



Where are we with the implementation of the EU Waste Laws?

 **EEB**
European
Environmental
Bureau

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the implementation of
the EU waste Laws?

15 April
14:00-16:00

#NoTimeToWaste

Contact:
ilias.grampas@ebcd.org
piotr.barczak@eeb.org

Hosted by
Franc Bogovič MEP (EPP)



EP Intergroup Climate Change,
Biodiversity & Sustainable Development



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15 April 2021, 14:00 – 16:00 CEST

Hosted by MEP Franc Bogovič

Chair of the Bioeconomy Working Group of the European Parliament Intergroup on
'Climate Change, Biodiversity and Sustainable Development'

Speakers:

- **MEP Franc Bogovič**
- **Mattia Pellegrini**, Head of B3 Unit on Waste Management & Secondary Materials, DG ENV, European Commission
- **Piotr Barczak**, Senior Policy Officer for Waste, European Environmental Bureau
- **Ioannis Bakas**, Waste Expert, European Environment Agency
- **Ana Gutiérrez Dewar**, Coordinator of Institutional Relations and Political Action, Retorna
- **Arthur ten Wolde**, Executive Director, Ecopreneur.eu
- **Johannes Weber**, Chair of FoodDrinkEurope Circular Economy Working Group, & European Affairs Manager, Nestlé
- **Francesco Lembo**, Managing Director, Association of Cities and Regions for sustainable Resource management (ACR+)
- **MEP Cyrus Engerer**
- **MEP Stéphane Bijoux**

Welcome remarks

MEP Franc Bogovič

“Rather than working in isolation, Member States faced with the implementation of waste-related legislation should progressively involve larger strands of the societies in their work, establishing cooperative patterns with actors from the sub-national level”.

The event was kicked-off by **MEP Franc Bogovič**, who stated the ambitious EU’s climate and environmental goals, mentioning the **Circular Economy Action Plan** and the **EU Green Deal** as their mainstays. For Mr. Bogovič, **sound waste management** is vital to accomplish **environmental and climate targets** and the EU has already been taking steps in this regard, for instance by introducing a package of waste-related legislation in 2018, which included the amendment of the Waste Framework Directive, the Landfilling Directive and the Packaging and Packaging Waste Directive. Notably, Member States were expected transpose them in national law by July 2020. Drawing from his experience as mayor, Mr. Bogovič hinted that **municipalities are key actors to successfully implement sound and energy efficient waste management plans**. Indeed, rather than working in isolation, **Member States** faced with the implementation of waste-related legislation **should progressively co-opt larger strands of societies in their work**, establishing cooperative patterns with actors from the sub-national level.

Keynote address

Mattia Pellegrini, Head of B3 Unit on Waste Management & Secondary Materials, DG ENV, European Commission UNFSS Action Track 3

“Looking ahead to the implementation challenges, through Horizon 2020, LIFE and National Recovery and Resilience Plans funding, Member States will have a unique opportunity to invest in their infrastructure, recycling and reusing capacity.”

Representing the DG ENV, **Mr. Pellegrini** centered its intervention on the **obligations upon Member States that derive from the waste-related package**. On one side, the

host of measures requires Member States to increment their recycling and reusing rates of municipal waste by 55% until 2025, by 60% until 2030 and until 65% by 2035. On the other, to comply with the Landfilling Directive, Member States should be poised to reduce the landfilling rate of municipal waste by 10%. Moreover, the Single-Use Plastic Directive entered into force in 2019, introduced consumption reduction targets and bans for certain products. Against a background of clear obligations to be transposed into national legislation by July 2020, Mr. Pellegrini noted, **many Member States have lagged behind the schedule** and the **implementation at national level of the waste-related legislative package** has been, in general terms, either **partial** or **delayed**. Likewise, notwithstanding the obligation upon Member States to timely submit waste prevention and waste management national plans, the European Commission has received only three. Aside from meeting legal requirements, Mr. Pellegrini clearly set forth, the submission of waste management and prevention plans and their prior assessment by Commission's DG REGIO and DG ENV **is a precondition for using earmarked funds under the Cohesion Fund**. In conclusion, Mr. Pellegrini illustrated the challenges ahead for Member States. First, to meet their obligations, some will have to **drastically reduce their landfilling rate of municipal waste**. At the same time, **Member States shall shift away from landfilling and incineration practices** to treat waste and use instead appropriations under **Horizon 2020, LIFE and National Recovery and Resilience Plans** to improve **their recycling and reusing capacity**, while **enhancing collection infrastructure at the national level**. Furthermore, to improve waste management and prevention, Member States should leverage the **full potential of a best-practice sharing system**.

