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Commissioner for Environment
Oceans and Fisheries

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Mr Peter Kurth
FEAD President
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1000 Brussels

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Dear Mr. Kurth,

Thank you for your letter of 4 November 2021 on the review of the Regulation (EC) No 1013/2006 on shipments of waste¹ and for your support to the strengthening of EU recycling and recovery markets.

In line with its commitments under the European Green Deal², the Circular Economy Action Plan³ and the Zero Pollution Action Plan⁴, on 17 November 2021 the Commission adopted an ambitious proposal for reforming the EU rules on the shipments of waste. It pursues three main objectives: to stop exporting EU waste challenges to third countries, to make transporting waste for recycling and reuse in the EU easier, and to tackle illegal shipments.

The proposal does not ban the export of waste from the EU but aims to ensure that export only takes place when there are guarantees that waste is managed in an environmentally sound manner. This is particularly needed as the volume of exports of waste from the EU is considerable and has substantially increased in the last decade, growing by 75% since 2004. In addition, half of these exports are destined to non-OECD countries, where waste management standards and practices are lower than in the EU.

The proposal covers the export of all waste from the EU as all waste should be managed sustainably. This principle is already laid down in the legislation as the current rules require that waste is managed in the countries of destination in conditions that are “*broadly equivalent*” to conditions in the EU. To make the provisions operational and overcome the implementation challenges associated with the lack of clear criteria on this matter in the Regulation, the proposal sets out a new mechanism to control and monitor the export of waste

¹ OJ L 190, 12.7.2006, p. 1–98.

² COM(2019) 640 final

³ COM(2020)98 final

⁴ COM(2021) 400 final

from the EU. The proposal will not hinder international trade in waste, but ensure a level playing field at the EU and international level, promoting high quality recycling, as well as the establishment of sustainable markets for secondary raw materials.

The proposal foresees that the new measures on the export of waste will apply three years after the entry into force of the new Regulation, leaving sufficient time for all relevant actors to get ready for the new regime. This would also allow increasing EU's overall capacity to deal with its waste and thus contribute to the EU ambition for an industrial policy relying on circular business models.

The impact assessment of the proposal shows that the EU industry has the potential to process additional quantities of ferrous metal, non-ferrous metal and paper wastes, which represent the highest share of waste currently exported outside the EU. The industries processing such wastes are already recycling substantial volumes and are planning investments to increase the uptake of waste in their production processes, which is a key feature of their decarbonisation strategies. In the transition period, the situation might be different for plastic and textile waste, for which recycling in the EU remains insufficient today. At the same time, the export of these waste streams and their treatment in third countries is a source of concern and the Commission proposal presents an opportunity for more investments in these sectors, which other EU initiatives support as well.

The revision of the Regulation on waste shipments complements on-going and forthcoming initiatives to support the creation of a robust EU market for secondary raw materials and the uptake of recyclates by the EU industry, including in the areas of sustainable products, packaging, construction and end-of life vehicles.

I count on the support of the EU waste management sector for the new rules on waste shipments and for making their implementation work on the ground, as well as on your further contribution to the initiatives of the Commission to accelerate the transition to a more circular economy.

Yours sincerely,



Virginijus Sinkevičius