



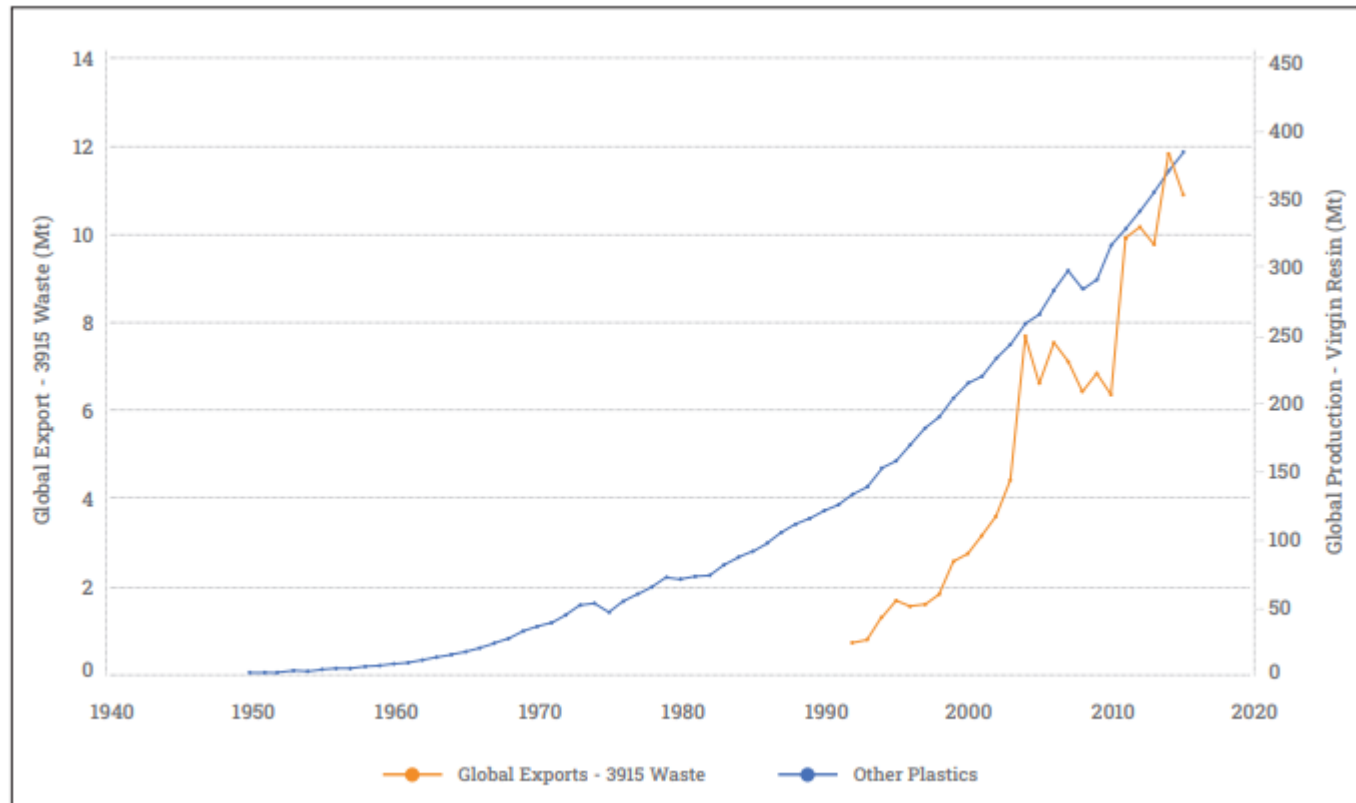
How can we fix Europe's broken recycling  
system?

The Plastic Waste Trade

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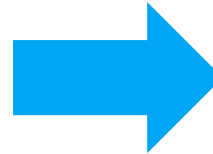
# The Global Plastic Waste Trade



# Its impact

Acts as a means for high -income, high -consuming countries to continue to produce and dispose of high levels of plastic **without having to take responsibility or directly face the consequences of their unchecked consumption, taking advantage of the fact that repercussions are felt elsewhere** .

