



Zero Waste Live!

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The Impact of New Directives



Roots of Waste Shipment

- **Location of demand for raw materials**
- **Acceptance of poor quality material**
 - **Low-cost final sorting**
 - **Low-cost (sometimes irresponsible) disposal of residues**
- **Misleading contribution to recycling rates**
- **Criminal misdescription of waste**
 - **At its root, due to high costs of managing mixed waste in Europe**

Previous Directives

- **The Commission has not sought to encourage shipments outside the EU/OECD**
 - Proximity principle
 - Self sufficiency principle
 - Basel principles
- **However, some shipments have been permitted**
 - Especially of packaging waste for recycling
 - To facilities that are:
 - “operated in accordance with human health and environmental protection standards that are broadly equivalent to those established in Community legislation.” (1013/2006, Art 12 – see also Art 49, and referred to in 2018/98/EC)

This Hasn't Been Effective...

- **Member States have struggled to put in place effective rules**
 - **Determining which facilities meet “broadly equivalent conditions” is problematic**
 - **Restricting exports posed practical and economic challenges**
 - **If not exported, what would they do with the recycling?**

New Directives

- **The language of “broadly equivalent conditions” has been maintained – but**
 - New guidance on interpretation
 - New requirement to report annually on how exporters are ensuring the conditions are met
- **More importantly, underlying incentives are addressed**
 - MS can only count material towards recycling targets where “broadly equivalent conditions” rule is demonstrably met
 - MS must calculate recycling net of losses
 - Producers bear the costs of waste management.

Reflections

- **New directives address many of the underlying reasons for waste shipment**
- **Not an outright ban**
 - **But with the existing incentives, would that be enforceable?**
- **Provides a stimulus for development of reprocessing infrastructure within the EU**
 - **Even if some of the resulting material continues to be exported as raw material for industry**
- **Criminality still needs to be addressed**
 - **But easier to do this if the volume of shipments is smaller**



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