported does not correspond to the description in the documents are also marked as illegal shipments.

---

**Definition of ‘Illegal shipment’**

According to Article 35 of WSR 1013/2006 ‘illegal shipment’ means any shipment of waste effected:

(a) without notification to all competent authorities concerned pursuant to this Regulation; or

(b) without the consent of the competent authorities concerned pursuant to this Regulation; or

(c) with consent obtained from the competent authorities concerned through falsification, misrepresentation or fraud; or

(d) in a way which is not specified materially in the notification or movement documents; or

(e) in a way which results in recovery or disposal in contravention of Community or international rules; or

(f) contrary to Articles 34, 36, 39, 40, 41 and 43; or

(g) which, in relation to shipments of waste as referred to in Article 3(2) and (4), has resulted from:
   - the waste being discovered not to be listed in Annexes III, IIIA or IIIB, or
   - (ii) non-compliance with Article 3(4),
   - (iii) the shipment being effected in a way which is not specified materially in the document set out in Annex VII.
Table 3.2.2: Overview of inspections and results per country

<table>
<thead>
<tr>
<th>Country</th>
<th>Total number of transports</th>
<th>Waste inspections</th>
<th>Number of violations</th>
<th>% transfrontier shipments of waste</th>
<th>% violations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Austria</td>
<td>3,060</td>
<td>212</td>
<td>32</td>
<td>7%</td>
<td>15%</td>
</tr>
<tr>
<td>Belgium</td>
<td>1,616</td>
<td>98</td>
<td>20</td>
<td>6%</td>
<td>20%</td>
</tr>
<tr>
<td>Bulgaria</td>
<td>15</td>
<td>15</td>
<td>15</td>
<td>100%</td>
<td>100%</td>
</tr>
<tr>
<td>Croatia</td>
<td>93</td>
<td>90</td>
<td>13</td>
<td>97%</td>
<td>14%</td>
</tr>
<tr>
<td>Denmark</td>
<td>154</td>
<td>125</td>
<td>3</td>
<td>81%</td>
<td>2%</td>
</tr>
<tr>
<td>England and Wales</td>
<td>78</td>
<td>4</td>
<td>0</td>
<td>5%</td>
<td>0%</td>
</tr>
<tr>
<td>Germany</td>
<td>1,767</td>
<td>384</td>
<td>32</td>
<td>22%</td>
<td>8%</td>
</tr>
<tr>
<td>Ireland</td>
<td>707</td>
<td>328</td>
<td>4</td>
<td>46%</td>
<td>1%</td>
</tr>
<tr>
<td>Latvia</td>
<td>2</td>
<td>2</td>
<td>0</td>
<td>100%</td>
<td>0%</td>
</tr>
<tr>
<td>Netherlands</td>
<td>2,725</td>
<td>613</td>
<td>127</td>
<td>22%</td>
<td>21%</td>
</tr>
<tr>
<td>Northern Ireland</td>
<td>312</td>
<td>55</td>
<td>14</td>
<td>18%</td>
<td>25%</td>
</tr>
<tr>
<td>Poland</td>
<td>2,118</td>
<td>110</td>
<td>33</td>
<td>5%</td>
<td>30%</td>
</tr>
<tr>
<td>Portugal</td>
<td>657</td>
<td>20</td>
<td>1</td>
<td>3%</td>
<td>5%</td>
</tr>
<tr>
<td>Scotland</td>
<td>12</td>
<td>12</td>
<td>6</td>
<td>100%</td>
<td>50%</td>
</tr>
<tr>
<td>Serbia</td>
<td>19</td>
<td>19</td>
<td>4</td>
<td>100%</td>
<td>21%</td>
</tr>
<tr>
<td>Slovenia</td>
<td>446</td>
<td>55</td>
<td>14</td>
<td>12%</td>
<td>25%</td>
</tr>
<tr>
<td>Total</td>
<td>13,777</td>
<td>2,142</td>
<td>318</td>
<td>16%</td>
<td>15%</td>
</tr>
</tbody>
</table>

Based on these results it can be concluded that:
- including the countries that provided results from ad hoc inspections (see §3.2.2) in total seventeen countries carried out inspections;
- the percentage of violations varies from 0% up to 100%;
- the ratio of the number of inspections to the number of violations differs substantially between the countries. This can be partially explained by the type of inspection.

Inspections by Croatia

Croatian environmental protection inspectors gladly participated in the joint inspections of the Enforcement Actions Project.

Inspections of waste shipments held in the 1st inspection period were (road) transport and company inspections and were carried out in cooperation with customs service and police. Road transport inspections were carried out at all road border crossings: the borders with Hungary, Slovenia, Bosnia and Herzegovina, Serbia and Montenegro.

Joint inspections, together with Slovenian IMPEL-TFS representative were carried out at 2 border crossings: Macelj and Bregana. Both sides, Croatian and Slovenian, were satisfied with the cooperation and collaboration, so during the Interim meeting in Paris it was agreed to continue the joint work.
Table 3.2.3 provides an overview of the inspections and results per participating country.

### Table 3.2.3: Overview types of violations

<table>
<thead>
<tr>
<th>Violations</th>
<th>February 2007</th>
<th>June 2007</th>
<th>October 2007</th>
<th>Jan-Feb 2008</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td><strong>Administrative violations</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Greenlist information incomplete, incorrect or missing</td>
<td>29</td>
<td>23</td>
<td>26</td>
<td>30</td>
<td>108</td>
</tr>
<tr>
<td>Amberlist information incomplete, incorrect</td>
<td>6</td>
<td>5</td>
<td>1</td>
<td>0</td>
<td>12</td>
</tr>
<tr>
<td>Non-authorised transporter</td>
<td>16</td>
<td>8</td>
<td>4</td>
<td>1</td>
<td>29</td>
</tr>
<tr>
<td>No A sign*</td>
<td>1</td>
<td>2</td>
<td>1</td>
<td>1</td>
<td>5</td>
</tr>
<tr>
<td>Other or not specified</td>
<td>1</td>
<td>19</td>
<td>8</td>
<td>4</td>
<td>32</td>
</tr>
<tr>
<td><strong>Total administrative violations</strong></td>
<td>53</td>
<td>57</td>
<td>40</td>
<td>36</td>
<td>186</td>
</tr>
<tr>
<td><strong>Illegal shipments</strong></td>
<td></td>
<td></td>
<td></td>
<td></td>
<td></td>
</tr>
<tr>
<td>Waste requiring permit shipped as green</td>
<td>28</td>
<td>4</td>
<td>4</td>
<td>7</td>
<td>43</td>
</tr>
<tr>
<td>Export hazardous waste destined for non-OECD country</td>
<td>18</td>
<td>12</td>
<td>0</td>
<td>4</td>
<td>34</td>
</tr>
<tr>
<td>Waste as transported did not correspond to documentation</td>
<td>0</td>
<td>2</td>
<td>0</td>
<td>4</td>
<td>6</td>
</tr>
<tr>
<td>Other or not specified</td>
<td>0</td>
<td>27</td>
<td>21</td>
<td>1</td>
<td>34</td>
</tr>
<tr>
<td><strong>Total illegal shipments</strong></td>
<td>46</td>
<td>45</td>
<td>25</td>
<td>16</td>
<td>132</td>
</tr>
<tr>
<td><strong>Total</strong></td>
<td>99</td>
<td>102</td>
<td>65</td>
<td>52</td>
<td>318</td>
</tr>
</tbody>
</table>

* Absence of an A sign – to be used on trucks containing waste in Germany - is not a formal violation of WSR, but of German provisions.

