



Achieving the EU's Waste Targets: Zero Waste Cities showcasing how to go above and beyond what is required

Policy briefing

July 2020 – Zero Waste Europe

Setting the scene

2020 has seen our world transformed due to the COVID-19 crisis. The way we live has been challenged like never before, highlighting specifically the various challenges and flaws within our systems of producing and consuming materials. In March 2020, the European Commission unveiled its outline for a second *Circular Economy Action Package*¹, designed to supplement the EU's Green Deal² in order to accelerate Member States' transition towards a future that is carbon-neutral, with zero waste at the heart of this vision.

Yet the beginning of July 2020 marks an important milestone that may be slipping through the minds of politicians in Europe. July is the deadline set by the European Commission for EU Member States to transpose into national law a package of waste-related legislation that were revised in 2018, including directives on waste, the landfilling of waste and packaging.

This legislative package on waste outlines a number of new requirements on Member States that are designed to help build the foundations for a circular economy in Europe. Whilst not always perfect, as Zero Waste Europe has highlighted with the 10% target of landfilling residual waste established in the amended *Landfill Directive*³, the package of directives provides an ambitious framework for Member States to follow towards a circular economy.

Building on the 2018 amendments to the three Directives outlined above, the successful introduction and passage of the *Single-Use Plastics (SUP) Directive*⁴ in mid-2019 marks another important milestone that local municipalities must take into account when designing resource management systems. This pioneering piece of legislation recognises the significant environmental costs of single-use plastic products, introducing a range of measures to prevent these items from entering the European market.

Whilst these regulations and targets are set for national governments, Zero Waste Europe's Cities⁵ programme has showcased that it is often the ambition and dedication of local authorities who are the driving force behind Europe's transition towards a zero waste future. Local municipalities and communities have a central role to play, given the fact that in most countries, competency for waste management sits at either the local or regional level.

This policy briefing will clearly outline what the revised amendments of the new EU waste laws require of governments, and how zero waste cities in Europe are leading the way in showcasing the model for achieving these targets and beyond. By sharing this information in a clear and accessible format, we aim to help local zero waste groups understand what is required by their national governments and therefore, use this briefing as an effective tool to advocate for and accelerate the design of ambitious local policies that shift the EU towards a circular economy.

¹ Zero Waste Europe - Press Release - [The Circular Economy Action Plan: a beautiful patchwork of initiatives pointing in the right direction](#)

² [EU Green Deal](#)

³ Zero Waste Europe - Policy Briefing - [The 10% landfill target works against the circular economy](#) & [Landfill Directive](#)

⁴ European Commission - [EU SUP Directive](#)

⁵ [Zero Waste Europe's Cities](#)

Background and context

What is a Directive?

A directive is a legal act of the European Union that requires Member States to achieve certain goals, without constraining them in the way to achieve it. Some directives go more into detail than others, but they often provide a certain degree of flexibility for Member States to decide the best way for them to achieve the targets, allowing measures to be tailored to the national context. Directives are legally binding on all EU Member States.⁶ However, before they become legally binding, Member States must transpose them into national legislation, i.e. adapting the directives into national law.

The Waste Directives

After two and a half years of legislative procedure, the revision of the main European legislation on waste was approved in May 2018, aimed at taking Europe towards a circular economy. These revised pieces of legislation include:

- Directive on Waste (2008/98/EC)⁷
- Directive on Packaging and Packaging Waste (1994/62/EC)⁸
- Directive on the Landfill of Waste (1999/31/EC)⁹

As specified by EU law, Member States have no longer than 24 months after the directives came into force to adapt and transpose these Directives into national legislation.

What does transposition mean?

Transposition of EU law can be described as the procedure by which EU Member States incorporate EU directives into their national law. It's main purpose is to make the objectives, requirements and deadlines set out in the directive directly applicable domestically. Member States transposing directives into national law can choose the form and methods for doing so, but they are bound by the terms established in the directive as to what results must be achieved and the deadline by which transposition should take place. The European Commission monitors the transposition across the EU and makes sure that the national legal text aligns with the objectives and requirements of the European law. Member States can be brought to the European Court of Justice for any delay in transposing EU laws or if they do not accurately reflect what the EU law set out to achieve.¹⁰

Does this affect a country outside of the EU?

