

**Committee of the Regions****ENVE-V-035****102nd plenary session, 3-4 July 2013****OPINION****THE REVIEW OF THE EUROPEAN UNION'S KEY WASTE TARGETS****THE COMMITTEE OF THE REGIONS**

- stresses that more effective waste prevention as well as fully implementation of the "polluter pays" principle would limit the financial and organisational burden on the local and regional authorities; calls for the introduction of ambitious, binding targets, based on the best results obtained to date. By 2020, the quantity of municipal waste generated per person should be reduced by 10% in comparison with the levels recorded in 2010;
- calls for Member States to be given binding, quantitative, separate, minimum targets for each category of waste that is defined as reusable; taking into account the level of compliance with the current targets throughout the EU;
- is in favour of exploring options to raise the current mandatory target for the recycling of solid municipal waste to 70% by 2025, taking into account the level of compliance with the current target throughout the EU, and with intermediate targets and transitional periods to be negotiated;
- calls for the adoption of recycling targets for industrial waste. These targets could be set for specific types of material rather than types of waste and should be just as ambitious as those set for household waste;
- stresses the need to adopt the most stringent common standards for waste sorting and cleaning. By 2020, 100% of waste should be subjected to selective sorting;
- calls for the landfilling of all forms of organic or biodegradable waste that can be reused, wholly or partly recycled or that has value in terms of energy recovery, to be prohibited by 2020. The overall target could be that 5% or less of the amount of waste of all kinds and origins are placed in landfill;
- is in favour of exploring options to raise the target for recycling plastic packaging – for plastics of all kinds – to 70% and the recycling targets for glass, metal, paper, cardboard and wood to 80%, taking into account the level of compliance with the current targets throughout the EU, and with intermediate targets and transitional periods to be negotiated.

Rapporteur

Michel Lebrun (BE/EPP), Member of the Parliament of the French Community

Reference document

Referral letter from the European Commission, 14 December 2012

**Opinion of the Committee of the Regions –  
The review of the European Union's key waste targets**

**I. POLICY RECOMMENDATIONS**

THE COMMITTEE OF THE REGIONS

1. believes that the aim of a responsible, sustainable waste prevention and management policy must be to reduce the negative environmental and health impacts of waste generation and management as much as possible and to preserve natural resources and to reintroduce materials into the economic circuit before they become waste;
2. takes note of the progress that has been made in the area of waste prevention and treatment, as a result of the proactive European regulatory framework. It welcomes the fact that a number of Member States and local and regional authorities (LRAs) have exceeded the targets set by the EU in this regard. The future legislation must encourage the last performing Member States and LRAs to pursue their efforts to improve their performance levels;
3. notes that there are great disparities between Member States with regard to waste management. Support should be given to the development of infrastructures, methods and capacities for good waste management by and for the least performing Member States and LRAs, in particular by strengthening national and regional cooperation at local and international level;
4. stresses the importance of European waste statistics to further develop data also for the regional level. It welcomes in this context that Eurostat's database already includes data on recycling of municipal waste for regions in several countries. It is useful to assess the regional differences in waste management because substantial differences within countries indicate the importance and relative success of regional policies<sup>1</sup>;
5. is aware that this Opinion is intended to feed into the upstream preparations for the evaluation and review of the legislation currently in force. The new targets that will emerge from this process should deliver on the "aspirational objectives" as set out in the Resource Efficiency Roadmap<sup>2</sup> and to be incorporated in the 7th Environment Action Programme<sup>3</sup> – which will contribute towards achieving the objectives of the Europe 2020 strategy for smart, sustainable, inclusive growth – as well as supporting the measures included in the EU Initiative on the preservation of raw materials<sup>4</sup>;