Based on these results it can be concluded that:
- most of the violations occurred in the months February and June 2007 during which most of the (sea)port inspections were performed (see table 3.1.1);
- the total amount of violations of new WSR 1013/2006 is half as the amount of old WSR 259/93;
- the type of violations found during the inspection rounds were either administrative (61% of the violations that were found), or cases of illegal shipment (39%).

#### Illegal shipment to Hungary in 2006

More then 5000 tons of (municipal) waste was shipped illegally from Germany to Hungary. The reasons for illegal shipment were:
- Wrong classification, pretended green listed waste shipment.
- The addresses at destination did not have permission for recovery.
- There was no notification made at all.

Police investigation took place continuously. Hungarian CA contacted the relevant German CA, whereupon the Hungarian ministry contacted the German Federal Ministry. The Hungarian companies involved received administrative fines and 6 Hungarians were sent to jail for up to five years.
The most frequent administrative violations are the absence, incompleteness or (partly) incorrectness of the information, which should accompany a shipment of green listed waste. Under the old WSR 259/93 this was the information as required in Article 11. In the new Regulation 1013/2006 this is the information as required in Article 18 and specified in Annex VII. Transports of waste by transporters not having the required authorisation or registration also occur frequently. The most common cases of illegal shipment are either shipments of waste shipped according to the procedure for the green list, when this is not allowed, or exports of hazardous waste destined for non-OECD countries.

### Joint inspections of waste shipments at the Bulgarian-Greek border

October – November 2007

Bulgarian Ministry of Environment and Water together with Customs, Border Police, Transport Authorities and Dutch Environmental Inspectorate held a number of inspections on the Bulgarian-Greek border.

The results of the inspections were:
- Massive traffic to Bulgaria of mixed waste collected in Greece
- Due to the lack of required notification, and in the absence of any permit, these waste shipments were considered illegal
- Type of waste: car batteries, lead acid accumulators, cables, mixed metals, wood, plastics, electronic equipment
- 16 vehicles inspected and blocked
- One car and two trucks returned to Greece
Table 3.2.4 gives an overview of the type of waste involved in shipments that were in violation of the Regulation and the most frequent type of violation for these wastes. Not for all 318 violations this information was provided.

Table 3.2.4: Overview types of waste involved in shipments that were in violation of WSR

<table>
<thead>
<tr>
<th>Waste type</th>
<th>Number of violations</th>
<th>Most frequent violations</th>
</tr>
</thead>
<tbody>
<tr>
<td>Metal waste</td>
<td>48</td>
<td>Green list information missing or incomplete</td>
</tr>
<tr>
<td>Paper and cardboard waste</td>
<td>35</td>
<td>Green list information missing or incomplete</td>
</tr>
<tr>
<td>Waste electrical and electronic equipment (WEEE)</td>
<td>30</td>
<td>Waste shipped as product and contamination</td>
</tr>
<tr>
<td>Plastic waste</td>
<td>24</td>
<td>Green list information missing or incomplete and contamination</td>
</tr>
<tr>
<td>End-of-life vehicles</td>
<td>22</td>
<td>Waste shipped as product and contamination</td>
</tr>
<tr>
<td>Municipal waste</td>
<td>17</td>
<td>Various</td>
</tr>
<tr>
<td>Wood</td>
<td>13</td>
<td>Green list information missing or incomplete</td>
</tr>
<tr>
<td>Textile waste</td>
<td>10</td>
<td>Waste shipped as product</td>
</tr>
<tr>
<td>Other</td>
<td>44</td>
<td>Various</td>
</tr>
<tr>
<td>Total</td>
<td>243</td>
<td></td>
</tr>
</tbody>
</table>

After analysis of 74 cases of illegal shipments for which some details were documented, WEEE comes out as the most important waste stream (21 cases), followed by end-of-life vehicles and vehicle parts (eleven cases), plastic waste (eight cases) and metal waste (seven cases).

3.2.3 Ad hoc inspections

As demonstrated above a large number of countries participated in the co-ordinated actions during the inspection months. This gives a good picture of the enforcement activities that took place during the enforcement periods. However, these were not the only enforcement activities on Waste Shipment Regulation that took place.

In a number of countries so-called ad hoc inspections took place. These are inspection activities by enforcement agencies, such as customs, police or environmental inspectorates that do not focus on transboundary movement alone, but also on other aspects of regulations. During these activities, the agencies sometimes came across transboundary movements of waste which they then inspect as well. In these cases, inspection and enforcement of waste shipment was embedded in daily routine.

These ad hoc inspections also did reveal violations of WSR. However, since the focus of these enforcement actions was not only on the transboundary movement of waste, they were not included in the reporting on enforcement actions. They are also not included in the statistics presented in paragraph 3.2.

Three countries provided examples of violations discovered during these ad hoc inspections:

- **The Netherlands** provided information about their ad hoc inspections in the first three months of 2007 and for the period between October 2007 and March 2008;
- **Switzerland** provided information about their ad hoc inspections in 2006 and 2007;
- **Czech Republic** provided information about their ad hoc inspections in 2007.
The Netherlands
The Netherlands reported 145 violations of the WSR during ad hoc inspections. In a large number of cases these violations involved WEEE (34 cases), plastic waste (25 cases), end-of-life vehicles or vehicle parts (seventeen cases) and ferrous or non-ferrous metal scrap (fourteen cases). In at least 61 cases the shipments were transits of waste, in which cases the Netherlands was neither the country of origin nor the country of destination of the waste.

Switzerland
Switzerland reported 28 violations of WSR during ad hoc inspections. Shipments of tyres in particular were often mentioned in these violations (10 cases). Also WEEE (five cases), metal scrap and ELV’s (both four cases) were frequently mentioned.

Czech Republic
Czech Republic reported three violations of WSR during ad hoc inspections. In total, 450 trucks were inspected during four inspections in the period May 2007 - October 2007. One out of the eight waste related shipments showed administrative violations and concerned paper. Two other waste shipments were evaluated as illegal shipments and concerned glass and tyres.

3.2.4 Verifications

One important aspect of inspections is to verify whether the inspected waste shipment is allowed. Verification can be done after administrative checks (inspecting the transport documents) and/or physical inspection of the load. In those cases in which verification on the actual inspection location is not possible, verification requests can be done.

Ideally, all verification requests should be done formally by sending written verification requests to the authorities concerned, for example to verify whether the company of destination does exist or is allowed to treat the shipped waste. In eighteen cases the enforcement agency which inspected the shipment requested a verification of information at the country of destination and registered the verification request.

Although the total amount of formal verification requests is low, quite a number of verification requests - but also general questions related to waste shipments and regulation - were done informally by contacting people within the network via e-mail or telephone, but have not been registered. The main reasons for this phenomenon are to gain time and the close network relations, not only the network within this project, but also the IMPEL-TFS network (Competent Authorities, National Focal Points, etc.).

3.3 Cooperation and exchange of inspectors

3.3.1 Cooperation

Another objective of the project was to stimulate cooperation by organising joint inspections, which means inspections during which different enforcement institutions cooperate on national or international levels. In the latter case, we talk about international joint inspections. Cooperation is not only necessary to perform inspections, cooperation is also important because it mobilises capacity and skills of different participants can be combined. During international joint inspections, enforcement agencies of two or more countries held inspections on the same day and at the same border crossing with mutual assistance during the inspections.

