

## ANNEX 6: STAKEHOLDER WORKSHOP, 25 OCTOBER (BRUSSELS)

### STAKEHOLDER WORKSHOP

On 25 October 2011, a stakeholder workshop was held at DG Environment's premises in Brussels for the purpose of presenting the interim results of the report *The Use of Economic Instruments and Waste Management Performance* which was commissioned as a follow up study to the *Report on the Thematic Strategy on the Prevention and Recycling of Waste*. The aims and objectives of this workshop were to 1) ensure a minimum level of validity of the data gathered so far; 2) to discuss and interpret the results; 3) to identify success stories and to analyse to what extent and how they could be reproduced in other member states, and 4) to discuss the possible role of the European Union in ensuring the diffusion of the most efficient economic instruments.

Discussions focused primarily on three types of economic instruments:

1. Charges for waste disposal and treatment (landfill and incineration);
2. Pay-as-you-throw (PAYT) systems; and
3. Producer responsibility schemes.

### PARTICIPANTS

In attendance at the workshop were sixty-nine representatives from European ministries of environment, chambers of commerce, producer and packaging associations, metals, plastics, and batteries associations, the chemicals industry, the pulp and paper industry, not-for-profit producer responsibility organisations (i.e. collective compliance schemes), waste management associations, metals trade and recycling organisations, research organisations, a waste-to-energy confederation, sustainable resource use groups, the OECD and various other EU institutions.

### SESSION 1 – LANDFILL AND INCINERATION TAXES

An initial comment made by a participant before the commencement of case study presentations was the importance of maintaining data integrity by not aggregating figures. The participant used the example of making a distinction between landfill taxes and the total charge of landfilling in order to better understand the influences of taxes in diverting waste.

A case study presentation which provided an overview of landfill taxes in Europe was given by the **European Topic Centre on Sustainable Consumption and Production**. The presentation was based on a survey carried out by the centre on the revenues generated from landfill taxes and how to where this revenue was allocated by individual member states. The results of the survey revealed that most member states apply landfill tax revenues to a number of purposes, such as state and regional budgets, waste management infrastructure and activities, the clean-up of contaminated sites and environmental, or other (not specified), measures. Overall, landfill taxes appear to be a strong driver in diverting waste from landfills, and are especially effective in the diversion of homogenous waste types, such as construction and demolition waste. A decrease in revenue from landfill taxes was observed across member states, which indicates they are effective in diverting waste to better waste management options.

During the discussion immediately following the presentation, concern was raised over the allocation of landfill tax revenue in Eastern Europe, and whether this was being used to fund waste management activities and/or the construction of waste infrastructure. The presenter verified that revenue was being allocated elsewhere, such as to the state budget, but that it was also being used to fund waste management activities, to include the creation of landfills and on recycling.

A presentation by **Eunomia** examined the state of incineration taxes in the EU as well as the rationale behind amending the concept of Green Certificates to include the conservation of embodied energy through recycling activities. Incineration taxes were revealed to not be as widespread or as low as landfill taxes throughout the EU, though the structure of the charge varies from member state to member state. A correlation between incineration taxes and the amount of waste generated was also not necessarily to be expected, particularly as incineration taxes are more commonly being used as a means of raising revenue. Transitioning to the topic of support mechanisms for renewable energy (RE), the presenter underscored the apparent contradiction between (environmental) policy objectives through the example of waste prevention representing the peak of the waste hierarchy while waste is simultaneously considered a source of renewable energy: *Something we are striving to reduce is a 'renewable resource'*. EU support for energy generated by incineration, but not energy saved through recycling, particularly given the significant GHG savings produced by recycling in comparison to incineration, was cited as an area of policy incoherence; an area where the policy field needed to be levelled concerning support mechanisms for other forms of RE. Options for levelling the policy field are said to include the conceptualisation of recycling as generating 'energy credits', whose values are linked to RE support values (though pricing is not harmonised), as well as 'recycling credits' whose values are harmonised with EU-ETS. Further issues for policy coherence include questioning the continued support for RE when power generation is included in the Emissions Trade Scheme (ETS), and why the level of RE support is not commensurate with the impact of the activity.