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1 EEA report No 2/2013

2 COM(2011) 571 final, CdR 140/2011 fin

3 COM(2012) 710 final

4 COM(2011) 25 final

6. welcomes the European Commission's request that the Committee of the Regions (CoR) issue an opinion on the review of the EU targets contained in the Waste Framework Directive<sup>5</sup>, the Landfill Directive<sup>6</sup> and the Packaging and Packaging Waste Directive<sup>7</sup>;
7. believes that the proposal for more ambitious targets at EU level must first take account of the evaluation of the reasons for non-compliance with the current targets in each region, even if transitional periods and intermediate targets are established for the least advanced Member States and regional and local authorities;
8. emphasises the key role played by LRAs in the implementation of European legislation in this area, the creation and financing of waste treatment and disposal infrastructures and the operational management of waste streams. Optimum waste management is currently one of the biggest challenges facing LRAs. In this context, the CoR asks that it be involved at all stages of policy-making for the policies to be adopted in this field;
9. stresses that by making the assessment of European waste policy one of the five priorities in its 2013 subsidiarity work programme, the CoR demonstrated its determination to ensure that LRAs have greater input when it comes to determining the new targets they will have to work towards. In this context, the CoR calls for LRAs to be involved and cooperate at a level fully commensurate with the principle of subsidiarity. The CoR has conducted a subsidiarity-related consultation of its Subsidiarity Expert Group and partners of the Subsidiarity Monitoring Network on the review of EU waste legislation;
10. notes the need to ensure compliance with the principle of proportionality when the new targets are set. The CoR calls on the EU, in accordance with the precautionary principle, to take account of the impact new measures might have on LRAs, their budgets, and their administrative and operational capacity. Particular attention should be paid to the feasibility of the future policies for the worst performing Member States and LRAs. If the final targets are to be achieved, decoupled intermediate targets will have to be set and LRAs will have to be given a degree of operational flexibility. In this context, account must be taken of geographical, demographic and socio-economic characteristics;
11. calls for the review of the targets to be underpinned by the principle of proximity. This principle is to be understood in both a local and international sense: in other words, the future legislation will have to focus, as a priority, on maintaining and developing waste management activities within Europe. The CoR calls for steps to be taken to ensure that the review of the targets does not damage the competitiveness of and level playing field for the European public- and private-sector players active in this sector and that it supports this sector of economic activity within the European Union;

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5 2008/98/EC.

6 99/31/EC.

7 94/62/EC.

*For a common language on waste management*

12. urges that a single, effective and transparent method for calculating waste be adopted within the European Union to enable the targets to be streamlined and allow comparisons to be made between the various situations and levels of progress achieved; when adopting this method, account should be taken of the local circumstances in individual Member States; requests in particular that the current four calculation methods for the target for household and similar waste of the Waste Framework Directive<sup>8</sup>, to be replaced by one transparent, credible and ambitious calculation method;
13. calls for the creation of a European lexicon, setting out a clear and comprehensive list of the terminology used in connection with waste, waste treatment, re-use, recycling and recovery methods and the structures, infrastructures and players in this sector;
14. supports the creation of a European waste nomenclature encompassing all waste streams, to ensure that they can be ascribed irrefutably to a particular category in the waste hierarchy;

*The Waste Framework Directive: further strengthening and new targets*

15. calls for the targets to be decoupled and for separate targets to be set, within the overall objectives for each level of the waste hierarchy, for the different types of waste streams and materials that will need to be treated;
16. calls for specific targets for critical materials which are important for the economy but will not be recovered by waste streams specific targets alone;
17. calls for the adoption of the principle whereby the various types of waste would be automatically moved up to the highest accessible step in the hierarchy. When waste streams are ascribed to a category within the waste hierarchy, the key factor should be the nature of the materials they contain rather than the type of waste;
18. wishes activities connected with the upper levels of the waste hierarchy to be given priority when it comes to EU funding. Subsidies should only be awarded for projects at the lower levels once all the measures required to meet the targets set for the upper levels have been implemented;

*Prevention*

19. notes that managing waste only has a limited impact on its environmental effects. This means that sustainable waste management should be encouraged, which will promote the

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<sup>8</sup> European Commission Decision 2011/753/EU

replacement of natural resources with materials produced from waste. Waste prevention remains the priority and principal means of reducing the burden on the environment;

20. stresses that more effective waste prevention as well as fully implementation of the "polluter pays" principle would limit the financial and organisational burden on the LRAs which have responsibility for waste management;
21. calls for the introduction of more stringent standards with respect to waste prevention. Ambitious, binding targets should be set, based on the best results obtained to date. Accordingly, by 2020, the quantity of municipal waste generated per person should be reduced by 10% in comparison with the levels recorded in 2010, however when the overall waste reduction target of the new directive and the per person target conflict the former should be regarded as the prevailing one;
22. calls for the adoption of measures to reduce food and packaging waste and the creation of additional ways of providing impoverished families in need of help with food that is still fit for consumption. These should include measures to ensure that consumers are better informed about "best-before" and "use-by" dates, the carbon footprint of products and the environmental benefits of reusable packaging. Efforts should be made to raise public awareness of the need to bring food purchases into line with actual needs and to include the type of packaging in their purchasing decisions. In addition, the reduction of food waste should be included on the curriculum for training in the areas of production, processing, catering and retail;