It largely depends on the agreement between the country and the EU. Those willing to join the EU will sooner or later be bound by these directives, but, for as long as negotiations on environmental issues have not started, a country isn't formally compelled to follow the legislation, which is the case of most candidate countries. Countries like Switzerland are bound to EU directives to a certain extent, particularly with regards to single market rules. In the case of the UK, the Brexit deal will determine the extent to which these will apply in the UK. At this moment, the UK is legally bound by these until the end of the 2020 and the development of any deal hereafter. If the UK is to participate in the single market, it will have to follow EU legislation to align its regulations with those in Member States.

⁶ European Commission - [Law making process](#)

⁷ European Parliament - www.europarl.europa.eu/doceo/document/TA-8-2018-0114_EN

⁸ European Commission - eur-lex.europa.eu/legal-content/EN/TXT/PDF

⁹ European Parliament - www.europarl.europa.eu/doceo/document/TA-8-2018-0115_EN

¹⁰ European Commission - [Law making process](#)

Key definitions outlined in the Directives

The three amended waste-related directives this policy briefing is focused on, outlined above, provide a range of new and amended definitions on some of the most important aspects related to zero waste. Here we showcase some of the most important definitions, including whether they are new, amended or remain unchanged from the original EU law.

What is municipal waste? (Art 3, S. 2b) **NEW**

*"Mixed waste and separately collected waste from households including paper and cardboard, glass, metals, plastics, bio-waste, wood, textiles, packaging, waste electrical and electronic equipment, waste batteries and accumulators, and bulky waste, including mattresses and furniture; [and] mixed waste and separately collected waste from other sources where such waste is similar **in nature and composition** to household waste."*

What is NOT municipal waste? (Art 3, S. 2b) **UNCHANGED**

"Waste from production, agriculture, forestry, fishing, septic tanks and sewage network and treatment, including sewage sludge, end-of-life vehicles and construction and demolition waste."

What if the waste is managed privately? Is it still municipal waste? (Art 3, S. 2b) **UNCHANGED**

Yes. *"This definition is without prejudice to the allocation of responsibilities for waste management between public and private actors."*

What is bio-waste? (Art 3, S. 4) **AMENDED**

"Biodegradable garden and park waste, food and kitchen waste from households, offices, restaurants, wholesale, canteens, caterers and retail premises and comparable waste from food processing plants."

What is food waste? (Art 3, S. 4a) **NEW**

"All food as defined in Article 2 of Regulation (EC) No 178/2002 of the European Parliament and of the Council" that has become waste."

What is waste management? (Art 3, S. 9) **AMENDED**

"The collection, transport, recovery, including sorting, and disposal of waste, including the supervision of such operations and the after-care of disposal sites, and including action taken as a dealer or broker."

What is waste collection? (Art 3, S. 10) **UNCHANGED**

"Gathering of waste, including the preliminary sorting and preliminary storage of waste for the purposes of transport to a waste treatment facility."

What is separate collection? (Art 3, S. 11) **UNCHANGED**

"The collection where a waste stream is kept separately by type and nature so as to facilitate a specific treatment."

¹¹ 'any substance or product, whether processed, partially processed or unprocessed, intended to be, or reasonably expected to be ingested by humans. "Food" includes drink, chewing gum and any substance, including water, intentionally incorporated into the food during its manufacture, preparation or treatment. It includes water after the point of compliance as defined in Article 6 of Directive 98/83/EC and without prejudice to the requirements of Directives 80/778/EEC and 98/83/EC. "Food" shall not include: (a) feed; (b) live animals unless they are prepared for placing on the market for human consumption; (c) plants prior to harvesting; (d) medicinal products; (e) cosmetics; (f) tobacco and tobacco products; (g) narcotic or psychotropic substances; (h) residues and contaminants.' European Commission - eur-lex.europa.eu/legal-content/EN/TXT

What is reuse? (Art 3, S. 12) **UNCHANGED**

“Any operation by which products or components that are not waste are used again for the same purpose for which they were conceived.”

