Basic information

2021/0367(COD) COD - Ordinary legislative procedure (ex-codecision procedure) Regulation	Procedure completed
Shipments of waste Repealing Regulation (EC) No 1013/2006 2003/0139(COD) Amending Regulation (EU) No 1257/2013 2012/0055(COD) Amending Regulation (EU) 2020/1056 2018/0140(COD) Amended by 2026/0099(COD) **Subject** 3.70.12 Waste management, domestic waste, packaging, light industrial waste 3.70.13 Dangerous substances, toxic and radioactive wastes (storage, transport) 3.70.18 International and regional environment protection measures and agreements **Legislative priorities** Joint Declaration 2021 Joint Declaration 2022 Joint Declaration 2023-24	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Public Health and Food Safety	WEISS-EHLER Pernille (EPP)	16/12/2021
	Shadow rapporteur ENGERER Cyrus (S&D) RIES Frédérique (Renew) MATTHIEU Sara (Greens /EFA) FIOCCHI Pietro (ECR) ANDROUËT Mathilde (ID) PIMENTA LOPES João (The Left)	

Committee for opinion	Rapporteur for opinion	Appointed
BUDG Budgets	The committee decided not to give an opinion.	
IMCO Internal Market and Consumer Protection	The committee decided not to give an opinion.	

Council of the European Union	
European Commission	Commission DG: Environment Commissioner: TIMMERMANS Frans
European Economic and Social Committee	
European Committee of the Regions	

Key events

Date	Event	Reference	Summary
17/11/2021	Legislative proposal published	COM(2021)0709	Summary
22/11/2021	Committee referral announced in Parliament, 1st reading		
01/12/2022	Vote in committee, 1st reading		
09/12/2022	Committee report tabled for plenary, 1st reading	A9-0290/2022	Summary
16/01/2023	Debate in Parliament		
17/01/2023	Decision by Parliament, 1st reading	T9-0003/2023	Summary
17/01/2023	Results of vote in Parliament		
17/01/2023	Matter referred back to the committee responsible for interinstitutional negotiations		
11/01/2024	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	GEDA/A/(2023)006921 PE757.950	
27/02/2024	Decision by Parliament, 1st reading	T9-0087/2024	Summary
27/02/2024	Results of vote in Parliament		
25/03/2024	Act adopted by Council after Parliament's 1st reading		
11/04/2024	Final act signed		
30/04/2024	Final act published in Official Journal		

Technical information

Procedure reference	2021/0367(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation
Legislative instrument	Regulation
Amendments and repeals	Repealing Regulation (EC) No 1013/2006 2003/0139(COD) Amending Regulation (EU) No 1257/2013 2012/0055(COD) Amending Regulation (EU) 2020/1056 2018/0140(COD)

	Amended by 2026/0099(COD)
Other legal basis	Rules of Procedure EP 165
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/9/07721

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE719.861	11/04/2022	
Amendments tabled in committee		PE732.597	24/05/2022	
Amendments tabled in committee		PE732.598	24/05/2022	
Amendments tabled in committee		PE732.599	24/05/2022	
Committee report tabled for plenary, 1st reading/single reading		A9-0290/2022	09/12/2022	Summary
Text adopted by Parliament, partial vote at 1st reading /single reading		T9-0003/2023	17/01/2023	Summary
Text agreed during interinstitutional negotiations		PE757.950	06/12/2023	
Text adopted by Parliament, 1st reading/single reading		T9-0087/2024	27/02/2024	Summary

Council of the EU

Document type	Reference	Date	Summary
Coreper letter confirming interinstitutional agreement	GEDA/A/(2023)006921	06/12/2023	
Draft final act	00084/2023/LEX	11/04/2024	

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2021)0709	17/11/2021	Summary
Document attached to the procedure	SEC(2021)0402	18/11/2021	
Document attached to the procedure	SWD(2021)0331	18/11/2021	
Document attached to the procedure	SWD(2021)0332	18/11/2021	
Commission response to text adopted in plenary	SP(2024)270	08/07/2024	