*Extended Producer and Importer Responsibility, Eco-design*

23. notes that the principle of Extended Producer and Importer Responsibility has acted in certain cases as an effective lever in waste prevention policy. As well as encouraging more systematic collection of used products, it provides producers and importers with an effective incentive to make changes in product design to improve their eco-efficiency and eco-design;
24. recognises that the cost of Extended Producer and Importer Responsibility is passed on to end users and consumers, whilst the margins that are generated are not injected back into the waste management process. The CoR urges that the funds resulting from implementing and monitoring the measures adopted in connection with this principle be devoted to financing infrastructures for waste sorting, preparation for re-use and recycling;
25. requests that the principle of Product Stewardship should be introduced into EU waste legislation to give retailers a greater responsibility in supporting the collection and return of products to manufacturers;
26. requests that Member States should be required to benchmark common products where built-in obsolescence is commonplace, assessing longevity, repairability and reusability. This data

should then be used to set minimum standards within five years. Manufacturers should be required to sell products with extended warranties and make component parts available for repair. Enterprises should be supported which provide consumer products such as large domestic appliances as a service rather than as a purchase, as this will increase the demand for products with a long-life, repairable design;

27. would like legislation in the area of eco-design to be strengthened to ensure that better procedures for dismantling, cleaning, recycling and recovering waste are included at the product design stage. The application of the highest possible standards in this area would provide incentives for moving certain types of waste up the waste hierarchy;
28. supports the idea of increasing EU R&D support to the eco-design sector via the Structural and Cohesion Funds and the European Investment Bank, whilst noting that alongside these efforts, greater attention must be paid to the distorting effects that the adoption of new standards might have on competition;

*Re-use and preparing for re-use*

29. calls for Member States to be given binding, quantitative, separate, minimum targets for each category of waste that is defined as reusable, taking into account the level of compliance with the current targets throughout the EU;
30. emphasises the potential that re-using waste and preparing for re-use represents for the development of the circular economy. Support measures should be introduced for players developing an activity in this sector, in the form of easing access to waste streams and providing financial and other support to assist them in getting their economic and business projects off the ground;
31. calls for stakeholders from the social economy to be involved in drawing up the future European legislation on the re-use and preparations for the re-use of waste;

*Recycling*

32. regrets that, despite the gradual improvements in the figures on recycling and energy recovery, a considerable volume of waste that could be recycled or recovered continues to end up in landfill or to be incinerated in energy inefficient facilities. The future legislation should aim to improve the use of the resources contained in waste;
33. is in favour of exploring options to raise the current mandatory target for the recycling of solid municipal waste to 70% by 2025, taking into account the level of compliance with the current target throughout the EU<sup>9</sup>. Within the overall EU average target, intermediate targets

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<sup>9</sup> This has been underlined as the outcome of the subsidiarity-related consultation on the review of EU waste legislation.

and transitional periods should be negotiated with Member States and LRAs, particularly the least advanced;