During the discussion immediately following the presentation, the issue of data precision was again raised by a participant, with specific emphasis being placed on not aggregating data, as 'aggregation portrays a different reality in some ways'.

**ENT Environment and Management** concluded Session 1 with a presentation detailing landfill and incineration taxes in Spain. While taxation has not been established at the national level in Spain, autonomous communities (regions) have the authority to establish economic and fiscal measures, to include landfill and incineration taxation, to encourage waste prevention and the separation of wastes for collection. Landfill and/or incineration taxes throughout Spain have been applied to industrial waste, construction waste and municipal solid waste (MSW), with higher tax rates applied to waste coming from municipalities that have not required the separation from residual MSW and separate collection of biowaste. Concerning tax revenue, fifty per cent of the revenue generated from landfill/incineration taxes must be allocated to the treatment of separately collected biowaste, and to treatment methods that reduce the quantity or improve the quality of refuse destined for landfills and incinerators. The general effect of landfill and incineration taxes has been that more and more municipalities have established separate waste collection schemes. While data deficiencies and concurrence with other waste management and environmental policies makes the impact of landfill and incineration taxes difficult to determine, signs of their effectiveness have been observed.

Recommendations concerning the optimisation of landfill and incineration taxes include application of these taxes nationwide, as well as harmonising and updating tax rates. Further recommendations for policymakers include deploying economic instruments in parallel with more traditional command

and control approaches, as well as ensuring coherence between the use of economic instruments targeting waste management and other policies in this area.

Following on from this last presentation was a general discussion about landfill and incineration taxes. A number of recurring points made during this discussion were:

- The need to phase out environmentally harmful subsidies (EHS) at the national level, and to evaluate policies in the context of the waste hierarchy;
- The subsidisation of waste prevention and management activities at all levels of the waste hierarchy, not just the top tiers;
- The need to consider social and environmental externalities when designing policies and economic instruments; and
- A general awareness that higher taxation in some member states could lead to waste being exported to member states with lower taxes for treatment.

## SESSION 2 – PAYT SCHEMES

The issue of data integrity was again raised at the commencement of the session on pay-as-you-throw (PAYT) schemes, with the example of low waste generation statistics in Latvia being attributable to fly-tipping as opposed to actual waste prevention activities. Another participant emphasised that when evaluating the success of PAYT schemes it is important to examine their impact in relation to amount of waste generated subsequent to their introduction as opposed to the total amount of waste recovered by these schemes.

An overview of urban waste collection in Italy by **E.R.I.C.A** opened the session on PAYT schemes. National legislation requires that the twenty Italian territories, which are each composed of several municipalities, achieve a 65% selective waste collection rate by the end of 2012. Underperforming municipalities are subject to a financial penalty of a 20% tax levied upon the price paid for the final disposal of waste in landfills. Households and other producers of urban waste are compelled to finance the municipal waste disposal system by paying either a tax or a tariff/PAYT which covers the costs of waste management activities. While municipal waste taxing still exists in Italy, this is gradually being overtaken by the tariff system. **Taxes** are determined according to the surface area (in square meters) of the house or business establishment under consideration. For households, the tax rate is not influenced by its number of inhabitants, while for non-households, the tax rate varies according to categories of economic activity. In both cases, as there is no correspondence between the tax rate and the quantity of waste generated and set out for collection, the incentive to reduce waste through composting or recycling is not present. The **tariff** is composed of a) a fixed part (which funds essential components of the waste management infrastructure), and b) a variable which is determined by (i) the quantity of waste generated, (ii) the standard of the service provided by the municipality, (iii) the size of the costs of waste management. The variable component of the tariff concerning the quantity of waste generated is determined by using either a presumptive calculative method or a precise method. The presumptive method is based on estimated quantities of waste set out for collection, while the precise rate is based on actual quantities of waste. Common methods of precise quantification are a) pre-paid bag (volume based PAYT); b) bins equipped with microchips that register each time an emptying occurs (volume based PAYT); and c) the immediate weighing of waste. Case studies conducted in a number of Italian municipalities operating PAYT schemes reveal that total waste being set out for collection has been reduced and that selective waste collection has increased. One thousand out of +8,000 municipalities in Italy have PAYT schemes in place, representing nearly 10% of the population.

