



COMPENDIUM OF CURRENT PRACTICES IN PLANNING ENFORCEMENT STRATEGIES

Date: March 2021

Version: 1.0

Work Package: 2

Deliverable: 2.2



The STRIKE Project is funded by the European Union Internal Security Fund - Police (ISFP-2018-AG-OC-ENV-869173)

NOTICE

The contents of this document are the copyright of the STRiKE consortium and shall not be copied in whole, in part, or otherwise reproduced (whether by photographic, reprographic or any other method), and the contents thereof shall not be divulged to any other person or organisation without prior written permission. Such consent is hereby automatically given to all members who have entered into the STRiKE Consortium Agreement, and to the European Commission to use and disseminate this information.

The information and content of this report is the sole responsibility of the STRiKE Consortium members and does not necessarily represent the views expressed by the European Commission or its services. While the information contained in the documents and webpages of the project is believed to be accurate, the authors(s) or any other participant in the STRiKE consortium make no warranty of any kind with regard to this material.

Table of Contents

- Acronyms..... 4
- 1. Introduction..... 5
- 2. Methodology 6
 - 2.1 Joint questionnaire..... 6
 - 2.2 Interviews 7
- 3. Results of the STRIKE questionnaire..... 8
 - 3.1 National level..... 8
 - 3.2 International level 12
 - 3.3 Content of the plans..... 14
- 4. National plans - Compendium..... 24
 - 4.1 Waste Management Plans 24
 - ALBANIA – Integrated waste management strategic policy document and national plan 2020-2035..... 24
 - 4.2 Waste Shipments Inspection Plans 25
 - BELGIUM – Waste shipment inspection plan 2017-2019 25
 - CYPRUS – Waste Shipments Inspection Plan 2017-2019 26
 - CZECH REPUBLIC - Strategy to Prevent and Combat Waste-Related Crime for the Years 2021 – 2023..... 26
 - FINLAND – Waste Shipments Inspection Plan 2020- 2022 27
 - FRANCE - National inspection plan for cross-border shipments of waste 2017 27
 - GERMANY – Regional inspection plan Lower Bavaria 2020-2022..... 28
 - IRELAND- Waste shipment inspection Plan 2020-2022 28
 - MALTA – Waste Shipment Inspection Plan 2017-2019..... 29
 - IMPEL Waste shipment inspection plans guidelines..... 30
 - 4.3 Action/Operative Plans and Campaigns..... 31
 - ITALY – Operative annual directive 31

- SPAIN – General framework (bi-annual) + annual action plan..... 32
- 5. Policy plans and enforcement strategies at international and EU level 34
 - EUROPOL Multi Annual Strategic Plan for Environmental Crime Priority..... 34
 - WCO Strategic Plan 2019-2022 34
- 6. Main findings..... 35
- 7. Annex 1 – Section III on the preparation of annual plans and enforcement strategies of the Joint questionnaire 37

Acronyms

EEE	Electric and Electronic Equipment
ENPE	European Network of Prosecutors for the Environment
EU	European Union
EUFJE	European Union Forum of Judges for the Environment
EUROPOL	European Union Agency for Law Enforcement Cooperation
FTE	Full-time equivalent
H-LAB	High Level Advisory Board
IMPEL	European Union Network for the Implementation and Enforcement of Environmental Law
INTERPOL	International Criminal Police Organization
OLAF	European Anti-Fraud Office
PENAF	Ports Environmental Network-Africa
WCO	World Customs Organisation
WEEE	Waste Electric and Electronic Equipment
WFD	Waste Framework Directive
WSIP	Waste Shipment Inspection Plan
WSR	Waste Shipment Regulation

1. Introduction

The main objective of the Waste Shipment Inspection Plan pursuant to the requirements of Regulation (EU) No 660/2014 of the European Parliament and of the Council of 15 May 2014 amended Regulation (EC) No 1013/2006 on shipments of waste (also called Waste Shipment Regulation - WSR) and requires Member States to establish inspection plans in order to strengthen and harmonise enforcement of the WSR so as to make inspections more effective.

More specifically, as per the revised Article 50 paragraph 2a. of the WSR “By 1 January 2017, Member States shall ensure that, in respect of their entire geographical territory, one or more plans are established, either separately or as a clearly defined part of other plans, for inspections carried out pursuant to paragraph 2 (‘inspection plan’).”

Currently, at national level in the European Union, there is no harmonization in the preparation of annual plans and enforcement strategies to counter waste crime. Task 2.2 aims at collecting and understanding existing practices in place, both inside and outside the EU, considering waste trafficking is a transnational crime in its own nature (Deliverable 2.2).

The sources analysed in Task 2.2 are of course limited, and the Compendium cannot be considered as exhaustive of all the different experiences at EU level; however, it represents one of the first attempts in this direction. The collected existing practices are used as a solid basis to develop a set of guidelines on how to develop enforcement strategies at national level on waste trafficking (deliverable 2.3), with the ultimate objective of trying to propose a process of harmonization in this direction. In fact, a set of harmonized annual plans and enforcement strategies could represent an additional powerful tool to counteract waste crimes both within and outside the European Union.

This consists in the version 1 of D2.2. A second advanced version will be produced in the forthcoming months after a dedicated online consultation workshop with selected experts.

2. Methodology

The *Compendium of current practices in planning enforcement strategies* is based on data collected via a stakeholders' questionnaire, follow-up interviews with key experts, and an in-depth desk research.

2.1 Joint questionnaire

A baseline survey was used as reference for the Compendium. Given the common methodology and target audience, the questionnaire was developed jointly with activity 2.1 "Strategic Risk Analysis", activity 2.2 "Guidelines on the preparation of annual plans and enforcement strategies" and activity 4.1 "Training Needs Assessment". A draft questionnaire was prepared by the task leaders and shared with the project partners, associate partners and relevant High-Level Advisory Board (H-LAB) members who provided inputs and advice to refine and finalise the questionnaire. In particular, representatives from the Ambitus and Opfa Waste, both ISFP-funded projects, were consulted to limit overlaps and repetitions with similar questionnaires developed under those projects. Also, preliminary outcomes of the data collection exercise carried out by the three ISFP-funded projects were discussed on the occasion of a joint online workshop organised by Opfa Waste on 30 October 2020.

The final questionnaire distributed to respondents in EU and third countries was divided in 4 sections:

- **Section I: Illegal Trade and Management (all authorities and institutions)**
- **Section II: Intelligence Led Enforcement (inspectors, police, customs)**
- **Section III Annual Plans and Enforcement Strategies (all authorities and institutions)**
- **Section IV: Training Needs Assessment (all authorities and institutions)**

Please refer to Annex 1 for the overall questionnaire of Section III on Annual Plans and Enforcement Strategies.

The questionnaire was targeted at authorities involved in the enforcement of illegal trade and management of waste and mercury - including environmental inspectorate, police authorities, customs authorities, prosecutors, judges, national governments and international organisations with a wide coverage, including - but not limited - to the European Union, the Central and Eastern Europe/Balkan region and Africa.

Partners, associate partners and H-LAB members' representatives belonging to the end-user community and to regional and international organisations and networks (including EUROPOL, OLAF, INTERPOL, WCO, IMPEL, ENPE,¹ EUFJE,² EnviCrimeNet,³ Basel Convention Parties, Minamata Convention Secretariat, Zero Mercury Group,⁴ PENAF⁵) were invited to complete and disseminate the questionnaire among their networks. Also, Networks from the DOTCOM⁶ and WasteForce⁷ projects were also contacted to fill-in and share the questionnaire. In total, more than 600 representatives from authorities, organisations and networks were contacted. To facilitate the data collection, the questionnaire was made available in Word format and on a professional online platform (QuestionPro) and was open for completion for a period of two months (July-August 2020).

