



New Regulation on shipment of waste

#EUGreenDeal

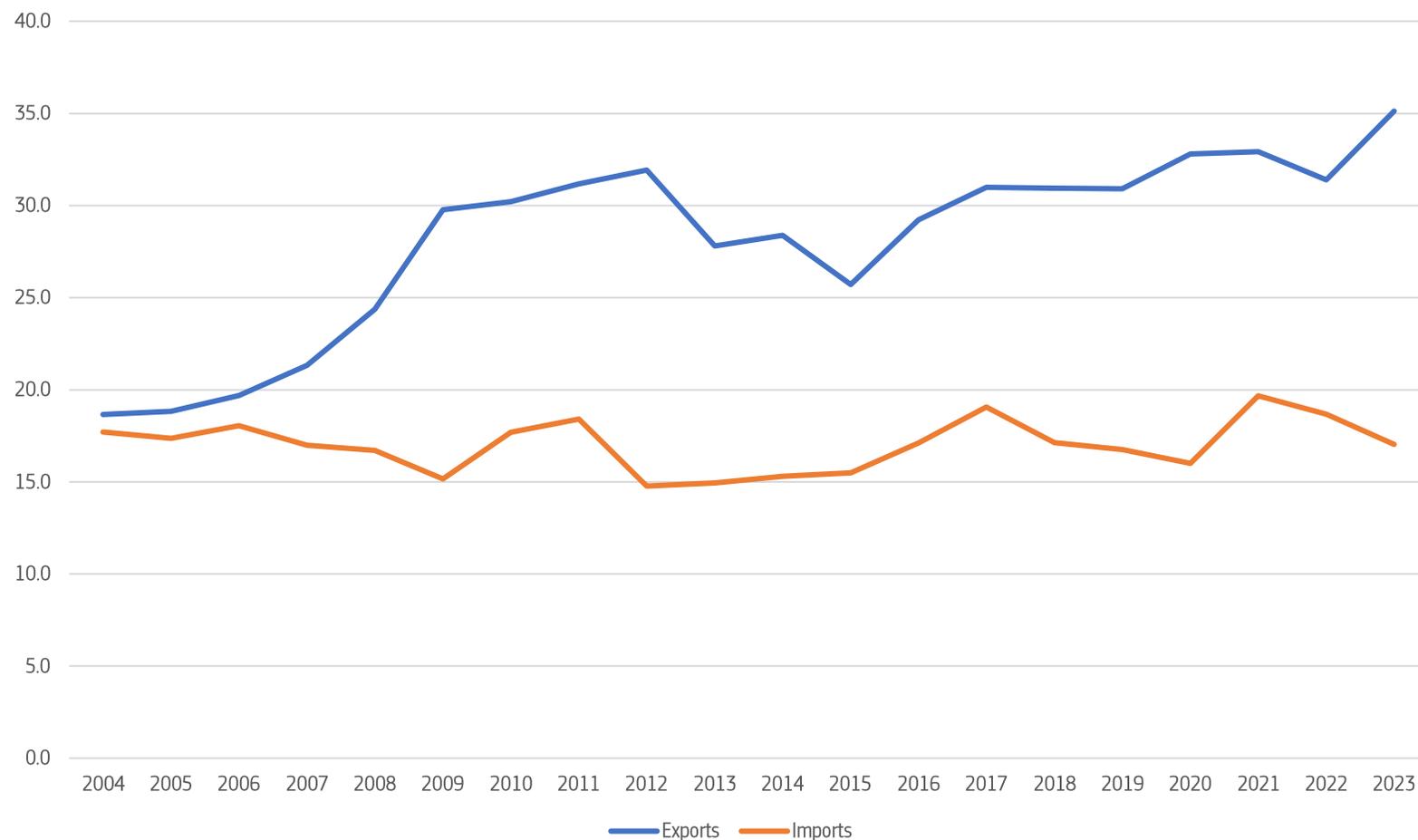
New regulation on waste shipment – state of play on adoption/entry into force

- Political agreement between co-legislators reached on 17 November 2023
- New regulation was published in the Official Journal on 30 April 2024
[Regulation - EU - 2024/1157 - EN - EUR-Lex \(europa.eu\)](#)
- Initial [Commission proposal](#) adopted on 17 November 2021, together with an accompanying [Communication](#) “our waste, our responsibility”