Stakeholder reactions

Piotr Barczak, Senior Policy Officer for Waste, European Environmental Bureau, followed by short interventions from three national members of the EEB

“The circular economy is receiving a lot of attention at the EU level. But without political will to effectively work at national level, without understanding of waste hierarchy and without the funding needed to ameliorate waste prevention, we will go nowhere.”

During his concise intervention, speaking on behalf of the European Environmental Bureau (EEB), **Mr. Barczak** presented a joint report entitled [#NoTimeToWaste: Member States delay meeting the inevitable targets](#), issued by Client Earth, ECOTECA and EEB addressing **how Member States are boosting their transition towards a circular economy**. As a preliminary observation, Mr. Barczak pointed that **Member States lagging behind with the implementation of the waste-related legislative package are the very same that in 2018 were subject to an early warning mechanism for 2020 targets**. He noted that the Member States failed to transpose the legislative measures, even those which ambition they have watered-down in the co-decision process at the EU level. Moving to the report, it highlighted that Member States could do more to expedite the transition towards a circular economy. In general terms, **Member States’ ability to follow the waste hierarchy is questionable, especially when looking at how the funding is being spend**. Moreover, for the time being, **municipalities do not take full responsibility for waste treatment**, this meaning that national targets are not cascaded down to municipalities by national authorities. In addition, **EPR schemes as they stand are not sufficient**. Prospectively, in EEB’s view, to ameliorate waste prevention and recycling rates, **EU countries need further guidance to fully understand their set of obligations, taking into account the direction of travel of the European Green Deal that aim at prevention**, and should consistently draw from best examples of legislative transpositions.

Following Mr. Barczak address, some national representatives of the EEB’s Network of NGOs took the floor.

- **Ms. Carmen Lima**, Coordinator of the Residues Information Centre of Quercus – the Portuguese National Association for Nature Conservation – stated that Portugal’s investment on prevention and reuse is inadequate.

- Speaking on behalf of the Society for Earth (Poland), **Mr. Pawel Gluszyński** argued that Poland lacks vision and information on how to set up an effective waste prevention and management infrastructure, and wrongly drives investments towards incineration.
- In conclusion, **Ms. Henriette Schneider**, Project Manager for Circular Economy at Climate Action Germany (DUH) hinted that despite being considered a role-model, Germany remains the unchallenged champion of packaging waste generation across the EU. Critically, the country's transposition of the waste-related legislative package followed a bare minimum and hardly ambitious approach in terms of waste management and prevention.

Ioannis Bakas, Waste Expert, European Environment Agency

“Waste generation is generally increasing in the EU, but at a lower level than the economy, except for 7 Member States and this is a sign of the great progress made.”

Throughout his presentation, **Mr. Bakas** first **shared findings** from European Environment Agency's (EEA) monitoring activities on the **implementation of the EU waste-related package at the national level**. Amid those, the fact that in recent times, **waste generation** has been increasingly **decoupled from economy growth** in the EU, to the extent that **only in seven EU countries waste grows faster than GDP**. Aside GDP growth, population growth and waste-intensive economic structures are compelling factors that account to surging waste production. That being said, Mr. Bakas touched upon the **early warning mechanism** the Commission has set to **monitor the convergence of EU Member States to EU-wide waste targets**. On this note, drawing upon the EEA expertise, every three years ahead of target deadlines the Commission will release monitoring reports. As regards the methodology, EEA will put on hand its expertise to identify countries who are at risk of not meeting targets, to highlight best practices and to issue country-specific policy recommendations. As part of it, EEA created a **success index which calculates the likelihood for individual EU countries to**

meet common targets on waste. It will factor in, to name a few, the current situation and past trends, the legal instruments in place, the economic measures influencing waste management and prevention, the treatment capacity and the quality of data on waste.

Ana Gutiérrez Dewar, Coordinator of Institutional Relations and Political Action, Retorna

“I personally hope that the Commission will push Spanish government to increase its ambitions on the transposition of the waste-related legislation. Looking at how the Landfilling Directive was transposed, there is clear need to do more.”