1 Not in all cases both the country of origin and the country of destination were documented
Generally, the environmental inspectorate in the country organised the inspection. However, in a number of countries enforcement partners, such as police and customs, do inspections of waste shipments on their own and only asked for assistance in specific cases. Table 3.5.1 shows the results of (inter)national cooperation.

Table 3.5.1: Overview of cooperation

<table>
<thead>
<tr>
<th>Type of action</th>
<th>February 2007</th>
<th>June 2007</th>
<th>October 2007</th>
<th>Jan-Feb 2008</th>
<th>Total</th>
</tr>
</thead>
<tbody>
<tr>
<td>Countries organising inspections</td>
<td>10</td>
<td>11</td>
<td>9</td>
<td>10</td>
<td>16²</td>
</tr>
<tr>
<td>Number of inspections</td>
<td>23</td>
<td>76</td>
<td>43</td>
<td>26</td>
<td>168</td>
</tr>
<tr>
<td>Cooperation between different national enforcement bodies</td>
<td>21</td>
<td>71</td>
<td>43</td>
<td>20</td>
<td>155</td>
</tr>
<tr>
<td>International cooperation</td>
<td>7</td>
<td>30</td>
<td>6</td>
<td>2</td>
<td>45</td>
</tr>
</tbody>
</table>

Based on the results as summarised in table 3.5.1 it can be concluded that:
- an average of ten countries per inspection month organised inspections;
- cooperation was most intensive in June and October 2007;
- in more than 90% of the inspections (155 out of 168) national cooperation with other enforcement authorities such as customs and police took place;
- In 45 cases (27%) international cooperation of enforcement agencies of different countries was established.

3.3.2 Exchange of inspectors

Another element of the project was a programme of exchange of inspectors. In total fifteen countries and 34 experts cooperated during joint inspections. In table 3.6.1 an overview of the exchanges is given.

Table 3.6.1: Overview exchanges

<table>
<thead>
<tr>
<th>From</th>
<th>To</th>
<th>Period</th>
</tr>
</thead>
<tbody>
<tr>
<td>Scotland, England and Bulgaria</td>
<td>Netherlands</td>
<td>February 2007</td>
</tr>
<tr>
<td>Netherlands</td>
<td>Croatia</td>
<td>Mai 2007</td>
</tr>
<tr>
<td>Lithuania, Slovenia en Northern-Ireland</td>
<td>Netherlands</td>
<td>June 2007</td>
</tr>
<tr>
<td>Portugal</td>
<td>Belgium</td>
<td>June 2007</td>
</tr>
<tr>
<td>Denmark and Hungary</td>
<td>Netherlands</td>
<td>June 2007</td>
</tr>
<tr>
<td>Netherlands</td>
<td>Latvia</td>
<td>September 2007</td>
</tr>
<tr>
<td>Croatia, Germany and Latvia</td>
<td>Netherlands</td>
<td>October 2007</td>
</tr>
<tr>
<td>Belgium</td>
<td>Estonia</td>
<td>October 2007</td>
</tr>
<tr>
<td>Netherlands</td>
<td>Bulgaria</td>
<td>October 2007</td>
</tr>
<tr>
<td>Netherlands</td>
<td>Germany</td>
<td>November 2007</td>
</tr>
</tbody>
</table>

The objective was to establish working relations and to exchange experiences and knowledge. During these exchanges enforcement officers from one country visit another country, which has organised an inspection. The objective of these exchanges is to learn from each others inspection methods. Both partners can learn from each other and therefore the quality of the inspections will improve. Moreover, this programme

² The total number of countries participating does not add up. Some countries participated in more than one inspection period/month (see table 3.2.2).
establishes working relations between enforcement officers in different countries, which may be important when future cases of illegal shipment will have to be resolved.

**Inspectors from Scotland, England and Bulgaria visited the Netherlands, February 2007**

Inspectors from Scotland, England and Bulgaria visited the Netherlands to learn about Dutch road and harbour inspections. “Participation in joint inspections is very useful. One can gain a lot of knowledge and experience on how to perform complex checks together with transport police and customs”, stated the Bulgarian representatives.

The Scottish inspector stated: "I found the traffic inspection extremely interesting as it showed what can be achieved through joint collaboration with numerous regulators both in your own country and neighbouring countries".

Based on the reports and stories on the exchanges it can be concluded that:

- many countries face similar problems, such as lack of (political) awareness, lack of capacity and money and interpretation problems;
- the situation and level of enforcement, however, differs per country: some countries have no or few waste treatment facilities and hence more export than import, and inspections are more effective in countries with permanent borders checks and no or less (sea)ports or road transport;
- well prepared exchanges are very effective, because it is training ‘on the job’ and upper management and a larger number of inspectors can be reached by means of lectures and presentations;
- exchanges lead to more enthusiasm, which stimulates other countries to join;
- if countries do not enforce WSR, it is found to be frustrating for other countries;
- if inspections are not carried out, no infringement or violation of WSR will be found so apparently there seem to be no problems;
- exchanges and joint inspections improve the quality and results of inspections;
- exchanges with (more) experienced countries are esteemed to be most useful;
- in some countries waste shipment (regulation) experts change jobs frequently so capacity, knowledge and experience will have to be built-up again.
3.4 Products and materials

Within the project four joint inspection periods were planned and performed, three conferences were held and the manual for the inspections and communication plan was elaborated. In the course of the project the following main products were made:

- a guideline for preparing, performing and reporting joint inspections;
- a communication plan and products to demonstrate the project’s activities and results;
- a virtual project website ‘Viadesk’ and a project e-mail address;
- a practical ‘Waste(s)Watch’ for daily use;
- several (inspection and exchange) plans and reports.

Guideline

The guideline was elaborated and improved based on the inspection methods within Seaports and Verification. The guideline describes the procedures and working methods concerning how to prepare, conduct and report joint inspections. It was presented at the Start conference in November 2006, discussed during the following conferences and improved, based on the feedback from the participants. Furthermore, a new Guideline was elaborated based on revised WSR 1013/2006.

Communication plan

This plan aimed to demonstrate that Member States are able to organise joint European enforcement of transfrontier waste shipments, as well as to inform the citizens, politicians and companies about the cooperation with regard to waste enforcement. The communication plan contains the target groups, objectives, messages and methods for communication. Based on the communication plan several press releases were published, for example publications in national newspapers and specialist journals in the Netherlands. The main products developed and distributed were:

- a project flyer to inform other countries and authorities about the project and to stimulate them to join the Enforcement Actions I project;
- a digital newsletter ‘Up2Date’, which was distributed four times during the project.
Viadesk
The website Viadesk is the virtual project area for IMPEL-TFS Enforcement Actions Project, where all relevant information is published and accessible only for the project participants. All project participants have access to this website since December 2006. During the project a central e-mail address was also opened by the project support office (impeltfsea@project.royalhaskoning.com).

Waste(s)Watch
For the purpose of daily use during inspections a small and handy ‘Waste(s)Watch has been developed, containing practical information on the most common waste streams, clarifications and general information on legal and organisational issues.

Plans and reports
As part of the preparation several inspection plans and inspector exchange plans were drafted. These plans describe the what, who, when and where of the joint inspections and exchange of inspectors. The inspection and exchange plans contain an overview of the planned inspections and exchanges and they were prepared and agreed on during each conference.

And last but not least, after every inspection period and every conference the results were reported separately. All these reports together form the basis for this final report.

More details on these project products and materials are given in Annex III.

3.5 Project evaluation

During the last conference in Brussels, December 2007, the project was evaluated thoroughly. The specific objectives of the Brussels conference included:

- an evaluation of project's activities and instruments;
- to discuss and decide on ideas for improvement for the follow-up of the Enforcement Actions I project.