What is prevention? (Art 3, S. 13) **UNCHANGED**

“Measures taken before a substance, material or product has become waste, that reduce:

- *The quantity of waste, including through the re-use of products or the extension of the life span of products;*
- *The adverse impacts of the generated waste on the environment and human health; or*
- *The content of harmful substances in materials and products.”*

What is preparing for reuse? (Art 3, S. 16) **UNCHANGED**

*“Checking, cleaning or repairing recovery operations, by which products or components of products that **have become waste** are prepared so that they can be re-used without any other pre-processing.”*

What is recycling? (Art 3, S. 17) **UNCHANGED**

*“Any recovery operation by which waste materials are reprocessed into products, materials or substances whether for the original or other purposes. It includes the reprocessing of organic material **but does not include energy recovery and the reprocessing into materials that are to be used as fuels or for backfilling operations.**”*

How is recycling measured? (Art 11a, S. 1c) **NEW**

“The weight of the municipal waste recycled shall be calculated as the weight of waste which, having undergone all necessary checking, sorting and other preliminary operations to remove waste materials that are not targeted by the subsequent reprocessing and to ensure high-quality recycling, enters the recycling operation whereby waste materials are actually reprocessed into products, materials or substances.”

Furthermore, it is worth noting here the **Commission’s Implementing Decision 2019/1004 of 7 June 2019¹²**, which **establishes the rules for the calculation, verification and reporting of data on waste in accordance with Directive 2008/98/EC¹³** of the European Parliament and of the Council. This piece of legislation provides guidance on how municipalities and local authorities should measure the volume of recycled materials, for the purpose of verifying whether the recycling targets for municipal waste in 2025, 2030 and beyond have been met. **NEW**

What is Extended Producer Responsibility? (Art 3, S. 20a) **NEW**

“A set of measures taken by Member States to ensure that producers of products bear financial responsibility or financial and organisational responsibility for the management of the waste stage of a product’s life cycle”

Additionally, “General minimum requirements for extended producer responsibility schemes” have been specified in **(Art 8a) NEW**

¹² European Commission - eur-lex.europa.eu/legal-content/GA/TXT

¹³ European Commission - eur-lex.europa.eu/legal-content/GA/TXT

Three key changes related to waste management

Within the *Waste Framework Directive* specifically, there were three key basic elements amended or added regarding waste management that are worth highlighting, to help push for more ambitious implementation at the national and local levels of government. The first is the requirement to use economic incentives to reduce waste; the second is the introduction of new obligations on member states regarding the need to separately collect specific waste streams; with the third and final key element highlighting new minimum regulations for material recovery.

1. Waste hierarchy (WFD Art 4)

PARTIALLY AMENDED

The new *Directive on Waste* obliges Member States to “*make use of economic instruments and other measures to provide incentives for the application of the waste hierarchy, such as those indicated in Annex IVa or other appropriate instruments and measures.*”

ANNEX IVa **NEW**

“Examples of economic instruments and other measures to provide incentives for the application of the waste hierarchy referred to in Article 4:

1. Charges and restrictions for the landfilling and incineration of waste which incentivise waste prevention and recycling, while keeping landfilling the least preferred waste management option;
2. ‘Pay-as-you-throw’ schemes that charge waste producers on the basis of the actual amount of waste generated and provide incentives for separation at source of recyclable waste and for reduction of mixed waste;
3. Fiscal incentives for donation of products, in particular food;
4. Extended producer responsibility schemes for various types of waste and measures to increase their effectiveness, cost efficiency and governance;
5. Deposit-refund schemes and other measures to encourage efficient collection of used products and materials;
6. Sound planning of investments in waste management infrastructure, including through Union funds;
7. Sustainable public procurement to encourage better waste management and the use of recycled products and materials;
8. Phasing out subsidies which are not consistent with the waste hierarchy;
9. Use of fiscal measures or other means to promote the uptake of products and materials that are prepared for re-use or recycled;
10. Support to research and innovation in advanced recycling technologies and remanufacturing;
11. Use of best available techniques for waste treatment;
12. Economic incentives for regional and local authorities, in particular to promote waste prevention and intensify separate collection schemes, while avoiding support to landfilling and incineration;

13. Public awareness campaigns, in particular on separate collection, waste prevention and litter reduction, and mainstreaming these issues in education and training;
14. Systems for coordination, including by digital means, between all competent public authorities involved in waste management;
15. Promoting continuous dialogue and cooperation between all stakeholders in waste management and encouraging voluntary agreements and company reporting on waste”.