¹ <https://www.environmentalprosecutors.eu/>

² <https://www.eufje.org/index.php?lang=en>

³ <http://www.envicrimenet.eu/>

⁴ <https://www.zeromercury.org/>

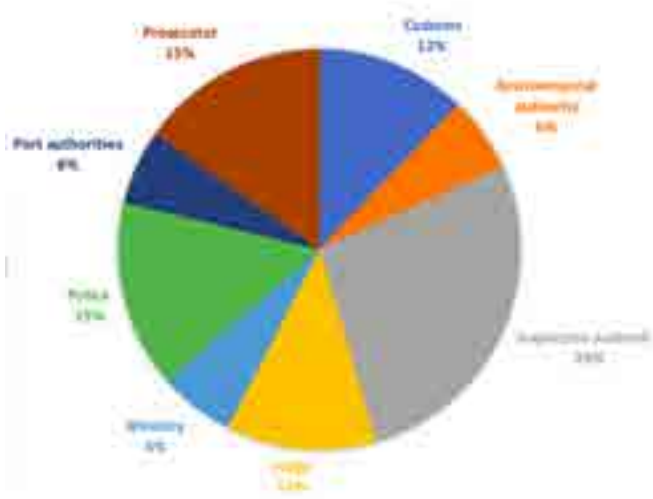
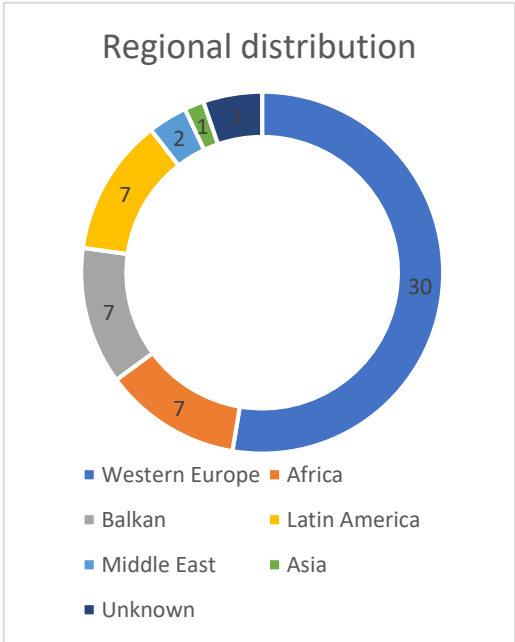
⁵ <https://www.penaf.org/about-us/>

⁶ <https://dotcomproject.eu/>

⁷ <https://www.wasteorceproject.eu/>

By September 2020, the project collected **57 questionnaires from 39 countries**. The below graphics provides information on the type of authorities/institutions and the geographical scope represented among the respondents. This includes 8 respondents that did not complete the questionnaire.

The 57 survey respondents represented the following types of stakeholders and regional distribution:



2.2 Interviews

In order to validate the data collected through the questionnaires and to acquire additional in-depth information, the project carried out online interviews in October-November 2020 with 15 European and international practitioners and experts from eleven countries: Belgium, Czech Republic, Finland, Germany, Ireland, Italy, Ivory Coast, Moldova, Spain, the Netherlands and the United Kingdom). Five respondents were from inspection authorities, three from the police, two from national governments, one from customs, one from the prosecutor’s office, one from an environment agency and two from international organisations (EUROPOL and the Minamata Convention Secretariat). The main findings of the interviews focusing on the Annual Plans and Enforcement Strategies are included in the sections below.

3. Results of the STRIKE questionnaire

Out of 57 surveys received within the STRIKE project, 37 responses were specifically collected under Section III (20 did not answer to the questions in this section).

The below provides an overview of the relevant answers collected in the survey SECTION III: PREPARATION OF ANNUAL PLANS AND ENFORCEMENT STRATEGIES, mainly listed by Questions. The next chapter (4) will provide a more detailed analysis.

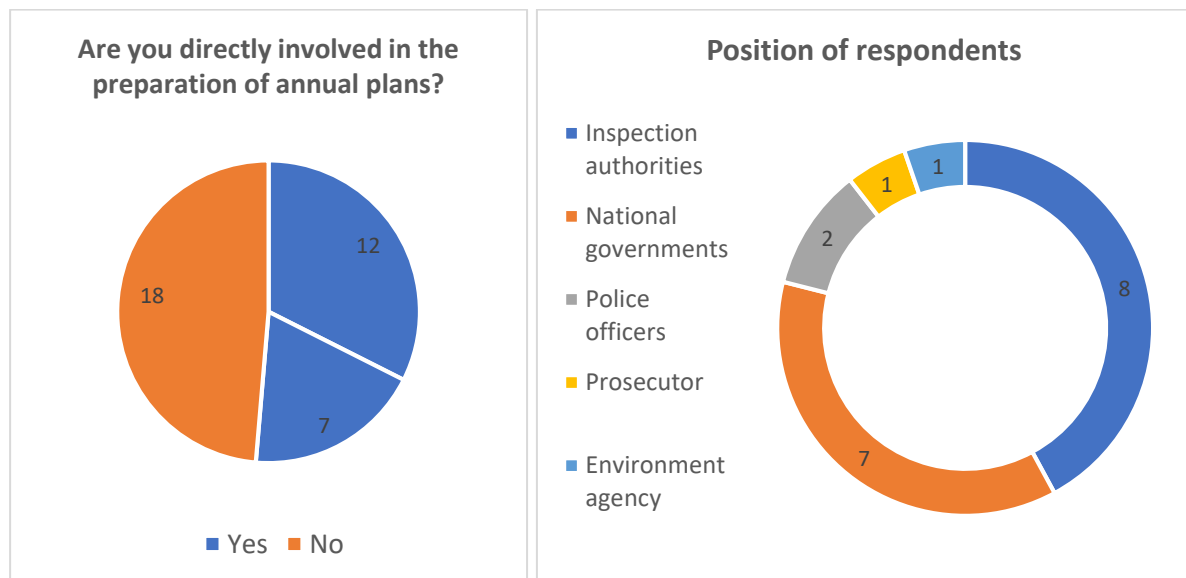
3.1 National level

National actors in the enforcement chain were asked to provide information on the preparation of annual enforcement plans or strategies in their country.

*Question 14. FOR NATIONAL ACTORS/OFFICERS.
 Are you directly involved in the preparation of annual plans (e.g. operational / investigative plans, inspection plans etc.) and/or enforcement strategies concerning waste trafficking or management in your agency or country?
 If YES please specify: i) the type of plan or strategy; ii) if it is at local, national or regional level (eg. EU); iii) what is the relevant regulation / legal instrument (e.g. WSR – inspection plans; Minamata Convention – national action plans etc.)*

Out of the 37 responses collected, 19 respondents provided information on the development of annual plans or enforcement strategies within their own agencies at national level; 18 declared that they are NOT involved in the preparation of annual plans.

Out of 19 respondents, 12 were from the EU countries, and 7 from extra-EU countries. Respondents represented Inspection authorities (8); National governments (7); Police officers (2); Prosecutor (1); Environment agency (1).



EU countries

The table below provide an overview of the answers provided by enforcement officials in the EU and in extra-EU countries.

	Country	Answer
1	BELGIUM (Inspection authority)	Yes. Our WSR-control team gives input for our annual inspection plan (port inspections, road inspections, other ad hoc inspections) according to art. 50.2bis of the WSR. The inspection plan is developed on a regional level (Flanders), although we have joint inspections with police, customs and colleagues in other European Ports. Relevant legal background includes the WSR, Regional law, regional inspection plan according to art 50.2bis of the WSR, port regulation plan
2	CZECH REPUBLIC (Prosecutor)	Yes. We develop enforcement strategies, in particular a strategic plan for combating waste crime at national level. As a result of the 8th Round of Mutual Evaluation of Member States - 'The practical implementation and operation of European policies on preventing and combating Environmental Crime', the strategy is currently being developed
3	DENMARK (Inspection Authority)	Yes. The Danish inspection authority develops annual plans for inspections of transboundary movements of waste in general, but also on specific streams such as waste containing mercury. This is done at national level, in corporation with the police, customs and sometimes municipalities. The relevant legislation is the WSR 1013/2006
4	FINLAND (Inspection authority)	Yes. We develop the National inspection plan according to Article 50 of the Waste Shipment Regulation (EU) 1013/2006
5	GERMANY (Environment Agency)	Yes. The district government carries out monthly waste transport controls with the German Federal Agency for Goods Transport, Customs and Police. Furthermore, as part of the environmental inspection, regular on-site controls are carried out at the waste producers and waste disposal companies. The relevant legal background involves: Regulation EG 1013/0906 (VVA), AbfallVerbG, KrWG
6	GERMANY (Inspection authority)	Yes. We are in charge of developing the regional inspection plan, according to the WSR
7	IRELAND (Inspection authority)	Yes. We prepare an annual inspection plan for our enforcement officers. We call it a Performance Management Tool (PMT), based in Excel and allows inspectors to see how they are progressing against our targets.
8	LITHUANIA (Inspection authority)	- No specification
9	LUXEMBOURG (National government)	Yes. We develop national inspection plan based on the WSR and on the national legislation for waste transfers.
10	NETHERLANDS (Inspection authority)	Yes. We develop an annual workplan at national level, based on the EU-mercury legislation, the REACH ¹ and CLP (Classification, Labelling and Packaging) national legislation.
11	SLOVAKIA (Inspection authority)	Yes. We develop a plan at national and regional level based on the WSR and the Slovak Waste Act

12	SPAIN (Police)	Yes. We develop an inspection campaign at national level, focused on a particular topic, depending on strategic annual goals. We also collaborate drafting the Administrative Authority Inspection Plan (every 5 years). Mainly working at national level, sometimes involved in European initiatives.
----	----------------	--

Extra EU-countries

Four respondents from countries outside the EU provided the following details.

