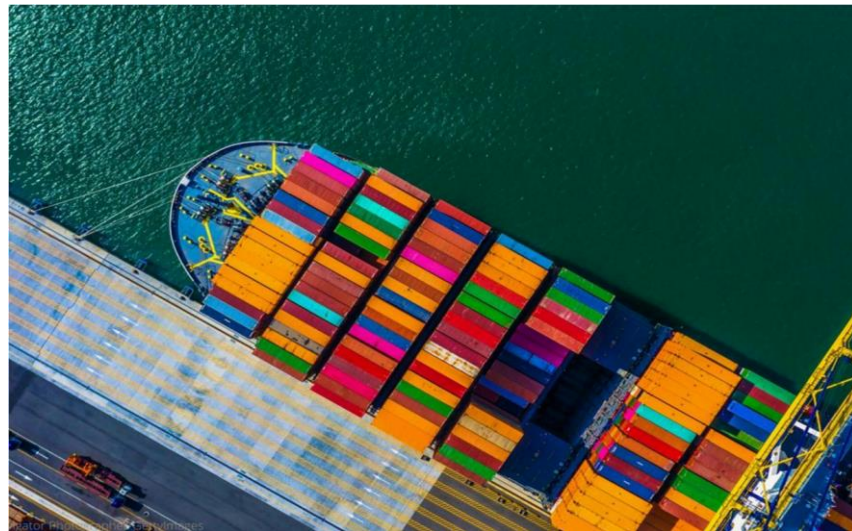




Revision of the Waste Shipment Regulation – Turning challenges into opportunities to boost the circular economy



Monday 20 June 2022, 17:30 – 18:30 CEST

Online event hosted by MEP Pernille Weiss

Speakers:

- **MEP Pernille Weiss**, Rapporteur of the Waste Shipment Regulation
- **Mattia Pellegrini**, Head of B3 Unit “From Waste To Resources”, DG ENV, European Commission
- **Emmanuel Katrakis**, Secretary General, EuRIC
- **Lauren Weir**, Ocean Campaigner, Environmental Investigation Agency
- **Ulrich Leberle**, Raw Materials Director, Cepi
- **MEP Sara Matthieu**, Shadow Rapporteur of the Waste Shipment Regulation
- **MEP Malte Gallée**

Welcome Remarks

MEP Pernille Weiss, Rapporteur of the Waste Shipment Regulation

“The EU needs digitalisation and data in order to protect the environment and heal the climate”

MEP Ms. Weiss kicked off the event by responding to the question ‘*What is your approach to ensuring that export recycling materials are environmentally sound?*’ She stated that this is a challenge mainly because **waste shipment, as designed, does not fit into a future of circularity**. Hence, there is a **need to adopt a circular and mature regulation and to emphasise on digitalisation as part of the green transition** to decarbonise and upscale. Moving on, she **highlighted the benefits of digitalisation to fight against waste crimes** and improve the already strong proposal of the European Commission to adopt stricter sanctions. At the same time, she emphasised that **one of the biggest issues during the negotiations is the question on how to create circularity in an open market and how to implement and enforce sanctions**. Moving on, it was also argued that there is a need for cooperation with the rest of the world to address climate challenges. To conclude, she called on innovation and technologies to make the regulation stronger.

Interventions by speakers

Mattia Pellegrini, Head of B3 Unit “From Waste to Resources”, DG ENV, European Commission

“In the existing legislation, all wastes are treated the same way”

Mr. Pellegrini argued in his intervention that there are **two layers in the current Waste Shipment Regulation**. The first is the ‘**country layer**’. He mentioned that the difference between the old regulation and the new regulation is that every country that would like to receive waste from the

EU should notify it to the European Commission and should be able to meet a set of environmental requirements. Then, the country can be added on the list if the EU is convinced that the former is able to meet the environmental requirements. It was also mentioned that this list is dynamic as the Commission is able to review its judgment if it appears that this country is not meeting the requirements. The second layer is a **'facility level'**. **For any export outside the EU, there would have to be a third party certification.** This certification will make sure that not only the country is complying but also the specific facilities of the exporters. To the question addressed as to why the Commission has put together all types of waste streams, Mr. Pellegrini stated that **in the existing legislation, all wastes are treated the same way.** To establish a distinction would bring more complexity to the already difficult regulation. As a final point, he highlighted **the reasons for the distinction between OECD and non-OECD countries.** First, this **distinction is foreseen in numerous international obligations for which the EU is a member.** Second, **for non-OECD countries, there is a specific monitoring system** which helps identify when there is an issue in waste treatment and where the EU can intervene accordingly.

Emmanuel Katrakis, Secretary General, EuRIC

"If we want to have more use of recycling within the EU, the best tool is not to adopt export restrictions but to establish a recycling content target for all the materials".