For optimal performance, PAYT schemes should be based on the precise quantification of real urban waste; establish door to door collection services; educate the public through annual awareness campaigns; and encourage domestic composting of organic waste.

A recurring point made during a general discussion of PAYT schemes emphasised the importance of isolating the effect of PAYT and extended producer responsibility (EPR) schemes independent of similar policies in order to observe their true effect and avoid 'double counting'.

### SESSION 3 – PRODUCER RESPONSIBILITY SCHEMES

The results of a comparative study of EPR schemes in Germany, the UK and France presented by **SITA France** opened the session on producer responsibility schemes (PR/EPR). While there exists no EU level mandate for member states to implement EPR schemes, multiple schemes covering packaging, WEEE, and batteries/accumulators were found in the countries surveyed. Though tending to have similar targets, the rules guiding these schemes are highly variable. Collective financial and organisational schemes are the dominant economic models for EPR schemes. However, independent collection and processing schemes also exist to fulfil producer responsibility obligations. EPR collective schemes (or Producer Responsibility Organisations (PROs)) are usually private, not-for-profit companies with missions of general interest. Sanctions against delinquent EPR collective schemes vary significantly between the member states surveyed, but may include the withdrawal of accreditation, federal criminal police supervision, and regulatory sanctions. WEEE and batteries/accumulators EPR collective schemes generally organise the collection and processing of waste, while packaging collectives are highly differentiated from one another. For example, in France producers fund collection and processing of waste, which is performed by local authorities, while in the UK the operator is encouraged to collect more packaging for the purpose of recycling through a 'bonus' provided by the Packaging Waste Recovery Notes. Overall, the extreme heterogeneity that underlies indicators such as recycling, recovery and collection rates and a lack of common definitions makes comparison between EPR schemes in member states difficult. A lack of transparency and global monitoring of EPR collective schemes further contributes to these difficulties.

Recommendations for the optimisation of EPR schemes include involving all relevant players and clarifying their respective roles; increasing transparency of the EPR schemes and enhancing their publicity; harmonising terms and concepts and exchanging information and best practices; improving EU level monitoring; and conducting impact assessments to observe how EPR schemes change the market complexion and access to waste.

The discussion following on from this presentation elicited calls for DG competition rules and warnings to be consulted during the development of EPR schemes, and for legislation to clarify mandates in regards to targets. It was also suggested that WEEE targets not be weight based, and that minimum requirements for compliance schemes (e.g. geographic spreads) be established.

### PACKAGING

**PRO EUROPE** continued the EPR session with a presentation concerning the state of producer responsibility schemes in Europe and possible ways forward. The opening point of the presentation highlighted a serious deficiency in available current data upon which to weigh the costs and benefits of the EU Packaging and Waste Directive. Turning to EPR schemes, the presenter stressed that taxes cannot be considered an EPR scheme, as within an EPR scheme, collective or independent, producers take charge of the physical as well as the financial aspects of waste management. When

comparing EPR schemes, it is important to examine the various factors influencing their operation. These include the involvement of actors sharing responsibilities, differing cost structures and targets, as well as the respective situations of member states. For example, should Malta, that has no recycling infrastructure in place, be subject to the same recycling quotas as Belgium? The harmonisation of definitions, such as what constitutes 'packaging' and 'product' is also necessary to enhance EPR performance. EPR schemes have been observed in twenty-five member states. Exceptions to this rule are the Netherlands, which possesses both a producer responsibility tax and a compliance scheme, and Denmark, which has no compliance scheme, but instead chooses to levy an EPR tax upon producers. Three models of EPR schemes exist in Europe: 1) The dual model, where full responsibility for waste management (including collection and treatment) is in the hands of producers; 2) the shared model, where responsibility for waste management activities is shared between producers and local authorities; and 3) the tradable credits model, where there is no link between producers and collection at the local level.