	Country	Answer
13	ALBANIA (National government)	Yes. We develop the National waste management and Action plan.
14	ENGLAND (National government)	No specification
15	COTE D'IVOIRE (National government)	Yes. As the Basel Convention Contact person in my country, I have to compile information, prepare annual reports, share information with customs, police officers and port authorities on waste trafficking. I have to prepare awareness raising campaigns and training on waste trafficking. I have also to ask inspections when I suspect illegal activities or before waste movements and so on. I have to prepare national reporting annually, etc.
16	GAMBIA (National government)	Yes. The reference regulatory instruments include the National Environment Management Act, 1994, Hazardous Chemicals and Pesticides Control Management Act, 1994 and Basel Convention.
17	GUYANA (National government)	Yes. We develop the National Action Plan (NAP) for artisanal and Small-scale gold mining in the Co-operative Republic of Guyana (currently ongoing), thus at national level and the EPA's Mercury Management Plan (draft), at national level as well. Relevant regulatory instruments include: <ul style="list-style-type: none"> - Environmental Protection Act Cap 20:05, Laws of Guyana - Minamata Convention on Mercury - Environmental Protection (Water Quality) Regulations 2000 - Environmental Protection (Air Quality) Regulations 2000 - Environmental Protection (Hazardous Waste Management) Regulations 2000 - The Mining Act, 1989
18	HONDURAS (National government)	Yes. We act in accordance to the relevant regulation / legal instrument, such as the Minamata, Basel, Rotterdam and Stockholm Conventions, as well as the National Environmental Law and National Implementation Plans for the Stockholm and Rotterdam Convention. Currently, a national action plan in compliance to Minamata is being developed including strategies under Annex C (eg. Strategies for managing illegal mercury trade from both foreign and domestic sources to use in artisanal and small-scale gold mining and processing).

19	SERBIA (Police)	<p>Yes. As a member of the multi-sectoral expert group, established in cooperation with the Ministry of Environmental Protection and the OSCE Mission to Serbia, in addition to representatives of the judiciary and prosecution, representatives of the Ministry of Interior participate in drafting guidelines for response in priority areas where intervention is needed when there is a violation of the environment and violations of the laws governing this area, and among other things in cases of hazardous waste.</p> <p>It is developed at national level in Serbia.</p> <p>In terms of relevant legal background, as the police, we act in accordance with our powers under the Police Code, the Criminal procedure code, Criminal code and other relevant laws.</p>
----	-----------------	--

Respondents who confirmed their direct involvement in the preparation of enforcement plans or strategies were asked a follow up question.

With reference to the above question (14), do you follow a model / template?

Out of the 19 respondents above, when asked if they have to follow any template to complete their annual plans / enforcement strategies, 8 answered YES, 11 responses were either absent (3) or not available (NA) (8). However, one respondent who mentioned that the template was not available, shared a relevant document which is also included in the table below.

In total it is thus **9 respondents** who provided relevant information, including 7 from the EU region and 2 extra-EU countries. Those respondents belong to inspection authorities (4), police (1), national government (2), environmental agency (1) and customs (1).

Among those who declared to follow a template, the following specifications on the models were provided.

EU countries

	Country	Additional information provided
1	BELGIUM (Inspection authority)	Estimate template + performance measurement system 1 excel-files with planned actions, inspections and available Full Time Equivalent (FTE) and 1 excel-file with performance measurement system as follow-up (in Dutch)
2	FINLAND (Inspection authority)	[The respondent shared a copy of the 'International waste shipment inspection plan 2020-2022' in Finnish]
3	GERMANY (Environment agency)	Kontrollplan des Landes NRW (MULNV)
4	GERMANY (Inspection authority)	IMPEL WSIP tool
5	IRELAND (Inspection authority)	IMPEL Guidance on Waste Shipments Inspection Plans (WISP). Key elements detailed in the Waste Shipment Regulation
6	ITALY (Customs)	[The respondents attached to the questionnaire a customs model for the 'Standard analysis of commodity sector' – <i>not for public sharing</i>]

7	SPAIN (Police)	<p>Alinium Operational Plan, related to traffic and irregular management of battery waste, consisted of developing an inspection campaign in order to collect information, which would ultimately trigger the initiation of criminal investigations in this area. The idea was to inspect all the agents involved in this import / export and management and end of life batteries; to thereby obtain enough intelligence to help draw the criminal reality. After analysing the entire situation, the objective was to carry out criminal investigations that would determine the actors involved in illegal trafficking and the irregular management of waste derived from batteries at the end of their life.</p> <p>The general objective of the action was to combat illicit trafficking in batteries, although from the SEPRONA Headquarters it was focused, from the beginning, to detect irregularities in all stages of management.</p> <p>The operational phase was developed throughout the national territory during the month of September 2019 and was carried out in coordination with the rest of the operational plans carried out by the countries involved in the OA 2.3 2019 WasteTrafficking of the EMPACT Envicrime led by Spain.</p>
---	----------------	---

Extra-EU countries

	Country	Additional information provided
8	ALBANIA (National government)	[The respondent shared a copy of the 'Integrated waste management strategic policy document and action plan 2020-2035' in English]
9	COTE D'IVOIRE (National government)	A template is provided by Basel Convention Secretariat for annual reporting. For local reporting, there is not any template

3.2 International level

International actors/officers were also invited to provide information on operational aspects related to waste crime.

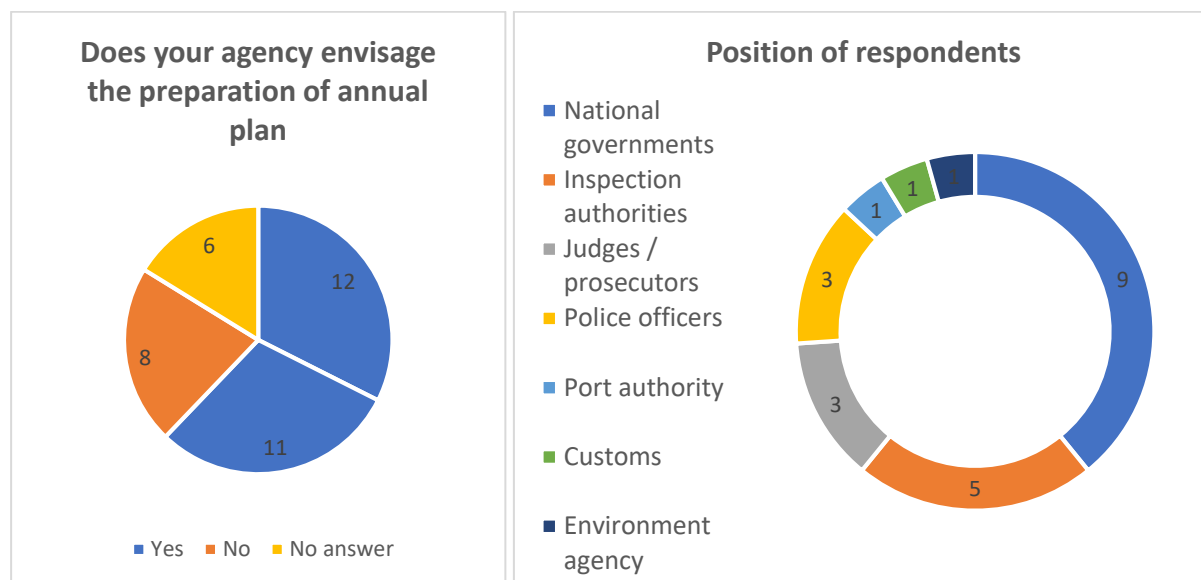
Question 15. FOR INTERNATIONAL OR REGIONAL ACTORS/OFFICERS.

Does your agency / network envisage the preparation of annual or regular plans or strategies concerning operational aspects of your work in countering waste trafficking / waste management? If YES, i) Can you provide details on the type of requirements, information collected, final objectives of these activities and the relevant legal framework (eg. WSR, Minamata Convention etc.)? If NO, ii) Are you aware of existing standards / guidelines at international or regional level regarding annual plans or enforcement strategies?

Out of the total 37 responses collected under Section III, 21 declared (YES) that their agency or network envisages the preparation of annual or regular plans/strategies concerning operational aspects of countering illicit waste trafficking or management, 10 people responded (NO) that their agency is not directly involved in such activity, and 6 answers were missing. Among the 10 people who answered 2 provided information even when they declared that their agency was not directly involved in such activity

In total, it is thus **23 respondents** who shared relevant information on regional / international action plan, including 12 from the EU region and 11 outside the EU.

As regards to their roles, there are representatives from national governments (9), inspection authorities (5), judges/prosecutors (3), police (3), port authority (1), customs (1) and environment agency (1).



The table below gives an overview of the additional details provided.