National parliaments

Document type	Parliament /Chamber	Reference	Date	Summary

Contribution	SE_PARLIAMENT	COM(2021)0709	04/01/2022	
Contribution	ES_PARLIAMENT	SWD(2021)0331	04/01/2022	
Contribution	ES_PARLIAMENT	SWD(2021)0332	04/01/2022	

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES5496/2021	23/02/2022	

Additional information

Source	Document	Date
European Parliament	Briefing	21/03/2022
European Commission	EUR-Lex	

Meetings with interest representatives published in line with the Rules of Procedure

Rapporteurs, Shadow Rapporteurs and Committee Chairs

Transparency

Name	Role	Committee	Date	Interest representatives
WEISS-EHLER Pernille	Rapporteur	ENVI	13/11/2023	Recycling Europe
WEISS-EHLER Pernille	Rapporteur	ENVI	16/10/2023	Norsk Industri / Federation of Norwegian Industries
WEISS-EHLER Pernille	Rapporteur	ENVI	27/09/2023	Recycling Europe TSR Recycling
WEISS-EHLER Pernille	Rapporteur	ENVI	13/06/2023	Plastics Recyclers Europe
WEISS-EHLER Pernille	Rapporteur	ENVI	16/05/2023	Changing Markets Foundation
WEISS-EHLER Pernille	Rapporteur	ENVI	08/05/2023	The Danish Chamber of Commerce
WEISS-EHLER Pernille	Rapporteur	ENVI	05/05/2023	Municipal Waste Europe
WEISS-EHLER Pernille	Rapporteur	ENVI	13/04/2023	Indonesia's Ministry of Environment and Forestry
WEISS-EHLER Pernille	Rapporteur	ENVI	27/03/2023	Plastics Recyclers Europe
WEISS-EHLER Pernille	Rapporteur	ENVI	03/01/2023	VinylPlus
WEISS-EHLER Pernille	Rapporteur	ENVI	20/12/2022	Recycling Europe

WEISS-EHLER Pernille	Rapporteur	ENVI	14/12/2022	The European Steel Association
WEISS-EHLER Pernille	Rapporteur	ENVI	30/11/2022	European Union for Responsible Incineration and Treatment of Special Waste
MATTHIEU Sara	Shadow rapporteur	ENVI	10/11/2022	Ovam
ENGERER Cyrus	Shadow rapporteur	ENVI	02/11/2022	Malta Chamber of Commerce
ENGERER Cyrus	Shadow rapporteur	ENVI	31/10/2022	U- Recycle
WEISS-EHLER Pernille	Rapporteur	ENVI	31/10/2022	HJHansen Recycling
WEISS-EHLER Pernille	Rapporteur	ENVI	27/10/2022	ERAMET
ENGERER Cyrus	Shadow rapporteur	ENVI	12/10/2022	VinylPlus
ENGERER Cyrus	Shadow rapporteur	ENVI	11/10/2022	Flexible Packaging Europe
WEISS-EHLER Pernille	Rapporteur	ENVI	06/10/2022	CELSA Group
MATTHIEU Sara	Shadow rapporteur	ENVI	04/10/2022	OVAM
WEISS-EHLER Pernille	Rapporteur	ENVI	20/09/2022	Norsk Industri / Federation of Norwegian Industries
WEISS-EHLER Pernille	Rapporteur	ENVI	15/09/2022	VinylPlus
WEISS-EHLER Pernille	Rapporteur	ENVI	02/09/2022	The Danish Chamber of Commerce Association of Danish Recycling Industries
WEISS-EHLER Pernille	Rapporteur	ENVI	01/09/2022	PVC Informationsrådet
ENGERER Cyrus	Shadow rapporteur	ENVI	31/08/2022	German Waste Management Federation
WEISS-EHLER Pernille	Rapporteur	ENVI	22/08/2022	Recycling Europe
WEISS-EHLER Pernille	Rapporteur	ENVI	18/07/2022	SERRED
WEISS-EHLER Pernille	Rapporteur	ENVI	08/07/2022	The European Steel Association (EUROFER)
WEISS-EHLER Pernille	Rapporteur	ENVI	06/07/2022	The American Chamber of Commerce to the European Union (AmCham EU)
WEISS-EHLER Pernille	Rapporteur	ENVI	06/07/2022	Confederation of Danish Industries (DI)
WEISS-EHLER Pernille	Rapporteur	ENVI	01/07/2022	Siptex
WEISS-EHLER Pernille	Rapporteur	ENVI	28/06/2022	FEAD
WEISS-EHLER Pernille	Rapporteur	ENVI	27/06/2022	Novelis Europe
WEISS-EHLER Pernille	Rapporteur	ENVI	24/06/2022	ARC - Amager Ressourcecenter