Third countries that have yet to put in place waste import bans or restrictions are not primarily a result of the value of waste but a consequence of major exporting countries taking advantage of receiving countries' current environmental laws and labour rights, **further exacerbating global socio -economic inequality** brought about by colonialism and current hegemonies



- **Environmental Impacts**
  - Land and water quality degradation
  - Air pollution
  - Loss of biodiversity and ecological health
  - Climate change
- **Economic Impacts**
  - Cost to the global economy
  - Clean-up costs
  - Loss of livelihoods
  - Corruption, tax fraud and money laundering
  - Displacement of domestic recycling efforts
- **Social and health impacts**
  - Exposure to toxic chemicals
  - Food chain contamination
  - Antibiotic resistance
  - Worsening of natural disasters
  - Maritime safety

# The European Plastic Waste Trade

Figure 6: Top 25 plastic waste exporters since 1988

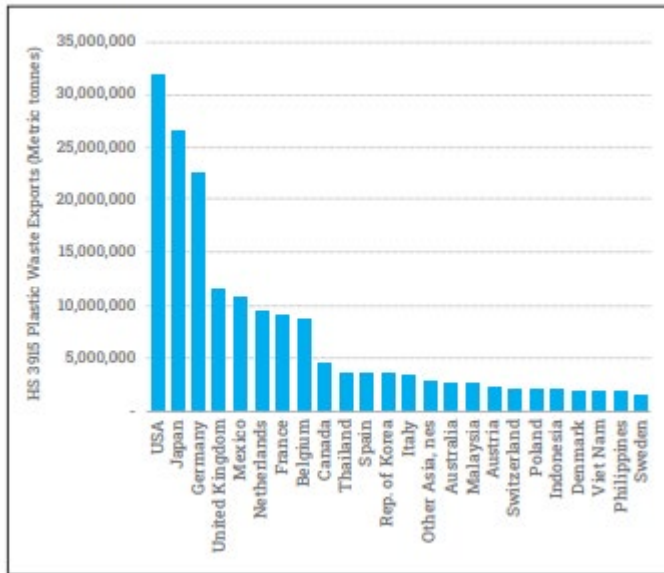


Figure 7: Top 10 plastic waste exporting countries in 2020

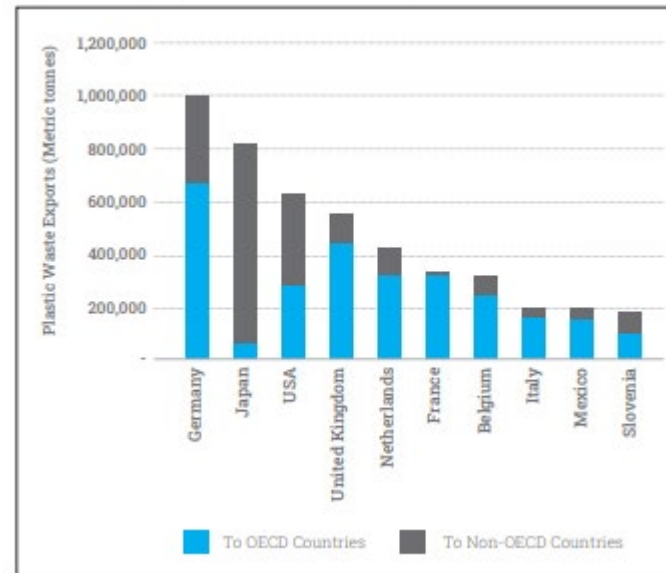
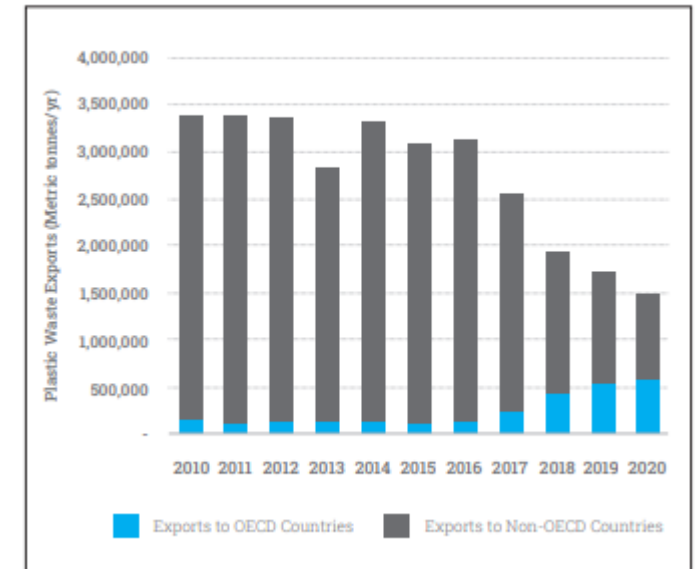
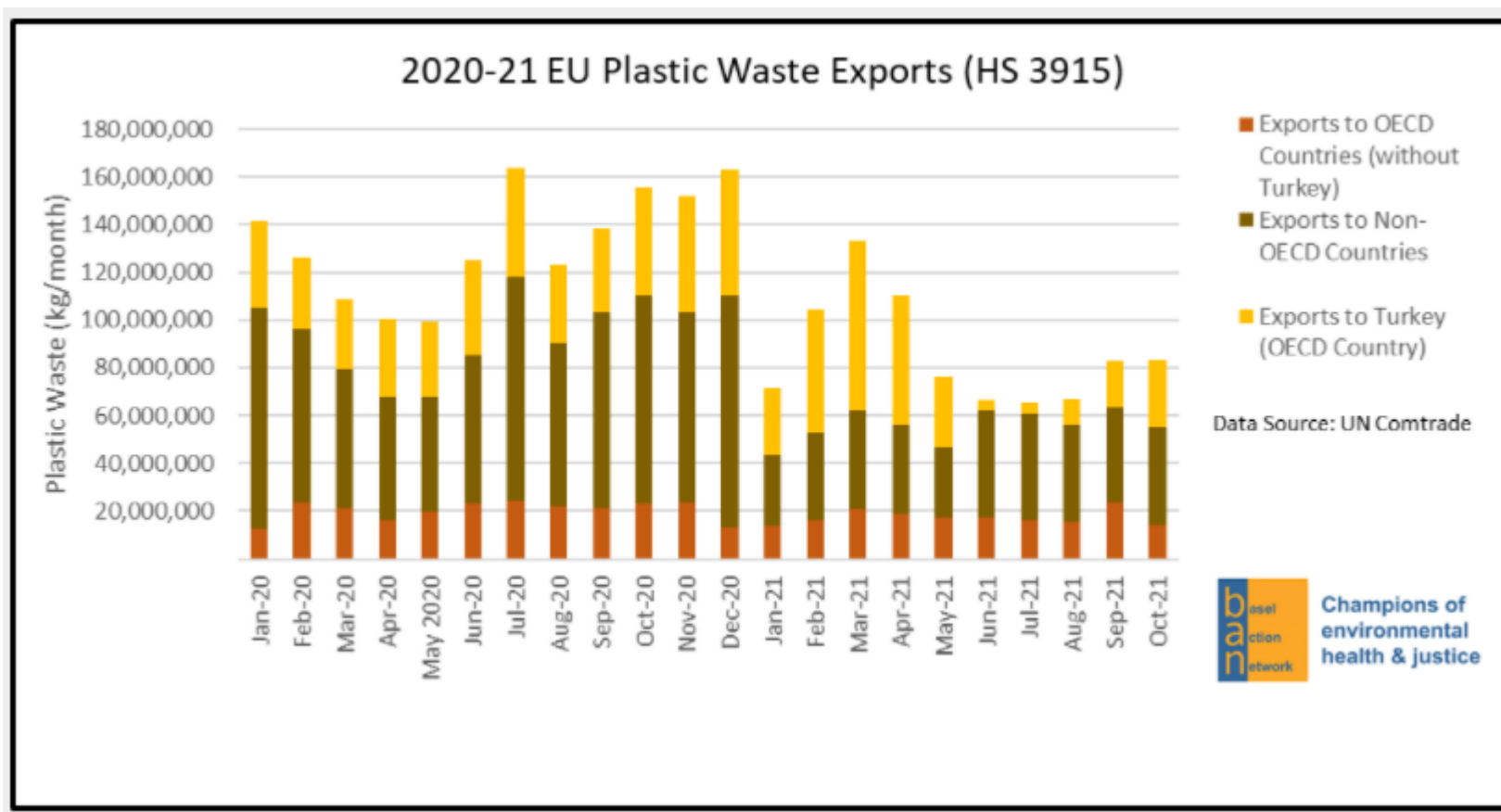


Figure 8: EU plastic waste exports between 2010-20.