The main outcomes of the project evaluation are summarised below. More details on the outcomes can be found in Annex IV.

The first day of the conference consisted of the exchange of experiences in interactive sessions. The following main results came out:

- WSR is implemented and interpreted differently per country;
- classifying waste (waste or not) is very difficult, especially in the case of ELV’s, (W)EEE, tires and batteries;
- many countries are facing problems such as lack of capacity or support by the management or politics;
- cooperation with customs and police is very important and must be improved and extended to other enforcement authorities;
- sometimes inspectors find (too) stringent enforcement difficult, since in these cases it concerns mainly poor people who depend on the income out of waste trading;
- apparently waste shipment fraud (for money) is also being committed, as the Latvian example shows: shipments carrying no waste, while waste is mentioned in the transport documents.
The second day of the conference consisted of filling out a questionnaire, discussing and ranking ideas for improvement. All themes, issues and ideas for improvement that came out of the interactive sessions and discussions were then ranked in order of priority.

The results are given below and subdivided into:
1. inspections and verifications;
2. exchange of inspectors;
3. project products (instruments);
4. project management.

**Inspections and verifications**
Based on the results of the questionnaire and the discussions during the conference the following main conclusions regarding inspections and verifications came out:
- inspections of waste shipments create a good insight in the waste market and waste flows;
- in the majority of the participating countries organising inspections is difficult;
- cooperation with other (national) authorities is most effective and preferred;
- verification requests should be done more frequently and be followed up.

**Exchange of inspectors**
Based on the results of the questionnaire and the discussions during the conference following main conclusions regarding the exchange of inspectors came out:
- international exchanges are a stimulating factor to organise national inspections;
- exchanges with (more) experienced countries are esteemed to be most useful.

**Project products**
Based on the results of the questionnaire and the discussions during the conference the following conclusions regarding the products were made:
- the developed guideline was not always used;
- a central project website, like Viadesk, and the Newsletter are found to be very useful.

**Project management**
Based on the results of the questionnaire and the discussions during the conference the following conclusions regarding project management were made:
- the project management (project manager, project assistance, country coordinator, location coordinator and inspection specialist) was deemed adequate and sufficient;
- more assistance on a national level, however, is needed;
- thanks to the network cooperation, knowledge and experience are improving rapidly;
- other countries should also give more priority to inspection and enforcement of waste shipment.

As mentioned before the ideas for improvement were also ranked in order of priority (high – medium – low – no). The ranked ideas were then translated into recommendations. These recommendations can be found in Annex IV and are integrated in chapter 4 (Conclusions and recommendations).
4 CONCLUSIONS AND RECOMMENDATIONS

4.1 Conclusions

The current IMPEL-TFS Enforcement Actions I project has come to an end. Based on the project objectives, results and experiences the following principal conclusions are drawn. We will start with the facts, figures and experiences, then followed by the conclusions, which in their turn will lead the recommendations.

4.1.1 Inspections

With regard to the performed inspections during the project, the following main conclusions can be drawn, first on the facts and figures and then on the experiences as reported during the conferences.

Facts and figures:

- including the countries that provided results from ad hoc inspections seventeen countries actively took part during the inspection periods and also several bilateral enforcement actions and/or agreements on joint inspections and enforcement were undertaken;
- road transport inspections are the most common type of inspections carried out within this project, followed by seaport inspections and combined inspections (for example transport and company inspections). Company inspections were carried out, but rarely reported;
- most of the inspections were carried out in June 2007 (76), and the least in February 2007 (23) and January-February 2008 (26). The regression in October 2007 (43 inspections) is caused by the fact that the new WSR just came into force and several countries faced problems with both implementation and enforcement of the new regulation;
- during the project a total number of 13,777 transports were inspected. Out of these, 2,142 transports (16%) concerned transfrontier shipments of waste. On 250 of these shipments only administrative checks were done and 1,877 were also checked physically;
- In total 318 of the shipments (15%) turned out to be in violation of the requirements of WSR. The type of violations found during the inspection rounds are either administrative (61% of the violations found), or cases of illegal shipment (39%). Most of the violations were found in the months February and June 2007 during which most of the (sea)port inspections were performed;
- the percentage of violations per country varies from 0% up to 100%; Besides that there are on the one hand countries which perform quite a number of waste inspections, but detect no or few violations and on the other, countries which perform just a few waste inspections, but detect a lot of violations;
- the total amount of violations of new WSR 1013/2006 is half as the amount of old WSR 259/93 and most violations of new WSR concern infringements of Annex VII. This could mean, that the enforcement of new WSR 1013/2006 is not embedded yet.

However, the total number of inspections concern different types of inspections per country, so the interpretation of the percentages should be treated carefully.
Experiences:
- in the majority of the participating countries, especially in new Member States, organising inspections is difficult;
- collaboration with other (national) authorities, such as customs and police, is most effective, but preferably other enforcement authorities should equally be involved;
- inspectors are proud of the main inspection result: thanks to the efforts of the participating countries more than 300 unwanted and illegal waste shipments could be detected and thus prevented potential harm to the environment and health;
- inspections of waste shipments create a good insight in the global waste market and waste flows;
- verification requests should be done on a more frequent basis and be followed up;
- pre-selecting and targeting ‘suspicious’ waste shipments is a point of particular interest. Custom (harmonised) codes should be used more frequently;
- Annex VII of new WSR is interpreted differently and needs further explanation.

4.1.2 Cooperation and exchange of inspectors

With regard to the cooperation and exchange of inspectors the following main conclusions can be drawn on the facts and figures and the experiences.

Facts and figures:
- in more than 90% of the inspections (155 out of 168) national cooperation with other enforcement agencies, such as customs and police, was successfully established;
- in 45 cases (27%) international cooperation of enforcement agencies between different countries was established;
- a total of fifteen countries and 34 experts joined the exchange programme;
- cooperation was most intensive in June and October 2007.

Experiences:
- exchange programmes (sending or receiving inspectors) are found to be very useful. Exchanges stimulate cooperation on an international level. The exchange of knowledge and experiences takes place ‘on the job’. Sharing knowledge and experiences increases the visibility of the organisation and its activities and can reveal developing national tools, which can be put to use in other countries as well. Inspectors are –more easily and quicker- able to verify information on specific waste shipments or general waste shipment issues. Exchanges also stimulate enforcement agencies to act and to organise national inspections;
- exchanges should open up more to customs, police and other authorities involved in waste shipment enforcement;
- non EU Member States should also be involved in exchanges;
- exchanges with (more) experienced countries are esteemed to be most useful;
- in some countries waste shipment (regulation) experts change jobs frequently so capacity, knowledge and experience will have to be built-up again.
4.1.3 General conclusions

Based on the project objectives, results and experiences the following main conclusions have been drawn.

The project was **stimulating, useful and successful** in many ways:

- the project provides an easily accessible structure to join the enforcement forces, for countries outside the EU as well;
- working together in an international enforcement project stimulates enforcement authorities to act and is essential for sharing knowledge and experience;
- combining the efforts of different agencies in different countries increases not only the visibility of the activities and competences of the involved enforcement partners, but also provides better insight and grip on the waste chain and international waste trade;
- the project improved and strengthened (permanent) collaboration between the involved enforcement partners, both on an international and a national level, which is in line with Article 50, part 5 of revised WSR;
- thanks to the efforts of all project participants Member States demonstrate to continue European enforcement by means of joint inspections, during which more than 300 violations have been detected and potential harm to the environment and health has been prevented;
- while national cooperation seems to be almost standard practice nowadays, international cooperation is still growing and – supported by the exchange programme - the network of enforcement authorities in participating countries has been further extended and contacts have been improved;
- adding up all these findings the main conclusion is that continuation of IMPEL-TFS enforcement actions is necessary, because the IMPEL-TFS Network provides the European platform for front line inspectors via which professional enforcement knowledge is made available, experience is shared and instruments are developed bottom-up.