Mr. Katrakis emphasised in his intervention that **there is little distinction in terms of classification between wastes that citizens or industries are producing and the output of the recycling process** because the latter remains classified as a waste. Hence, **industries are pushing forward to establish that distinction** in order to classify waste and if possible, making it become a product and access the EU and international markets. Moving on, Mr. Katrakis agreed to make a distinction between intra and outside EU waste shipment. Industries want to have less bureaucracy when it comes to shipment, this is why **there is a need for more digitalisation.** Furthermore, Mr. Katrakis stressed the **issue of waste crimes and the necessity to have more enforcement in the proposal.** Moving on, he stated that **the real difficulties are the rules on exports.** He mentioned that the

industry wants to make sure that the output of the recycling process, even if it is classified as a waste, is not going to be hampered when entering the international market. There is also a lot of support for the proposal to opt for audit as well as the need for distinction between waste streams. To conclude, **the best tool is not to adopt export restrictions but to adopt a recycling content target for all the materials.**

Lauren Weir, Ocean Campaigner, Environmental Investigation Agency & Rethink Plastic alliance

“The current proposed measures will simply displace and not resolve the issue of illicit waste trafficking and the environmental, social and human health issues related to the export of EU plastic waste to both non-OECD countries and OECD countries like Turkey”.

Ms. Weir underlined that Waste Shipment Regulation forms a crucial part of the EU circular economy objectives. Upstream measures, such as more sustainable resource consumption and product eco-design are vital, but without adequate end-of-life treatment policy frameworks, successes run the risk of being weakened. Ms. Weir welcomed the Commission’s proposal to strengthen measures for waste exports. However, **when it comes to plastic waste, a number of areas still need to be addressed.** There is mounting documented evidence showcasing the environmental, social and human health harm **plastic waste exports from the EU has on both OECD and non-OECD countries.** Since 2018, we have seen a number of measures introduced around the world to respond to this (e.g. China’s national sword policy, newly targeted countries putting in place increased restrictions of their own, Basel Convention plastic waste amendments & the introduction of EU contamination threshold guidelines) however mismanagement and adverse impacts continue and illicit waste trafficking is increasing. Moving on, Ms. Weir highlighted that the power dynamics that resulted in the creation of the Basel Convention are currently echoed within the plastic waste trade and as such EIA - as well as other civil society organisations including those in recipient countries - recommend banning plastic waste exports outside of the European Union, with exceptions for EFTA countries . To conclude, she raised **the issue of ensuring that adequate safeguarding measures are in place within the EU for waste**

shipment. Understanding the need to incentivize investment into adequate recycling infrastructure, this should not run the risk of creating loopholes that exacerbate or facilitate illicit waste trafficking. This includes fully implementing the Basel Convention within the EU, establishing a clear distinction between mechanical recycling and other recovery, setting an EU-wide waste contamination threshold of 0.5% and ensuring public access to waste trade data.

Ulrich Lerle, Raw Materials Director, Ceperi

“To increase the recycling and reuse process in the EU, it is necessary to have a harmonised collection system and harmonised rules on the recycling and product design”.

Mr. Leberle, by answering the question as to what challenges and opportunities this revision implies, he **considered this revision as an opportunity to further increase the internal market in Europe**. Furthermore, he emphasised the need for enforcement. At the same time Mr. Leberly supported the principle that environmental management is applied outside Europe but **affirmed that tendencies to close borders toward external third countries should be reframed**. Finally, Mr. Leberle considered that **the classification of waste needs to be further clarified between member states** and this is also related to the need for further enforcement. To increase the recycling and reuse process in the EU, it is **necessary to have harmonised collection systems and harmonised rules on the recycling and product design**. To conclude, he stated that **the solution is to have an investment ground with a regulatory framework on collection and recycling**.

Reactions from MEPs

MEP Sara Matthieu, Shadow Rapporteur of the Waste Shipment Regulation

“Member States have to set new norms and standards such as mandatory recycled content and then the market will follow”.

MEP Ms. Sara Matthieu stated that one of the key discussions includes the issue of plastic, when tackling the political discussion of the Waste Shipment Regulation. As a general remark, she stated that **the ambition of the European Commission is the right one**. The focus should be on problematic waste streams. When tackling the illegal shipment of plastic waste, it is easier if waste exports are banned. Moving on, she mentioned that **if a waste export ban is in place, the EU has to step up their game and has to close down the export loophole**. *“Member States have to set new norms and standards such as mandatory recycled content and then the market will follow”*. To conclude, she pointed out that shipment exports should only happen to countries where environmental and social standards are proven.

MEP Malte Gallée

“It is time to ban the export of plastic waste”.

MEP Mr. Malte Gallée agreed on the points made by MEP Ms. Sara Matthieu. **“It is time to ban the export of plastic waste”**. Moving on, he stated that **the waste concept itself is wrong**, stressing that giving waste a value of zero should be avoided. Mr. Gallée underlined that **when a ban on shipping plastic waste is in place, Europe will produce in such a way it fits within a circular economy**. By shipping Europe’s waste, the problem will not be tackled. To conclude, Mr. Gallée stated that by keeping **the resources in the market, incentives will be created for consumers and the industry**. Hence, *“good working concepts will be copied worldwide”*.