To be successful, EPR must be underpinned by legislation and has to inspire strategic decision-making on the part of industry. Moving forward, an integrated approach must be taken to ensure harmonisation of definitions, that waste management options reflect their actual costs (e.g. landfilling should not be cheaper than recycling), and that environmentally harmful subsidies are phased out. Best practices should be integrated into EU and national policy initiatives, and citizens who already engage in careful sorting of packaging should be encouraged to pursue additional environmentally friendly behaviour. As the majority of work has to be done by citizens, it is important not to frustrate them by frequently changing the rules concerning waste management.

In the discussion following this presentation, incineration subsidies were as being the most harmful, as they tend to move the waste stream away from recycling. Regarding waste charges, the idea of shifting from product based charging to material based (e.g. plastics and not packaging) was cautioned against, as this would require separate systems to deal with separate materials, and also because in reality materials often end up together.

The Belgian non-profit EPR collective scheme **Fost Plus**, which is the only collective waste packaging compliance scheme in operation within the country, presented a similar study on the results achieved within the Belgian federal regions for the collection and treatment of household waste packaging. Fost Plus, a private not-for-profit company, is composed of members who have been identified as legally obligated 'filler' companies subject to waste packaging management activities. Fost Plus takes on the responsibility of fulfilling these compliance obligations for their member, adhering to the personal philosophy that producer responsibility is not only a financial obligation, but the transfer of a public service from the authorities to industry. Fost Plus possesses +93% of market coverage and 100% territorial coverage. It annually collects 115kg of packaging and paper/cardboard other than packaging per inhabitant, representing a 95% recovery rate of waste packaging placed on the market by member companies. 92% of this waste is recycled. Fost Plus collaborates closely with (inter) municipalities, participating in the public allocation of waste management activities via legal procedures. Public communication is imperative to the effectiveness of EPR schemes, particularly as the overall goal is to transform public behaviour so that sorting of waste becomes automatic. To achieve this, Fost Plus has several national communications campaigns in place.

Based on the Belgian experience for household waste packaging management, the desired characteristics of an EPR scheme should include: allowing legally obligated 'filler' companies to establish, run, and own a common compliance scheme, which is 100% private; targeting households and 'away from home' consumption; and supporting eco-design. The role of government should be to support and regulate the scheme, while municipalities should encourage citizens to participate in

EPR initiatives, as well as collaborate with the EPR scheme in the selection of waste management operators. Waste management operators should strive to be providers of quality services, and it is at this level where competition should be generated - as opposed to competition taking place between multiple compliance schemes. EPR works best when it is not deployed as a stand-alone instrument. It should also not be a dual system (which shifts total responsibility to the producer), delegated to a third party, nor should it be reduced to a shopping list of competing schemes owned by profit-oriented companies. Recommendations to improve EPR schemes include increasing transparency of activities and understanding of EPR, expanding market coverage, and ensuring reliability of data.

The **Interregional Packaging Commission (IPC)** (Belgium) concluded Session 3 with an overview of Belgian packaging waste legislation. Interregional law requires the establishment of packaging prevention plans and recovery targets for 'obligated companies', to include Belgian producers (packer/filler), importers, and industrial consumers. These companies are responsible for the collection and treatment of both household and non-household packaging waste. The global target for recycling is 80%, while the recovery target for household packaging waste is 90%, and 85% for non-household packaging waste.

Most companies join an accredited EPR collective scheme (e.g. Fost Plus for household packaging waste and Val-I-Pac for non household packaging waste), which facilitates compliance activities in order in line with regional recycling and recovery targets. Belgian EPR collective schemes are private sector, non-for-profit companies accredited by the Belgian government. They must cover the totality of Belgium and provide evidence of their recycling and recovery activities. The role of the regulator (IPC) in Belgium is to impose responsibility upon industry and obligated companies, as well as protect the public interest by, for example, approving of the collection system proposed by producer responsibility organisations, securing total and fair payments from the public, ensuring the integrity and precision of data, as well as sanctioning free-riders.

