Shipments of waste, Basel Convention 1989 and OECD Decision 1992

2003/0139(COD) - 22/11/2018 - Follow-up document

The Commission presents a report on the implementation of Regulation (EC) No 1013/2006 on shipments of waste. As a reminder, the EU is a party to the Basel Convention on the control of transboundary movements of hazardous wastes and their disposal of 22 March 1989. Regulation (EC) No 1013/2006 (as amended by Regulation (EU) No 660/2014) of the European Parliament and of the Council on shipments of waste transposes the Convention into EU law and is directly applicable to Member States.

This is the **fifth implementation report covering the years 2013-2015.** The main points are as follows:

Exercise of the power to adopt delegated acts: the power of delegation was conferred on the Commission through an amendment introduced by Regulation (EU) No 660/2014, which applied from 1 January 2016. Since this date, the Commission reports that it has not exercised the powers delegated to it under the Regulation because there have not been any changes to the list of waste adopted in accordance with Directive 2008/98/EC, nor have there been any important and relevant decisions or changes agreed under relevant international conventions and agreements.

Treatment of waste: most hazardous waste is treated within the country of origin, with 23 Member States 'exporting' less than 25% of their hazardous waste. In 2015, Ireland, Luxembourg, Malta and Slovenia were the biggest 'exporters' of hazardous waste, exporting over 40% of their hazardous waste.

Waste shipments out of Member States: in 2013-2015, 1.2 million tonnes of hazardous waste were shipped from Member States out of the EU, while over the same period 6.2 million tonnes were shipped into the EU from third countries. The **EU remains a net 'importer' of hazardous waste,** having shipped in 5 million more tonnes than it shipped out. As the EU generated 216 million tonnes of hazardous waste during the three-year reporting period, this also means that less than 1% of hazardous waste generated was 'exported' out of the EU.

The **United Kingdom was the largest 'exporter' of all notified waste** (with 12 million tonnes). It overtook the Netherlands (with 8 million tonnes), which was the largest 'exporter' in 2010-2012. In 2010, the UK began 'exporting' waste for **energy recovery**, and this seems to have contributed to the rise of its total 'exports' in these years. As in 2010-2012, **France and Italy were the two largest 'exporters' of hazardous waste** in 2013-2015, shipping out a total of 4 million tonnes each.

Sweden was the only Member State to report 'exporting' Y46 waste within the EU for disposal operation D1 (e.g. landfilling), shipping a total of 3 000 tonnes in 2013-2015.

The proportion of hazardous waste **shipped out of Member States for recovery** has remained fairly **constant** since 2001 and stood around 75% in the period 2013-2015. Meanwhile, the proportion of hazardous waste **shipped for disposal** has **increased** from 16% in 2001 to 24% in 2015. This, however, corresponds to only 2% of all hazardous waste generated (as stated above, most hazardous waste is treated within the country of origin). The **EU as a whole does not appear to be closer to self-sufficiency in treating either all notified waste or specifically hazardous waste than it was in 2001**. While the percentages of both waste types shipped within the EU have varied over the past 15 years, in 2015 both remained slightly lower than they were in 2001 (92% compared with 93% for all notified waste and 91% compared with 95% for hazardous waste).

Waste shipments into Member States: since 2001, the amount of all notified waste shipped into Member States has **increased by 222%,** with a 41% increase between 2010-2012 and 2013-2015. The amount of hazardous waste shipped into Member States rose by almost the same percentage between 2001 and 2015, at 225%, which is in line with the increase in 'imports' of all notified waste. Over 2013-2015, **Germany was once again the biggest 'importer' of all notified waste,** shipping in 19 million tonnes. **Germany also 'imported' the most hazardous waste over 2013-2015** (8 million tonnes), while France (with 7 million tonnes) 'imported' more than the Netherlands in this case (3 million tonnes).

Illegal shipments of waste: in total, there were **2 800 illegal shipments** of waste reported in 2013-2015, an **increase on the 2 500 cases reported in 2010-2012**.

The total number of reported checks has also increased, from 450 000 in 2010-2012 to 600 000 in 2013-2015, which may account for the larger number of illegal shipments detected.

In 2013-2015, **Belgium reported most illegal shipments** accounting for 23% of all cases reported in the EU28 from 2013 to 2015. The Netherlands reported the second largest number (18%), followed by the UK, (14%).

12 Member States provided details of **financial penalties** that can be imposed on persons shipping waste illegally. Seven provided details of prison sentences. The Commission states that the data are not robust enough to conclude whether higher fines and longer prison sentences act as a deterrent to the illegal shipments of waste.

The Commission is preparing for the evaluation of the Regulation, which will take place in December 2020.