However, the project also clearly demonstrates that the enforcement of Waste Shipment Regulation is not yet institutionalised equally in the European countries. A ‘level playing field’ within Europe is still a goal to be reached:

- although the number of participating countries is substantially higher than in the Seaport and Verification projects, not all Member States joined the project, which was experienced as frustrating. Moreover, it turned out that some of the participating countries face realistic and understandable obstacles in staying actively involved all the time;
- most commonly heard arguments for not being able to join the project and/or organise or join inspections are no or not enough: time, money, priority, authority, capacity, knowledge and support from higher management or political level;
- so apparently in some of the countries these kind of basic conditions and facilities are not yet (completely) established yet.

Although quite some positive results have come out until present, a bottom-up approach alone, as in the Verification, Seaport and Enforcement Actions I projects, **is not enough** to create a permanent and consistent level of enforcement in all European countries. This challenge can only be accomplished by the appropriate (decision) levels. A top-down approach is necessary and inevitable to fill the above described, identified gaps and establish the basic conditions and facilities for an adequate, permanent and consistent level of enforcement within Europe.
4.2 Recommendations

Having generally concluded that the project was a success, but that a (more) level playing field remains to be established first - in order to achieve a common and consistent level of enforcement of Waste Shipment Regulation within Europe and preferably by a combined bottom-up and top-down approach - the main recommendations are:

1. to create more political and high management support for the enforcement;
2. to establish a more level playing field;
3. to start Enforcement Actions project II for follow-up.

These three general recommendations are worked out in more detail and assigned to specific target groups. Naturally some recommendations are interrelated; if such is the case, it will be mentioned.

4.2.1 More support for the enforcement of WSR

In order to prevent calamities like Probo Koala and Trafigura and enable enforcement authorities to organise or join enforcement actions and establish basic conditions and facilities to do so following recommendations are made.

EU and Member States:

- In order to get more countries involved or at least stimulate cooperation on a more regular level, political awareness and support on EU and high national management level is necessary. Although quite a number of positive results have come out until now, a bottom-up approach alone, as in the Verification, Seaport and Enforcement Actions I projects is not enough. To promote better enforcement and inspections the Commission has already organised sixteen awareness-events across the EU during 2006-2007. Ten more events are planned for 2008. High management meetings are also important and necessary.
- Try to involve, if possible, all Member States. Until now, it is found to be frustrating when other European countries do not give priority to enforcement of waste shipment.
- New and less experienced countries should be enabled to start with small steps and encouraged to start with small-scale or bilateral enforcement projects. This recommendation is based on the following facts and findings. Since the new WSR does not lay down criteria for inspections of waste shipments, EC started the development of minimum requirements for inspections throughout the EU. The Commission is now considering proposing specific, legally binding rules for inspections of waste shipments and other measures, among which a minimum frequency of inspections, a minimum level of availability of capacity and a minimal level of training requirements and risk assessments. Although a set of minimum requirements would contribute to a more common and consistent level of enforcement, the following is brought to the attention of the Commission. Minimum requirements for inspections should take into account the fact, that the situation and institutionalisation grade of enforcement differs per country (see the recommendation ‘start tailor-made national enforcement actions plans’ under 2. Towards a level playing field).

Member States:

- Invest more time, budget and people for institutional strengthening and capacity building of national enforcement structures, instruments and facilities.
- Involve all relevant authorities in national enforcement of WSR like Environmental Inspectorates, customs, police and (road) traffic inspectorates.
**IMPEL-TFS:**
- **Communicate more structural** on available enforcement knowledge, experience, tools and results of enforcement actions, both within and outside the IMPEL-TFS network. Communication stimulates cooperation and enforcement consistency. Extension of the current website with a protected part for members where all kind of information on IMPEL-TFS projects can be found, down- and uploaded could be a solution (see also the communication recommendations under 3. Start Enforcement Actions project II).

4.2.2 Towards a level playing field

In order to create a (more) level playing field, basic conditions and facilities for an adequate, permanent and consistent level of enforcement all over Europe should be established, the following recommendations are made.

**EU and Member States:**
- Stimulate and facilitate more education and training to raise knowledge and experience on the enforcement of WSR, especially in new EU Member States and (pre-)accessing countries. Develop a train-the trainer programme that can be used to educate national environmental inspectors, customs, police and other authorities.
- **Involve all enforcement partners** in national enforcement meetings and training courses. This type of happenings supports institutional strengthening and capacity building.

**Member States:**
- Every Member State should draft its own ‘tailor-made’ national enforcement action plan, which includes the current situation and the intended waste shipment inspections in terms of resources, capacity, inspections, obstacles, co-operation agreements with other authorities, tools, etcetera. These bottom-up plans - as opposed to top-down minimum requirements - give Member States the flexibility to conduct enforcement activities in the best suitable way for their particular situation and country.
- Try more actively to start bilateral collaboration with neighbouring countries or get these countries involved in the IMPEL-TFS network and/or follow-up enforcement actions project.

**IMPEL-TFS:**
- **Help Member States to analyse the enforcement level gaps and needs** in their countries in order to get better insight in the weaknesses and threats for adequate enforcement of Waste Shipment Regulation and define the basic conditions and facilities to be established or improved. Pay also attention to the presence and division of specific enforcement tasks, training, responsibilities and authorities. Once the national enforcement level gaps have been filled and basic conditions and facilities have been established, meeting European minimum requirements is (much more) expedient and viable. A format can be developed by IMPEL-TFS and the results of the analyses can be used by Member States to set-up the national enforcement actions plans.
4.2.3 Follow-up Enforcement Actions project

Based on the experiences of Enforcement Actions I and in order to fulfill the requirements of Article 50 of new WSR the following recommendations are made on the set-up and content of future joint inspections.

All recommendations below are addressed to the project management of Enforcement Actions project II. However, in order to create more support and a level playing field these recommendations for bottom-up improvement are expected to be implemented in close cooperation with European Commission and participating Member States.

**Enforcement and collaboration:**
- **Start Enforcement Actions project II** as soon as possible to demonstrate a permanent and consistent level of enforcement. This follow-up project will have to focus on training, communication and practical tools (see hereafter).
- **Extend and intensify national collaboration** with enforcement authorities like customs, police, road transport inspectorates.
- **Focus more on chain enforcement** (and try to intervene at the weakest link in that chain), formal verification (requests) and custom (harmonised) codes.

**Training:**
- **Help to develop a training programme** that can be used to prepare and organise national meetings and training courses as recommended under 2 (towards a level playing field). Preferably a training programme is combined with exchange programmes.
- **As the ultimate ‘training on the job’, extend and improve the exchange programme** and possibilities to send or receive inspectors with Environmental Inspectorates and customs, police and other authorities. Non EU Member States should also be involved in exchanges.

**Communication:**
- **Communicate internally** in a more structural way on available enforcement knowledge, experience, tools and results of enforcement actions. Besides newsletters and a central email address extension of the current IMPEL website with a protected part for members where all kind of information on IMPEL-TFS projects can be found, down- and uploaded seems to be most appropriate.
- **Communicate externally** on a more frequent basis on the results of joint enforcement actions in order to deter potentially illegal waste exporters.