Are Member States required to implement every measure?

No, they aren't. Member States must make use of economic instruments and other measures to make sure that the hierarchy is applied, but they can use different measures, as this is merely indicative. However, the European Commission will have to organize regular exchanges of information between Member States to update how this obligation is being enforced and implemented across the EU.

2. New obligations of separate collection of waste (WFD Art 10 & 22)

Member States must now establish and implement separate collection schemes at least for:

- Paper *(already mandatory since 2015)*
- Metal *(already mandatory since 2015)*
- Plastic *(already mandatory since 2015)*
- Glass *(already mandatory since 2015)*
- Bio-waste – by 31 December 2023 **NEW!**
- Textiles – by 1 January 2025 **NEW!**
- Hazardous waste – by 1 January 2025 **NEW!**
- Waste oils – by 1 January 2025 **NEW!**

Additionally, Member States must “take measures to promote selective demolition (...) and ensure the establishment of sorting systems for construction and demolition waste for at least: wood, mineral fractions (concrete, bricks, tiles and ceramics, stones), metal, glass, plastics and plaster”

(WFD Art 11, S1) NEW!

It should also be noted that “As from 1 January 2027, Member States may count municipal bio-waste entering aerobic or anaerobic treatment as recycled only if, in accordance with Article 22, it has been separately collected or separated at source.” thus preventing outputs of mechanical-biological treatment processes to be counted as recycled” **(WFD Art 11a, S4) NEW!**

Further guidance

The European Environment Bureau recently published detailed guidance¹⁴ on separate collection requirements and targets for EU Member States, highlighting several best practice examples for national and local governments to follow.

¹⁴ European Environment Bureau – [Separate Collection Factsheet](#)