WEISS-EHLER Pernille	Rapporteur	ENVI	24/06/2022	PurFi
WEISS-EHLER Pernille	Rapporteur	ENVI	23/06/2022	Digital Europe
MATTHIEU Sara	Shadow rapporteur	ENVI	23/06/2022	EuRIC
ENGERER Cyrus	Shadow rapporteur	ENVI	22/06/2022	EuRic
WEISS-EHLER Pernille	Rapporteur	ENVI	21/06/2022	Norsk Hydro
WEISS-EHLER Pernille	Rapporteur	ENVI	13/06/2022	Tesla
WEISS-EHLER Pernille	Rapporteur	ENVI	13/05/2022	FEAD
MATTHIEU Sara	Shadow rapporteur	ENVI	12/05/2022	Municipal Waste Europe
MATTHIEU Sara	Shadow rapporteur	ENVI	12/05/2022	Environmental Investigation Agency Human Rights Watch Zero Waste Europe
WEISS-EHLER Pernille	Rapporteur	ENVI	12/05/2022	EuRIC
MATTHIEU Sara	Shadow rapporteur	ENVI	11/05/2022	Plastics Europe
MATTHIEU Sara	Shadow rapporteur	ENVI	11/05/2022	European Environmental Bureau
WEISS-EHLER Pernille	Rapporteur	ENVI	11/05/2022	Advanced Waste Treatment Facilities
MATTHIEU Sara	Shadow rapporteur	ENVI	10/05/2022	Plastics Recyclers Europe
WEISS-EHLER Pernille	Rapporteur	ENVI	05/05/2022	Minderoo Foundation Limited ATF The Minderoo Foundation Trust
WEISS-EHLER Pernille	Rapporteur	ENVI	27/04/2022	EuroCommerce
ENGERER Cyrus	Shadow rapporteur	ENVI	27/04/2022	Plastics Europe
WEISS-EHLER Pernille	Rapporteur	ENVI	26/04/2022	Aquafil SpA
ENGERER Cyrus	Shadow rapporteur	ENVI	26/04/2022	Aquafil SpA
ENGERER Cyrus	Shadow rapporteur	ENVI	16/02/2022	AVR
ENGERER Cyrus	Shadow rapporteur	ENVI	27/01/2022	Eurits
ENGERER Cyrus	Shadow rapporteur	ENVI	27/01/2022	EuRic
ENGERER Cyrus	Shadow rapporteur	ENVI	20/01/2022	European Paper Packaging Alliance
ENGERER Cyrus	Shadow rapporteur	ENVI	29/11/2021	Smart Packaging Europe

Other Members

Transparency		
Name	**Date**	**Interest representatives**
WÖLKEN Tiemo	01/09/2023	Vynova Holding S.A.

Final act	
Regulation 2024/1157 OJ OJ L 30.04.2024	Summary

Delegated acts	
Reference	**Subject**
2026/2956(DEA)	Examination of delegated act
2026/2955(DEA)	Examination of delegated act

Shipments of waste

2021/0367(COD) - 09/12/2022 - Committee report tabled for plenary, 1st reading/single reading

The Committee on the Environment, Public Health and Food Safety adopted the report by Pernille WEISS (EPP, DK) 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 committee responsible recommended that the European Parliament's position adopted at first reading under the ordinary legislative procedure should amend the proposal as follows:

Subject matter

The Committee considers that further measures are required to reach the objective of a European circular economy. To support the circular economy, innovative business initiatives such as taking back waste for the purpose of recycling, refurbishment, research or for improvement of product design should be supported.

