

**Opinion of the European Economic and Social Committee on the 'Communication from the Commission Towards a thematic strategy on the prevention and recycling of waste'**

(COM(2003) 301 final)

(2004/C 80/14)

On 28 May 2003, the Commission decided to consult the European Economic and Social Committee, under Article 262 of the Treaty establishing the European Community, on the above-mentioned communication.

The Section for Agriculture, Rural Development and the Environment, which was responsible for preparing the Committee's work on this subject, adopted its opinion on 14 November 2003. The rapporteur was Mr Buffetaut.

At its 404th plenary session held on 10 and 11 December 2003 (meeting of 11 December), the European Economic and Social Committee adopted the following opinion by 29 votes in favour and three against.

## 1. Introduction

1.1. The question of the prevention and recycling of waste and the various forms of waste-recovery and elimination of waste is one of the fundamental questions which have to be addressed when tackling the issue of the sustainable development of our societies. For this reason the Commission wishes to set out, as part of its Sixth Environmental Action Programme, a thematic strategy on the prevention and recycling of waste, at a time when the overall quantity of waste is continuing to increase, in spite of the policies for preventing waste-recovery which have been pursued for several years. Furthermore, the accession of ten new Member States to the European Union can only increase the scale of the problem.

1.2. Total waste generation in the EU is about 1,3 billion tonnes per year, or 3,5 tonnes per capita a year (not including agricultural waste). According to information published by the European Environment Agency (EEA), five major waste streams make up the bulk of total waste generation in the EU: manufacturing waste (26 %), mining and quarrying waste (29 %) (1), construction and demolition waste (22 %) and municipal solid waste (14 %), and agricultural and forestry waste (estimation of the amounts involved is particularly difficult). 2 % of this waste is hazardous waste, i.e. about 27 million tonnes.

1.3. Evidence shows that total waste quantities continue to increase. However, where a proactive sectoral policy has been pursued (e.g. for packaging waste in Germany), there has been a reduction in some specific kinds of waste, though not enough to reverse the general trend. One relatively optimistic sign is that there has been some progress in the decoupling of waste generation from economic growth, the production of waste rising less quickly than economic growth (2).

1.4. The relationship between the generation of waste and its environmental impacts is complex and depends on a number of factors including the nature and composition of the waste concerned. Assessing the environmental costs of waste is complicated by the fact that techniques to express environmental impacts in monetary terms still have methodological limitations. Hence it is difficult to estimate the environmental costs of waste.

1.5. Control procedures and procedures for the differing implementation of the common general principles necessary to ensure a high level of protection of the environment and human health across the Community have been in existence since the adoption of the waste framework directive of 1975 and the hazardous waste directive of 1991. To enable an assessment to be made of the true impact of the existing laws, however, there is a need to make available statistics and data, drawn up in accordance with simple, standard criteria, enabling meaningful and reliable comparisons to be made. In this respect a more sustained effort is needed to provide more dependable statistics. Similarly, it would be useful to have a catalogue of best practices developed by different local authorities in Europe.

1.6. Despite the progress made in reducing the environmental impacts of waste treatment, thanks to the implementation of European and national standards, significant problems still exist. Above all, problems have been experienced with the transposition and implementation of Community waste legislation in EU Member States. This issue could well become a more acute problem when the new EU Member States have to adopt the existing body of EU environmental legislation. In many cases the former Communist regimes have left a catastrophic legacy and caused their countries to lag far behind others in this field.

(1) See Opinion on the management of waste from the extractive industries.

(2) European Environment Agency, 2002: *Environmental Signals 2002 — Benchmarking the Millennium*, Environmental assessment report No 9, Copenhagen: EEA, chapter 12, pp. 100-105.

## 2. Gist of the proposal

2.1. The Commission's Communication launches a broad consultation of stakeholders in order to get their views on the set of policy options included in the Communication. These policy options include such issues as how to avoid generating waste, how to reduce the use of resources and how best to design recycling systems for certain types of waste. The Commission's strategy also seeks to assess the achievements of EU waste policy to date, as well as to understand better what areas require further development.

2.2. The Commission's Communication is part of a major rethink by the Commission about sustainable production and consumption. It is linked to its Communication on Integrated Product Policy<sup>(1)</sup> and its forthcoming Communication on the Sustainable use of Natural Resources.