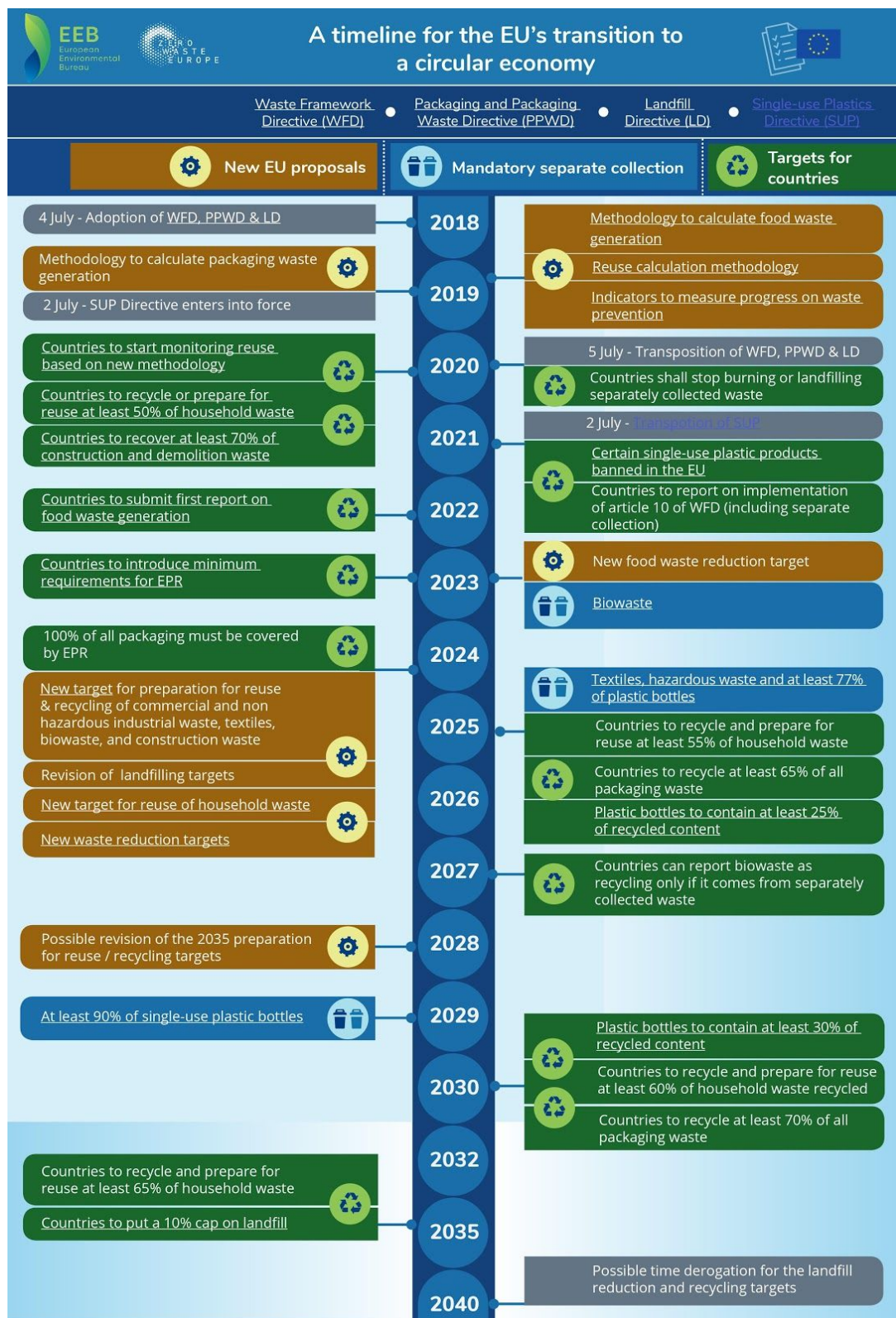


Figure 1: European Environmental Bureau and Zero Waste Europe: A timeline for the EU's transition to a circular economy¹⁵

¹⁵ European Environmental Bureau and Zero Waste Europe: [A timeline for the EU's transition to a circular economy](#)

3. New minimum regulations for material recovery

(WFD Art 11, S2; LD Art 5, S5; PPwD Art 6, S1)

Within the amended waste laws, EU Member States will be required to achieve the following **minimum** requirements for recovering these materials by the following dates in 2025, 2030 and 2035: **NEW!**

	2025	2030	2035
Minimum recycling & preparation for reuse of municipal waste	55%	60%	65%
Maximum landfilling of municipal waste	-	-	10%
Minimum recycling of packaging waste	65%	70%	-
Plastic	50%	55%	-
Wood	25%	30%	-
Ferrous metals	70%	80%	-
Aluminium	50%	60%	-
Glass	70%	75%	-
Paper and cardboard	75%	85%	-

Table 1: New minimum requirements for material recovery.

Are these targets mandatory?

Yes, these targets will be mandatory for all EU Member States. The European Commission will monitor the compliance with the targets and, three years before every deadline, it will produce early warning reports to assess the progress of every Member State towards achieving the targets. The non-compliance with the Directive and these targets will begin the process of opening infringement procedures and potential fines for Member States.

However, those Member States that recycled less than 20% or landfilled more than 60% of its municipal waste in 2013 may request five extra years to meet the targets. The approval of this request isn't automatic though, and requires the inclusion of an implementation plan outlining the policy changes to be adopted in order to meet the targets.

Will there be other material recovery targets? (WFD Art 11, S6)

Probably yes. By 31 December 2024, the Commission will have to consider the setting of preparing for reuse and recycling targets for:

- Construction and demolition waste and its material-specific fractions
- Textile waste
- Commercial waste
- Non-hazardous industrial waste

Additionally, the Commission will have to consider the setting of preparing for a standalone target specifically related to the reuse of products and materials, as well as recycling targets for municipal bio-waste.