Q&A Session

Moderator Ms. Kira Taylor highlighted the following question, namely: why are there different waste streams threatened in the same way when it comes to waste export under the proposal?

Mr. Pellegrini started by pointing out that the **European Commission needs to take the same type of measures for OECD countries when it comes to waste**. It is necessary to put in place monitoring mechanisms. Moving on, he underlined that there is currently not enough recycling capacity in Europe, due to this reason an overall ban on shipping waste cannot be imposed. However, at the same time, the Commission has the intention to develop more end waste criteria. As soon as the end waste criteria are applied, products can be re-traded and will not be subjected to the regulation.

MEP Ms. Pernille Weiss echoed and applauded the strong Commission's proposal for the recast. However, it **can be strengthened on some topics especially when it comes to waste crimes**. As quoted by Ms. Weiss *"If we really want to strengthen the impact of how the EU is transporting its waste, we need to work both inside and outside OECD countries"*. Regarding recycling, she mentioned that a lot can be accomplished in the single market, however as quoted, *"we can do a lot on our own, but not everything"*, especially when it comes to environmental protection.

Mr. Katrakis recalled the problem linked to the enforcement and the need for better design to the recycling and recycled content. He reiterated the need to have access to the international market to be competitive. Moving on, he stated **the need for a stronger connection between climate policy and a circular economy**, as quoted *"if we want to invest in a climate-neutral process, we also want to make sure that these processes are circular enough which is key"*.

Moving on during the Q&A the following question was asked by **moderator Ms. Kira Taylor**: Investing in recycling facilities, the natural market for clean materials is mostly in Turkey and India, without the outlets it would halt investing in recycling. Is this a concern when it comes to the Waste Shipment Regulation?

Mr. Ulrich Leberle answered by stressing that in many countries there is a huge potential to implement better separate collections. As quoted *"quality and quantity of recycled products*

should be in place to run the recycle business'. At the same time, he stressed that he is not in favour of closing borders. Instead, the focus should be on having a level playing field as an **investment in recycling and the development of further collecting do not go hand in hand.**

Moving on in the Q&A session, moderator **Ms. Kira Taylor** stated that according to the ESN principle, export should never result in adverse impact on human or environmental health.

MEP. Ms. Sara Mathieu agreed to this statement and stressed that **there should be no export, until the environmental standards are met.** Moving on, **she highlighted that enforcement remains a huge issue.** To conclude, she stressed that more requirements are necessary for products to be recycled and placing them on the market again. **MEP Mr. Gallée** underlined that the recycling industry is in a global competition, but does not want to frame this as protectionism. He underlined that the goal must be clear, as quoted *"we need to stop emitting plastic to our nature"*. This is a task for both the design of products and the recycling process.

Ms. Weir recalled that **plastic production is linked to overconsumption not population growth.** Historically, and to date, it is high-income high-waste exporting countries, like OECD Europe, that has been consuming the most plastic in terms of tonnage and per capita. The majority of plastic has never been recycled. In this sense, she stated that *"recycling alone is not the answer. We need plastic consumption reduction"*. Moving on, she addressed four points. First, the EIA is not asking to ban the shipment of trade or high quality secondary raw materials that would be used for manufacturing. Second, was that of recycling capacity displacement in recipient countries as a consequence of EU plastic waste exports. Europe is not alone in producing waste nor in needing to recycle it in an environmentally sound manner or wanting to create a circular economy. EIA found that high-income countries exporting their plastic waste actually helps perpetuate the linear consumption status quo, with exports correlating with increased plastic resin production. Offshoring plastic waste to recipient countries, which have their own needs, is exploitative. Third, as one of the richest block of nations in the world, the **EU does not need to limit its support of the creation of global circularity on the condition that other imports are waste.** This can be done whilst still following the principles of proximity, self-sufficiency and sustainable resource

consumption. Fourth, a number of several civil society organisations from around the world, including those currently importing EU plastic waste, are calling for the EU to stop exporting their plastic waste also.

Mr. Katrakis affirmed that *“as a recycle industry, we are committed to recycle more in the EU but we need to have access to the international market for waste that undergoes a mechanical recycling treatment process”*. Moving on, **he joined the statement made by Mr. Leberle on the need to prevent the closing of the borders**. In this regard, he stated that his industry collects and recovers more than the current use of what is recycled which explains the need for more capacity in the EU and the crucial access to the international market as there would be no sufficient market for what is recycled. **To conclude, it was argued that the distinction between streams is needed.**

Closing Remarks

MEP Pernille Weiss

“Every directive being recast under the Green Deal must preach each other in the right direction”.

In the final remarks MEP Ms. Pernille Weiss, **echoed the point made by Mr. Katrakis, mentioning that Europe must improve linking climate change with circularity**. Moving on, she stated that a lot of issues were addressed which are not in the scope of transport. *“It is necessary to stay focused on the scope and for what the Waste Shipment Regulation is good for and which other issues must be dealt with in other directives”*. To conclude, she underlined that every directive being recast under the Green Deal must preach each other in the right direction.