2.3. The Communication recognises that there is a need for targets on waste prevention as well as for measures that will ensure these targets can be feasibly met. As such, the Communication invites comments about the feasibility of specific prevention measures including waste prevention plans, low waste production techniques and replication of best practice from national to EU level.

2.4. In its document, the Commission raises the question of the advisability of taking a fresh look at the definition of 'waste' and examines the arguments both for and against. The nature and content of the future strategic options which are adopted will clearly be dependent upon the definition of 'waste'. Operators, economic actors and consumers do, at all events, require legal certainty and stability. Any change in the definition of waste would have major consequences.

2.5. The Communication states that recycling policy could be improved in several ways as a means of helping resolve the waste problem in the EU. Specifically it examines issues such as the setting of recycling targets for materials, the high costs of recycling and ways in which recycling can be made cheaper, easier and cleaner.

## 3. General comments

3.1. The EESC supports the Commission's efforts to examine the ways in which a broad mix of policy options can be

designed and applied in a way that can feasibly seek to resolve the important issue of the increase in waste generation in the EU.

3.2. The Committee welcomes the fact that the Commission's proposal is in line with the Conclusions of the Gothenburg European Council (June 2001), the aims of the 6th Environmental Action Programme of the European Community (July 2002) and the Agenda 21 plan of implementation of the Johannesburg World Summit on Sustainable Development (September 2002). It regrets, however, that in its draft the Commission does not formulate specific environmental targets. The purpose of a strategy is to develop ways of achieving objectives deemed to be essential. The Committee therefore considers the formulation of waste prevention targets only during or even after the strategy discussion prompted by the Commission to be a potentially flawed approach which makes the prospects somewhat unclear.

3.3. The Committee agrees with the scope of the strategy which, it believes, should be in accordance with the OECD<sup>(2)</sup> guidelines in this field. The Committee approves the launching of a debate with a view to identifying the priorities in respect of the prevention and processing of waste, without excluding from the outset any form of recovery of waste.

3.4. The Committee would like the Commission to ensure that the strategy endeavours to reinforce environmental and health rules in the EU and control levels that apply to recycling, but without hampering its development, as these rules are often less stringent than those that apply to the main disposal options (landfill and incineration). If not, an unwanted consequence of the strategy would be to encourage systematic recourse to less controlled waste treatment options, leading easily to higher impacts on the environment. This is all the more important as recycling techniques still rely to a considerable extent on manual methods which expose operators to greater health, hygiene and safety risks. It would be useful here to provide for adequate means of promoting the development of specific technologies for protecting public health and the environment.

3.5. The strategy covers prevention and recycling and, as such, does not directly cover other forms of recovery, which only appear as a secondary concept. This is particularly true with regard to composting and energy recovery. The Committee believes that, in any future EU waste strategy, all forms of potentially worthwhile recovery should be considered, taking into account environmental requirements, economic and energy conditions and geographical constraints.

(1) COM(2003) 302 final.

(2) OECD, ENV/EPOC/PPC (2000)5/Final: Strategic Waste Prevention: OECD Reference Manual, August 2000.

3.6. The Committee agrees that estimating the environmental costs of waste generation is a complex art, but believes that the Commission, in designing any future waste strategy, should bear in mind the relative costs and benefits of the policy measures to be adopted and whether or not chosen policy options can be feasibly applied across the EU. The Committee also underlines the continued need to ensure even and successful implementation of waste legislation across all EU Member States, no matter what policy options are finally agreed. It is particularly essential to harmonise the definition of waste, which currently varies between the Member States where implementation is concerned.

3.7. The Committee welcomes the option proposed by the communication which seeks to encourage selective collection systems and quantitative waste prevention by introducing charging arrangements; these 'pay-as-you-throw' schemes are already in operation in certain Member States.

3.8. In order to implement an effective waste strategy it is important to have a good definition of the concept of waste which makes possible effective and rational handling of waste for all parties involved. The existing definition of waste dates from 1976 when the handling of waste was quite different from what it is today. The existing definition means that the re-use and recycling of waste products in many cases made more difficult, like the treatment of waste in the cases when the EU's different regulations work together. The EESC therefore welcomes the proposal in the Commission's Communication to initiate a debate on the matter.

