



### **(C) Main recommendations for improvements**

**(1) Better present the problem and include a more detailed baseline scenario.** The report should present a more streamlined and complete problem definition by better explaining the incentives for Member States to implement and comply with Community waste regulation. It should also provide a fuller analysis of the reasons for the insufficient implementation of the WSR, and describe the effectiveness of the WSR in stopping illegal shipments. This should also include an indication of the variation in intensity and effectiveness of inspections, differentiating across Member States as appropriate. The report should include as well a more detailed description of the regulatory context of other relevant waste legislation and how they impact the baseline development. When referring to available evidence, the relevant references should be provided. The baseline scenario should be extended and much more developed to include additional details on expected developments in the relevant waste and recycling markets. On this basis, the report should explain whether the current legal provisions need to be strengthened or complemented.

**(2) Explain the rationale for measures considered under the policy options and better describe the content of the options.** The report should improve the presentation of the rationale and detailed content for all policy options, particularly for options 2 and 3, and include potential sub-options. It should explicitly explain which concrete measures are included in each of the options, how they would work in practice and what difference in terms of effectiveness/efficiency these are expected to make. The report should clarify whether all measures and policy options would apply equally to all types of waste and all export destinations. It should describe up-front in a dedicated section the options that were initially discussed but later discarded (including the current option 3).

**(3) Better assess the costs and benefits for each option, particularly for the preferred policy package.** For each of the options the report should provide a more thorough analysis, including clearer estimates of costs (particularly for businesses) and benefits. To this end, it should present the underlying methodologies and assumptions, and provide a more profound discussion of the impacts of reversing the burden of proof (from public authorities to business). The report should also assess the impacts on employment in more detail. Finally, the report should explicitly specify the measures included in the preferred policy package and assess and compare their impacts fully against the more elaborated baseline scenario.

**(4) Clarify monitoring and evaluation arrangements.** The report should provide more developed monitoring and evaluation arrangements, including a set of concrete indicators related to inspections and illegal shipments.

*Some more technical comments have been transmitted directly to the author DG and are expected to be incorporated in the final version of the impact assessment report*

### **(D) Procedure and presentation**

The report is too long and should be shortened by avoiding repetitions throughout the text and by relegating technical aspects to the Annexes. A glossary of technical terms and abbreviations should be provided and the technical language should be streamlined to make it more accessible for the non-expert reader. The executive summary should have separate sections on subsidiarity, objectives and evaluation/monitoring.

<b>(E) IAB scrutiny process</b>	
Reference number	2011/ENV/012
External expertise used	No
Date of Board Meeting	Written procedure The present opinion concerns a resubmitted draft IA report. The first opinion was issued on 8 July 2011.