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# Policy brief REFORMING OF WASTE MANAGEMENT



## **Policy brief on reforming of waste management**

During last decades Ukraine is overloaded with waste, in particular due to obsolete legislation and absence of state control over the business entities handling waste, and also tiny fines for violation of waste laws. As a result, near every settlement one can find illegal waste-dumps, at the working waste sites accidents are common, for instance, the accident at Hrybovychi landfill site in 2016 resulted in death of 4 people.

Association Agreement between EU and Ukraine signed in 2014 have put on Ukraine serious obligations – harmonization of Ukrainian legislation with EU legislation in many fields, including waste management. Only in summer 2022 the Parliament of Ukraine managed to adopt the long-awaited Law On Waste Management, which launched the waste management reform and approximated one of three key EU directives on waste management. After taking affect in July, 2023 this law necessitates the adoption of numerous laws and by-laws to facilitate its implementation, although the political will to adopt such normative acts is very weak. For instance, developed almost 5 years ago draft laws On electronic waste, On batteries and accumulators were not passed by the parliament.

Also Ukraine has made numerous political declarations on the necessity to synchronize with European Green Deal, which foresees the transformation of approaches to waste management and shift to the circular economy, but necessary policies or strategies on this topic are missing.

Adopted the National Strategy of Waste Management until 2030 (2017) and National Plan of Waste Management until 2030 (2019) are mostly unimplemented and need revision.

### **1.Challenges of the sector**

Military aggression of Russia made the waste management more complicated, including industrial and extractive industries waste management. During war near 700 000 tones of waste were generated, inter alia unexploded ammunition, debris, burned military vehicles, remnants of NLAW systems, accumulators and demolished facilities.

The absence of the political will for adoption of the laws and by-laws allowing the waste management reform to start, hampers such reform and delays the implementation of its European integration obligations of Ukraine.

Weak institutional potential and staff capabilities of the Ministry of Environment to develop numerous by-laws, and also conservation of permitting powers within the Ministry of Environment, while such powers were used ineffectively for ages. Ignorance of the provisions of the Law “On Waste Management” by the Ministry of Environment on creation of central state executive body on waste, which is supposed to perform permitting functions instead of the Ministry.

Absence of financial incentives and incomes in the budgets of local communities for waste management infrastructure, such as municipal and hazardous wastes landfills, waste processing plants, waste transportation etc.

The lack of adequate legislation and control over the handling with waste from extractive industry resulted in the lack of their recycling and their accumulation at the facilities that have been polluting the environment for the decades.

High level of waste generation and low levels of their use as secondary raw materials resulted in annual accumulation in industry and municipal sector of huge volumes of municipal waste, from which only tiny part goes to recycling, and the rest is landfilled.

## **2. Successes of the reform**

The adoption of the Law On Waste Management in 2022, passing by the government of the Rules of Waste Classification, National List of Waste, The rules of drafting, adoption and agreeing on the local plans of waste management, The rules of declarations of waste end status, and approval of the draft Law “On packaging and packaging waste”, which was transferred to the parliament for consideration. New National Waste Management Plan has been prepared and is subject to consultations with local bodies. The drafts of regional waste management plans have been developed, but they need finalization and adoption by regional bodies.

## **3. Next steps in reformation of the sector**

It is necessary to adopt as soon as possible the following draft laws: “On packaging and waste packaging”, “On batteries and accumulators”, “On waste from electrical and electronic equipment”, “On waste from extracting industries”, and numerous by-laws which are foreseen by the Law “On Waste Management” (around 30 sectoral by-laws). In the nearest 5 years it is necessary to prepare for the launch of the system of extended producer responsibility for packaging waste, waste batteries and accumulators, etc.

It is necessary to launch the informational system of waste management, which will facilitate the transparency, accounting and accountability in this field and will decrease the volume of black market.

It is necessary to eliminate the corruption risks in permitting powers of the Ministry of Environment through the creation of new central executive body on waste management and exercise of waste permitting powers by this body, as is foreseen by art. 21 of the Law “On Waste Management” (issue of permits for waste management operations, licensing of hazardous waste handling). Since 2019 the Ministry of Environment had an obligation to prepare for creation of such central state body on waste management, but stayed inactive.

It is crucial to launch the reform of state environmental control by adoption of the new Law “On State Environmental Control” and liquidation of existing ineffective State Ecological Inspection.

#### **4. The cost of non-doing (non-implementation of the reform)**

During 2022 the annual generation of waste amounted to 39 mln m<sup>3</sup> tones, or more than 7 mln tones, which were landfilled at 5,700 waste dump sites covering the areas of 8 000 ha. In 2022 near 9,9% of municipal waste were recycled and recovered, including 1,66% incinerated, 8,24% of municipal wastes recycled or went through sorting lines. Overloaded landfill sites amount to 163 (2,8%), and 693 sites are not meeting environmental standards.

Due to inadequate system of municipal waste management in settlements in 2022 near 14,700 illegal waste sites were detected, they occupy 6 00 ha of lands. In 2022, 12400 illegal sites were eliminated.

#### **5. Impact of the proposed changes on each citizen as a “final consumer”**

Changes require the fight with corruption, proper waste management schemes, decrease of risks and minimization of pollution of the environment and impact on human health due to inadequate waste management.

In long-term perspective, the reform of waste management will result in significant improvement of the quality of environment, which in turn will improve health conditions of residents, and also there will be saving of raw materials and return of waste into the economy.