Source: Environmental Investigation Agency, the Truth behind Trash report

# The European Plastic Waste Trade



REGULATION (EC) No 1013/2006 OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL  
of 14 June 2006  
on shipments of waste

THE EUROPEAN PARLIAMENT AND THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 175(1) thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Economic and Social Committee<sup>(1)</sup>,

After consulting the Committee of the Regions,

Acting in accordance with the procedure laid down in Article 251 of the Treaty<sup>(2)</sup>,

Whereas:

(1) The main and predominant objective and component of this Regulation is the protection of the environment, its effects on international trade being only incidental.

(2) Council Regulation (EEC) No 259/93 of 1 February 1993 on the supervision and control of shipments of waste within, into and out of the European Community<sup>(3)</sup> has already been significantly amended on several occasions and requires further amendment. It is necessary, in particular, to incorporate in that Regulation the content of Commission Decision 94/774/EC of 24 November 1994 concerning the standard consentment note referred to in Council Regulation (EEC) No 259/93<sup>(4)</sup> and of Commission Decision 1999/412/EC of 3 June 1999 concerning a questionnaire for the reporting obligation of Member States pursuant to Article 41(2) of Council Regulation (EEC) No 259/93<sup>(5)</sup>. Regulation (EEC) No 259/93 should therefore be replaced in the interests of clarity.

(3) Opinion of the European Parliament of 19 November 2003 (OJ C 87 E, 7.4.2004, p. 281), Council Common Position of 24 June 2005 (OJ C 206 E, 23.8.2005, p. 1) and position of the European Parliament of 25 October 2005 (not yet published in the Official Journal), Council Decision of 29 May 2006.

(4) OJ L 30, 6.2.1993, p. 1. Regulation as last amended by Commission Regulation (EC) No 2557/2001 (OJ L 349, 31.12.2001, p. 1).

(5) OJ L 180, 3.12.1994, p. 76.

(6) OJ L 156, 23.6.1999, p. 37.

(3) Council Decision 93/98/EEC<sup>(6)</sup> concerned the conclusion, on behalf of the Community, of the Basel Convention of 22 March 1989 on the control of transboundary movements of hazardous wastes and their disposal<sup>(7)</sup>, to which the Community has been a Party since 1994. By adopting Regulation (EEC) No 259/93, the Council has established rules to curtail and to control such movements designed, *inter alia*, to make the existing Community system for the supervision and control of waste movements comply with the requirements of the Basel Convention.

(4) Council Decision 97/640/EC<sup>(8)</sup> concerned the approval, on behalf of the Community, of the amendment to the Basel Convention, as laid down in Decision III/1 of the Conference of the Parties. By that amendment, all exports of hazardous waste destined for disposal from countries listed in Annex VII to the Convention to countries not listed therein were prohibited, as were, with effect from 1 January 1998, all such exports of the hazardous waste referred to in Article 1(1)(a) of the Convention and destined for recovery. Regulation (EEC) No 259/93 was amended accordingly by Council Regulation (EC) No 120/97<sup>(9)</sup>.

(5) In view of the fact that the Community has approved Decision C(2001)107/Final of the OECD Council concerning the revision of Decision C(92)39/Final on the control of transboundary movements of wastes destined for recovery operations (OECD Decision), in order to harmonise waste lists with the Basel Convention and revise certain other requirements, it is necessary to incorporate the content of that Decision in Community legislation.

(6) The Community has signed the Stockholm Convention of 22 May 2001 on persistent organic pollutants.

