Shipments of waste

2021/0367(COD) - 27/02/2024 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 587 votes to 8, with 33 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council on shipments of waste and amending Regulations (EU) No 1257/2013 and (EU) No 2020/1056.

The European Parliament's position adopted at first reading under the ordinary legislative procedure amends the Commission's proposal as follows:

Subject matter

The amended text stipulates that the proposed Regulation:

- lays down measures to protect the environment and human health and to contribute to **climate neutrality** and to achieving a **circular economy** and **zero pollution** by preventing or reducing the adverse impacts which can result from shipments of waste and from the treatment of the waste at its destination;

- establishes procedures and control regimes for shipments of waste, depending on the origin, destination and route of the shipment, the type of waste and the type of treatment to be applied to the waste at its destination.

Intra-EU shipments

The amended text **bans** the shipments of all waste destined for disposal within the EU, **except if consented to and authorised** under the strict conditions of the prior written notification and consent procedure (‘PIC’) and in well-justified cases. On the other hand, intra-EU shipments of waste for recovery operations will continue to be allowed following the less stringent procedure set out in the general information requirements ('green-listed waste').

The amended text contains a derogation for shipments of waste explicitly destined for laboratory analysis and experiments if such waste does not exceed 250 kg. In this case, the shipment of such waste will need to follow the general information requirements outlined in the regulation.

Notification procedure and timelines

According to the ‘PIC’ procedure, notifiers within the EU and exporters to third countries need to notify and receive written confirmation from the countries of dispatch, destination and transit prior to export. The text also sets out timelines for notifiers to respond to the written consent from the competent authorities and for the receiving facility to inform the notifier and the competent authorities on the reception of the waste.

The new text also foresees, two years after its entry into force, that the exchange of information and data on waste shipments in the EU will be **digitalised**, through a central electronic hub, to improve reporting and transparency.

The Commission should facilitate **public access to information** related to waste shipments by publishing and regularly updating data on notifications of shipments via its website.

Tougher rules on waste exports outside the EU

The Regulation maintains the ban on Member States exporting waste for disposal to third countries and hazardous waste for recovery to non-OECD countries.

European exports of certain non-hazardous waste and mixtures of non-hazardous waste destined for recovery (i.e. destined to be used for other purposes) should only be permitted to non-OECD countries that accept and meet the criteria for treating such waste in an environmentally sound manner, in compliance with international conventions on labour and workers' rights. The Commission should draw up a list of these beneficiary countries, which will be updated at least every two years.

In the case of shipments outside EU Member States, waste management facilities in the country of destination should be **audited** by independent bodies.

Exports of plastic waste

The amended text introduces stricter rules on the export of plastic waste to third countries. In particular, it stipulates that plastic waste **may no longer be exported** to non-OECD countries within two and a half years (30 months) of the entry into force of the regulation.

After 60 months following the date of entry into force of this Regulation, the Commission should draw up a report assessing whether the implementation of the provisions has ensured the environmentally sound management of plastic waste, both in the EU and in countries where such waste has been exported from the Union, as well as no significant adverse effects occurred on the treatment of domestic waste in importing countries.

The report should also provide information on the evolution of the capacity of waste operators in the Union to manage plastic waste generated in the Member States and imported into the Union in an environmentally sound manner.

Enforcing the rules

The amended regulation provides for the establishment of an enforcement group to improve cooperation between EU countries to prevent and detect illegal shipments. The Commission should carry out inspections, in cooperation with national authorities, where there is sufficient suspicion that there are illegal waste shipments occurring.