Taking the floor on behalf of Retorna, **Ms. Gutiérrez Dewar’s** main focus was **disseminating data on waste management and waste prevention patterns in Spain.** To begin with, the speaker illustrated that totaling 60%, **landfilling remains the predominant way of municipal waste disposal in Spain.** Along the same lines, 80 % of municipal waste is collected mixed and only 20% is collected separately, but eventually inadequately recycled. In addition, as for Spain, EPR schemes are either incomplete (packaging EPR scheme), inefficient (tyre EPR scheme) or inexistent, as in the case of textiles and furniture. Moreover, there is no record of existing Deposit Return schemes. Against these negative figures, Ms. Gutiérrez Dewar recalled, **six members of the Zero Waste alliance** and a handful of NGOs recently **filed a complaint with the Commission** reporting **Spain’s non-compliance with the 50% reuse and recycling targets set for 2020.** By way of conclusion, the speaker unearthed that most measures under the waste-related legislative package will be transposed into national legislation no earlier than the third quarter of 2021 and that albeit finalized, the **transposition of the Landfilling Directive lacks ambition.**

Arthur ten Wolde, Executive Director, Ecopreneur.eu

“What Ecopreneur.eu asks is greater ambition coming from the Council of the European Union, which is currently holding back. At Ecopreneur.eu we have regenerative champions that have proven the viability of sustainable business models in the market, but to mainstream, we need a more sustainable-growth friendly economic environment”.

Ecopreneur.eu’s Executive Director, **Mr. ten Wolde** first presented the role of Ecopreneur.eu: **a hub of ecological entrepreneurs, about 2900** small and medium sized enterprises (SMEs) and 100 large ones, all **dedicated at delivering sustainable products and services**. In the words of Mr. ten Wolde, even though the EU’s commitment to overhaul legislation completely and comprehensively on sustainable investment is tangible, **industries pertaining to Ecopreneur.eu’s network feel hardly rewarded for their investments in delivering green products and services**. On this note, **Ecopreneur.eu called on policymakers** at both national and EU level to **implement further measures to shape a more sustainable-growth friendly economic environment**. An idea put forward by Ecopreneur.eu was to activate a **green conditionality mechanism** for accessing all EU funds earmarked under the European Recovery Plan, possibly including timely implementation of environmental directives such as the Waste Framework. The enhancement of circular economy hubs was deemed as vital and, in an evolutionary fashion, **lowering the VAT for circular products and services** - a manoeuvre that will require a switch to majority voting for tax matters in the Council of the European Union - **could provide an appealing incentive for sustainable investment**.

Johannes Weber, Chair of FoodDrinkEurope Circular Economy Working Group, & European Affairs Manager, Nestlé

“A coherent and successful combination of packaging design, waste management infrastructure and consumer information on proper waste disposal are fundamental elements of a far-reaching EU circular economy.”

Representing FoodDrinkEurope, **Mr. Weber** brought to the surface the challenges of packaging (waste) in the EU, with a considerable amount of it ending up in the environment without being subject to adequate reuse and recycling practices. The food and drink sector **strives to minimise the environmental impact of its food and drink products including the packaging solutions**. On the one hand, by using **easy-to-recycle packaging** (for instance, mono material and paper packaging) as well as more recycled food contact material and re-use and refill solutions where possible. Moreover, FoodDrinkEurope claims the importance of putting in place **advanced and well-performing EPR schemes** with appropriate and harmonised recycling infrastructure across the EU Member States. Food and drink manufacturers are also making growing efforts to raise awareness and provide **ready-to-use information to consumers on how to reuse and/ or dispose of packaging most appropriately**. These endeavours are **quintessential to achieve a successful circular economy**. Addressing the waste-related legislative package, Mr. Weber stressed the importance of enforcing the new EU-harmonised method for the calculation of recycling rates, as **comparable recycling rates are fundamental for a proper assessment of the European waste recycling state of play**. Ensuring a harmonised implementation of the Circular Economy legislative packages across all Member States is crucial to strengthen the Single Market. In conclusion, reflecting on how the food and beverage sector could contribute to push forward the transition towards an EU-wide circular economy, **Mr. Weber called on the Commission to authorise more recycling processes as long as they are sustainable and produce quality recyclates**, so as to ensure a high and steady supply of high-quality recycled materials which are safe for use in contact with food.

Francesco Lembo, Managing Director, Association of Cities and Regions for sustainable Resource management (ACR+)

“When we speak of waste, the importance of prevention is fundamental. Plastic can lead to carbon savings if we better work on the generation phase, including the production, consumption and transportation of plastic materials.”