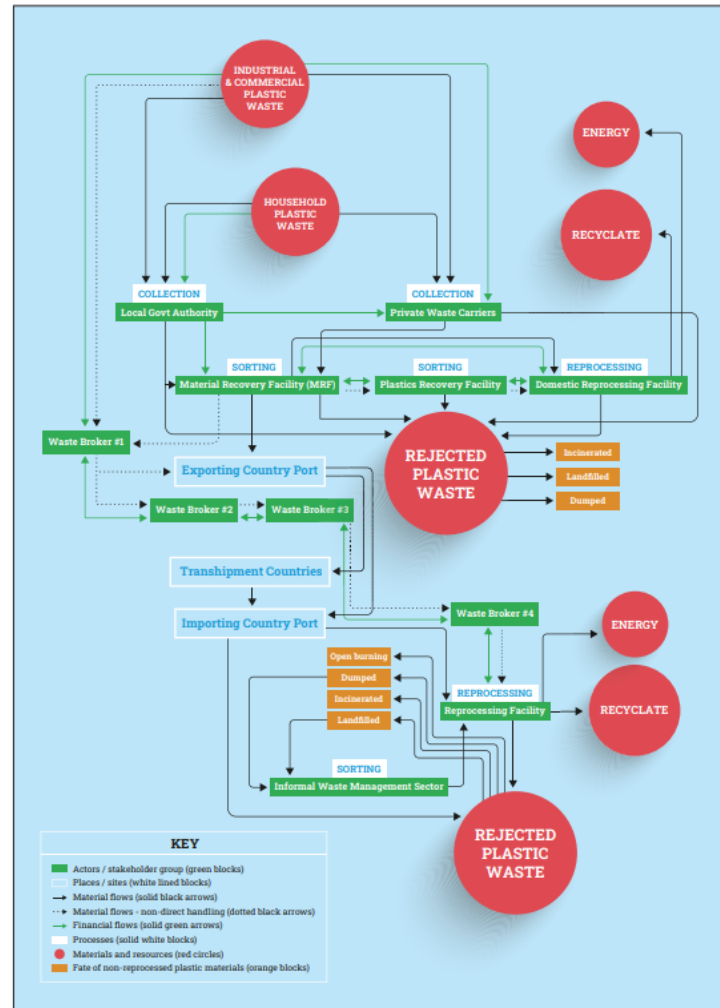
(7) OJ L 19, 16.2.1993, p. 1.

(8) OJ L 19, 16.2.1993, p. 3.

(9) OJ L 272, 4.10.1997, p. 45.

(10) OJ L 22, 24.1.1997, p. 14.

# Illicit Waste Trafficking





# Illicit Waste Trafficking

Lack of  
transparency



Nature of  
smuggling  
methods



Lack of  
operational  
legislative  
framework



Annual illicit EU  
waste market  
between €4 -15  
billion, forecast  
to continue  
increasing



By Conor McDione  
Published Monday, February 7, 2022

Revelations that a waste exporter contracted by Tesco and Sainsbury's breached UK export regulations when it shipped waste to five sites in Turkey, as well as to Poland and the Netherlands, have prompted fierce criticism from green groups that are calling for greater transparency and stronger penalties for waste firms that break the rules.

## Poland toughens-up waste import rules

20 JANUARY 2022 | BY MARK DRICAN



COMMENT



Poland will impose further restrictions on the import of waste from 1 February as the government steps up its "fight against environmental crime".



# Solutions?

Reduction, reduction, reduction...of overconsumption

When it comes to treatment (aka disposal and recovery, including recycling) the emergency stemming from the plastic waste crisis requires considerable effort across the whole value chain and a comprehensive package of measures on plastic and plastic waste, with emphasis on upstream solutions.

**The Waste Shipment Regulation is a vital part of that package.** In order to achieve a circular economy for plastics, the Waste Shipment Regulation will require several important revisions to address plastic waste shipments destined to non-EU countries and Member States





# The Basel Convention

- The Basel Convention was negotiated in the late 1980s as a result of the industrialised world “seek[ing] cheap disposal options for hazardous wastes in Eastern Europe and the developing world, where environmental awareness was much less developed and regulations and enforcement mechanisms were lacking”
- In May 2019, the Conference of the Parties to the Basel Convention sought to specifically address the issues stemming from the trade in plastic waste and thereby adopted decision BC -14/12- also known as the Plastic Waste Amendments - in addition to the adoption of decision BC -14/13, on further actions to address plastic waste under the Basel Convention.

## Basel Convention Plastic Waste Amendments



COP President Abraham Matiza uses the gavel to signal the adoption of the Plastic Waste Amendments at the 2019 Basel Convention COP

The fourteenth meeting of the Conference of the Parties to the Basel Convention (COP-14, 29 April–10 May 2019) adopted amendments to Annexes II, VIII and IX to the Convention with the objectives of enhancing the control of the transboundary movements of plastic waste and clarifying the scope of the Convention as it applies to such waste.