EU waste imports and exports, 2004-2023

Exports:
35.1 million tonnes
value approx. €18.5
billion

Imports:
17 million tonnes
value approx. €15.7
billion



Datasource: Eurostat

EXPORT OF ALL WASTE CATEGORIES FROM THE EU TO NON-EU COUNTRIES IN TONNES

Destination	2019	2020	2021	2022	2023	TOTAL
Total (212 countries)	30,906,168	32,804,580	32,924,318	31,401,128	35,122,859	163,159,053
OECD (15 countries)	17,745,922	20,056,813	20,564,417	18,067,427	17,767,647	94,202,226
Non-OECD	13,160,246	12,747,767	12,359,901	13,333,701	17,355,212	68,956,827

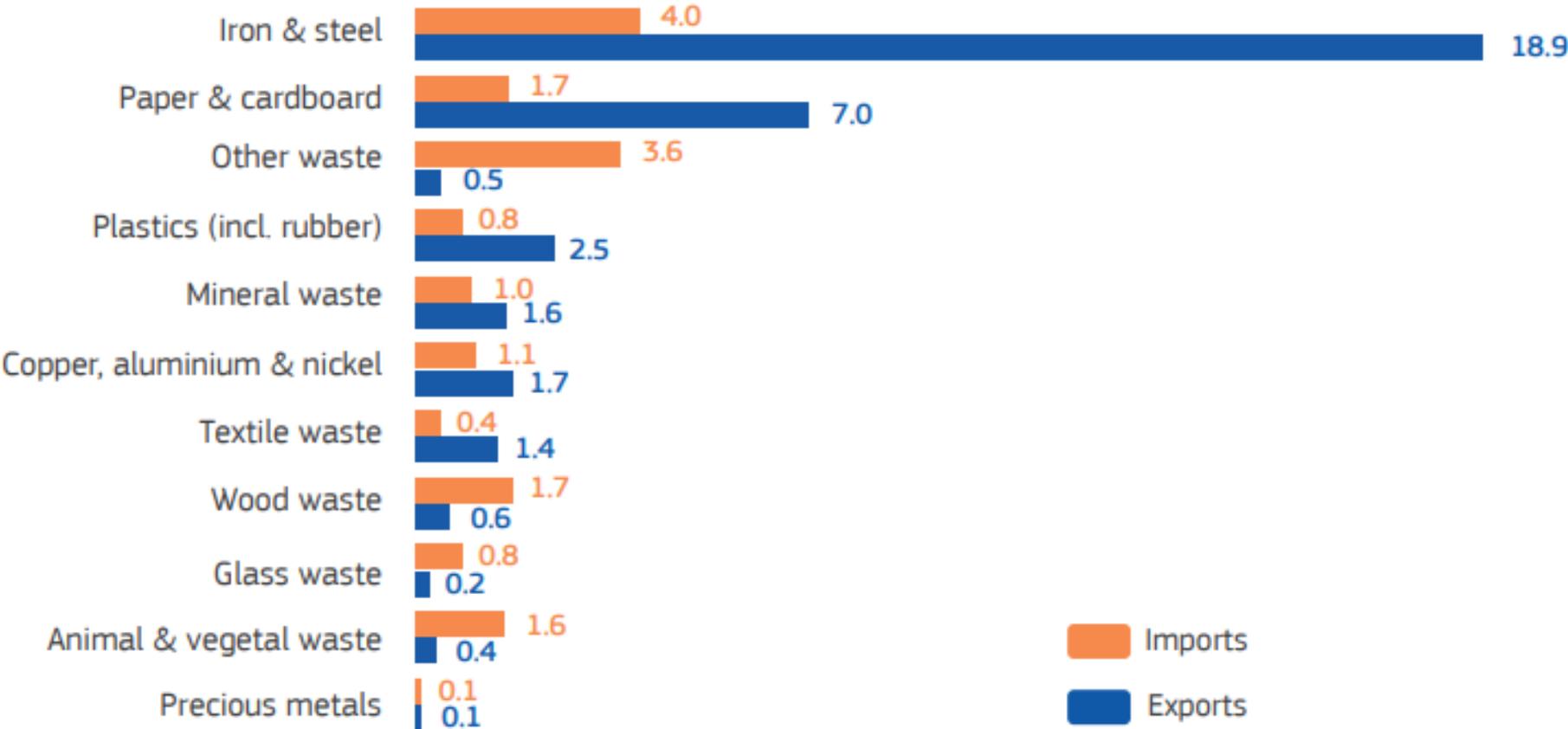
TOP 50 DESTINATIONS OF ALL WASTE EXPORTED BY THE EU IN THE PERIOD 2019 - 2023

Destination	2019	2020	2021	2022	2023	TOTAL
1 Türkiye	11,329,976	13,765,411	14,596,580	12,431,113	12,051,803	64,174,883
2 India	2,851,170	2,864,289	2,377,529	3,496,366	5,348,652	16,938,006
3 United Kingdom	1,913,310	1,820,543	1,537,388	1,570,777	1,375,763	8,217,781
4 Switzerland	1,646,916	1,616,382	1,742,460	1,634,492	1,442,079	8,082,329
5 Norway	1,470,905	1,452,110	1,408,428	1,482,861	1,503,948	7,318,252
6 Egypt	1,071,649	1,091,765	1,868,345	1,571,684	1,712,552	7,315,995
7 Indonesia	1,261,422	1,402,608	1,097,187	1,083,974	1,419,425	6,264,616
9 Pakistan	1,082,870	1,358,399	1,292,104	1,224,523	1,175,364	6,133,260
8 United States	935,617	998,139	879,090	651,524	1,064,589	4,528,959
10 Viet Nam	767,329	649,525	464,794	639,809	1,192,599	3,714,056
11 Malaysia	596,863	658,520	482,985	535,457	1,123,265	3,397,090
12 Morocco	389,531	423,210	590,797	777,234	797,012	2,977,784
13 China	1,217,536	608,379	371,113	288,279	343,647	2,828,954
14 Thailand	633,830	424,155	365,397	373,932	738,133	2,535,447
15 Ukraine	328,721	420,425	480,124	248,315	320,816	1,798,401
16 Bangladesh	228,669	119,738	157,636	710,534	399,340	1,615,917
17 Moldova	166,724	273,278	375,624	104,646	220,440	1,140,712
18 United Arab Emirates	153,602	184,450	178,636	212,277	214,917	943,882
19 Serbia	156,591	185,108	154,885	184,139	242,529	923,252