34. anticipates that raising the general targets will result in some of the waste streams that are currently incinerated or landfilled being redirected towards recycling. As a result of the corresponding increase in the volume of waste to be recycled, new infrastructures will need to be created and new investments made in this sector. LRAs, which generally have operational responsibility for waste management, should be able to access logistical and financial support, where necessary. At the same time, support should also be given to the preservation of raw materials and to the reuse of materials;
35. reiterates its call for the EU to introduce a legal framework for recycling targets for biowaste within the revised Waste Framework Directive. This would encourage the development of this sector and set quantitative objectives, whilst giving each Member State and LRA the freedom to organise biowaste recycling and to cooperate in this area in accordance with its particular circumstances;
36. calls for particular attention to be paid to the use of biowaste. LRAs should be encouraged to adopt measures to foster eco-friendly gardening and individual composting and to develop their own biowaste storage and treatment capacity;
37. is in favour of optimising the recycling of biowaste and calls for the prohibition of landfilling and limitations on incineration for this type of waste. The quality requirements for compost need to be harmonised at European level and quality assurance systems need to be established for output products in order to ensure a high level of environmental protection;
38. calls for the adoption of recycling targets for industrial waste. These targets could be set for specific types of material rather than types of waste and should be just as ambitious as those set for household waste;
39. draws attention to the fact that including industrial waste in the stream destined for recycling will put a considerably higher burden on LRAs. Steps must be taken to ensure that they have the necessary resources to meet their responsibilities. Therefore the “polluter pays” principle should be fully implemented in all Member States;
40. stresses the need to adopt the most stringent common standards for waste sorting and cleaning, not only for households and industries but also for waste-sorting centres themselves. By 2020, 100% of waste should be subjected to selective sorting. The Committee also considers that intermediate targets and transitional periods should be introduced for those Member States and local and regional authorities that have not yet achieved satisfactory progress with regard to waste recycling, to be agreed with them. Alongside higher waste collection and sorting targets, it calls for adequate financial means to be provided, and for monitoring measures to be stepped up;



*Energy recovery*

41. endorses the European Parliament's request<sup>10</sup> that the European Commission propose a ban on the incineration of recyclable and biowaste by 2020 but would exclude those plants which achieve very high levels of efficiency through heat-only generation Combined Heat and Power or cogeneration, taking account of the physico-chemical characteristics of the waste;
42. is concerned that the incinerators currently in operation in some EU Member States have the capacity to burn more non-recyclable waste than the volume actually generated in these countries, meaning that waste streams which could be recycled or re-used risk being directed towards these incinerators;
43. regrets that, in order to ensure the survival of certain incinerators that are redundant or have excess capacity, some Member States have not made sufficient investments in waste prevention, sorting and recycling;
44. calls for particularly careful analysis of all future investment or funding for incineration facilities and energy recovery. Structural and cohesion funding should only be allocated to projects of this kind if they form part of a coherent waste management strategy, which includes sufficient facilities for the earlier stages of sorting, cleaning and recycling the waste collected;
45. wishes energy recovery infrastructures to be equipped to meet the highest standards in terms of heat recovery, energy production, the restriction of CO<sub>2</sub> emissions and the recovery and use of clinker. These proactive, common standards should be laid down at European level;

*The Directive on the Landfill of Waste*

46. calls for the landfilling of all forms of organic or biodegradable waste that can be reused, wholly or partly recycled or that has value in terms of energy recovery, to be prohibited by 2020. The overall target could be that 5% or less of the amount of waste of all kinds and origins are placed in landfill;
47. notes that raising the levy for each tonne of waste that is landfilled would be an effective lever for limiting the quantity of waste and encouraging waste streams to be moved up the waste hierarchy. The key criterion for setting levies should be their effectiveness. The harmonisation of the levies by the EU by setting minimum standards could be considered, so as to prevent the emergence of distortions in this sector;

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<sup>10</sup> European Parliament resolution of 24 May 2012 on a resource-efficient Europe (2011/2068(INI))

*The Directive on Packaging and Packaging Waste*

48. is in favour of exploring options to raise the target for recycling plastic packaging – for plastics of all kinds – to 70% and the recycling targets for glass, metal, paper, cardboard and wood to 80%, taking into account the level of compliance with the current targets throughout the EU<sup>11</sup>. Within these overall EU average targets, intermediate targets and transitional periods should be negotiated with and be introduced for individual Member States and LRAs, particularly the least advanced;
49. notes that the principle of producer and importer responsibility has been an effective lever in the policy on preventing packaging waste. Making it mandatory for producers and importers to recover waste themselves or have it recovered by waste management bodies could be a crucial step towards making them accountable;