What about waste prevention? (WFD Art 9 & 29)

The new directive obliges Member States to “*establish waste prevention programmes setting out at least the waste prevention measures as laid down in Article 9(1) in accordance with Articles 1 and 4.*” **(WFD Art 29, S1) NEW**

However, whilst the Waste Framework Directive doesn't contain any mandatory waste prevention target, two aspirational targets are mentioned, one on food waste prevention and one regarding marine litter reduction. In the two cases, Member States actions are meant to align themselves with the objectives agreed in the UN's Sustainable Development Goals.¹⁶ Despite the lack of proper targets, the European Commission will have to assess the feasibility of food waste reduction targets (by 2023), of reuse targets (by 2024) and an overall waste reduction target (by 2024).

Zero Waste Europe has published a briefing that provides further information on why waste prevention targets should be adopted and made mandatory within the European Union to complement the Circular Economy Package, as well as what these targets should be for Member States¹⁷.

¹⁶ United Nations' [Sustainable Development Goals](#)

¹⁷ Zero Waste Europe - Policy Briefing - [Can the European Union support waste prevention without proper legislation?](#)

Single-Use Plastics (SUP) Directive

The *SUP Directive*¹⁸ passed into European law in 2019 and was part of the *European Strategy for Plastics in a Circular Economy*.¹⁹ It marks a significant moment in the EU's approach to tackling the plastic waste crisis, ensuring that the most needless and preventable single-use plastic items do not enter the market, whilst also introducing economic incentives to reduce consumption and support the transition to reusable systems, as well as establishing high collection rates and extended producer responsibility schemes (EPR).

National governments in the EU have until July 2021 to transpose the SUP Directive into domestic law. Within the frame of the implementation of the SUP Directive, local measures cannot replace ambitious national or regional transposition, as this responsibility remains in their hands. Yet, local municipalities have a key role to play in accelerating the transition to zero waste, through the adoption of bans against SUP items, as well as the introduction of impactful reuse policies and systems at the local level.

Together with the Rethink Plastic alliance²⁰, Zero Waste Europe has produced specific guidance for local decision makers on policies and strategies that will help towards implementing the SUP Directive²¹. It focuses on three key areas that municipalities can focus on. Firstly, local municipalities can take action that reduces the availability of single-use plastics by enacting total or partial bans, compulsory rules on waste prevention for public events and via public procurement processes. Secondly, these actions can be supplemented and strengthened by municipalities implementing zero waste solutions, ranging from deposit return schemes²² to financial incentives to help the growth of packaging-free shops. Finally, municipalities should underpin these actions via an effective waste collection and recycling system, which includes support for the introduction of extended producer responsibility schemes.

The Single-Use Plastics Directive signals an important first step from the EU towards tackling the plastic pollution crisis and transitioning towards a zero waste future. Whilst responsibility for transposition sits at the national level, cities and communities throughout Europe should recognise the active role they should have in ensuring the ambition of the SUP Directive becomes a reality. There are a number of initiatives and policies that municipalities can implement, which would both reduce plastic waste in their community and align itself with the targets of the Directive.

For a comprehensive overview of what the SUP Directive requires of Member States, including specific targets and policies, please view Zero Waste Europe's briefing, *Unfolding the SUP Directive*²³.

How to achieve these minimum targets: Zero Waste Cities going above and beyond

Whilst it is the responsibility of national governments to transpose EU Directives, it remains the fact that in most European countries today, the competency and responsibility for waste management sits with local authorities. Therefore, when designing policies and strategies for waste management, municipalities must consider the need to fulfill the **minimum** targets that have been established by the EU and outlined above.

¹⁸ European Commission - [EU SUP Directive](#)

¹⁹ European Commission - [Plastics Strategy](#)

²⁰ [Rethink Plastic alliance](#)

²¹ Rethink Plastic alliance - [Guidance to implement the SUP Directives](#)

²² Zero Waste Europe- [Deposit Return System Manifesto](#)

²³ Rethink Plastic alliance - [Unfolding the SUP Directive](#)

Zero Waste Europe's Cities programme²⁴ works with nearly 400 European municipalities in several European countries who have committed to, and are implementing, ambitious zero waste strategies in their communities. The data and evidence we see from these municipalities provide examples of municipalities achieving above and beyond the minimum requirements set by the EU, showcasing the path for others to follow as Europe transitions towards a circular economy.