20 Hong Kong	318,552	144,581	149,787	73,437	88,308	774,665
21 South Korea	236,882	140,594	113,419	76,270	78,827	645,992
22 Tunisia	140,301	117,792	126,759	109,308	101,998	596,158
23 Belarus	221,978	142,067	110,868	47,623	64,466	587,002
24 North Macedonia	106,536	80,800	110,762	115,160	167,788	581,046
25 Taiwan	189,007	119,965	80,175	85,256	89,905	564,308

Main categories of waste traded in 2023

Exports and imports from/to the European Union, by waste category in 2023

(million tonnes)



Datasource: Eurostat

Main challenges linked to waste shipments to third countries



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- Waste exported from the EU is purchased by economic operators for **processing into new materials** by local industries (steel, paper, plastics) or a **source of energy** (e.g., waste tyres), but also come with a number of challenges.
- EU waste exports are increasing while the **EU has strengthened its requirements on waste management** to prevent pollution and boost circular economy (Green Deal agenda).



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Main challenges linked to waste shipments to third countries



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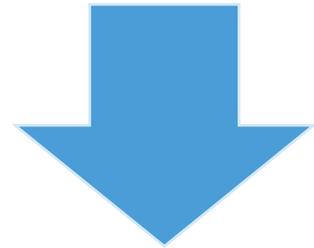
- The export of waste from the EU to third countries present a **high risk of increasing pollution** to the environment, particularly in developing countries which already face considerable challenges with the management of their domestic waste. Some third countries have signaled a problematic increase in imports of waste into their territory.
- High level of **illegal shipments of waste** within the EU and to 3rd countries, with links to organised crime – profitable business relying on mislabelling, shell companies and corruption.
- Evaluation of the current rules showed that they were **not sufficient to guarantee** that waste exported from the EU is treated in an **environmentally sound manner** in destination countries.