In this regard, the text clarifies that the proposed Regulation lays down measures to protect the environment and human health by preventing or reducing the adverse impacts which may result from the shipment of waste including in third countries and it seeks to contribute to achieving a circular economy, resource efficiency, climate neutrality and zero pollution ambition for a toxic-free environment by applying the principles of proximity and self-sufficiency. It also seeks to reduce the administrative burden by harmonising the shipment of waste rules within the Union and by digitalising the exchange of information concerning shipments of waste.

Notification

The report states that only notifiers that have received a permit or are registered in accordance with Chapter IV of Directive 2008/98/EC or **operators of experimental treatment trials or laboratories** may submit a prior written notification.

Public access to notifications

Without undue delay and no later than 30 days after giving a consent or making an objection, the competent authorities of dispatch should make publicly accessible through the central electronic submission and exchange system or the national system if applicable, information on notifications of shipments they have consented or objected to, as well as on shipments of waste subject to the general information requirements, where such information is not confidential under national or Union legislation or personal data protected.

The competent authorities should make at least the following information publicly accessible: (i) the type of waste designated according to the European Waste Code in the European Waste Catalogue; (ii) the total quantity of waste intended to be shipped; (iii) the treatment operation the waste will undergo; (iv) the name of the facility at the final destination; and (v) whether the notification has been consented to or not.

Prohibition of exports

The report highlights that all waste containing or contaminated with a substance exceeding the levels in Annex IV to Regulation (EU) 2019/1021 on persistent organic pollutants should be prohibited for export from the Union to non-OECD countries.

Obligations on exporters

A natural or legal person exporting waste from the Union should ensure that the facility which will manage the waste in the country of destination has set up internal reporting channels, including adequate protection of whistle-blowers. Natural or legal persons exporting waste outside the Union should provide an audit report, formulated on the basis an audit, to the Commission prior to exporting that waste.

For its part, the Commission should establish and maintain a central, publicly accessible and up-to date register of audited facilities.

A natural or legal person exporting waste from the Union to a facility in a third country with which the Union has concluded an international agreement should carry out ad-hoc audit without delay in the event it receives evidence that a facility no longer complies with the criteria laid down in Annex X.

Inspection plans

The report includes provisions on inspection plans which should include the minimum number of physical checks of facilities and waste shipments. Members note that it is important to know the success or failure of the inspection plans, therefore the results of the inspections carried out need to be made public. Moreover, Member States should inform about the remedial action taken, the names of those caught with illegal shipments, and the penalties applied. Such public reporting is likely to have a major deterrent effect.

Waste shipment enforcement group

Members call for the **waste shipment enforcement group to** publish an annual report on trends in illegal shipments and best practices to tackle such shipments, as recommended by Member State competent authorities. Within two years of its establishment, the waste shipment enforcement group should propose to the Commission an action plan to tackle illegal shipments of waste.

Reporting

The Commission should assess and present a report to the Council and the European Parliament on how the financial obligations under-extended producer responsibility should apply to used goods or waste shipped from the Union. The report should present an analysis of shipments and treatment of specific waste streams, identified as illegal practices in this regard, of implementation of this Regulation, including compliance by competent authorities with deadlines set out in this Regulation, and of the contribution by the sector towards the transition to a circular economy and climate neutrality by 2050.

Review

The report notes that by 31 December 2038, the Commission should review the data and justifications underpinning the decision to restrict the export of plastic waste outside of the Union and EFTA countries, with a view to assessing the proportionality of that measure.