#### 4. Specific comments

4.1. Regarding the scope of the strategy, the Committee appreciates that the Communication generally aims to encourage both waste prevention and recycling. However, while the need to encourage prevention is undisputable, the promotion of recycling is sometimes presented in a simplistic way. The Committee believes that recycling is not always synonymous with a high level of environment protection, nor necessarily the best waste treatment option. For this reason, the strategy on recycling should focus on specifically promoting good forms of recycling (good in terms of environment protection, economy and social terms), i.e. complying with sustainable development principles.

4.2. As regards the prevention of waste, the Committee recommends that the strategy:

- sets both quantitative and qualitative objectives, taking account of (a) the demands made earlier by the European Parliament and the Council with regard to the waste

products which have to be tackled as a matter of priority, (b) the requirements of the Sixth Environmental Action Programme, and (c) experience gained at national level with regard to the prevention of waste;

- encourages the adoption of regulatory measures and economic incentives for reducing the quantity of waste produced;
- encourages the development and adoption of 'clean' technologies and products;
- strongly encourages measures to reduce the volume of waste produced and to re-utilise materials and products which have real applications (in particular, glass bottles for example).

4.3. As regards the recycling of waste, the Committee recommends that the strategy:

- makes it possible to increase the volume of recycled materials used in all products, by setting out clear objectives and incentives. One way of achieving this goal is to make increased use of instruments whereby recycling systems can be started up when market mechanisms on their own are not enough;
- identifies ways of removing obstacles to the competitiveness of the recycling sector by improving the marketing conditions for recycled materials, without creating undue distortions in competition;
- encourages the selective collection of biodegradable waste and high-quality composting of this material so that energy can be recovered;
- reduces cross-border movements of waste that are disproportionate or excessive or are due to environmental dumping;
- utilises to the maximum, the various information tools that can help inform citizens of the measures they can take to reduce and recycle waste and also be informed by local authorities about the impacts their efforts are having.

4.4. The Committee finds the reference to 'tradable certificates' to be an interesting new approach as it is the first time the Commission envisages the application of such mechanisms in the development of recycling. The Committee considers that an appraisal and initial stock-taking of the mechanism introduced in the UK could provide interesting pointers to the benefits and pitfalls of such a scheme, and that an in-depth study exploring the technique would help clarify how it could work best.

4.5. The Committee recommends that there should be a level playing field for recycling and calls, in particular, for the Directive on integrated pollution prevention and control (IPPC Directive) to be applied across-the-board in the waste sector. At present many forms of waste-processing are excluded from the outset from the field of application of reference documents on best available techniques (BREFs) and therefore cannot be given a 'best available technique' (BAT) status; composting is a case in point.

4.6. The Committee supports the revision of Annexes II A and II B of the Waste Framework Directive in order to re-evaluate the definition of recovery and disposal operations.

4.7. Changing the definition of 'energy recovery' (page 37): The Committee supports the Commission's move to revise the definition of energy recovery as part of a rethink of certain aspects of Council Directive 75/442/EEC, provided that energy recovery is fairly recognised as a form of recovery (and not of disposal) in all cases where energy produced from incineration as well as co-incineration processes is effectively recovered and used.

4.8. The Committee regards the Commission's initiative as opportune. In the Committee's view the question of the prevention and processing of waste is an issue of fundamental importance which has to be addressed without ideological prejudice and with an open mind as regards the various methods of processing and their relative merit. The Committee highlights the fact that the difficulties encountered in increasing the use of recycling derive mainly from cost issues, inadequate technology that compromises the quality of the recycled product and the lack of marketing opportunities for recycled products, which are not competitive enough. This situation should provide an incentive for seeking and developing more competitive technologies; it does, however, also raise the issue of the internalisation of environmental costs.

The Committee also highlights the fact, without actually posing questions, as it does in the Green Paper, the Commission has adopted the approach of calling for contributions, views and exchanges of experience in the fields which it is examining. This participatory approach involving the sectoral players and the public should be applauded.

Brussels, 11 December 2003.

*The President  
of the European Economic and Social Committee*

Roger BRIESCH

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