Recommendations for optimising the efficiency of EPR include 1) establishing stable legal frameworks in member states; 2) communicating with the public, avoiding contradictions at all costs (herein lies the benefit of having only one collection scheme in place across the country); 3) the development and support by member states of selective collection at the source, and 4) conducting an impact assessment of economic instruments geared towards waste management before they are implemented – EIs can be very helpful when used properly, but very harmful when used incorrectly. It is also important to realise that measures (EIs) that are successful in some member states do not necessarily perform the same in others. Therefore, we should be cautious about imposing a uniform 'solution' for the whole of Europe.

The discussion immediately following this presentation delved into the ineffectiveness of the Belgian system (Fost Plus) in encouraging ecodesign of packaging. For example, some packaging on the Belgian market (Green Dot) is never recycled (e.g. yogurt pots, margarine containers). If these items are found in a recyclables sack, the sack will not be collected. Instead, these items end up with residual waste and the costs of treatment are covered by Fostplus by default. The system offers no individual incentive at the company level for ecodesign.

The response from Fostplus was that they want to be liable and fair, vis a vis the authorities and citizens. They took the position that they will not collect everything because they cannot guarantee that everything will be recycled in an economically and ecologically sustainable way.

A recurring point in the general discussion concerning EPR was that packaging legislation at the EU level has emphasised making a business case for recycling, as opposed to the environmental responsibilities of those who put these materials on the market. It was suggested that the dialogue

be redirected so that the focus is once again on producer responsibility. Another point raised was that per capita costs for recycling should be lowered, as this is in essence a social service. It was also suggested that when discussing recycling, trade-offs between quantity of collections and their quality be examined.

## WEEE

The session on waste electronics and electrical equipment (WEEE) commenced with a presentation by the **Swedish Environmental Protection Agency** on lessons learned from the Swedish experience concerning the successes and limitations of producer responsibilities schemes for WEEE and batteries. Five key factors for success were outlined during this presentation. The first, *knowledge and willpower*, highlighted the importance of educating the public on environmental and health hazards, as well as the benefits of recycling through regular information campaigns. The second, *accessibility and convenience*, stressed awareness in regards to the placement of recycling receptacles, as well the need for creativity in designing and deploying these containers. The third, *legislation and supervision*, involves communicating the existence of legal obligations to those falling under its remit, as well as the imperative of supervision in order for laws to be effective. The fourth, *a level playing field*, concerns EPR collection schemes and the need for a 'fair game' (i.e. through a clearing house) in order to avoid a monopolistic situation. Fifth and finally, *time* is a critical factor in the success of producer responsibility schemes, as these systems require time to grow and mature. It is also important for citizen knowledge to be evaluated from time to time in order to identify information deficits and knowledge gaps.

The Swedish experience was again the focus of the following presentation by **El-Kretsen**, which represented the industry perspective on WEEE producer responsibility collective schemes. El-Kretsen, a WEEE producer responsibility collective scheme, exceeds the obligations of the WEEE Directive by collecting 16kg per capita, or 'everything that counts'. This attitude has made it the largest (in terms of tons) collector of WEEE in Europe. The instilling of good habits within the public is underscored as being essential to the success of WEEE recycling. The effectiveness of public collection points – one place where everything can be gotten rid of – has been highlighted by El-Kretsen as being particularly effective, to the point that they have recovered ten times the amount of waste of municipal household waste collection. Good collaboration with municipalities is also important for the success of collective schemes. In Sweden municipalities bear responsibility for the household collection of WEEE and the delivery of it to collection points, while El-Kretsen is responsible for its treatment (recycling). A major positive impact of the El-Kretsen scheme is that it has created a good level of environmental awareness amongst the public regarding WEEE, to the extent that people are now treating it as something that needs to be handled differently from residual waste. Overall, El-Kretsen has achieved high collection rates at low costs to its members.

Recommendations for the optimisation of WEEE management schemes include collaboration and the stabilisation of legislation, the harmonisation of the WEEE directive so that systems are as similar as possible throughout Europe (a major concern as many electronic goods are imported by member states from other member states), and the harmonisation of WEEE recycling standards.