Shipments of waste

2021/0367(COD) - 17/01/2023 - Text adopted by Parliament, partial vote at 1st reading/single reading

The European Parliament adopted by 594 votes to 5, with 43 abstentions, **amendments** to 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 matter was referred back to the competent committee for inter-institutional negotiations.

The main amendments adopted in plenary are as follows:

Subject matter

The amended text specifies that the proposed regulation should:

- establish measures to protect the environment and human health by **preventing or reducing the adverse impacts which may result from the shipment of waste**, including in third countries;

- seek to contribute to the transition to a circular economy, the objective of climate neutrality and the zero pollution ambition for a toxic free environment by applying the principles of proximity and self-sufficiency;

- reduce the administrative burden by harmonising the shipment of waste rules within the Union and by digitalising the exchange of information concerning shipments of waste.

Notification

Only notifiers that have received a permit or are registered in accordance with Chapter IV of Directive 2008/98/EC or **operators of experimental treatment trials or laboratories** may submit a prior written notification.

Where the competent authority of destination is not able to take a decision within 30 days after submission of the notification, it should inform the notifier within those 30 days and provide the notifier with a motivated explanation unsolicited. A final decision by the competent authority should be taken within **60 days of submission of the notification**. A written consent to a planned shipment should cover a period of two calendar years or, any shorter period as indicated in their decision by the competent authorities concerned.

Public access to notifications

Without undue delay and no later than 30 days after giving a consent or making an objection, the competent authorities of dispatch should make publicly accessible through the central electronic submission and exchange system or the national system if applicable, information on notifications of shipments they have consented or objected to, as well as on shipments of waste subject to the general information requirements, where such information is not confidential under national or Union legislation or personal data protected.

Electronic exchange of information

According to Members, the provision and exchange of information and data on single shipments of waste within the EU should be carried out by **electronic means**. The centralised system and the national system should be interconnected and fully operational. To facilitate the reduction of delays, these systems should support document sharing and include a fully searchable database containing information on waste shipments. In the event of temporary failure of the central system, data should remain protected and accessible, and procedures related to shipments should be carried out without delay.

Multilateral agreements

In exceptional cases, and where the specific geographical or demographical situation warrants such a step, Member States may conclude bilateral or multilateral agreements making the notification procedure for shipments of specific flows of waste less stringent in respect of cross-border shipments to the nearest suitable facility located in the border area between the two or more Member States concerned.

Such agreements could also be concluded for shipments of waste destined for disposal if justified by the geographical and demographic situation. Multilateral agreements should demonstrate that the planned shipment or disposal is in accordance with the waste hierarchy and the principles of proximity and self-sufficiency at national and EU level.

Export ban

Members propose to ban the export of any waste containing or contaminated with a substance exceeding the concentration levels set out in Annex IV of Regulation (EU) 2019/1021 on **persistent organic pollutants** from the EU to non-OECD countries. They also propose the exclusion of exports of **plastic waste** to non-OECD countries and the phasing out of exports of plastic waste to OECD countries within four years. The Commission should update, on a regular basis, and at least every year after its establishment, the list of countries to which exports are allowed.

Obligations on exporters

A natural or legal person exporting waste from the Union should ensure that the facility which will manage the waste in the country of destination has set up **internal reporting channels**, including adequate protection of whistle-blowers. Natural or legal persons exporting waste outside the Union should provide an audit report, formulated on the basis an audit, to the Commission prior to exporting that waste.

For its part, the Commission should establish and maintain a central, publicly accessible and up-to date register of audited facilities.

A natural or legal person exporting waste from the Union to a facility in a third country with which the Union has concluded an international agreement should carry out **ad-hoc audit** without delay in the event it receives evidence that a facility no longer complies with the criteria laid down in Annex X.

Inspection plans

Inspection plans should include a minimum number of physical checks of facilities and waste shipments. Member States should carry out inspections to prevent and detect illegal shipments of waste on the basis of a risk-based Union targeting mechanism. The results of inspections carried out in accordance with the plans, any corrective measures taken by the authorities concerned as a result of the inspections, the names of operators involved in illegal shipments and the penalties imposed should be made publicly available.

