

Shipments of waste, Basel Convention 1989 and OECD Decision 1992

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The Commission presents a report on the implementation of Council Regulation (EEC) No 259/93 on the supervision and control of shipments of waste within, into and out of the EC, and on the implementation of Regulation (EC) No 1013/2006 on shipments of waste. It recalls that the latter Regulation **transposes the Basel Convention** on transboundary movements of hazardous wastes and their disposal into EU law. Each calendar year, Member States submit a report to the Convention Secretariat for the previous calendar year which addresses legal provisions, implementation, and environmental protection measures. The report is also sent to the Commission along with additional information in the form of a questionnaire. Every three years, the Commission draws up a report based on the reports provided by Member States. This addresses shipment restrictions, monitoring, measures against illegal shipments, and financial coverage. This is the **third implementation report** and covers the years 2007-2009.

1. Waste generation: in 2009, about 77 million tonnes of hazardous waste were generated in the EU-27 of which about 58 million tonnes were in the EU-15. **From 2000 to 2008, the total quantity of hazardous waste generated by EU-27 increased by 46%.** In the same period, the increase in the quantity of hazardous waste generated by EU-15 was 57%. The quantities of hazardous waste generated in 2009 are **slightly lower** than those in 2008 (8%, both for EU-27 and for EU-15). In 2009, the total generation of hazardous waste per capita was 154 kg per year for the whole European Union (EU-27) with a slightly higher average of 186 kg per year in EU-12. The fluctuations observed in the quantities of hazardous waste generation in the EU could be linked with fluctuations in the economic activity during the same period.

With about 19 million tonnes annually, Germany had the highest quantities of hazardous waste generated in the period 2007-2009, followed by Italy, Estonia, France, United Kingdom and Poland. In the United Kingdom, the quantity of hazardous waste generated decreased significantly in 2009. Quantities rose significantly in Poland between 2007 and 2008.

In terms of hazardous waste generated per capita, Estonia, Finland, the Netherlands, Sweden, Portugal and Germany had the highest figures for the period 2007-2009. The lowest quantities

per capita were recorded in Latvia, Romania, Lithuania and Greece.

2. Waste shipments: in the period 2007-2009, the total amount of all notified waste **shipped into EU Member States** was about 37 million tonnes, of which about 20,5 million tonnes was hazardous waste. Over 96% of hazardous waste came from other Member States or from EFTA countries and over 80% from EU-15.

As regards the evolution of the amount of hazardous waste shipped into Member States, a strong growing trend can be observed until 2007. From 2001 to 2007, the amount of hazardous waste shipped into Member States increased by 147%. Most of these shipments involve shipments within the EU and the increase observed is likely to be attributed to the fact that in some Member States there exist sophisticated installations for the treatment of hazardous wastes while other Member States lack such installations.

In 2008, the amount of hazardous waste shipped into Member States decreased, but it increased again in 2009. The quantity for 2009 is lower than the quantity for 2007, but higher than the quantity for 2006. This overall development is similar for all notified waste. Between 2001 and 2007, the quantities of all notified waste shipped into Member States increased by 72%.

In the period 2007-2009, the biggest "importer" of hazardous waste was Germany followed by the Netherlands, Belgium, Italy, France and Sweden.

In the period 2007-2009, the total amount of all notified waste **shipped out of EU Member States** was about 33,1 million tonnes, of which about 22,9 million tonnes was hazardous waste. 99% of hazardous waste shipped out of Member States was destined for EU-27 and EFTA-countries and over 95% remained within EU-15.

3. Illegal shipments: for 2009, Member States reported about 400 cases of illegal shipments of waste while the **total number of such shipments is believed to be considerably higher**. For 2009, about half of the illegal shipments reported were shipments between Member States while the other half involved shipments into or out of the EU. The **number of controls and spot-checks performed in the EU varies greatly** among Member States. For 2009, best practices on spot-checks were demonstrated by Poland with approximately 40 spot-checks for every 1000 tonnes of hazardous waste shipped into or out of the country. For the majority of the Member States this benchmark is at least 10 times lower.

The **most common reasons for illegality** were that the shipment of waste was effected without notification to the relevant competent authorities or contrary to a prohibition on shipments under Regulation (EC) No 1013/2006. Typical response measures included the return of the waste to the country of origin and the setting of a fine.

Next steps: between 25 January and 12 April 2011, the Commission carried out a public stakeholder consultation on ways to strengthen the inspections and enforcement of the Regulation. A majority (89%) of stakeholders **favoured new EU legislation strengthening inspection requirements**. Some of the options proposed concerned inspection planning, up-stream inspections, training of officials and the duty for operators to produce evidence in certain cases where there are reasonable grounds to suspect circumvention of the Regulation. The Commission is currently conducting an assessment of the economic, social and environmental impacts of possible future legislative and non-legislative measures.