New waste shipment rules, an EU initiative to support global sustainability commitments

- The EU waste shipment rules contribute to address **the triple planetary climate, biodiversity and pollution crisis** and **the associated Sustainable Development Goals 11, 12 and 14**
- Waste management is a growing global environmental challenge, as recently illustrated in UNEP's Global Waste Management Outlook and Global Resource Outlook reports
- The EU waste shipment regulation builds on the **Basel Convention's**
 - longstanding legal framework and
 - its goal to improve the environmentally sound management of waste globally.

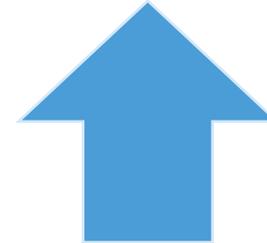
Key objectives and scope of Regulation



To ensure protection of the environment in relation to shipments of waste



To ensure that the EU meets its commitments under multilateral environmental agreements (Basel Convention and OECD Decision on transboundary shipments of waste)



Waste Shipment Regulation applies to shipments of waste:

- Between EU countries
- Imported into the EU from non-EU countries
- Exported from the EU to non-EU countries

Only a few specific types of waste are excluded from the scope of the Regulation (for example radioactive waste)

Main features of the Regulation

I. Shipments of waste in the EU:

set up control procedures for the shipments of waste, improve traceability of waste movements and encourage shipments for recycling

II. Exports of waste to non-EU countries:

guarantee that waste are only shipped outside the EU if managed in an environmentally sound manner in the countries of destination

III. Tackle illegal shipments

enhance cooperation and coordination on enforcement

Specific measures applicable to exports of plastic waste

- **“Notification” procedure for all authorized exports of plastic waste** (OECD and non-OECD) – application 2 years from EIF, from 21 May 2026
- In light of:
 - the global problems caused by **soaring amounts of plastic waste and**
 - the challenges posed by its environmentally sound management,EU legislators aimed to prevent environmental degradation and pollution in third countries caused by plastic waste generated in the EU
- **Export ban to non-OECD countries** within 30 months from entry into force (EIF) of the Regulation, with a derogation possible upon request from non-OECD countries, 60 months after EIF

Exports of waste from the EU to non-OECD

- **Export ban to non-OECD countries** for hazardous waste and other waste (i.a. Annex II Basel)
- **Export of other waste** only allowed to those countries that notify to the Commission their willingness to import EU waste and demonstrate their ability to deal with it in an environmentally sound manner (ESM). (3 years after entry into force (EIF, 20 May 2024))
 - List of authorized countries
 - The new Regulation operationalizes the long-standing requirement in the current EU waste shipment regulation that ESM of waste must be ensured.
- Possibility to establish specific binding criteria to **differentiate between used goods and waste** for specific waste streams that raise particular export challenges

Export of non-hazardous waste to non-OECD

Export prohibition of non-hazardous waste to non-OECD countries



Except in the case where a non-OECD country notifies its willingness to import and demonstrates its ability to manage certain waste in an environmentally sound manner



Articles 40 to 43 set out the procedure for non-OECD third countries to notify their willingness and ability to receive and manage waste

The Commission will assess these notifications and publish a list of countries that are eligible for receiving exports of certain green-listed wastes from the Union

The list will be updated regularly

Requirements for non-OECD countries: Annex VIII

- Notifies a request for inclusion of in the list of countries to which the export of non-hazardous waste destined for recovery from the EU are authorized (Article 42)

Non-OECD

Submission of information and supporting evidence

- List of requested waste
- Detailed description of the national waste management strategy or plan of the country
- Description of domestic legal framework for waste management in place + Specific control procedures on import & export
- Legislation on the protection of the environment and public health applicable to waste management operations
- List of authorized waste recovery facilities
- Membership and compliance with the multilateral environmental agreements + Basel Convention and its relevant documents
- Enforcement

- Establishes a list of countries to which exports of non-hazardous waste from the Union for recovery are authorized (Article 41)

Commission

Assessment of a request for inclusion in the list

Article 43 and Annex IX: verify equivalence of measures in third countries

Points of reference in EU legislation designed to ensure the environmentally sound management of waste and

International guidance on environmentally sound management of waste

Waste Framework Directive

EU law on waste treatment operations and ESM (IED, LD)

Legislation on specific waste streams (ELV, PPWD, WEEE, Batteries, POPs, etc.)

Guidelines and guidance documents adopted under the Basel Convention (PFOAS, Incineration, disposal, ESM, etc.)