**Enforcement tools:**
- **Develop a format** that can be used by Member States for the national enforcement action plan as proposed under 2 (towards a level playing field). These plans will also contain the intended inspections during the project.
- **Develop practical enforcement instruments** such as waste flow analyses, priorities and standards on specific waste streams, instructions how to handle Annex VII of WSR, leaflets on, for example, how to deal with custom documents.
- **For reasons of communication, cooperation and collaboration, maintain and distribute a list of contact details** of all authorities in all countries on a regular basis.
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# ANNEX I

## LIST OF COUNTRY COORDINATORS AND PROJECT MANAGEMENT ENFORCEMENT ACTIONS PROJECT

### A. Country coordinators

<table>
<thead>
<tr>
<th>Nr</th>
<th>Country</th>
<th>Country coordinator</th>
<th>Contact information</th>
<th>Picture</th>
</tr>
</thead>
<tbody>
<tr>
<td>1.</td>
<td>Austria</td>
<td>Walter Pirstinger</td>
<td>Bundesministerium für Land- und Forstwirtschaft, Umwelt und Wasserwirtschaft Stubenbastei 5 1010 Wien Austria Tel nr. (central) +43-1-515 22-0 Tel nr. (direct) +43-1-515 22-3519 Fax nr +43-1-513 16 79-1265 Email <a href="mailto:walter.pirstinger@lebensministerium.at">walter.pirstinger@lebensministerium.at</a></td>
<td><img src="image1.jpg" alt="Walter Pirstinger" /></td>
</tr>
<tr>
<td>2.</td>
<td>Belgium</td>
<td>Hans Delcourt</td>
<td>Ministry of Environment, Environmental Inspectorate Division Koning Albert II-laan 20, Bus 8 1000 Brussel Belgium Tel nr. +32 25538193 Fax nr. +32 5538085 Email: <a href="mailto:Hans.delcourt@lne.vlaanderen.be">Hans.delcourt@lne.vlaanderen.be</a></td>
<td><img src="image2.jpg" alt="Hans Delcourt" /></td>
</tr>
<tr>
<td>3.</td>
<td>Bulgaria</td>
<td>Mariya Krasteva-Ninova:</td>
<td>Ministry of environment and water, Blvd. “Maria Luisa” 22, Sofia 1000 Bulgaria Tel nr.: +359 29406531 Fax nr: +359 2940 6635 Email: <a href="mailto:marni@moew.government.bg">marni@moew.government.bg</a></td>
<td><img src="image3.jpg" alt="Mariya Krasteva-Ninova:" /></td>
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<tr>
<td>Nr</td>
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</table>
| 4  | Croatia              | Vlastica Pašalic   | Ministry of environmental protection, physical planning and construction  
Vinogradska 25  
10.000 Zagreb  
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Tel nr. (central) +385 1 37 12 714  
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| 6  | England and Wales    | Matthew Williamson  | Environment Agency  
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| 7  | Estonia              | Rene Rajasalu       | Environmental Inspectorate  
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</table>
| 8. | Finland     | Jonne Säylä          | Finnish Environment Institute
P.O. Box 140
FIN-00251 Helsinki
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Mobile: +358 400 148 720
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| 9. | France      | Patricia Grollet     | Office for fight against environmental and public health crime
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| 10.| Germany     | Katrin Cordes        | Ministry of Environment (UBA)
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50667 Köln
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| 11.| Hungary     | Jozsef Kelemen       | Ministry of Environment and Water Waste Management Department
Fo u- 44-50
Budapest H-1011
Hungary
Tel. nr.: +36 14573427
Fax nr.: +36 12012491
Email: kelemenjo@mail.kvvm.hu | ![Jozsef Kelemen](image.jpg) |
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| 12 | Ireland        | Pat Fenton          | Department of the Environment, heritage and Local government  
Custom House Dublin  
Dublin 1, Dublin  
Ireland  
Tel. nr. +353 18882616  
Fax nr. +353 18882014  
Email: pat.fenton@environ.ie | ![Pat Fenton](image1.png) |
| 13 | Latvia         | Mara Sile           | State Environmental Service  
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Email: mara.sile@lielriga.vvd.gov.lv | ![Mara Sile](image2.png) |
| 14 | Lithuania      | Audrius Zelvys      | Lithuanian State Environmental Inspectorate  
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Tel. nr. +370 5 2727614  
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| 15 | Northern Ireland | Allison Townley    | Environment and Heritage Service  
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Tel nr. +44 28 90569313  
Fax nr. +44 28 90569310  
Email: allison.townley@doeni.gov.uk | ![Allison Townley](image4.png) |
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</table>
| 16 | Norway    | Thor Henriksen       | **Norwegian Pollution Control Authority (SFT)**  
PO Box 8100 Dep  
NO-0032 OSLO  
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| 18 | Portugal  | Mr. Mario Gracio     | **Inspecção-Geral do Ambiente e do Ordenamento do Território**  
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| 19 | Scotland  | Alan Harper          | **The Scottish Environment Protection Agency**  
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EH14 4AP  
Tel: +44 131 273 4635  
Fax: +44 131 449 7277  
Email: alan.g.harper@sepa.org.uk |
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<th>Country coordinator</th>
<th>Contact information</th>
<th>Picture</th>
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</table>
| 20 | Serbia   | Branislav Galesev   | Ministry of Environmental Protection  
1, Omladinskih brigada street  
11070 New Belgrade  
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<th>Contact information</th>
<th>Picture</th>
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<tbody>
<tr>
<td>24</td>
<td>Switzerland</td>
<td>Beat Frey</td>
<td>Swiss Agency for the Environment BAFU, Waste and Raw Materials Division 3003 Bern Switzerland Tel nr: +41 31 322 69 61 Fax nr: +41 31 323 03 69 Email: <a href="mailto:beat.frey@bafu.admin.ch">beat.frey@bafu.admin.ch</a></td>
<td></td>
</tr>
<tr>
<td>25</td>
<td>The Netherlands</td>
<td>Jenny van Houten</td>
<td>VROM-Inspectorate South-West region Weena 723 PO box 29036 3001 GA Rotterdam The Netherlands Tel nr +31 10 2244334 Fax nr +31 10 2244485 Mobile +31 6 52595006 Email: <a href="mailto:jenny.vanhouten@minvrom.nl">jenny.vanhouten@minvrom.nl</a></td>
<td></td>
</tr>
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</table>

