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mag. Andrej VIZJAK
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David Maria SASSOLI
President of the European Parliament

Brussels, 26 October 2021

Subject: Protecting free, fair and sustainable trade for raw materials from recycling (RMR) – A substantiated call from the European recycling industry.

Dear Executive Vice-President, dear Commissioner Breton, dear Commissioner Sinkevičius,

The EU Green Deal and the new Circular Economy Action Plan (CEAP) have put the European Union (EU) at the forefront of international efforts to promote an economic growth that is both environmentally and socially sustainable. These strategic initiatives echo the opinion of the vast majority of Europeans who say that protecting the environment is important to them¹.

The European recycling industry is pivotal to the success of making Europe a circular and climate-neutral continent. By turning waste produced by citizens and industries into new resources, recycling substitutes virgin raw materials (mostly extracted and imported from non-European countries) and saves significant amounts of greenhouse gas emissions (GHG). Recycling is also a fast-developing industry that creates local jobs across Member States. Indeed, material recovery requires plants carrying a variety of operations located close to the waste collection points and schemes.

In view of the key role played by recycling to achieve the EU's climate-neutral and circular economy objectives, the European recycling industry would like to share its deepest concerns regarding potential restrictions on the export of secondary raw materials, which are classified as non-hazardous waste under EU law. Such a measure, if proposed in the revision of the Waste Shipment Regulation (WSR), will have devastating impacts on the European recycling industry and more broadly on the ability to achieve the circular and climate-neutral objectives set by the [European Green Deal](#)².

The revision of the WSR is among the key actions listed in the new CEAP, according to which *“the Commission will take action with the aim to ensure that the EU does not export its waste challenges to third countries”*. To be clear, European recyclers are very much looking forward to the revision of this piece of legislation, whose burdensome procedures are a major obstacle to the creation of a well-functioning EU market for secondary raw materials. European recyclers are also very much supportive of measures aiming at curbing exports of non-processed waste, such as electronic waste (WEEE), end-of-life vehicles (ELVs), whole tyres, or mixed plastic packaging to non-EU countries lacking the infrastructure for proper treatment.

However, in the absence of harmonised EU-wide criteria, the European legal framework still fails for the vast majority of waste streams to distinguish between unprocessed waste and raw materials from recycling (RMR)

¹ EUROBAROMETER Survey, March 2020: 94% of citizens in all EU Member States say that protecting the environment is important to them. In addition, 91% of citizens stated that climate change is a serious problem in the EU. European legislation is necessary to protect the environment, according to 83% of those surveyed.

² [The European Green Deal, COM\(2019\) 640 final](#).

that meets quality specifications/standards for production processes. As a result, there is legally no difference between i) unprocessed waste, which can pose a risk for human health and the environment if improperly disposed in or outside the EU, and ii) RMR substituting extracted raw materials in production and thus bringing substantial environmental benefits in terms of resource-efficiency, GHG, and energy savings wherever they are used.

RMR are commodities competing on international markets and whose price-setting depends on international supply and demand. For a number of streams, the European supply of RMR exceeds by far the domestic demand. As stressed in the European Green Deal, only 12% of the raw materials used are coming from recycling, (...) the EU's industry remains too 'linear'.

Subjecting RMR - which are still classified as non-hazardous waste - to export restrictions will, in the absence of secured end-markets for circular materials in the EU, pose a vital threat to European recyclers, be them SMEs or large multinational companies. It will negatively impact the competitiveness of RMR and thus give an extra advantage to extracted raw materials, whose negative externalities are not internalized in market prices, and which are not subject to any trade restriction under EU law. In addition, due to the absence of competitive end-markets for RMR, the incentive to collect, recycle, and invest to scale up recycling capacities will drop, thus putting at risk the ability to achieve present recycling targets set by legislation. Last but not least, it will put a break to the steady growth and consolidation of the EU recycling industry. This will undermine employment instead of creating much-needed 'green jobs', especially in Member States lagging behind in terms of modern waste management and recycling infrastructure.

Instead, the co-signatories urge the EU to speed up the transition from mostly linear to circular value chains in Europe. This should be done through the creation of a genuine status for RMR, meeting quality specifications, economic incentives rewarding recycling's environmental benefits, and the setting of binding recycled content targets for a much wider scope of materials than solely PET in beverage bottles. Mandatory recycled content has proved to be an extremely efficient tool in pulling the demand for RMR meeting the highest quality standards and de-correlating prices from the ever-fluctuating oil market. This gives long-term certainty to PET packaging value chains required to invest and scale-up circular solutions.

As a result, the co-signatories urge the EU to ensure that:

- 1. Export restrictions foreseen in the revised WSR will solely target problematic waste streams:** a "one-size-fits-all" solution whereby no distinction is made between untreated problematic waste streams and RMR that can be used directly in circular value chains will run against the very objectives of the EU Green Deal;
- 2. Consequently, uphold intra-EU and extra-EU free and fair trade of RMR, which is essential to the competitiveness of the European recycling industry:** restricting exports of raw materials meeting quality specifications based on their waste classification will significantly impact the competitiveness of the European recycling industry;
- 3. Implement a stable legislative framework with a proper classification for RMR and incentives to reward the environmental benefits of circular materials.**

Yours sincerely,



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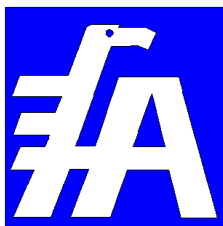
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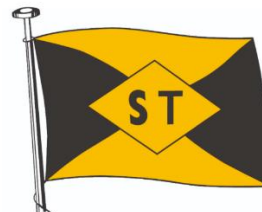
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