EU countries

	Country	Answer
1	BELGIUM (Inspection authority)	WSR, risk parameters, inspection level based on our capacity We have our own standard
2	DENMARK (Inspection authority)	A strategy on circular economy and waste that also contains goals for developing risk based control of waste.
3	GERMANY (Environment agency)	Art. 50 WSR
4	IRELAND (Inspection authority)	Annual operational plans are created which align TFS priorities with those of national enforcement agencies. These are consistent with the Waste Shipment Inspection Plan (WSIP).
5	ITALY (Customs)	Prevention and contrast is a priority aspect of operational indications and cooperation with the National Antimafia Directorate has been set up to detect the involvement of the Organized criminal group
6	LITHUANIA (Inspection authority)	Ruling on approval of the state waste management plan for 2014-2020
7	SLOVAKIA (Inspection authority)	WSR, Slovak Act on Waste
8	SPAIN (Police)	It is normally approached as an inspection campaign, in order to gather information used to draft intelligence. It is later useful to open criminal cases, which is indeed to final target.
9	SPAIN (Judge)	EUFJE is dealing with this issue and collaborating with other agencies

10	THE NETHERLANDS (Police)	We develop joint implementation agendas on different areas of environmental crime
11	THE NETHERLANDS (Prosecutor, Judge)	Network related and joint teams
12	THE NETHERLANDS (Port authority)	There is a national policy guideline. The problem is with implementation.

Extra EU-countries

	Country	Answer
1	ALBANIA (National government)	I am not working in the regional level but I think that at the beginning of every year they will prepare a plan concerning operational aspects
2	COTE D'IVOIRE (National government)	The Secretariat of the Basel Convention prepares annual reports. You can find them on www.basel.int
3	LYBIA (National government)	Libyan act on hazardous waste
4	SURINAME (National government)	Not we are not aware of existing standards
5	GAMBIA (National government)	A plan on effective enforcement with all relevant stakeholders
6	IRAQ (National government)	I am aware of the decisions issued by the Secretariat of the Basel Convention on illegal traffic in hazardous wastes
7	GUYANA (National government)	Basel Convention adopted technical guidelines on the environmentally sound management of wastes consisting of, containing or contaminated with mercury or mercury compounds.
8	HONDURAS (National government)	Yes, in CESSCO's Annual Operation Plan (AOP) activities regarding environmental surveillance are included, established through Legislative Decree 218-96 in which states that it is responsible for the prevention and control of pollution. Also, CESSCO is focal point of all Convention under that International Chemical Agenda. It is known that standards/guidelines at international level exist and they have been worked in other countries, but they have not been applied to Honduras so far
9	MOLDOVA (National government)	I cannot provide answer to this question, as I am involved in policy and legal development activities. We work now on Waste shipment regulation, most probably we will need to prepare later enforcement strategy for it.
10	SERBIA (Police)	As Ministry of Interior, Criminal police, we don't have annual plans or enforcement strategies regarding waste management
11	UK (Prosecutor)	As a prosecutor I am not at liberty to disclose this information

3.3 Content of the plans

More information on the actual content of the enforcement plan and strategies was also investigated within a specific question. Respondents were invited to provide details on the type of organizational and operational aspects covered by the plan/ strategy.

16. ALL OFFICERS.

Could you provide details on the aspects elaborated in the relevant annual plans developed in your country / agency

(the sections below are mainly provided as examples, please ADD what may be missing)

The below tables summarise the information provided by respondents from different countries. All respondents mentioned that plans/strategies cover organisational aspects (such as objectives, geographical scope, specific tasks etc.), while just a few (6) indicated specific operational aspects (such as intelligence, information exchange, international cooperation etc.). One respondent stated that the operational indications provided in the enforcement plan/ strategy are inadequate.

Countries in the EU

Eight EU countries provided information on the content of their enforcement plans or strategy.

BELGIUM	
ORGANIZATIONAL ASPECTS	
Objectives and priorities	4 full-time equivalent (FTE) in the Ports
Geographical scope	Flanders (in total 9 FTE, Ports included)
Tasks assigned to different stakeholders	Cooperation with customs and police
Mechanisms for cooperation	Joint actions, inputs in risk profiles
Training and capacity building	Training for customs officers
Resources available (human, financial)	
OPERATIONAL ASPECTS	
Intelligence	Police
Intelligence-led inspection	Customs
Intelligence led investigation	Police
Info exchange	With other ports
International cooperation	International exchange with other environmental agencies/inspections
Financial investigations	
Online illegal activities	
Prevention / Training	Aggression training, training on how to use gas-measuring, gas-mask, training for safety during inspections, training on how to make reports for court, training on how to recognize different kinds of waste (waste plastics, metals, testing of WEEE)

DENMARK	
ORGANIZATIONAL ASPECTS	

Objectives and priorities	Fractions
Geographical scope	Yes
Tasks assigned to different stakeholders	Yes
Mechanisms for cooperation	Agreement with customs in regard to corporation
Training and capacity building	Training of new colleagues
Resources available (human, financial)	Yes, in corporation especially with the police
OPERATIONAL ASPECTS	
Intelligence	Preliminary intelligence by the EPA
Intelligence-led inspection	Classification of waste by the EPA and municipalities
Intelligence led investigation	Police
Info exchange	Yes
International cooperation	Yes (eg. IMPEL)
Financial investigations	Not to our knowledge
Online illegal activities	
Prevention / Training	Stakeholder guidance

GERMANY	
ORGANIZATIONAL ASPECTS	
Objectives and priorities	
Geographical scope	
Tasks assigned to different stakeholders	
Mechanisms for cooperation	Regular service meeting on intelligence led-investigations and cooperation with the Netherlands in place (Respondent from German Environment Authority)
Training and capacity building	
Resources available (human, financial)	
OPERATIONAL ASPECTS	
Intelligence	
Intelligence-led inspection	
Intelligence led investigation	Intelligence-led investigations are conducted depending on the information available. If necessary, information exchange, international cooperation and financial investigations are in place (Respondent from German Customs)
Info exchange	

International cooperation	
Financial investigations	
Online illegal activities	
Prevention / Training	

IRELAND	
ORGANIZATIONAL ASPECTS	
Objectives and priorities	Achieve compliance with WSR. Measure target outcomes against agreed benchmarks.
Geographical scope	All of the Republic of Ireland
Tasks assigned to different stakeholders	Primarily the plan is just for our organisation.
Mechanisms for cooperation	MoU with Customs. MoU with UK, Dutch and Belgian authorities. Strong national co-operation. Regular meetings with N. Ireland counterparts. Active member of IMPEL Network
Training and capacity building	Training matrix established to identify training needs of all our staff
Resources available (human, financial)	Separate enforcement and administration teams established. The office is funded on a cost-neutral basis from the charges it levies on waste shipments.
OPERATIONAL ASPECTS	
Intelligence	Have contacts with Police to request information on companies and individuals.
Intelligence-led inspection	We use risk profiling to establish which facilities should be inspected on an annual basis. We have work to do on E-Manifest project with Customs
Intelligence led investigation	Liaise with other authorities as required
Info exchange	Our office is part of a National Steering Committee through which contacts are established and assistance can be requested.
International cooperation	Long-established contacts through the IMPEL and Basel Networks
Financial investigations	Not undertaken
Online illegal activities	Not undertaken
Prevention / Training	Training matrix and competency chart established for enforcement staff

LITHUANIA

ORGANIZATIONAL ASPECTS	
Objectives and priorities	Increasing the efficiency of the use of natural resources, reducing waste, rational management and re-use;
Geographical scope	National level
Tasks assigned to different stakeholders	By the EU
Mechanisms for cooperation	
Training and capacity building	
Resources available (human, financial)	The development was promoted by the financial support of the European Union, the establishment of the responsibility of producers and importers for waste management.
OPERATIONAL ASPECTS	
Intelligence	
Intelligence-led inspection	
Intelligence led investigation	
Info exchange	
International cooperation	
Financial investigations	
Online illegal activities	
Prevention / Training	

THE NETHERLANDS (Police)	
ORGANIZATIONAL ASPECTS	
Objectives and priorities	
Geographical scope	National and international
Tasks assigned to different stakeholders	This is part of the national organisation of the Police
Mechanisms for cooperation	
Training and capacity building	
Resources available (human, financial)	
OPERATIONAL ASPECTS	
Intelligence	
Intelligence-led inspection	Cooperation on a regular basis of Intelligence team and inspection teams and a coordination of annual plans
Intelligence led investigation	A special National intelligence unit and 10 regional intelligence clusters
Info exchange	Through our (internal) systems and regular meetings
International cooperation	Within Interpol and Europol (EMPACT) scope

Financial investigations	Tactical teams all have their own financial experts
Online illegal activities	Training of employees on different levels of OSINT
Prevention / Training	

THE NETHERLANDS (Port authority)	
ORGANIZATIONAL ASPECTS	
Objectives and priorities	Environmentally-sound electronic waste management
Geographical scope	Country level
Tasks assigned to different stakeholders	Joint inspection by Port Authority, Environmental Agency, Customs,
Mechanisms for cooperation	Collaborative arrangement between Collectors, Collection Centers, Transporters, Treatment Facility Operators, Environmental Agency, Atomic Energy Commission
Training and capacity building	Workshop and training programs
Resources available (human, financial)	Available
OPERATIONAL ASPECTS	
Intelligence	Inadequate
Intelligence-led inspection	Inadequate
Intelligence led investigation	Inadequate
Info exchange	Inefficient
International cooperation	Inefficient
Financial investigations	
Online illegal activities	
Prevention / Training	

SLOVAKIA	
ORGANIZATIONAL ASPECTS	
Objectives and priorities	Based on WSR and Waste Act
Geographical scope	Territory of Slovakia
Tasks assigned to different stakeholders	Set by the Waste Act
Mechanisms for cooperation	Meetings, on field
Training and capacity building	Once a year

Resources available (human,financial)	30 inspectors
OPERATIONAL ASPECTS	
Intelligence	
Intelligence-led inspection	
Intelligence led investigation	
Info exchange	
International cooperation	
Financial investigations	
Online illegal activities	
Prevention / Training	

Extra EU-countries

Seven countries outside the EU also provided information on the content of their enforcement plans or strategy.