The amendment to Annex VIII, with the insertion of a new entry A3210, clarifies the scope of plastic wastes presumed to be hazardous and therefore subject to the PIC procedure.

The amendment to Annex IX, with a new entry B3011 replacing existing entry B3010, clarifies the types of plastic wastes that are presumed to not be hazardous and, as such, not subject to the PIC procedure. The wastes listed in entry B3011 include: a group of cured resins, non-halogenated and fluorinated polymers, provided the waste is destined for recycling in an environmentally sound manner and almost free from contamination and other types of wastes; mixtures of plastic wastes consisting of polyethylene (PE), polypropylene (PP) or polyethylene terephthalate (PET) provided they are destined for separate recycling of each material and in an environmentally sound manner, and almost free from contamination and other types of wastes.

The third amendment is the insertion of a new entry Y48 in Annex II which covers plastic waste, including mixtures of such wastes unless these are hazardous (as they would fall under A3210) or presumed to not be hazardous (as they would fall under B3011).

The new entries become effective as of 1 January 2021.

For more details see the [FAQs](#).

# The review of the Waste Shipment Regulation

## Top 5 Recommendations for the Waste Shipment Regulation Review

- ✓ Ban on [plastic] waste exports outside of the European Union
- ✓ At a minimum, fully implement the Basel Convention within the EU with the aim of ensuring Prior Informed Consent notifications for all waste
- ✓ Establish a clear distinction between mechanical recycling and any other kind of recovery for treatment operations
- ✓ Set a European-wide threshold for waste contamination of 0.5%
- ✓ Ensure publicly accessible access to waste trade data

## Waste Shipment Regulation revision

JANUARY 2021

How to fix Europe's plastic waste trade issues

Plastic waste shipped outside of the European Union (EU) accounts for a third of reported plastic recycling.<sup>1</sup> At the same time, recent plastic waste trade restrictions in China and Southeast Asia have led to an increase in illegal plastic waste trade and treatment across Europe.<sup>2</sup>

Although plastic waste trade is sometimes considered as contributing to a circular economy, it doesn't fulfill that purpose, but rather acts as a means to externalise the true costs of proper waste management to weaker economies and encourages substandard treatment - something that a true circular economy must never do.

Recent amendments to the *Basel Convention* were created precisely to eliminate trade that offers a cheap and unsustainable escape for waste instead

of focusing on upstream, safe and non-polluting solutions.

A perfectly managed and transparent waste trade system, could in theory, lead us to a circular economy. However, evidence shows that this is currently not possible due to chronic plastic waste leakage or mismanagement in receiving countries and un-level economic playing fields around the world which are readily exploited by a multiplicity of actors, including organised criminals, corrupt officials and unscrupulous traders. The revision of the *Waste Shipment Regulation*, as part of the elements embedded in the wider *Circular Economy Action Plan* and *EU Green Deal*, offers the possibility to address these problems.

To do so, we recommend the adoption of the following measures:

### 1. Ban on plastic waste exports outside of the European Union

In 2017, the EU exported 2.55 million tonnes of plastic waste outside of its territory.<sup>3</sup> This figure dropped to 1.72 million tonnes in 2019.<sup>4</sup> Although decreasing, a significant quantity of plastic waste is still exported from the EU as flows shifted from China to Southeast Asia and Turkey, including illegal plastic waste shipments, all leading to adverse impacts in receiving countries and the planet as a whole.<sup>5</sup>

Whether greenlisted or amberlisted,<sup>6</sup> whether exported to OECD (e.g. Turkey) or non-OECD countries (e.g. Southeast Asia), plastic waste shipments are highly likely to result in negative environmental consequences in receiving countries. Certainly, the EU can never be certain

that they will not. Furthermore, as Parties to the *Basel Convention*, EU countries have a general obligation to be self-sufficient in waste management and to minimise transboundary movements of waste. Certainly, rich industrialised countries of the EU should be among the first to achieve this goal. Therefore, in locations where the EU doesn't have the means to implement sound and frequent monitoring, shipments should no longer be permitted.