Waste shipment enforcement group

Members call for the waste shipment enforcement group to publish an **annual report** on trends in illegal shipments and best practices to tackle such shipments, as recommended by Member State competent authorities. Within two years of its establishment, the waste shipment enforcement group should propose to the Commission an **action plan** to tackle illegal shipments of waste.

Report and review

The Commission should assess and present a report to the Council and the European Parliament on how the financial obligations under-extended producer responsibility should apply to used goods or waste shipped from the Union.

Members propose **strengthening the partnership with the waste sector**, for example in the framework of the climate dialogue and the Commission's annual reports.

Annex III B should be continuously updated to take account of progress in the environmental rationalisation of waste treatment technologies and changes in consumer with regard to the sorting of waste, it is essential that Annex IIIB be continuously updated. The Commission should in particular assess whether to add entries on used footwear, clothing and other textile products, mineral wool and mattresses.

The report notes that by 31 December 2038, the Commission should review the data and justifications underpinning the decision to restrict the export of plastic waste outside of the Union and EFTA countries, with a view to assessing the proportionality of that measure.

Shipments of waste

2021/0367(COD) - 17/11/2021 - Legislative proposal

PURPOSE: to lay down measures to protect the environment and human health by preventing or reducing negative impacts that may result from the shipment of waste.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: the European Union is an important player in global trade in waste, and considerable volumes of waste are being shipped between Member States. **In 2020, the EU exported to non-EU countries around 32.7 million tonnes of waste**, an increase of 75% since 2004, with a value of EUR 13 billion. The EU also imported approximately 16 million tonnes, valued at EUR 13.5 billion. In addition, around 67 million tonnes of waste per year are shipped between Member States 3 (intra-EU shipments of waste).

Over the past 15 years, Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste (WSR) has brought about significant improvements to protect the environment and human health from the adverse impacts that can result from the shipment of waste. However, the Commission's evaluation of this Regulation has also revealed a number of shortcomings which necessitate further regulatory action.

With regard to the export of waste from the EU, and in particular of non-hazardous waste, a major shortcoming of the WSR is the insufficient monitoring of the conditions under which such waste is managed in the countries of destination, particularly in developing countries. Illegal shipments of waste within, from and to the EU also continue to be a major problem.

The overall objective of the proposed revised Waste Shipment Regulation is to **better protect the environment and public health from the impact of unsound transboundary shipments of waste**. The WSR revision also responds to the call under the European Green Deal and the Circular Economy Action Plan 8 to revise the WSR with the aim of:

- facilitating shipments of waste for reuse and recycling in the EU;

- ensuring that the EU does not export its waste challenges to third countries; and

- tackling illegal waste shipments.

IMPACT ASSESSMENT: the Commission considered that the preferred option should lead to significant savings for operators who ship waste and for the authorities responsible for the permitting and monitoring of such shipments, in particular through the establishment of a computerised data exchange system. This is expected to result in savings of around **EUR 1.4 million per year**.

The other important economic impacts will come from the measures linked to the export of waste, which should represent an overall economic gain for the EU economy, based on 2019 data, ranging from **EUR 200-500 million a year**, depending on the amount of waste that is retained in the EU.

The benefits linked to a better treatment of residual waste in the EU and to avoiding shipping this waste to third countries would range from **EUR 266 666 million a year**.

CONTENT: the new proposed WSR Regulation: (a) **sets out measures to protect the environment and human health** by preventing or reducing the negative impacts that may result from the shipment of waste; (b) establishes the **procedures and control regimes applicable to the shipment of waste**, depending on the origin, destination and route of the shipment, the type of waste shipped and the type of treatment to be applied to the waste at its destination.