ALBANIA	
ORGANIZATIONAL ASPECTS	
Objectives and priorities	At national level, objectives and priorities are defined according to the legal framework and government priorities

COTE D'IVOIRE	
ORGANIZATIONAL ASPECTS	
Objectives and priorities	Implementation of laws and regulations - Control of waste movements - Reduction of illegal traffic - etc.
Geographical scope	National
Tasks assigned to different stakeholders	Implementation of procedures-follow-up of the implementation of laws and regulations - Report of illegal traffics
Mechanisms for cooperation	Meetings for information sharing
Training and capacity building	When funds are available, we have annually training sessions of stakeholders - Organizations have been asked to appoint a local contact person to disseminate procedures and information.
Resources available (human,financial)	Convention managers - Inspectors - etc. finance is our big problem
OPERATIONAL ASPECTS	

	Inspection before each waste movements - Training of officers at borders - Authorization of waste movements - etc.
Intelligence	information sharing - Cooperation with national and international actors
Intelligence-led inspection	When necessary
Intelligence led investigation	If necessary
Info exchange	Through a national committee we put in place to follow up implementation of Basel Convention
International cooperation	information sharing with international stakeholders
Financial investigations	Done by the police when necessary
Online illegal activities	Done by police officers
Prevention / Training	When funds are available, trainings are undertaken

GAMBIA	
ORGANIZATIONAL ASPECTS	
Objectives and priorities	The main priority is to control all illegal trade and movement of waste within Gambia
Geographical scope	
Tasks assigned to different stakeholders	Investigation and enforcement involve other stakeholders
Mechanisms for cooperation	Establishment of task force comprising of all key stakeholders
Training and capacity building	There is a training gap, because specialists in these areas are generally not available
Resources available (human,financial)	Human resources are small to effectively implement the law. Also from a financial perspective resources are very low, since the activities are mainly funded by government and with some support from donor institution
OPERATIONAL ASPECTS	
	Memorandum of understanding are signed to ease the operations
Intelligence	Open source and human intelligence
Intelligence-led inspection	The National Environment Agency takes led with support of the police and other relevant stakeholder as per case
Intelligence led investigation	This is led by the police with the support of the key stakeholders
Info exchange	Information is shared through letters and briefings when needed

International cooperation	With countries of signature to the Basel convention and other important international documents
Financial investigations	The police and CID take the lead
Online illegal activities	
Prevention / Training	Personnel is trained by the relevant authorities

HONDURAS	
ORGANIZATIONAL ASPECTS	
Objectives and priorities	Responsible for the prevention and control of pollution
Geographical scope	National
Tasks assigned to different stakeholders	Confiscation, border patrol, chemical products registration and permits, policy development, health issue surveillance
Mechanisms for cooperation	Interinstitutional work through a National Committee for the sound management of chemicals (CNH; in Spanish), project activities and establishment of intergovernmental environmental inspection committees.
Training and capacity building	Training workshops to different stakeholder regarding sound chemical use, environmental and health prevention measures, policy development and awareness, national and international legal framework, and laboratory analysis.
Resources available (human,financial)	Laboratory, qualified scientific, technical and legal personnel, national government financial resources
OPERATIONAL ASPECTS	
Intelligence	
Intelligence-led inspection	
Intelligence led investigation	
Info exchange	
International cooperation	
Financial investigations	
Online illegal activities	
Prevention / Training	

LIBYA	
ORGANIZATIONAL ASPECTS	

Tasks assigned to different stakeholders	Environment general authority is in charge
--	--

MOLDOVA	
ORGANIZATIONAL ASPECTS	
Objectives and priorities	Our main aim is to do fund raising activities by developing project proposal and implementing it. So, work on capacity building of MoE development policy and legislation in the waste and chemicals areas.

SURINAME	
ORGANIZATIONAL ASPECTS	
Objectives and priorities	Environmental sound management of chemicals and waste
Geographical scope	
Tasks assigned to different stakeholders	
Mechanisms for cooperation	
Training and capacity building	Capacity building needs
Resources available (human,financial)	No financial resources and human resources available
OPERATIONAL ASPECTS	
Intelligence	
Intelligence-led inspection	
Intelligence led investigation	
Info exchange	Limited, e.g. Through webinars
International cooperation	Mostly at regional level
Financial investigations	
Online illegal activities	
Prevention / Training	Yes

4. National plans - Compendium

In this section some examples of annual or multi-annual plans developed by national authorities in their respective countries are presented. They have been collected through interviews with experts as well as through open-source information. Based on the different division of competences within a country, these plans may only concern waste shipment inspections when developed by competent authorities in charge of inspection activities, or they can refer to police and criminal investigations and/or to both aspects. Plans on waste management are also included as an example.

As mentioned in the Introduction, while this overview does not, of course, presume to be exhaustive, it provides examples of how the development of enforcement strategies is very specific for each national context, and still not harmonized at regional level in EU.

4.1 Waste Management Plans

The drawing up of waste management plans is an obligation of EU Member States and is required by Article 28 of the Waste Framework Directive (WFD).

Regional or local authorities can also be mandated to draw up regional or local plans. The plans shall cover the entire geographical territory and need to be in line with the provisions of Article 1 WFD (protection of environment and human health by preventing or reducing the adverse impacts of the generation and management of waste and by reducing overall impacts of resource use and improving the efficiency of such use), Article 4 WFD (the waste management hierarchy), Article 13 WFD (protection of human health and environment), and Article 16 WFD (principles of self-sufficiency and proximity).

Article 28(3) WFD lists the mandatory elements of a waste management plan. Article 28(4) WFD lists additional elements which may be contained in the plan.⁸ To assist authorities in preparing waste management plans, a methodological Guidance Note⁹ is available.

For third countries outside the EU the example of Albania can be useful.

ALBANIA – Integrated waste management strategic policy document and national plan 2020-2035¹⁰

Albania developed a Strategy Policy Document covering the period of 2020-2035, by updating the previous version of 2010, as the main planning document in the field of municipal, non-municipal and hazardous waste management. Even though the focus is not the prevention and fight against waste trafficking and illegal shipments, but rather the regulation of waste management in the country, this experience is worth to be mentioned as a good practice of national plans covering, among others, hazardous waste and other waste streams. These streams (e.g. construction waste, End of life Vehicles, used tyres, health care waste etc.) are often object of illicit trafficking, as also demonstrated in the STRIKE Strategic Risk Analysis.¹¹ The Strategic Policy is designed on the vision of 'zero waste' concept, so that waste is collected and treated as raw material and management is done in accordance with the concept of circular economies system.

⁸ More information is available at: <https://ec.europa.eu/environment/waste/plans/index.htm>

⁹ https://ec.europa.eu/environment/waste/plans/pdf/2012_guidance_note.pdf

¹⁰ Ministry of Environment – Albania, Integrated waste management strategic policy document and national plan. 2020-2035

¹¹ For more information, see the STRIKE deliverable 2.1 Strategic Risk Analysis

The Document first provides an analysis of the current situation in the country, including an in-focus on the country's path toward accession the EU. Other sections of the plan include: sustainable development; best available technologies; legal, institutional and financial framework; a set of final recommendations, including a set of indicators to measure and assess the actual implementation of the action plan.

This could be considered by other countries willing to join the European Union as a good strategy to be possibly adjusted and adopted.

4.2 Waste Shipments Inspection Plans

The revised Article 50 paragraph 2a. of the WSR requires Member States to establish inspection plans based on risk assessment and provides an overview of the elements that should be included:

“Inspection plans shall be based on a **risk assessment covering specific waste streams and sources of illegal shipments** and considering, if available and where appropriate, **intelligence-based data** such as data on investigations by police and customs authorities and analyses of criminal activities. That risk assessment shall aim, inter alia, to **identify the minimum number of inspections required**, including physical checks on establishments, undertakings, brokers, dealers and shipments of waste or on the related recovery or disposal. An inspection plan shall include the following elements:

- a) the **objectives and priorities of the inspections**, including a description of how those priorities have been identified;
- b) the **geographical area covered** by that inspection plan;
- c) **information on planned inspections**, including on physical checks;
- d) the **tasks assigned to each authority** involved in inspections;
- e) **arrangements for cooperation** between authorities involved in inspections;
- f) information on the **training of inspectors** on matters relating to inspections; and
- g) information on the **human, financial and other resources** for the implementation of that inspection plan.