Spotlight on Italy

According to 2018 data²⁵, the top 4 provinces in Italy have a separate collection rate of above 80%, including the Treviso region, managed by our zero waste champion Contarina²⁶. Treviso, with a population of nearly 1 million, achieved a separate collection rate of 88%, which translates to approximately 75-80% of municipal solid waste (MSW) being recycled. Furthermore, over 100 Italian municipalities achieve separate collection rates of 90% and above, with another 1168 municipalities achieving above 80%.

These municipalities are not only achieving high recycling rates, but they are also reducing the total volume of waste generated through further prevention measures. For example, 39 Italian municipalities produced less than 30kgs of waste per person in 2018, whilst over 350 municipalities procured less than 50kgs pp/pa. The City of Treviso, with a population of just under 90,000, produced less than 100kgs of waste per person in 2018, whilst Parma²⁷ with a population of nearly 200,000 produced less than 150kgs pp/pa.

Zero Waste Cities showcase how ambitious policies and strategies can be implemented to successfully go above and beyond the EU's requirements for waste management. Furthermore, the diversity of zero waste cities in Europe showcases that a zero waste approach can be successfully applied in a range of contexts and scenarios. For example, we have successful zero waste cities in remote and rural areas such as Salacea in Romania²⁸, as well as in densely-populated capital cities such as Ljubljana in Slovenia²⁹.

²⁴ [Zero Waste Cities](#)

²⁵ Ispra Ambiente - [Municipal Waste Report 2018](#)

²⁶ Zero Waste Europe - Best Practices - [Contarina](#)

²⁷ Zero Waste Europe - Best Practices - [Parma](#)

²⁸ Zero Waste Europe - Best Practices - [Salacea](#)

²⁹ Zero Waste Europe - Best Practices - [Ljubljana](#)

What now?

This briefing has been developed to act as a tool for those working at the city and municipal level in Europe today. It provides an overview of the key targets related to waste management that EU governments must achieve and by when, whilst also acting as a tool to help local zero waste groups and activists in their advocacy work. For example, the need to comply and align a municipality's waste management strategy to the EU's targets could be a key motivating factor for local authorities. The success in certain zero waste cities across Europe, with the example of Italian municipalities in this briefing, can also act as both an inspiration to aim higher in terms of ambition and impact, as well as a blueprint for the methodology and framework from which a local zero waste approach can be tailored to.

Currently, at least 50% of the EU's 27 Member States are not on track to achieve the 50% recycling rate target for 2020. Given that these targets are a minimum requirement, it is therefore obvious that governments, both national and local, must increase the speed and ambition at which circular economic, zero waste policies are delivered.

The transposition deadline for the EU's revised package of waste legislation provides a useful opportunity to reflect on the targets and goals that Member States have set themselves. With such a low number of current governments achieving the targets, and the fact that these goals are the **minimum** that Member States should be achieving, there clearly is a need for an urgent rethink on how waste management is viewed and conducted in the EU today. With the second Circular Economy Action Package and the Green Deal now introduced by the European Commission, there is a potentially ambitious framework emerging for Member States to work within.

What is urgently needed now is action on the ground. The Zero Waste Cities approach provides a methodology that can be replicated across Europe, whilst maintaining necessary flexibility to ensure plans and strategies are built with the community and local context in mind. Evidence from our Zero Waste Cities programme highlights that these communities can achieve real and lasting impact in their communities, going above and beyond the targets that have been set by the EU, to accelerate our much needed transition towards a circular, zero waste future in Europe.

Author: Jack McQuibban

Reviewers: Pierre Condamine & Larissa Copello

Editor: Rossella Recupero

Zero Waste Europe, July 2020



Zero Waste Europe is the European network of communities, local leaders, businesses, experts, and change agents working towards the same vision: phasing out waste from our society. We empower communities to redesign their relationship with resources, to adopt smarter lifestyles and sustainable consumption patterns, and to think circular.



Zero Waste Europe gratefully acknowledges financial assistance from the European Union. The sole responsibility for the content of this event materials lies with Zero Waste Europe. It does not necessarily reflect the opinion of the funder mentioned above. The funder cannot be held responsible for any use that may be made of the information contained therein.