*Towards territorial cohesion in waste management*

50. calls for the future legislation to be based on the following common principles: managing waste streams in their entirety, implementing the waste hierarchy, ensuring transparent operational management, financing, costs, tax measures, monitoring and traceability and giving consideration to the role played by LRAs and the bodies which ensure cooperation between them. Transparent implementation pathways for European legislation will allow for comparisons of the different situations, assessment of the various practices and the gradual emergence of a common core of shared good practices;
51. calls for the designation of ambitious 2020 targets to be accompanied by individual roadmaps to be negotiated with each Member State and competent local and regional authorities when applicable, They should include a provisional timetable and intermediate targets for each type of waste and level of the waste hierarchy which could be delivered in that particular Member State over a longer timescale than the overall EU average target. This would allow the least advanced performers to catch up whilst also supporting the efforts made by the most advanced performers;
52. urges that any policy the EU adopts on waste management and treatment be underpinned by the general principle of proximity. In accordance with this principle, waste management plans should encourage the treatment of waste as close as possible to the site where it is generated, although it is expected that shipment of waste within the current EU framework would need to continue where a local solution does not prove practical. In this context, when it comes to allocating the annual capacity authorised for waste treatment and storage, priority should be given to waste that is generated locally or within the region. Also suggests that possible public and private sector operators involved in waste management should be locally based, thus reducing the environmental impact of transporting waste and enabling jobs to be created

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<sup>11</sup> This has been underlined as the outcome of the subsidiarity-related consultation on the review of EU waste legislation.

at local level. The move to a more circular economy should be expressed in realistic timescales to allow for infrastructure and planning arrangements to develop;

53. calls for the creation of mechanisms for dialogue and cooperation between LRAs at cross-border level. The EU should encourage and supervise the creation of regional waste management and treatment hubs to ensure the most efficient management of waste streams and optimum use of the infrastructures and resources available in this sector;
54. insists that the granting of any European subsidies be made conditional on EU validation of the waste management plans submitted by the requesting States, to ensure that the policies are consistent and avoid unnecessary or counterproductive investments. Investments should be consistent with the objectives identified in waste management plans;
55. calls for all the players and infrastructures involved in a cross-border regional hub to be taken into account when the national waste management plan of a Member State where some of the partners and infrastructures are located is being implemented or assessed;
56. supports the creation of a European information platform presenting the best practices that have been implemented within – and outside – the European Union with respect to waste prevention and management. This platform should integrate the concept of regional cooperation, enabling LRAs who so wish to work with their counterparts, including those in neighbouring countries. A platform of this kind would facilitate the exchange of information and the gradual introduction of common best practices at European level.

Brussels, 4 July 2013

The President  
of the Committee of the Regions

Ramón Luis Valcárcel Siso

The Secretary-General  
of the Committee of the Regions

Gerhard Stahl

## II. PROCEDURE

<b>Title</b>	CoR Outlook Opinion on the review of the targets contained in the Waste Framework Directive, the Landfill Directive and the Packaging and Packaging Waste Directive
<b>Reference(s)</b>	Referral letter from the European Commission, 14 December 2012
<b>Legal basis</b>	Article 307 TFEU
<b>Procedural basis</b>	
<b>Date of Commission letter</b>	14 December 2012
<b>Date of President's decision</b>	14 March 2013
<b>Commission responsible</b>	Commission for the Environment, Climate Change and Energy (ENVE)
<b>Date adopted by commission</b>	24 April 2013
<b>Result of the vote in commission</b>	Adopted by a majority
<b>Date adopted in plenary</b>	4 July 2013
<b>Previous Committee opinion</b>	Opinion on "A Resource-Efficient Europe – Flagship Initiative under the Europe 2020 Strategy", CdR 140/2011 fin <sup>12</sup> Opinion on "The Management of Bio-Waste in the European Union", CdR 74/2009 fin <sup>13</sup> Opinion on the Communication "Taking Sustainable Use of Resources Forward: a Thematic Strategy on the Prevention and Recycling of Waste", COM(2005) 666 final and on the Proposal for a Directive of the European Parliament and of the Council on Waste, COM(2005) 667 final - 2005/0281 (COD), CdR 47/2006 fin <sup>14</sup> Outlook Report on "The Implementation of the Directive on the Landfill of Waste (1999/31/EC) at Regional and Local Level", CdR 254/2005 fin <sup>15</sup>
<b>Date of subsidiarity monitoring consultation</b>	12 March - 3 May 2013

<sup>12</sup> [OJ C 9, 11.1.2012, p. 37.](#)

<sup>13</sup> [OJ C 211, 4.9.2009, p. 54.](#)

<sup>14</sup> [OJ C 229, 22.9.2006, p. 1.](#)

<sup>15</sup> [OJ C 115, 16.5.2006, p. 95.](#)