An inspection plan shall be reviewed at least every three years and, where appropriate, updated.

That review shall evaluate to which extent the objectives and other elements of that inspection plan have been implemented.”

The below presents the Waste Shipment Inspection Plans from eight EU countries ,as well as the IMPEL guidelines aimed at helping countries putting in place an Inspection plan.

BELGIUM – Waste shipment inspection plan 2017-2019

The Belgian inspection plan for transboundary shipments of waste through, from and to the Brussels Capital Region is designed to promote compliance, within the characteristics of the urban environment, with Regulation n. 1013/2006 on waste shipments. The inspection plan has to be reviewed every three years and updated, where appropriate. The operational objectives, instead, are set annually in the department's inspection programme.

The country competent authority is the regional administration, Brussels Environment. They cooperate with inspection services of other regions, as well as with the police services, customs services, harbour captain services and the public prosecution services. Several police services, in Belgium, take part in controlling transboundary shipments of waste: inspections are carried out regularly on the main traffic routes and along the country's borders; the police also take part in international campaigns. The Customs services are also authorised to inspect transboundary shipments of waste to the external

borders of the EU. The Customs services have developed a complex selection application, designed to improve efficiency of inspections of notified shipments. Risk profiles are set up in consultation with other inspection services.

The main field of action of the Belgian inspection plan include: notifications; processing of illegal shipments detected by other authorities; supply chain supervision. A number of prioritized waste streams have also been outlined, based on a set of risk parameters (e.g. risk of contamination, economic gain, environmental impact, risk of illegal shipments etc.). These streams include e-waste, EoL vehicles and construction/demolition waste.

CYPRUS – Waste Shipments Inspection Plan 2017-2019¹²

The Waste Shipments Inspection Plan is prepared by the Department of Environment of Cyprus. As requested by the WSR Article 50, the Plan sets the following aspects (some of these are restricted information):

- the objectives/priorities and geographical area covered;
- information on planned inspection, including the responsible inspection authority/authorities, targeted waste streams, their sources and destinations, types of inspections planned (such as physical checks on road traffic, inspections of waste sites/companies, and administrative checks), Major technical equipment used, targets and number of annual planned inspections;
- tasks assigned to different authorities, including the Department of Environment, Customs Department, Police Department, Port Authorities, and British Bases;
- cooperation arrangements;
- training;
- resources (human, financial, equipment, health and safety);
- follow-up measures depending on the seriousness of the case

This Plan is being reviewed at least every 3 years from date of issue, or sooner as required by legislative changes or operational necessity.

CZECH REPUBLIC - Strategy to Prevent and Combat Waste-Related Crime for the Years 2021 – 2023

The Strategy to Prevent and Combat Waste-Related Crime for the Years 2021-2023 aims to improve conditions for the law enforcement authorities enforcing the environmental law to ensure prevention and combating of the waste-related crime. The Strategy is intended for and was developed by the environmental law enforcement agencies, in charge of waste-related crime: the Customs Administration, the Environmental Inspectorate, the Police, the Public Prosecutor's Office, the Ministry of the Environment and the Ministry of the Interior.

Four specific objectives have been identified:

1. To improve mutual cooperation among the environmental law enforcement agencies;
2. To strengthen specialisation and qualification of the environmental law enforcement agencies;
3. To improve regulatory environment regulating waste-related matters in the Czech Republic;
4. To build public awareness of the waste-related matters.

The submitted strategy defines measures to eliminate or mitigate the shortcomings identified by the Evaluation Report and by the stakeholders. The measures are defined as action tasks, they specify the

¹²

[http://www.moa.gov.cy/moa/environment/environmentnew.nsf/all/601EC12AF0A78898C225837B003C2107/\\$file/Waste%20Shipments%20Inspection%20Plan.Revised.Public.pdf?openelement](http://www.moa.gov.cy/moa/environment/environmentnew.nsf/all/601EC12AF0A78898C225837B003C2107/$file/Waste%20Shipments%20Inspection%20Plan.Revised.Public.pdf?openelement)

method of implementation, progress indicator, method of financing, agency in charge and cooperating agencies and set deadline for completion.

FINLAND – Waste Shipments Inspection Plan 2020- 2022¹³

This plan is the second inspection plan prepared by the Finnish Environment Institute (SYKE), as the competent authority. The country inspection plans should be updated every three years or more often if necessary. Its purpose is to guide authorities on carrying out international shipments of waste in accordance with regulations and guidelines, to prevent illegal shipments of waste and to ensure the proper treatment of waste. A number of authorities cooperate in this field, including Customs, the Border Guard, the Police, the Centres for Economic Development, Transport and the Environment (ELY Centres) and the municipal environmental protection authorities.

The main sections of the multi-annual plan include:

- the preparation of inspection plans (chapter 2);
- the risk assessment (chapter 3);
- the priorities for inspection (chapter 4);
- the geographical areas covered by the plan (chapter 5);
- the items to be inspected and the content of inspections (chapter 6);
- the fees for inspection (chapter 7);
- the resources and means of inspection available (chapter 8);
- the publicity of the inspection plan (chapter 9) and
- the reporting to the European Commission (chapter 10).

Specifically, on the illegal shipments of waste (section 3.2), the plan states that illegal waste shipments are also a financial crime and the pre-inspections of waste management at production facilities and collection points are effective in preventing illegal waste shipments and improper treatment. In addition, Customs offices in ports and at the Norwegian-Russian border regularly check compliance with international waste shipment procedures and, if necessary, liaise with the SYKE. SYKE receives information from the authorities of other EU countries when a cargo suspected of being illegal, that has left Finland, has been stopped for example in a transit port. In fact, based on the risk assessment, the risks related to violating the legislation are greater in waste exports from Finland rather than in imports.

In Finland, Customs or Police do not develop their own inspection plans with regard to waste shipments.

FRANCE - National inspection plan for cross-border shipments of waste 2017¹⁴

In France, the National inspection plan for cross-border shipments of waste (Plan national d'inspection des transferts transfrontaliers de déchets) is prepared by Ministry of Ecological and Solidarity Transition and the Ministry of Territorial Cohesion. As requested by the WSR Article 50, the Plan sets the following aspects (some of these are restricted information):

- the objectives and priorities of the inspections;
- the geographical area covered by that inspection plan;
- information on planned inspections, including on physical checks;
- the tasks assigned to each authority involved in inspections and the resources allocated for the implementation of the plan;

¹³ The Finnish Waste Inspection Plan 2020-2022 is only available in Finnish language.

¹⁴ https://aida.ineris.fr/consultation_document/sites/default/files/gesdoc/94978/Note20170607_1.pdf

- modalities of cooperation between authorities involved in inspections;
- information on the training of inspectors in charge of the inspections.

A review meeting of the actions of the various competent inspection authorities is organized each year to monitor the implementation of the inspection plan and to specify the actions to be favoured. As required by section 50 of the WSR, the national inspection plan is reviewed every three years to assess the extent to which the objectives and other elements of the inspection plan have been implemented. implementation and determine the need for an update.

GERMANY – Regional inspection plan Lower Bavaria 2020-2022

In Germany, according to the Waste Shipment Act (section 11a), the federal states develop control plans in accordance with the WSR n. 1013/2006. These are reviewed every three years, where necessary. In Bavaria, the 7 District Governments are responsible for the implementation of the waste shipment law according to article 29, paragraph 1 of the Bavarian Waste Management Act (BayAbfG). The control plan (Kontrollplan) for Bavaria includes the tasks and goals for the different Bavarian authorities; its main goal is to prevent illegal cross-border waste transport. For every federal state's plan, regional conditions and specialization are then taken into account.

While the EU, based on its WSR, requires every country to develop an inspection plan that has to be made public on the single authorities' websites, usually there are also 'internal plans' with a detailed list of how many inspections are planned and where. This has to be kept confidential of course, to avoid dealers knowing about inspections and avoid them.

In addition to administrative controls operated on waste transport across borders, the monitoring also extends to operational controls. Controls may concern place of waste dispatch or destination; areas where the waste is currently located; controls of facilities, companies, dealers and brokers; controls of institutions and companies.

The other authorities involved in the controls are the Federal Agency for Goods and Transport; the federal railway authority, the customs and the police. The local government is mainly responsible for coordinating the distribution of tasks in the operational practice. The Federal Agency for Goods and Transport carries out both regular and event-related controls on waste transport, through random checks based on experience from previous years and planned in coordination with the district administrative authorities. The Customs authorities are authorized to control shipments of waste into, out of or through the federal borders: a set of instructions for cooperation between the customs services and the waste authorities have been drafted, and apply to controls carried out by Customs themselves.

As reported in the Bavarian control plan, the coordination with other federal states may be necessary in special cases. This can be related to special waste streams or individual cases. Also, a basic level of coordination with the neighbouring countries is often useful, and can take the form of joint controls and regular communication when processing individual cases.