Exports of waste from the EU to third countries

The proposal introduces **much stricter rules** on exports to non-OECD countries, as well as closer monitoring of exports to OECD countries:

- exports of waste from the **EU to non-OECD countries** would be conditional on a formal request from the country to import non-hazardous waste from the EU and to demonstrate that it can recover it in a sound manner. A list of countries allowed to import waste from the EU would be established;

- with regard to the export of **EU waste to OECD countries**, the Commission would monitor export levels and could suspend the export of waste if there is no guarantee that the treatment of the waste in the country concerned is sustainable;

- the proposal also introduces an obligation for exporters of waste to ensure that the facility receiving the waste in the third country of destination is audited by an **independent third party** prior to exporting the waste to the facility in question;

- specific binding criteria will be developed to differentiate between waste and used goods.

Shipments of waste between EU Member States

In order to unlock the potential of the EU waste market and boost the circular economy, the proposal provides for :

- the obligation to **digitalise the notification procedure** for shipments of waste within the EU through the electronic data exchange system, in particular for ‘green listed’ waste';

- provisions on the conditions under which waste recovery facilities must receive **prior consent** in the Member States, on the mutual recognition of such facilities by the Member States and on the use of fast-track procedures for the shipment of certain wastes to such facilities;

- harmonised classification of waste at EU level;

- enhanced streamlining of the calculation of financial guarantees that operators have to establish before shipping ‘notified’ waste abroad;

- new, stricter conditions for shipments of waste for **incineration or landfilling**.

Combating illegal shipments of waste

The proposal contains provisions on Member States' inspection plans, penalties, cooperation between Member States on enforcement, and provisions on the Waste Shipment Enforcement Group.

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.

Shipments of waste

2021/0367(COD) - 30/04/2024 - Final act

PURPOSE: to reduce shipments of problematic waste to outside the EU, update shipment procedures to reflect the objectives of the circular economy and climate neutrality, and to improve enforcement and tackle illegal shipments.

LEGISLATIVE ACT: Regulation (EU) 2024/1157 of the European Parliament and of the Council on shipments of waste, amending Regulations (EU) No 1257/2013 and (EU) 2020/1056 and repealing Regulation (EC) No 1013/2006.

CONTENT: this 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. It 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.

The regulation covers shipments of waste within the EU (whether or not transiting through third countries), waste imported into and exported from and to third countries, and shipments of waste transiting through the EU to or from third countries.

Intra-EU shipments

The regulation **bans the shipments of all waste destined for disposal within the EU**, except if agreed and authorised under the **prior written notification and consent procedure** ('PIC'). This procedure requires notifiers within the EU and exporters to third countries to notify and receive written confirmation from the countries of dispatch, destination and transit prior to export. It includes specific timelines and deadlines to ensure an efficient process.

On the other hand, intra-EU shipments of waste for recovery operations that fall into the 'green-listed' category will continue to be allowed through the less stringent procedure set out in the general information requirements.

In the interests of transparency, the Commission will facilitate public access to information on shipments of waste by publishing and regularly updating data on notifications of shipments via its website.

Exporting waste

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

For shipments outside EU Member States, waste management facilities in the country of destination will be audited by **independent bodies** to demonstrate that the facilities treat waste in an **environmentally sound manner**. Operators will only be allowed to export waste to these facilities if this is the case.

The Commission will be required to draw up a **register** containing up-to-date information on the facilities that have been audited.

Exports of plastic waste

The revised regulation introduces a **ban on exports of non-hazardous plastic waste** to non-OECD countries. Non-OECD countries will be able to submit a request to the Commission, no earlier than 21 May 2029, indicating their willingness to import plastic waste from the EU if they comply with strict waste management standards. Their request must be positively assessed by the Commission before the ban can be lifted.

Enforcement of the rules

Member States are required to provide for effective, proportionate and dissuasive penalties in the event of infringement of the provisions of the regulation. The regulation provides for the creation of an Enforcement Group to improve cooperation between EU countries to prevent and detect illegal transfers. The Commission may initiate actions, in cooperation with national authorities, if there is sufficient suspicion that the carriage of the substance or object concerned or the shipment of waste concerned constitutes an illegal shipment.

ENTRY INTO FORCE: 20.5.2024.

APPLICATION: from 21.5.2026.