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From: Secretary-General of the European Commission,
signed by Mr Jordi AYET PUIGARNAU, Director

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To: Mr Jeppe TRANHOLM-MIKKELSEN, Secretary-General of the Council of
the European Union

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Subject: COMMISSION STAFF WORKING DOCUMENT
The early warning report for Croatia
Accompanying the document
REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT,
THE COUNCIL, THE EUROPEAN ECONOMIC AND SOCIAL
COMMITTEE AND THE COMMITTEE OF THE REGIONS on the
implementation of EU waste legislation, including the early warning report
for Member States at risk of missing the 2020 preparation for re-
use/recycling target on municipal waste

Delegations will find attached document SWD(2018) 414 final.

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The early warning report for Croatia

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on the implementation of EU waste legislation, including the early warning report for Member States at risk of missing the 2020 preparation for re-use/recycling target on municipal waste

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1. Introduction

This early warning report is part of the Commission's overall implementation report and aims to assist Member States at risk of failing to meet the 2020 target of 50 % preparation for re-use/recycling of municipal waste set out in Article 11(2)(a) of Directive 2008/98/EC. It builds on previous support provided by the Commission to help Member States comply¹ with EU law in the area of municipal waste management. This resulted in country-specific roadmaps² being drawn up for the relevant Member States.

The assessment underpinning the early warning report is based on a collaborative and transparent process involving the Member States concerned and an in-depth analysis of their most recent policy developments. This also involved extensive consultation with the authorities in charge of waste management.

The possible actions identified during this process are based on the existing best practices and aim to help Member States in meeting the 2020 municipal waste preparation for re-use/recycling target; they therefore focus on policy measures that can be taken forward in the short term. These actions should be seen as complementary to those recommended in the roadmaps that were drawn up as part of the preceding compliance promotion activities and to the recommendations made in the Environmental Implementation Review³

2. Key findings

In 2016, the recycling rate (including composting) reported to Eurostat was 21 %. The rate of municipal waste landfilling was 77 %, making it among the highest in the EU. Based on an analysis of existing and firmly planned policies in the area of waste management, Croatia is considered at risk of failing to meet the 2020 target of 50 % preparation for re-use/recycling for municipal waste.

The assessment⁴ that underpins the early warning report concludes that:

- the separate collection of recyclables, including bio-waste, is not yet being carried out effectively;
- economic incentives for citizens and municipalities are yet to be implemented;
- the extended producer responsibility schemes in Croatia do not fully cover the costs of separate collection; and
- more investment is needed in projects higher up the waste hierarchy that go beyond the treatment of residual waste.

The table below lists possible actions to support Croatia's efforts to improve its performance in waste management.

¹ http://ec.europa.eu/environment/waste/framework/support_implementation.htm

² Roadmap for Croatia

http://ec.europa.eu/environment/waste/framework/pdf/facsheets%20and%20roadmaps/Roadmap_Croatia.pdf

³ http://ec.europa.eu/environment/eir/country-reports/index2_en.htm

⁴ Eunomia Research & Consulting *et al.* (2018) 'Study to identify Member States at risk of non-compliance with the 2020 target of the Waste Framework Directive and to follow-up phase 1 and 2 of the compliance promotion exercise. The early warning report: Croatia.'

OVERVIEW OF POSSIBLE ACTIONS TO IMPROVE PERFORMANCE

Data reporting

- 1) Systematic audits on companies providing data on the amounts of packaging placed on the market (producers or producer responsibility organisations — PROs) to ensure that it is in line with the data on municipal waste. Reconciliation of differences between the municipal waste and packaging waste datasets.
- 2) Monitoring more closely the amounts of waste landfilled at those landfills which are still without weighbridges.
- 3) Statistically representative compositional analysis of municipal waste.

Extended producer responsibility

- 4) Improvements to the functioning of the EPR by either:
 - specifying in detail a minimum level of collection service (see action 6) that producers are required to fund for the local self-government units (LSGUs) so that there is a focus on quality collection services, including door-to-door collection wherever appropriate; or
 - restructuring the existing approach by making producers set up their own not-for-profit PRO, which would be tasked with collecting the fees from producers and distributing them to LSGUs, while ensuring these fees are not more than necessary for the service.
- 5) In both options outlined in point 4, increases to the fees paid by producers or PROs to ensure that they cover the full costs of the collection service.

Separate collection

- 6) Development of a more prescriptive collection service standard for implementation by LSGUs to ensure a high level of recycling, emphasising door-to-door separate collection, and ensuring a more rapid spread of door-to-door service throughout Croatia.

Regulation and incentives for local authorities

- 7) Consideration of review of fines for LSGUs that fail to meet the targets - currently the fines are too low and most likely below the costs of achieving the targets while potential increases of fines to a more punitive level over several years would be more effective.
- 8) Implementation of measures to ensure that those LSGUs that were already achieving high rates of recycling in 2015 are not penalised.
- 9) Ensuring the definition of residual waste clearly indicates that residual waste is defined as all mixed municipal waste, minus any materials which are sorted from mixed waste for recycling. This is important since the target for LSGUs is linked to the amount of residual waste generated

Pay-as-you-throw schemes

10) Development of guidelines with technical and organisational details with a view to speeding up the implementation of such schemes throughout the country.

Communication and awareness-raising

11) Development of a set of national communications materials addressed to the public for use at local level, with clear and consistent messages. These materials should be used as part of awareness-raising campaigns, in leaflets, and at civic amenity sites (green points).

Technical support to municipalities

12) Development of a system at national level that provides technical support for municipalities, specifically in the following areas:

- a.** choosing collection services;
- b.** service procurement;
- c.** service management;
- d.** communication campaigns;

coupled with active sharing of good ideas and practices that can improve efficiency in terms of cost reduction and improvement in performance.

Use of EU funds

13) Review of spending priorities / fund allocation from EU funds to align the relevant operational programme for cohesion policy funds with the 2017 national waste management plan and waste prevention programme. Current allocation remains too heavily focused on residual waste treatment infrastructure to be provided at the regional waste management centres instead of support for separate collection of dry recyclables and of bio-waste.

14) Prioritising funding of 'whole system' changes while avoiding funding of ad hoc projects - ensuring a more structural approach that improves the whole system, rather than just some components of a good system.

15) Awarding funding on the condition that the LSGUs commit to implementing high quality collection services in line with the minimum service standards (see action 6), so that the funding is oriented towards delivering results and sub-standard and underperforming systems do not get funded.

Regional approach to waste management

16) Consideration of a regional approach to achieving the targets. Differences in their current performance (due to geography, tourism) suggest the regions may require quite specific operational considerations to be taken into account to improve waste management.