IRELAND- Waste shipment inspection Plan 2020-2022¹⁵

The Dublin City Council (DCC) is designated as the competent authority for the purpose of Regulation (EC) n. 1013/2006, also known as the European Waste Shipment Regulation (EWSR). The National Transfrontier Shipment Office (NTFSO) was established by DCC in 2007, to ensure compliance with the requirements of both the WSR and EWSR.

¹⁵ <https://www.dublincity.ie/sites/default/files/2021-01/waste-shipment-inspection-plan-2020-2022.pdf>

The Irish Waste Shipment Inspection Plan (WSIP) for 2020-2022 details routine planned inspections and the strategy used by the NTFSO Enforcement Unit in selecting inspections, in order to minimise the potential environmental risk resulting from the transboundary waste shipment.

This plan applies to the geographical areas covering all 26 Counties of the Republic of Ireland: the enforcement of the EWSR focuses on the origin, transportation and destination of all waste shipments and on the growing number of registered waste dealers and brokers.

While the NTFSO is the sole authority authorised to implement the requirements of the EWSR, enforcement actions can be carried out in cooperation with other enforcement agencies. The Irish Customs Service provides support through information sharing, joint inspections and scanning units. The Irish Police Force also provide support through roadside checkpoints and multi-agency site inspections. In February 2020, the Irish police launched an initiative and established strategic regional multi-agency forums: their focus is to meet on a quarterly rota to discuss and agree on areas of mutual joint operations and cooperation, including reviewing and assessing previous operations.

The NTFSO also takes part to international initiatives, such as the SWEAP project¹⁶ lead by IMPEL and funded through the EC from 2018 to 2023, which overall purpose is to support the circular economy by disrupting illegal waste trade at EU level.

Similarly to other countries' inspection plan, the NTFSO applies a risk-based approach to identify the priority waste streams for the period 2020-2022. The waste risk assessment considers the risks associated with a waste type, and each waste is rated from 1 to 3 in relation to both the severity of the effects (e.g. *contamination of waste, treatment methods in the destination countries; waste classification and hazardous properties; amount of waste generated, exported and imported*) and the probability of such a risk (e.g. *profitability of illegal trade; destination country; recovery/disposal capacity; volatility of the market etc.*).

On this basis, the plan for 2020-2022 defined the following ones as priority waste streams: (shipment of) used vehicles, parts, EEE/WEEE; (cross-border movement of) construction and demolition waste; (cross-border movement of) scrap metal and ELVs; compliance and subsidies to Principles for Responsible Investment (PRI).

Regarding the enforcement activities, they are classified as re-active (non-routine and complaints/incident investigations); both reactive and non-reactive (multi-agency and concerted actions, stakeholder guidance); proactive in nature (routine activities).

The development of multi-agency enforcement actions involves continuous liaison of the NTFSO with the local authorities, the Environmental Protection Agency (EPA), the National Waste Collection Permit Office (NWCPO), the Irish Police Force, Social Welfare, the Road Safety Authority etc. These actions include roadside checkpoints, joint site inspections, specific waste stream operations and national/international enforcement operations.

MALTA – Waste Shipment Inspection Plan 2017-2019

In Malta, the Waste Shipment Inspection Plan is developed in accordance with the EWSR n. 1013/2006. The bi-annual plan (2017-2019) was prepared in consultation with all the entities involved in shipments of waste, particularly the Department of Customs and Transport Malta (TM), and in cooperation with the former Malta Environment and Planning Authority (MEPA)¹⁷.

¹⁶ <https://www.sweap.eu/>

¹⁷ Competent Authority responsible for shipments of waste until 31 March 2016.

The Implementation Plan cover 4 key themes: Monitoring and compliance (including administrative checks, road-side inspections, port inspections, facility); Stakeholder involvement (IMPEL and shipping lines); Necessary resources for a successful plan (training and communication); Importance of inspection reports and follow-ups

This document provides a brief background on the current practices of waste shipments inspections within the Maltese Islands. However, the most important outcome of this plan is that it identifies various tools and practices particularly regarding increased cooperation between entities involved in shipments of waste inspections. The plan also takes into consideration the structure of the newly set up Environment and Resources Authority (ERA) as the Competent Authority responsible for shipments of waste as well as the current administrative and financial resources available for implementation.

IMPEL Waste shipment inspection plans guidelines¹⁸

To help countries developing their inspection plan, IMPEL published in November 2016 a step-by-step “Guidance on Effective Waste Shipment Inspection Planning” which details the essential elements of a waste shipment inspection plan and the underlying risk assessment, describes best practices and offers a range of tools that may be useful for the authorities that have to develop an inspection plan (see detailed table of content below).

¹⁸ <https://www.impel.eu/tools/guidance-on-effective-waste-shipment-inspection-planning/>

Contents

1.	Introduction	6
2.	Legal and economic context	6
3.	Risk assessment	9
3.1	Introduction	9
3.2	Information sources	9
3.3	Methodology of risk assessment	10
3.4	Uniform template for risk assessment	12
3.5	Relevant waste streams	12
3.6	Risk criteria	13
3.7	Presentation and interpretation of results	17
3.8	Enforcement based on the WSR	19
	<i>Best practice: Risk assessment with RAM in Slovenia</i>	20
3.9	Minimum number of inspections	21
3.10	Alternative approaches on risk assessment	23
	<i>Best practice: Co-ordinated airport and other inspections in NL</i>	24
4.	Necessary elements of an Inspection Plan	25
4.1	Objectives and priorities	25
4.2	Geographical area	25
4.3	Information on planned inspections	25
4.4	Tasks assigned to different authorities	26
4.5	Arrangements for cooperation	28
	<i>Best practice: Cooperation of WSR authority in Lower Bavaria with Customs and Police to stop illegal shipments to Africa</i>	30
4.6	Training of inspectors (and others)	30
4.7	Human, financial and other resources	34
4.8	Follow-up on inspection findings	35
5.	Reporting, documenting and sharing of inspection results	37
6.	Publication of inspection plans	38
7.	Review and evaluation	39
8.	Annexes	41
	A. Template for the structure of an inspection plan	41
	B. Template for a risk assessment (general structure)	44
	C. List of relevant waste streams	46
	D. Example of a risk matrix	48
	E. Example of a data sheet on national roles and responsibilities for controlling waste shipments	48
	F. Template for a Memorandum of Understanding (MoU)	50
	G. Example of guidance on violations and primary reactions/sanctions (from Norway)	54
	H.1-3 Reporting templates	56
	J. Useful links to TFS information and guidelines for self study and distant learning	60

4.3 Action/Operative Plans and Campaigns

ITALY – Operative annual directive

In Italy, the so-called ‘Operative Directive’, is a programmatic document, aimed at outlining an operative context and defining a set of actions to improve the fight against environmental crime, including waste trafficking. It is an operational plan including the following sections:

- a) reference scenario;
- b) indication of risk;
- c) level of threat;
- d) sectors of primary intervention for operations;
- e) sectors of complementary intervention;
- f) subjects (who is in charge of operating);
- g) objectives;

h) communication of results.

The operative plan can be annual or multi-annual (three years maximum), and the results are reported either partially (monthly, bimonthly or quarterly) or as an overall (yearly or every two/three years etc). The Carabinieri, one of the Italian police forces who is in charge of developing and enforcing this specific plan, briefly summarised the contents of this plan in the following paragraphs.

1. FRAMEWORK CONTEXT

It reports the elements included under the relevant sections: a) reference scenario; b) indication of risk; c) level of threat.

2. MONITORING AND INVESTIGATION ACTIONS

It summarises the operative guidelines on the basis of which the police have to work, related to the: d) sectors of primary intervention for operations; f) subjects (in charge of operating); g) objectives.

3. COMPLEMENTARY ACTIONS

This section is composite. Specific sectors listed in this section may not be directly linked to the key area of action - environmental crime - but are considered as complementary as they derive from national regulations or specific needs of the institutional body in charge of drafting the document. It could be related to the application of personal preventive measures or patrimonial measures envisaged the 'Antimafia code'.¹⁹ Another example concerns the application of the regulation on the criminal liability of the different institutions, as well as the administrative responsibility of public officers as a consequence of a crime; the guidelines for developing international cooperation actions and how to deal with external subjects (e.g. non-governmental organisation, the media etc).

4. ACHIEVEMENT OF OBJECTIVES

The criteria for communicating the results are determined to allow the Command / Office that generated the document to assess the "deviation" (i.e. how much the results do or do not conform to the Operative Directive). This tool allows to restart the decision-making process that led to the development of the Directive, so as to allow to confirm, modify or cancel the previous provisions. The Directive support decisions taken at lower levels to economize forces and concentrate efforts in a given context and is therefore flexible and updated to adapt to different scenarios.

SPAIN – General framework (bi-annual) + annual action plan

Spain has 2 levels of annual plans (restricted information):

A General strategic framework of coordinated activities is developed by the Guardia Civil and the Ministry of Environment and renewed every two years. This document details the general activities to be carried out in a coordinated way. Each Government and Ministry provides inputs, depending on the specific needs, policies in place, etc. - to be aligned with the general framework. It includes: general rules and objectives; tasks allocation among involved authorities; coordinated inspections; and obligation to support inter-agency cooperation.