B. Project management team

<table>
<thead>
<tr>
<th>Name</th>
<th>Contact Information</th>
<th>Picture</th>
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<tbody>
<tr>
<td>Cornelis Nauta</td>
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</tr>
<tr>
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<td></td>
</tr>
<tr>
<td>Name</td>
<td>Contact Information</td>
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<tr>
<td>Jolanda Roelofs</td>
<td>Ministry of Housing, Spatial Planning and the Environment Inspectorate&lt;br&gt;East Unit&lt;br&gt;P.O box 136&lt;br&gt;6800 AC Arnhem&lt;br&gt;The Netherlands&lt;br&gt;Tel nr: +31 263528400&lt;br&gt;Fax nr: +31 263528455&lt;br&gt;Email: <a href="mailto:Jolanda.roelofs@minvrom.nl">Jolanda.roelofs@minvrom.nl</a></td>
<td></td>
</tr>
<tr>
<td>Tom Houben</td>
<td>Royal Haskoning&lt;br&gt;Postbus 151&lt;br&gt;6500 AD Nijmegen&lt;br&gt;The Netherlands&lt;br&gt;Tel nr: +31 243284545&lt;br&gt;Mobile nr: +31 620608846&lt;br&gt;Fax: +31 243236146&lt;br&gt;Email: <a href="mailto:impeltfea@project.royalhaskoning.com">impeltfea@project.royalhaskoning.com</a></td>
<td></td>
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<tr>
<td>Anne Pronk</td>
<td>Royal Haskoning&lt;br&gt;Postbus 151&lt;br&gt;6500 AD Nijmegen&lt;br&gt;The Netherlands&lt;br&gt;Tel nr: +31 243284262&lt;br&gt;Mobile nr: +31 653752501&lt;br&gt;Fax: +31 243228170&lt;br&gt;Email: <a href="mailto:a.pronk@royalhaskoning.com">a.pronk@royalhaskoning.com</a></td>
<td></td>
</tr>
<tr>
<td>Erika Ustailieva</td>
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<td></td>
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<tr>
<td>Kees Wielenga</td>
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ANNEX II

EXAMPLES OF PRESS RELEASES ENFORCEMENT ACTIONS PROJECT

--- Press release ---
17 November 2006

European countries join to step up enforcement of waste shipment rules

Recent IMPEL TFS projects Seaport and Verification have shown many illegal waste shipments and the need for increased cooperation between the member states. Therefore the EC has decided to support joint enforcement projects both politically and financially. One of these projects is the IMPEL TFS Enforcement Actions project. During the start conference in The Hague (The Netherlands) representatives of enforcement authorities of 18 European countries reached agreements on joint and coordinated enforcement actions on WSR. Participating countries will intensify their joint inspections and exchange information in order to align enforcement activities to protect the environment. Six other countries have expressed their intention to participate in the project.

Transfrontier shipments of waste are regulated by a number of international agreements, like the Basel Convention and EU Regulation 259/93. One of the main aims of these regulations is to prevent illegal shipments of harmful waste to countries that do not have the technology to cope with these wastes. For example illegal export of toxic wastes.

Representatives of enforcement authorities from the 18 countries agreed to intensify joint inspections, exchange inspectors and information during the period 2006 – 2008. The first results will be presented in spring 2007. Inspection activities will be focussing on transport inspections, company inspections and inspection of (custom) documents. Special attention will be paid to undeclared waste shipments, waste electronic equipment, end of life vehicles, green listed waste, batteries, household waste, waste disguised as second hand goods. Also the project will focus on export of waste to non-OECD countries and imports of waste into new Member States. Within the participating countries cooperation will include authorities like Environmental Inspectorates, custom services, police and port authorities.

This project, known as the ‘IMPEL-TFS Enforcement actions project’, was initiated by The Netherlands in 2006. The project is being carried out under the umbrella of the IMPEL Network (European Union Network for the implementation and enforcement of Environmental Law), an informal network of enforcement authorities of EU and Accessing Member States. More information about IMPEL - TFS can be found at [http://europa.eu.int/comm/environment/impel/impel_tfs.htm](http://europa.eu.int/comm/environment/impel/impel_tfs.htm). More information on waste shipment regulations can also be found via this link.
Enforcement of waste shipments makes sense.

31 inspections were held last February on several locations in Europe. The inspections were carried out in harbours, borders, railways and companies. These inspections are part of the IMPEL/TFS project Enforcement Actions. The results of the first inspection month were evaluated during this Interim meeting in Paris and showed that 27 percent of the waste shipments turn out to be in violation. The results of the project show many illegal waste shipments and the need for increased cooperation between the member states.

During the Interim meeting on 20 March 2007 representatives of enforcement authorities from 18 countries agreed to extend and intensify joint inspections, exchange of inspectors and information, especially since revised EU Regulation will come into force on the 12th of July, 2007. A program for further joint inspections and exchange of inspectors in 2007 was agreed on. Another 8 European countries have expressed their interest in joining this project and joint inspections in the near future.

During the Start conference in November 2006 is decided that inspection activities will be focussing on transport inspections, company inspections and inspection of (custom) documents. Special attention will be paid to shipments of certain waste types, export of waste to non-OECD countries and imports of waste into new Member States. Within the participating countries cooperation will include authorities like Environmental Inspectorates, custom services, police and port authorities.

Background

Transfrontier shipments of waste are regulated by a number of international agreements, like the Basel Convention and EU Regulation 259/93. The revised EU Regulation 1013/2006 will come into force on the 12th of July, 2007. One of the main aims of these regulations is to prevent illegal shipments of harmful waste to countries that do not have the technology to cope with these wastes. For example illegal export of toxic wastes.

The IMPEL TFS Seaport and Verification projects have shown many illegal waste shipments and the need for increased cooperation between the member states. Therefore the EC has decided to support joint enforcement projects both politically and financially. One of these (follow-up) projects is the IMPEL TFS Enforcement Actions project, initiated by The Netherlands in 2006.

During the start conference last November in The Hague (The Netherlands) representatives of enforcement authorities of 18 European countries reached agreements on joint and coordinated enforcement actions on WSR. Participating countries will intensify their joint inspections and exchange information in order to align enforcement activities to protect the environment.

This project, known as the ‘IMPEL-TFS Enforcement actions project’, is being carried out under the umbrella of the IMPEL Network (European Union Network for the implementation and enforcement of Environmental Law), an informal network of enforcement authorities of EU and Accessing Member States. More information about IMPEL - TFS can be found at Environment - Implementation - IMPEL-TFS. More information on waste shipment regulations can also be found via this link.
Project Products and Materials

Guideline IMPEL-TFS Enforcement Actions

The guideline was elaborated based on the inspection methods within Seaports and Verification. The guideline describes the procedures and working methods concerning how to prepare, conduct and report joint inspections. It was presented at the Start conference in November 2006 and it was discussed during the following conferences and improved based on the feedback from the participants. Besides that a new Guideline was elaborated based on revised WSR 1013/2006.

Inspection plans and inspector exchange plans

These plans describe the what, when and where of the joint inspections and exchange of inspectors. The inspection and expert exchange plans contain an overview of the planned inspections and exchanges and they were prepared during each conference.

Communication plan

This plan aimed to demonstrate that Member States are able to organise joint European enforcement of transfrontier waste shipments, as well as to inform the citizens, politicians and companies about the cooperation with regard to waste enforcement. The communication plan contains the target groups, objectives, messages and methods for communication. Based on the communication plan several press releases are published.
IMPEL-TFS EA Newsletter
A digital newsletter of the project IMPEL-TFS Enforcement Actions is distributed four times to all project participants. It is meant for all people who are interested in the international joint enforcement actions on waste shipments. Latest project activities, interesting cases shared by the project participants and waste shipment are published.

Viadesk
Website https://vrom.viadesk.com is the virtual project area for IMPEL-TFS Enforcement Actions Project, where all relevant information is published. All project participants have access to this Website from December 2006. During the project a central e-mail address was also opened by the project support office (impeltfsea@project.royalhaskoning.com).

Waste(s)Watch
For the purpose of daily use during waste shipment inspections a small and handy Waste(s)Watch is developed containing practical information on the most common waste streams.

Reports
And last but not least, after every inspection period and every conference the results are being reported separately. All these reports together form the basis for this final report.
ANNEX IV

PROJECT EVALUATION, CONFERENCE IN BRUSSELS

Introduction
During the last conference in Brussels, December 2007, the project was evaluated thoroughly. The specific objectives of the Brussels conference included:
• an evaluation of projects’ activities, products and management;
• to discuss and decide on ideas for improvement for the follow-up of the Enforcement Actions I project.