Mr. Lembo, Managing Director at ACR + assessed the **implementation of the waste-**

related legislative package through the lenses of the European regions and sub-national units. From that angle, the speaker recognized, **measuring the implementation status** only on the basis of the national performance captures an inaccurate image of the state of affairs. Indeed, from his standpoint, **national targets should be articulated in order to take stock of regional differences** and regional-level data collection should be accordingly enhanced. For instance, as Mr. Lembo showed, **calculations on waste capture rates can only be done only at the regional level**, given its negative correlation with population density. Moving to the issue of plastic packaging, which accounts to 40% of the total plastic demand in the EU, Mr. Lembo took stock of the progress made, noting that **dedicated EPR schemes mainly serve two environmental goals**. First, they can **incentivize manufacturers** to design **resource-efficient** and **low-impact products**, something that is concretely happening across the EU, the speaker observed. In addition, they can ensure **end-of-life collection** and **environmentally sound treatment of collected plastics**. According to the speaker that remains a **sticking point**, in that while efforts to improve plastic treatments are undeniable, **plastic production is steadily rising**. By way of conclusion, Mr. Lembo offered **concrete suggestions to improve calculation methods for plastic packaging**. First, **more complex and qualitative indicators are needed** to readily address production externalities. Such an effort would require a re-shuffling of regional regulatory intervention priorities. Moreover, Mr. Lembo argued that **intensified efforts on prevention can produce positive outcomes**, given that plastic can eventually lead to carbon savings. To accomplish that, the EU needs to introduce clear targets linked with waste prevention.

Reactions by MEPs

MEP Cyrus Engerer

“The last year has served to teach us a great lesson and understanding the weaknesses in the way we are used to live; many systems on which we base our day to day life are inherently flawed and unsustainable. In this regard Europe has set ambitious plans for a change of direction and to move forward sustainably.”

Mr. Cyrus Engerer, from the S&D Group at the European Parliament, expressed his support for the emerging European agenda on the transition to carbon neutrality and circularity. Whereas ongoing policy initiatives such as the Circular Economy Action Plan or the European Green Deal are central to the transition, many of their targets can only be achieved through **appropriate implementation of the 2018 legislative package on waste**. In this respect, Mr. Engerer lamented **slow or insufficient progress** in relation to several deadlines and targets. These shortcomings point to the **need for a more balanced approach**. Under the recognition that Member States are highly diverse, measures that are inconsistent with current goals should be reassessed, all while ensuring the proper roll-out of effective measures by all means possible, including legal action by the European Commission.

MEP Stéphane Bijoux

“Our strategies must become opportunities to bring together a world with more respect – respect for others, respect for our planet, and respect for our children and future generations. This new future starts today with the development of a circular economy.”

Mr. Stéphane Bijoux, member of the Renew Group at the European Parliament, emphasized the **importance of waste prevention and reduction** in developing a truly circular economy. To accelerate the transition towards a more balanced and less resource-consuming future, the **exchange of best practices and cooperation between all stakeholders** is the way forward. In addition to the European Green Deal, a **European Blue Deal** should be put in place that works with Europe’s neighbours and leverages collective intelligence for innovative solutions. Mr. Bijoux concluded by expressing his hope that current challenges in terms of waste management are not unsurmountable.

Discussion with the audience

Moderating the panel discussion, Mr. Barczak asked Mr. Pellegrini to elaborate on the potential of residual waste generation targets and on the balance to be struck between prevention, reuse, and recycling. Mr. Pellegrini responded that **residual waste generation targets are being addressed by an ongoing study** in view of setting targets within the Waste Framework Directive. To boost prevention, both residual (per capita) waste targets and targets on prevention by public authorities may be envisaged. Furthermore, the Commission is **currently incorporating respect of the waste hierarchy into several instruments** beyond the Waste Framework Directive (such as the Waste Shipment Regulation). Mr. Barczak also asked the speakers to present their thoughts on the possibility of penalizing Member States for failing to meet objectives in European directives. Mr. ten Wolde argued that linking EU funding to implementation has boosted adoption in other policy areas in the past. The **absence of a positive incentive is an important factor** explaining lagging adoption on the part of national authorities. Mr. Bogovič concurred that – whereas fines arising from infringement procedures are one-off – strengthening the **ties between EU funding and compliance would strengthen transposition**. Finally, Ms. Carmen Lima highlighted the **need to focus on prevention and reuse, and the importance of common policies in these areas**.

Closing Remarks

Mr. Bogovič closed the event by reflecting on the importance of **multi-stakeholder involvement** in **designing** more reusable and recyclable products, developing appropriate **infrastructure** at all levels, and raising awareness among **consumers** on the need to manage waste appropriately.