

FEAD concerned over Parliament's position on Waste Shipment Regulation revision: circular economy requires both demand and shipping options

Brussels, 18 January 2023 – With a large majority, the European Parliament adopted yesterday its position on the Waste Shipment Regulation (WSR) revision. It includes improvements on intra EU shipments but maintains tight rules on waste exports to industry's concern.

The adopted position provides more legal certainty and harmonisation goals. FEAD welcomes the extension of confirmation deadlines for facilities to two working days, the acknowledgment of persistent and normalised delays in the authorisation processes, and the obligation for all Competent Authorities to accept documentation in English. **However, FEAD believes this was also a missed opportunity for needed reforms that will further boost the circular economy in the EU, e.g., by strengthening the role of pre-consented facilities. To underline MEP Weiss' words, what we aim for is to have an 'EU single market for waste'.**

The exports regime proposed by the Commission is largely seen as a de facto export ban. **FEAD reiterates that it remains essential to safely ship non-hazardous 'green listed' waste, which is a commodity, beyond EU borders to be integrated as secondary raw materials in manufacturing processes.** The extreme administrative burden that is intended to be put on third countries to be able to receive such 'green listed' waste will have a disproportionate deterrent effect, while sound environmental management, transparency, and traceability can be equally and sufficiently ensured through audit procedures.

In particular, **FEAD is very concerned about the outcome of the vote related to plastic waste shipments.** FEAD favours positive rules that allow for safe and traceable shipments of plastic waste within the EU, considering the specificities of the EU single market and the EU waste management industry, and outside the EU to the countries where industries using them are located. As rightly pointed out by Commissioner Sinkevičius, the WSR regime needs to be in line with international law, where trade restrictions are only allowed for environmental protection reasons and provided that there are no less trade-restrictive alternative measures available to achieve the same objectives. In this case, **the Basel Convention COP 14 already introduced new and strict waste codes for plastics to enhance the control of the transboundary movements of plastic waste, which entered into force in 2021, and that have led to a factual decrease in exports. Exporting those plastic wastes does not negatively impact the environment, while not doing so will result in the lack of recycling opportunities because there is not enough demand for it within the EU.**

Within the EU, facilities are becoming highly specialised, and no Member State has all the facilities to treat all waste streams. **Removing references to the EU plastic waste codes will lead to certain plastic wastes no longer being classified as 'green-listed waste' and being consequently subject to the prior-informed consent procedure with its associated heavy administrative burdens and costs.** In the EU, collection, sorting and recycling often occur in different Member States, meaning that plastic waste shipments that are currently destined for intra-EU trade and recycling will be severely affected by these significant new hurdles. **Long-term and uncertain controls present a barrier to the recycling and recovery markets in the EU, which is counterproductive to the goal of circular economy.**

Illegal waste shipments and waste criminality have rightly drawn public attention, which has associated them with the need to end waste shipments altogether. However, illegal practices mean that the existing rules are circumvented, so that bans and increased financial and administrative burdens will not end such damaging practices, hampering the circular economy instead. This reality not only damages the image of our sector, but also creates an uneven level playing field. We therefore **call on the EU legislator to reinforce controls and enforcement measures, to improve traceability and cooperation among Member States, and to establish strong harmonised end-of-waste criteria and criteria to distinguish between used goods and waste.**

In conclusion, to transition to a circular economy, FEAD calls for a strong demand of secondary raw materials and safe waste shipments with clear, efficient, and harmonised rules, to enable the re-incorporation of those valuable materials back into the circular economy.

Claudia Mensi, FEAD President said:

"While we are pleased with the steps taken by the European Parliament towards an EU single market for waste, it is important to recognise that it was also a missed opportunity for needed improvements, such as the reinforcement of pre-consented facilities.

In terms of exports, we must avoid a de facto ban, and work with a more nuanced waste-stream-specific approach and reasonable administrative burdens for third countries. Non-hazardous 'green listed' waste is a commodity and, when there is no sufficient demand in the EU, it must continue to be possible to ship it outside the EU, where it will be reincorporated in manufacturing processes."

FEAD is the European Waste Management Association, representing the private waste and resource management industry across Europe, including 18 national waste management federations and 3,000 waste management companies. Private waste management companies operate in 60% of municipal waste markets in Europe and in 75% of industrial and commercial waste. This means more than 320,000 local jobs, fuelling €5 billion of investments into the economy every year. For more information, please contact:

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