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Watered-down waste directive gets MEPs' green light

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MEPs agreed yesterday (17 June) to back new waste legislation despite the lack of binding goals for member states on waste prevention, while targets for re-use and recycling are included. NGOs and green groups immediately slammed the directive for not going far enough.

Background:

Waste and recycling policies are a cornerstone of EU environmental protection efforts, but the policy framework has been criticised for being too fragmented and inefficient. The current revision of the Waste Framework Directive seeks to address this issue (see our [LinksDossier](#)).

Waste policies have been debated in Council and Parliament since the Commission proposed a revision of the old 1975 Waste Directive in 2005. Parliament's first reading took place in February 2007 when it demanded tougher recycling targets. But a Council agreement in June 2007 favoured a more 'flexible' approach. After locking horns for more than a year, during a trialogue meeting on 2 June the Council, Parliament and Commission succeeded in agreeing on a compromise text.

The legislation looks to streamline existing waste laws, incorporating directives on waste oils and hazardous waste into the revised Waste Framework Directive.

The directive stipulates that governments have to recycle 50% of household waste and 70% of construction waste by 2020. Rather than impose strictly binding obligations, the directive states that member states "shall take the necessary measures". The Commission nevertheless confirmed that if the targets are not met by EU countries by 2020, it would take them to court for non-compliance.

But, in order to achieve a compromise deal with the Council, any reference to binding waste prevention targets for member states, which Parliamentarians have been calling for since their first reading in February 2007, was removed. While MEPs wanted member states to commit to stabilising their waste production at 2009 levels by 2012, the compromise makes no mention of such a goal and instead gives governments five years (from the directive's entry into force) to set up national waste prevention programmes.

Another result of the compromise is the creation of a more comprehensive waste hierarchy which Parliament insisted would be a "priority order" as opposed to the Council's preferred "guiding principle". Therefore, the order of preference for waste processing should be: prevention, re-use, recycling and recovery with environmental disposal as a last option.

Parliamentarians had argued for the incineration of waste to be classed as disposal, rather than recovery as favoured by the Council. But the final compromise complied with the Council position, giving incineration a better position in the waste hierarchy.

A proposal added by Parliament on setting a target for recycling manufacturing and industrial waste was also rejected by the Council.

The Commission has to submit an interim report on waste prevention and generation in Europe to the Council and

Parliament by 2011, and a final one by 2014, outlining proposals for waste prevention targets and their enforceability "if appropriate".

Positions:

Parliament's rapporteur on waste, **UK centre-right MEP Caroline Jackson**, described the compromise deal as a good one. "MEPs have now added recycling targets and put a new emphasis on waste prevention," she said, adding: "Anyone who still criticises the package we have agreed has to realise that the alternative may not be a better package, but no package at all. This is as good as we are going to get – and it's very good."

EU Environment Commissioner Stavros Dimas welcomed the revised directive and said it signalled "a modernised approach to waste management, with clearer definitions, greater emphasis on prevention of waste and ambitious new recycling goals". According to him, "the clear definitions and waste management principles it sets out will resolve existing interpretation problems, reduce the number of Court cases and create a sound legal basis for the functioning of the waste treatment sector".

But **Green UK MEP Jill Evans** bemoaned the lack of political will evident in the revised directive: "Instead of EU waste stabilisation and reduction targets we only get Commission studies on waste prevention, even though waste prevention is the stated top priority of EU waste policy! Instead of clear and ambitious targets for waste reuse and recycling, we get non-binding targets for 2020 that many member states have already achieved."

European United Left MEP Bairbre de Brun (IRL) thought the new directive to be "progressive in certain areas" but "still leaves a lot to be desired". She criticised waste recycling targets for being "too low and too difficult to enforce, due to vagueness of wording".

The **Council of European Municipalities and Regions (CEMR)**, the **Committee of the Regions** and the **European Economic and Social Committee (EESC)** released a joint press release in which CEMR Secretary General Jeremy Smith welcomed the revised waste directive as a "well-balanced compromise between political vision and pragmatic solutions," which "will help Europe move towards becoming a recycling society".

BusinessEurope welcomed the new waste directive, saying it gives more legal clarity to what defines waste. But it believes that it obstructs movement towards a single market for waste and sees it as a "missed opportunity" to create a genuine recycling society.

Commenting on the directive, **UAEPME**, which represents SMEs in Brussels, said it is "unimpressed" with the legally binding targets set out in the directive as they would "be particularly burdensome for small enterprises".

The **European Environment Bureau (EEB)** and **Friends of the Earth Europe** find the compromise "deeply disappointing". They believe the waste recycling targets are "too low to address the urgency of resource and climate threats" and "exclude too many significant waste streams and will be difficult to enforce."

Dr Vyvyan Howard, the president of the **International Society of Doctors for the Environment (ISDE)**, also criticised the directive's provisions relating to incinerators, saying: "We can't stand by as doctors and watch as the EU encourages the incineration of waste while disregarding the possible health consequences."

Next steps:

- Directive will enter into force after publication in the European Union Official Journal and member states will have two years to implement it into national law.

Links

European Union

- Commission: [Environment: Commission welcomes EP vote on revision of waste directive](#) (17 June 2008)
- Commission: [Environment: Waste](#)
- European Parliament: [MEPs give green light for new EU waste legislation with binding 2020 targets](#) (17 June 2008)

- Committee of the Regions, Council of European Municipalities and Regions and European Economic and Social Committee: [Joint Statement Concerning the Waste Framework Directive](#)

Political Groups

- The Greens/European Free Alliance: [Waste directive: A wasted opportunity?](#) (17 June 2008)
- GUE/NGL [New waste law leaves a lot to be desired](#) (16 June 2008)
- The Socialist Group: [Council agrees with Socialist priorities on waste management](#) (17 June 2008)

Business & Industry

- BusinessEurope: [Position Paper on the Revision of the Waste Framework Directive](#) (4 February 2008)
- PlasticsEurope: [Plastics producers welcome agreement on EU Waste Framework Directive](#) (17 June 2008)

Industry Federations

- UEAPME: [Waste Directive compromise less than ideal for European SMEs](#) (17 June 2008)
- EuroCommerce: [Haste makes Waste](#) (18 June 2008)

NGOs

- Health Care Without Harm: [Appeal from the health and healthcare sector against the reclassification of incineration in the WFD](#) (11 June 2008)
- CEE Bankwatch Network: [Fuelling the Fire: European Investment Bank financing for the incineration industry](#) (June 2008)
- European Environmental Bureau and Friends of the Earth Europe: [EU waste policy not fit for future](#) (17 June 2008)
- RREUSE: [EU Waste framework directive: European Parliament agreed on the Council Common Position](#) (17 June 2008)