During the discussion immediately following this presentation, the issue of the quality of WEEE treatment, as well as the need to standardise the recycling process in order to level the playing field (thus eliminating any incentive to export WEEE for treatment/disposal) was stressed.

A presentation on extended producer responsibility (EPR) by the **WEEE Forum**, which is made up of 39 producer responsibility schemes from throughout Europe, brought Session 4 to a close. In general, EPR in the WEEE field, which should be regarded not as a single economic instrument but a

toolbox of instruments, has been very successful. Every year more and more waste is being collected and recycled and better standards are being applied to the recycling chain. What's more, producers are visibly taking responsibility because they want to take responsibility. Whether or not the European Commission should contribute to the EPR debate or whether guidance is necessary is questionable, particularly as the WEEE Directive states that producers must take responsibility and EPR schemes therefore grow organically. However, what the re-cast WEEE Directive must do is level the playing field. This is the number one issue for WEEE Forum members. Particular emphasis was placed on the uneven quality of the recycling chain across the EU, as it has been observed to be very poor in some member states and advanced in others. WEEE leakages are another source of concern, as only 30% of WEEE is handled by established EPR schemes and therefore properly registered. A lot goes on that we do not know about, meaning that the missing 70%, which is not properly registered, might end up in illegal landfills or possibly exported. The chain of responsibility is complicated and greater vigilance is therefore required.

While WEEE EPR schemes are already successful, there are several ways in which they can be improved. The first among these is through the identification and specification of the responsibilities of different stakeholders. For example, informing consumers where they can dispose of their WEEE. Spanish legislation, for instance, does not properly address retailers and therefore they do not collect much WEEE, whereas in Ireland, retailers are required to give all WEEE to compliance schemes. Enforcement of legislation is also imperative to the success of WEEE schemes. This might require making an example of several noncompliant companies in order to send a signal to the rest of the market, as in the case of Ireland. The determination of producer responsibility must also be thoughtful, in that producers should not be made responsible for issues beyond their control, while at the same time they should possess the ability to take matters under their own control. Visibility of WEEE fees has also been identified as being crucial to the success of WEEE schemes, as through their introduction, producers are able to raise awareness among consumers and encourage participation in WEEE collection schemes. Providing access to WEEE to obligated parties, free of charge, has also been identified as a contributing factor to the success of WEEE schemes. In the UK, for example, obligated parties do not have access to WEEE, which means that others can take them for ransom. This is a bad practice. It is also suggested that a tax be imposed on all metals transactions, in order to get a hold of parallel streams, and that cash transactions – this addresses scrap dealers in particular – should be banned. Instead, electronic payments must be used to ensure the registration of WEEE and to establish and ensure a good record on entries. Finally, enforcement of the law, in regards to free-riders, must be stepped up in order to ensure the processing of WEEE according to standards established via legislation.

During the discussion immediately following the presentation, the question was posed of whether higher performance targets for official systems under the re-cast directive would reduce leakage into non-official schemes. The WEEE Forum responded that in order to meet targets, producers have to be in a position to fulfil that responsibility. Producers do not necessarily have control over this stream, which is why it makes little sense to oblige them to meet targets they cannot fulfil. This obligation should rest on the shoulders of member states because they are the only ones who can put in place the proper control measures.

## OTHER WASTE STREAMS

In the final session of the stakeholder workshop, the **French Ministry of Ecology, Sustainable Development, Transport and Housing** presented a case study on the French experience with waste streams subject to extended producer responsibility. Three waste streams – tyres, furniture, and products of agricultural supply – were the focus of the presentation. Waste tyres and furniture are regulated by national legislation, while products of agricultural supply remain a voluntary initiative.