Guidelines adopted by the OECD

Next steps – non-OECD

- ✓ **Before 21 August 2024**
COM to **inform non-OECD third countries** of new WSR rules
- ✓ **Before 21 February 2025**
Non-OECD countries to **submit request** to receive waste
- ✓ **2 years after EIF (21 May 2026)**
Application of most provisions from the new WSR
- ✓ **30 months after EIF (21 November 2026)**
Establishment of a first **list of non-OECD approved destinations**
- ✓ **30 months after EIF (21 November 2026)**
Ban on exports of plastic waste to non-OECD countries
- ✓ **60 months after EIF (21 May 2029)**
Derogation from the ban on exports of plastic waste **possible** for non-OECD countries

Exports of waste from the EU to OECD

- **Exports to OECD countries** monitored and may be subject to a specific procedure:
 - To mitigate environmental problems caused by such exports or
 - If it cannot be demonstrated that waste is managed in an environmentally sound manner.
- EU companies exporting waste to any third country will have to demonstrate that the waste they export is managed in an environmentally sound manner by ensuring that **independent audits** are carried out in the facilities to which they ship waste.
- Specific rules for **export of plastic waste**:
 - Specific review within 2 years of the entry into force of the waste management in OECD countries importing large volume of plastic waste
- Possibility to establish specific binding criteria to **differentiate between used goods and waste** for specific waste streams that raise particular export challenges

Exports OECD



Purpose

Guarantee that such exports do not lead to serious environmental or human health damage in the country of destination

Article 45

Commission - to monitor the levels of export of waste from the Union to countries to which the OECD Decision applies

Enter into a dialogue with the competent authorities of the OECD country to seek **information** on the conditions under which the waste is recovered and its ability to manage the received waste.

The **Commission is empowered to prohibit or restrict the export** of the waste to this country in well defined cases (Article 45(2)).

Next steps - OECD

- ✓ Regulation adopted 11 April and published in the OJ **30 April 2024** and entered into force (EIF) 20 May 2024. Most provisions will become applicable after 21 May 2026.

- ✓ **Within 2 years after EIF (21 May 2026)**
COM to **review EU plastic waste exports to OECD countries**

- ✓ **2 years after EIF (21 May 2026)**
 - **Application of most provisions** from the new WSR – audit obligations start to apply after 3 years
 - “Notification” procedure for all authorized exports of plastic waste

Obligations on exporters

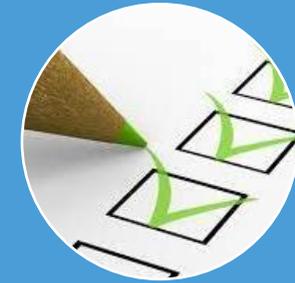


A natural or legal person shall only export waste outside the Union if it can demonstrate that the **facilities** which are to receive the waste in the country of destination will manage it in an environmentally sound manner (Article 46)



Independent audit

Exporters obliged to ensure **third party audit of destination facilities** treating their waste to verify environmentally sound management (Register of audited facilities managed by Commission)



Annex X - criteria designed to demonstrate that a facility manages waste exported from the EU in an environmentally sound manner

EU outreach on the new rules

- A **note verbale** was sent to all non-OECD countries through the EU Delegations, to inform about the new rules
- 22 April 2024: information sessions for OECD and non-OECD countries in **WTO**, Geneva
- Bilateral exchange between EU and a number of countries took place and is planned.
- Some questions from our side in this context:
 - *Are competent authorities and economic operators in your country already aware of the upcoming new EU rules on shipments of waste?*
 - *Do you see a concern for your country related to these new rules?*
 - *Are there specific issues that your country is dealing with, related to the movement of waste from or to the EU, that were not addressed through these new rules?*

EU partnerships / cooperation with 3rd countries

- Besides setting up new rules on waste exports, the EU is also **cooperating with third countries** to improve waste management.
- Examples of such projects are:
 - **Unwaste Project**: Aimed at tackling waste trafficking between the EU and ASEAN countries, coordinated by UNODC and implemented in cooperation with UNEP.
 - **UNEP project on trade in used textiles**
 - **SWITCH to Circular Value Chains**
 - **Pac Waste + project**
 - **Rethinking Plastic**

Thank you for your attention!

Additional information:

<http://ec.europa.eu/environment/waste/shipments/index.htm>



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