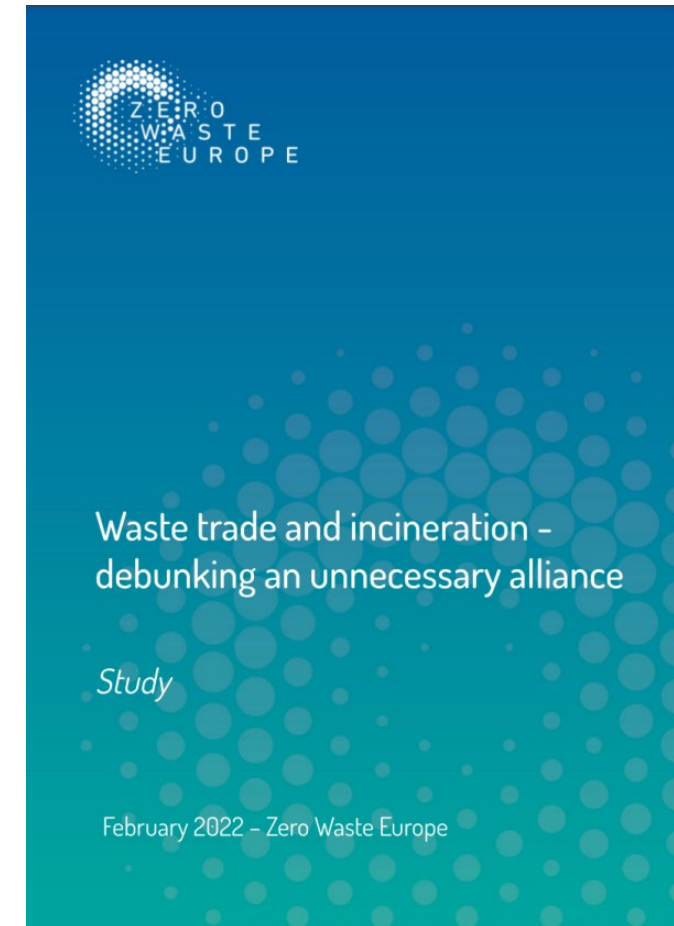
### 2. Fully implement the Basel Convention within the EU

Following several bans adopted by receiving countries, and the EU's intention to stop exporting "its waste challenges to third countries," intra-EU plastic waste trade is increasing and can be expected to continue to do so for some time.

1. European Court of Auditors (October 2020). *Review No 04/2020: EU action to tackle the issue of plastic waste*  
2. Interpol (August 2020). *INTERPOL STRATEGIC ANALYSIS REPORT: Emerging criminal trends in the global plastic waste market since January 2018*  
3. Eurostat - Context International trade in goods  
4. Ibid  
5. Interpol (August 2020). *INTERPOL STRATEGIC ANALYSIS REPORT: Emerging criminal trends in the global plastic waste market since January 2018*  
6. IMPEL LIFE SIREAP: Fact sheet on green list waste shipments  
7. European Commission (11 March 2020). *Communication from the Commission: A New Circular Economy Action Plan for a Cleaner and More Competitive Europe*

# To be mindful of loopholes

- Retaining European waste within the Union should not lead to increased landfill & incineration of material that should be recycled
- The evidence base for the significant adoption of chemical recycling technologies is limited, lacking detail and remains unclear what role they might play
- Should be mindful of the wide uptake of plastic alternatives, biodegradable agricultural plastics being an example of this
- That reduction of plastic material should not result in material substitution, address single -use throwaway culture
- **Substantive reduction and mass scaling of reusables needed**



# Conclusions

When it comes to the recycling of [plastic] waste:

- Provide an operational and adequate Waste Shipment Regulation review that will put an end to harmful waste trade loopholes, prioritise phasing out hard-to-recycle plastics and have the political appetite to be cognisant of NIMBY (Not In My Back Yard) syndrome
- Recycling forms an essential part of a circular economy, however priority should be given to the strict implementation of the waste hierarchy and a transparent & accountable intra-EU waste trading system
- Advocate for and implement harmonised, affordable and consistent recycling systems (including EPR and DRS) and be aware of the positives/ #WeChooseReuse





# Thank you

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