First part of the conference (day 1) consisted of experiences exchange in interactive sessions (‘Experience circle’). Second part of the conference (day 2 morning) consisted of filling in a questionnaire called ‘Honest Game’ and discussions on the outcome. Third part of the conference (day 2 afternoon) consisted of ranking the inventoried ideas for improvement (‘Ranking the Stars’).

Part 1: Results ‘Experience circle’
Following main results came out of the experiences exchange and discussions.

General:
• New countries are joining the project;
• Lots of inspections / exchanges have been executed, but we still can improve the number and quality of the inspections;
• Everybody wants to learn;
• Exchanges are very fruitful;
• (inter)national network is important.

Experiences:
• WSR is implemented and interpreted differently;
• Waste shipment fraud is being committed (Latvia);
• Classifying waste (or not) is very difficult, especially ELV’s, (W)EEE, tyres, batteries and radioactive waste;
• Cooperation with Customs and police is very important; the cooperation with them can be improved;
• Every country is facing problems like lack of capacity or support by the management of politics;
• Dilemma of humanitarian vs. stringent enforcement.

Ideas for improvement:
• (political) Awareness raising is necessary;
• Strengthen the network and knowledge;
• Use your brains and eyes (administrative and physical inspection);
• Show your work (registration, reporting & communication);
• Make and use waste (companies) profiles/databases.
Part 2: Results ‘Honest Game’
The questionnaire was filled in by 21 people. The results from the questionnaires are presented below. The answers and results are subdivided into four groups namely:
1. inspections and verifications;
2. exchange of inspectors;
3. project products;
4. project management.

1. Inspections and verifications
Next figure shows the results of the filled in questionnaire on inspections and verifications.

- a. Control on waste shipments creates good insight in waste market and waste flows!
- b. Doing inspections is like ‘mopping with the tap open’!
- c. Inspections other than transport and company inspections are useless!
- d. Organizing (waste shipment) inspections in my country is easy: enough money, people and means are available!
- e. I rather perform inspections with my own organization!
- f. New WSR 1013/2006 has simplified control and enforcement
- g. In case of doubts verification requests are obligatory!
- h. Verification requests are always executed and replies are given in time!

2. Exchange of inspectors
Next figure shows the results of the filled in questionnaire on exchanges.

- a. Exchanges of inspectors are not effective enough!
- b. Exchanges stimulate me to organize inspections in my own country!
- c. Exchanges without (more) experienced countries are useless!
- d. Exchanges should be structured better and organized centrally!
3. Project products
Next figure shows the results of the filled in questionnaire on the project products or instruments.

4. Project management
Also the project management was evaluated. Next figure shows the results of the filled in questionnaire on project management.

- a. I always use the Guideline!
- b. The inspection forms are simple and easy to use!
- c. Viadesk is the place to look for any information on the project!
- d. I have communicated the results of the inspections!
- e. The newsletter is clear, interesting and useful!
- f. Communication on inspection results has no effect
- g. Newsletters should be published more frequently
Part 3: ‘Ranking the Stars’

All themes and issues that came out of the interactive sessions, questionnaire and discussions were ranked in order of priority:

1. High priority: Must have/do;
2. Medium priority: Like to have/do;
3. Low priority: Not interesting;
4. No priority: Not necessary or ‘split views’;

Table III.1: Evaluation of inspections

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<thead>
<tr>
<th>Medium priority</th>
<th>High priority</th>
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<tr>
<td>• EU standards on specific waste streams or issues</td>
<td>• New countries should start with small steps</td>
</tr>
<tr>
<td>• Do more inspections</td>
<td>• Training depending on experience</td>
</tr>
<tr>
<td>• Cooperate better with customs and police</td>
<td>• Instructions how to handle Annex VII</td>
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<tr>
<td>• Make priorities on specific waste streams</td>
<td>• Develop waste profiles / flow analyses</td>
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<table>
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<tr>
<th>No priority</th>
<th>Low priority</th>
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<tbody>
<tr>
<td>• Large database on waste</td>
<td>• Work together with companies</td>
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Table III.2: Evaluation of exchanges

<table>
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</thead>
<tbody>
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<td>• Practical information how to organize exchanges</td>
<td>• Open up to exchanges with police and customs</td>
</tr>
<tr>
<td>• Exchange with non EU Member States</td>
<td>• Train the trainers</td>
</tr>
<tr>
<td>• Focus on small projects</td>
<td>• Use Customs (harmonized) codes to target inspections</td>
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<table>
<thead>
<tr>
<th>No priority</th>
<th>Low priority</th>
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<tbody>
<tr>
<td>• Send appropriate people working in the field</td>
<td>• Contact with the Basel Network</td>
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Table III.3: Evaluation of products / instruments

<table>
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<th>High priority</th>
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<tr>
<td>• Electronic course for customs</td>
<td>• Minimum requirements for inspections</td>
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<td></td>
<td>• EU should address ministers</td>
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<table>
<thead>
<tr>
<th>No priority</th>
<th>Low priority</th>
</tr>
</thead>
<tbody>
<tr>
<td></td>
<td>• Reduce the guideline</td>
</tr>
<tr>
<td></td>
<td>• Less burdensome forms</td>
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<tr>
<td></td>
<td>• Improve newsletter (current one is good)</td>
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Table III.4: Evaluation of project management

<table>
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<th>High priority</th>
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<tbody>
<tr>
<td>• Continue with the project</td>
<td>• Meetings and training at national level with all enforcement partners</td>
</tr>
<tr>
<td>• Get the other countries in</td>
<td></td>
</tr>
<tr>
<td>• List contact details of all authorities in all countries</td>
<td></td>
</tr>
</tbody>
</table>

<table>
<thead>
<tr>
<th>No priority</th>
<th>Low priority</th>
</tr>
</thead>
<tbody>
<tr>
<td>• Don’t rank the countries</td>
<td>• Push the countries</td>
</tr>
<tr>
<td>• Commission should stick the countries to minimum amount of controls</td>
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Based on these outcomes of the above summarized project evaluation it was concluded that all participants subscribe the necessity to continue joint enforcement actions in projects like this. The ranked ideas for improvement are translated into the following recommendations.

In order to be able to contribute to a more permanent common and consistent level of WSR enforcement within Europe:

- EU should support joint enforcement actions more actively and address national Ministers to raise awareness and strengthen capacity building;
- EU should develop and distribute minimum requirements for inspections and waste flows/waste flow analyses, make priorities and standards on specific waste streams or issues and work out clear instructions how to handle Annex VII of WSR;
- more meetings and (electronic) training courses should be organized at national level with all enforcement partners, starting with ‘train-the-trainers’ programmes on international level;
- customs (harmonized) codes should be used more frequently to target inspections and track and trace (illegal) waste shipments.

To demonstrate that the EU Member States continue joint European enforcement:

- projects like this should be supported more (financially) on EU and national level;
- more countries should be encouraged to join enforcement projects, either on EU level, bilateral or just by sending the results of their ad hoc inspections;
- the intensity and amount of joint inspections should be increased gradually and on a voluntary base: don’t push the countries.

To provide for a more easy accessible European enforcement project:

- new countries should start with small steps, small-scale projects should be encouraged and non EU Member States should also be involved in exchanges;
- practical information how to organize exchanges should be developed;
- exchanges should open up more for customs, police and other authorities involved in waste shipment enforcement;
- a list with contact details of all authorities in all countries should be made, distributed and maintained.