



## Circular economy: Commission takes action against five Member States to improve waste management

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Annual waste generation from all economic activities in the EU amounts to 2.5 billion tonnes, or 5 tonnes per capita a year, and each citizen produces on average nearly half a tonne of municipal waste. In its Circular Economy Action Plan, the Commission has set out a path on how to significantly reduce waste generation and EU rules set the objective of limiting the share of municipal waste landfilled to 10% by 2035.

In the EU, waste laws and policy have driven major improvements in waste management; they stimulate innovation in separate waste collection and recycling, limit the use of landfilling and incentivise change in consumer behaviour. The EU [Waste Framework Directive](#) and the [Landfill Directive](#) contain a set of rules intended to prevent and reduce the negative impact caused by the generation and management of waste.

The Commission is continuously working to modernise these rules to make them fit for the circular economy and the digital age. As part of this ambition, the Commission will propose in the coming days a reform of the EU rules on the shipments of waste abroad to ensure that the EU does not export its waste challenges to third countries.

At the same time, the Commission has been providing continuous support to the Member States to properly implement the existing laws, using its enforcement powers where necessary. This is crucial for preserving the health of EU citizens and keeping the environment clean.

In this regard, today, the Commission is taking legal steps against **Romania, Bulgaria, Croatia, Greece and Slovakia** for failing to comply with EU laws on waste - the [Waste Framework Directive](#) and the [Landfill Directive](#). These five Member States are urged to ensure appropriate treatment of waste before landfilling. In the case of Romania, the Commission has also decided to refer an additional case back to the Court of Justice of the European Union for failure to comply with the Landfill Directive.

Today's **enforcement action by the Commission** supports the transition to a circular economy and helps to protect the environment and human health from the adverse effects of waste pollution, in line with the [zero pollution ambition](#) set by the Commission. Failing to properly treat waste can have devastating consequences for human health and our water, land and air. Hazardous substances contained in waste could pollute drinking water and soil.

The [Waste Framework Directive](#) lays down basic **waste management** principles and establishes the [EU's waste hierarchy](#). According to this hierarchy, waste treatment should go along the following steps: prevention, reuse, recycling, recovery, disposal. Landfilling is the least favourable option and should be limited to the minimum necessary. Under EU rules, waste disposal into landfills should be phased out and, where it is unavoidable, it must be adequately controlled to be safe for human health and the environment.

According to the latest available data, in 2018, 24% of all municipal waste generated in the EU was still landfilled. The [Landfill Directive](#) sets out strict operational requirements for landfill sites and subject waste to an appropriate treatment before landfilling.

### Impact on health and the environment

Due to failure to apply the Landfill Directive correctly, citizens and businesses from **Romania, Bulgaria, Croatia, Greece and Slovakia** might not be able to fully benefit from the provisions of the directive, leading to:

- Higher risk for the health of the citizens, especially related to asthma, inborn anomalies and low birth weight infants;
- More polluted environment, especially surface water, groundwater, soil and air. For instance, organic waste - forming a big part of municipal waste - when decomposes produces harmful

gases (CO2 and methane)

- In addition, where recyclable waste is landfilled, materials are unnecessarily lost from Europe's economy.

Where landfilling cannot be avoided, Member States must take measures to ensure that only waste that has been subject to treatment is landfilled. The Court of Justice of the EU, in its [judgement of 15 October 2014](#) further ruled that the **treatment of waste before landfilling** cannot take whatever form but needs to be the most appropriate to reduce as far as possible negative impacts on the environment and human health. Studies and investigations launched by the Commission revealed that several landfill sites presented shortcomings regarding this requirement in these five Member States.

The Commission is today sending letters of formal notice to **Bulgaria, Croatia, Greece, Romania and Slovakia** and calling on them to correctly apply the Landfill Directive and the Waste Framework Directive. In Bulgaria, the studies revealed shortcomings in all visited sites. In 52 landfills, waste is not subject to treatment that includes an adequate selection of waste streams. In Croatia, the studies revealed shortcomings in all visited sites and that municipal waste is being landfilled without any treatment. For Greece, the studies revealed a lack of sufficient treatment facilities in the country and insufficient separate collection. For Romania, the studies revealed shortcomings in all visited sites and that most of the waste is landfilled without any treatment. In Slovakia, shortcomings were also found in all visited sites. Waste is being landfilled without appropriate treatment in 111 Slovak landfills as they do not have sufficient installations to ensure selection of different types of waste.

Additionally, in a separate case as regards **Romania**, 109 landfills had to be closed and rehabilitated by 16 July 2009, according to the Landfill Directive. On 18 October 2018, the Court of Justice of the European Union found that Romania failed to fulfil its obligations in relation to 68 landfills. Despite some progress, Romania has not fully complied with the Court judgment and to date there are still 42 landfills which are not closed and for many of them the work for their rehabilitation is not yet planned. Similar infringement procedures are ongoing in relation to Bulgaria, Cyprus, Italy, Slovenia.

## Background

Enshrined in the EU treaties, the infringement procedure provides that the Commission may take legal action against Member States who fail to ensure the timely and accurate transposition of directives into their national legislation.

Environmental rules are established to avoid harmful effects on human health and the environment and reflect both the latest health and technical evidences, as well as the political framework in which they exist. Poor implementation of environmental law and policies has environmental, economic and social costs for society, and creates an unequal playing field for economic operators.

Managing waste in an environmentally sound manner and making use of the secondary materials they contain are key elements of the EU's environmental policy. EU legislation on waste seeks to encourage waste prevention, specify reuse and recycling rate requirements for selected waste streams, to minimise disposal within compliant landfills, and to eradicate disposal in non-compliant landfills. The benefits of the [Circular Economy Action Plan](#), one of the main building blocks of the [European Green Deal](#), cannot be fully reaped as long as illegal landfilling practices persist.

## For More Information

[Infringement procedure](#)

[Enforcing EU Environmental Law: Benefits and Achievements](#)

[Study to assess the benefits delivered through the enforcement of EU environmental legislation](#)

[Study: The costs of not implementing EU environmental law](#)

On the key decisions in the October 2021 infringements package, see [MEMO](#).

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