An annual operation plan is developed by the Guardia civil,²⁰ to be implemented together with competent authorities at local level. This pl drafted on the basis of the intelligence gathered in the previous year (e.g. if intelligence reveal that some illegal shipment was detected at a specific period in

¹⁹ In September 2017, the Italian Parliament passed a new Anti-Mafia Code, bringing more effective seizure procedures, transparency in assignments to fight nepotism and greater opportunities to intervene against companies infiltrated by organized crime, among other measures. Considering environmental crime as a serious crime managed by criminal structures allow the application of the anti-mafia code and its special measures also to environmental crime, including waste trafficking.

²⁰ At the time of the interview, the Guardia Civil was in the process of drafting the operational plan on waste crime for 2021, based on inputs from 2020.

a specific port, they will plan inspections for the next year in that specific port and time of the year) clearly details:

- the number of inspections;
- timeframe;
- location;
- authorities to be involved;
- resources needed (for example: 3 inspections in port of xxx; 2 are led by Guardia Civil and 1 is led by Min. of the Environment)-

5. Policy plans and enforcement strategies at international and EU level

EUROPOL Multi Annual Strategic Plan for Environmental Crime Priority²¹

Action 11 of the timeline for the continuation of the EU Policy Cycle for organised and serious international crime for the period 2018-2021 provides that expert groups of Member States and EU agencies, coordinated by the Commission will draft Multi-Annual Strategic Plans (MASPs) to address the crime priorities.

The Multi Annual Strategic Plan for Environmental Crime Priority is mostly restricted but the structure provides an idea of its main content. In particular, the plan identifies existing and potential vulnerabilities and strategic goals (definition and measurement of achievement) in term of: intelligence; operational activities; prevention and capacity building; cooperation with non-EU partners; document fraud; financial investigations; on-line trade in illicit goods and services.

WCO Strategic Plan 2019-2022²²

From a customs perspectives, the World Customs Organization's Strategic Plan for 2019-2022 - though not specific to environmental/waste issues - provides a good example of a regional strategic approach. The document presents the institutional profiles (mission, the vision and value of the organization and its members). It sets the Strategic Objectives and Emerging Initiatives identified for the three-year period, the Strategic Priorities, and the Key Performance Indicators that will measure the implementation of the Strategic Plan. A Strategic Map translates the Strategic Plan and results from the planning methodology. Finally, the document provides a methodology note on the establishment and future management of the WCO's Strategic Plan 2019-2022.

²¹ <https://data.consilium.europa.eu/doc/document/ST-11806-2017-INIT/en/pdf>

²² <http://www.wcoomd.org/-/media/wco/public/global/pdf/about-us/administrative-documents/wco-strategic-plan-2019-2022.pdf?db=web>

6. Main findings

From the information collected and analysed above, the following main findings have been identified:

- Countries have developed different types of strategic documents (e.g. annual plan, enforcement strategies, annual or monthly inspection plan, inspection campaign). Based on the different division of competences within a country, these plans may only concern waste shipment inspections when developed by competent authorities in charge of inspection activities, or they can refer to police and criminal investigations and/or to both aspects. Plans on waste management are also included as an example.
 - o The authorities involved in the drafting of such documents vary among countries. Also, in some countries those strategic documents are developed unilaterally, while in other there is collaboration with other authorities (or at least the plan is developed taking into account strategic documents from other authorities).
 - o In the analysis was found that there is cooperation between inspection authorities, customs and the police, but the authorities did not report that there is cooperation with prosecutors in the development of the annual plans. Prosecutors are consulted during the implementation of the plans, for example to seek legal opinions on cases of illegal shipments (and required evidence) and on measuring possible environmental damage.
 - o One of the most interesting elements emerging from the analysis are the differences in the internal tasks and mandates within the enforcement chain authorities amongst EU Member States. In a few countries (such as Spain and Italy), the law enforcement agencies in charge of environmental crime, and more specifically waste crime, have capacity both at criminal and at administrative level, thus dealing with both inspections' activities and criminal investigations. In simple terms, this means that, if the need of inspections is deriving from criminal activities, the same officers involved in the inspections are entitled to conduct criminal investigations, and thus they are able to cover the whole enforcement chain. But based on the information collected, in the majority of countries, these competences are instead assigned to different authorities (administrative and criminal authorities).
 - o It is also reflected in the plans developed at the national level, that the administrative and criminal competences are in most cases assigned to different authorities.
 - o The scope of those documents also vary among countries, some look at both waste management and waste shipments, while other look at each issue separately, some have a wider scope (e.g. environmental crime). They also have different levels of details. In some countries, the plans also serve as management/human resources schedules .
 - o Inspection plans are based on WSR (and EU-mercury regulations with regards to mercury) and relevant national legislations
- Some of the respondents to the STRIKE questionnaire did not indicate if they have national annual or multi-annual plans, or both, which still leaves a knowledge gap on this aspect.
- In Federal States, there is usually two levels of annual plan: at federal and regional levels, with possibility of joint inspections between 2 regions.
- Some countries reported cooperation at European level are also part of the plans. Supervision by national networks (EUFJE, ENPE, IMPEL) were also mentioned in this regards.
- Overall, it can be concluded that the development of enforcement strategies is very specific for each national context, and still not harmonized at regional level in EU.

In January 2020, the European Commission published an evaluation of the WSR,²³ including Article 50 paragraph 2a. According to this evaluation, the reporting on the measures taken to address illegal shipment of waste (inspection plans) is rather limited for now (such reporting requirement started in 2018) and no thorough analysis could be made yet on their effectiveness. According to the EC, “At the moment general information on the prevention and handling of illegal shipments is reported, with some details on the amount of inspections and detected cases. The existence of national or regional inspection plans is reported, but not the plans themselves. There are furthermore no mechanisms foreseen in the current WSR reporting obligations to compare or otherwise assess these plans and the resulting outcome on the ground.” This concurs with the findings of this report that there is a knowledge gap on the existence and content of the national plans.

Based on the results of this *Compendium of current practices in planning enforcement strategies*, some guidelines on how to prepare annual plans and enforcement strategies will be developed and provided in Deliverable 2.3.

²³ European Commission. (2020). COMMISSION STAFF WORKING DOCUMENT EVALUATION of Regulation (EC) No 1013 /2006 of the European Parliament and of the Council of 14 June 2006 on shipments of waste {SWD(2020) 27 final}. https://ec.europa.eu/environment/waste/shipments/pdf/SWD_2020_26_F1_SWD_EVALUATION_EN_V4_P1_1064541.pdf

7. Annex 1 – Section III on the preparation of annual plans and enforcement strategies of the Joint questionnaire

SECTION III: PREPARATION OF ANNUAL PLANS AND ENFORCEMENT STRATEGIES

(National actors/officers)

14. Are you directly involved in the preparation of annual plans (eg. operational / investigative plans, inspection plans etc.) and / or enforcement strategies concerning waste trafficking or management in your agency / country?	
<input type="checkbox"/> No	<input type="checkbox"/> Yes (please specify):
	i) the type of plan or strategy
	ii) if it is at local, national or regional level (eg. EU)
	iii) what is the relevant regulation / legal instrument (eg. WSR – inspection plans; Minamata Convention – national action plans etc.)
iv) do you follow a model / template?	
<input type="checkbox"/> No	<input type="checkbox"/> Yes (please specify):
	Can you provide reference to the template AND a digital copy of the latest plan / strategy your agency has been working on? (you can send the copy as attachment to strikeprojecteu@gmail.com)

(International or Regional actors/officers)

15. Does your agency / network etc. envisage the preparation of annual or regular plans or strategies concerning operational aspects of your work in countering waste trafficking / waste management?	
<input type="checkbox"/> Yes (please specify):	
i) Can you provide details on the type of requirements, information collected, final objectives of these activities and the relevant legal framework (eg. WSR, Minamata Convention etc.)? (see also section on Specific Questions below)	
<input type="checkbox"/> No (please specify):	
ii) Are you aware of existing standards / guidelines at international or regional level regarding annual plans or enforcement strategies?	

Annual Plans / Enforcement Strategies (all actors/officers)

16. Could you provide details on the aspects elaborated in the relevant annual plans developed in your country / agency (the sections below are mainly provided as examples, please ADD what may be missing)	
ORGANIZATIONAL aspects (if relevant)	
Objectives and priorities	
Geographical scope	
Tasks assigned to different stakeholders	
Mechanisms for cooperation	
Training and capacity building	
Resources available (human, financial..)	
Other? (please add rows if necessary)	
OPERATIONAL aspects	
Intelligence	
Intelligence-led Inspection	
Intelligence-led Investigation	
Info exchange (local, national, regional level)	
International cooperation	
Financial investigations	
Online illegal activities	
Prevention / Training	
Other? (please add rows if necessary)	