In France, producers have the choice of fulfilling their EPR obligations by subscribing to a collective scheme (producer responsibility organisation (PRO)), or by fulfilling these obligations individually. In general, it is easier for producers to join collective schemes, while it is simultaneously in the interest of national authorities that they do so, for the practical matter of control and greater visibility. The law requires that tyres be taken back at the end of their life by retailers and distributors, though there is a ceiling for collections. Two producer responsibility organisations (PROs), Aliapur and FRP, fulfil the obligations of producers within this waste stream, however some individual systems (e.g. Mobivia Group) also exist. Together, take-back efforts have yielded a 95% collection rate of tyres put on the market by companies by members. 17% of these tyres have been reused and 28% recycled. While regulation of the furniture waste stream will not come into effect until the middle of 2012, two PROs, one responsible for household waste and another for professional waste, have been established to meet producer obligations. Recycling and reuse rates to be met by 2015 include 45% for household furniture waste, and 75% of professional waste. 'Products of agricultural supply' include packaging for various types of agricultural products, unused products (phyto-pharmaceutical products, fertilising products), and plastic films. There is currently only one PRO, ADIVALOR, in operation to help producers meet voluntary targets for collection and recycling. Out of 50,300 tons of agricultural product placed on the market in 2009, 46% was collected, and 79% of this recycled.

Three types of PROs exist in France. These are: 1) Financial PROs - provide financial support to organisations (municipalities, associations, etc.) in charge of the collection and treatment of waste; 2) Operational PROs – directly in charge of managing the collection and treatment of waste; and 3) Mixed PROs – provide financial support for one part of the waste stream and manage collection and treatment for other parts. Overall, EPR is confirmed as an important tool for improving recycling and recovery rates for under-performing waste streams.

## SUMMARY OF MAIN ISSUES

Throughout the day, a number of issues came to light as being of significance to stakeholders concerning the use of economic instruments and waste management performance. In summary, these were as follows:

The importance of data clarity: Precision is desirable, while aggregation should be avoided because 'it takes us away from reality in some aspects'. It is also important to look at the drivers behind data, to see if levels of waste generation, for example, are not being manipulated by illegal diversion of waste from landfills.

Revenue from waste taxes: There is concern over what is happening to this revenue in some member states. The general consensus appears to be that revenue from waste taxes should be invested in waste infrastructure.

The social and environmental impacts of waste activities (e.g. landfilling): These impacts should be kept in mind during the design of policies and economic instruments. Similarly, it is important that current discussions move away from the business case for recycling and back to the environmental responsibilities of those who put these materials on the market.

The application of economic instruments to the waste hierarchy: Economic instruments that support waste prevention and recycling should be present in national policies. Further, these policies must be evaluated in the context of the waste hierarchy. However, economic instruments should not be applied solely to the top echelons of the waste hierarchy, but to all levels.

Creation of a level playing field within EU: This is of especial concern regarding the determination of waste taxes. Higher taxes in one member state could incentivise the export of waste to a member state with lower taxes. Recycling standards must also be harmonised throughout the EU to eliminate incentives associated with exporting waste for treatment.

EPR schemes and ecodesign: Current schemes are not doing enough to encourage producers to minimise the environmental impacts of their products/packaging.

Phasing out of Environmentally Harmful Subsidies (EHS): This needs to happen sooner rather than later.

EU funding: Several participants expressed desire for the EU to set conditions/criteria on funding and for the use of economic instruments in member states. One participant suggested that EU structural funds might be used to transfer good EPR schemes found in member states to those that are struggling (e.g. Belgian EPR collective FostPlus). Some also suggested that the EU provide more guidance concerning EPR. However, this was countered by comments questioning how much the EU should interfere in EPR. For example, in the case of the WEEE Directive, it is stated that producers must take responsibility, with subsequent EPR schemes growing organically from this instruction.

The harmonisation of terms and concepts: The ranges from establishing a single definition for 'recycling' and determining what constitutes 'packaging'.

The identification of stakeholders and clarification of their responsibilities: For example, advising consumers where they can dispose of WEEE. This also includes addressing obligated parties, such as retailers, in legislation, and enforcing said legislation. Similarly, more needs to be done to bring free-riders to justice.

Exchange of best practices and information: This should be done within and between countries.

Publicising of EPR schemes in order to further engage the public: This is seen as essential in not only informing the public (consumers) about their obligations, but also in educating them on environmental and health matters. Because the public does a lot of the work, it is important not to frustrate them by frequently changing the rules. On this note, it is also important to stabilise legislation so as not to confuse obligated parties.