

## **Report from morning meeting of Waste Expert group – Waste Shipment Regulation**

**27 March 2026, 9:30 – 13:00, Centre Borschette + Webex**

### **1. Introduction and adoption of agenda**

The Commission welcomed the participants to the meeting, presented the draft agenda and indicated the objective to inform participants about and discuss the state of play in the implementation of various aspects of the Waste Shipment Regulation (EU) 2024/1157 (WSR). The proposed agenda included the following items: (i) presentation of the state of play on the development of the Digital Waste Shipment System (DIWASS); (ii) information about recent developments on the green-listing of certain waste streams shipped within the EU; (iii) discussion on new provisions on export of waste from the EU; (iv) information on the Waste Shipment Enforcement Group; and (v) clarifications on the application of transitional rules of the WSR. The agenda was adopted and discussions continued accordingly.

### **2. Electronic data interchange for waste shipments (DIWASS)**

The Commission presented the state of play on the implementation of the digital procedures under the new WSR, notably the development of the Digital Waste Shipment System (DIWASS), in view of the upcoming entry into application of Article 27 of the WSR.

The Commission recalled that DIWASS will allow for the direct use of the system via a Graphical User Interface or GUI (i.e. a website), as well as provide for a central hub through which the local systems operated in some MS, as well as the commercial software used by economic operators may interconnect (via the Application Programming Interface or API). For such an interconnection, such systems and software should meet the interoperability criteria established in the implementing act, which was adopted by the Commission on 2 July 2025.

The Commission thanked again the Member States' experts for their engagement in the intensive work to prepare DIWASS as well as the local systems on the basis of that act since July 2025.

The Commission acknowledged the concerns raised by certain Member States bilaterally or in small groups of Member States, and confirmed during a dedicated online expert meeting on 11 March 2026 with all Member States. Concerns were also raised by a number of economic operators, specifically as regards the readiness of DIWASS, local systems and corporate software in view of submitting and exchanging Annex VII documents in DIWASS from 21 May 2026. The conclusions of the discussion on the handling of Annex VII documents in the expert group meeting are included in Annex to this report.

The Commission also confirmed that the feedback from Member States is used, together with internal testing results, in the ongoing testing programme to further improve DIWASS. The testing environment remains available to all users and will continue to be updated through continuous

improvements and fixes as can be expected when establishing any large-scale information system. The Commission indicated that it expects that, in the course of April 2026, all workflows within the prior notification and consent procedure will operate reliably, including via the API. The DIWASS system will be opened on 21 April 2026 for the registration of economic operators and will be fully operational for managing the prior notification and consent procedure from 21 May 2026.

### **3. Waste classification and green-listing of certain waste streams**

The Commission presented its ongoing work linked to the empowerment to green-list certain waste streams shipped within the EU, on the basis of Articles 79 and 80 of the WSR. The empowerment concerns the adoption of delegated acts (i) to include non-hazardous waste in Annex IIIB of the WSR; (ii) to include mixtures of two or more wastes of Annex III to Annex IIIA of the WSR; and (iii) to establish criteria, such as contamination thresholds for the classification of certain wastes in Annex III, IIIA, IIIB or IV (pursuant to Article 29(6) of the WSR). In this regard, the Commission launched in July 2025 a public consultation for stakeholders to provide their evidence-based feedback regarding the possibility to “green-list” certain non-hazardous waste streams within the EU and to adopt EU-level contamination thresholds to distinguish, for certain waste streams, between “green-listed” and “notified waste”.

A large majority of stakeholders agreed with the need to extend the scope of green-listed waste so that they are shipped more easily between EU Member States. More than half of respondents specified this need for certain non-hazardous e-waste. In particular, stakeholders recommended that although specific components originate from e-waste (e.g. electric motors, metal scrap, plastic-rich fractions), where they are sufficiently depolluted or consisting of homogenous material, they could be distinguished from mixed e-waste.

Apart from e-waste, stakeholders provided suggestions for the green-listing of other waste streams, including plastic waste types, metal waste, textile waste and other types of waste. However, non-eligible waste, such as hazardous waste, was also put forward.

The Commission indicated that its first review found that many stakeholders’ proposals are not yet sufficiently underpinned with the necessary evidence. The next steps include the selection of eligible waste streams for green-listing, as well as further inviting additional evidence and inputs from the respective proponents. The Commission tentatively plans the adoption of delegated acts by the end of 2026. In the process of drafting and adopting such acts, a public consultation will take place.

One Member State strongly suggested strengthening enforcement of waste shipment rules, including for green-listed waste, notably in light of this ongoing exercise to extend the scope of the green list of waste.

One participating organization indicated that data on cost analysis of shipments is not easy to gather, due to commercial interest that prevent such data from being shared in many cases.

Responding to participants' questions on how evidence would be collected, the Commission indicated that additional evidence and data will be invited from proponents and also invited public feedback on the matter. All of this will feed into Commission's upcoming work.

#### **4. Implementation of the Waste Shipment Regulation regarding the export of waste from the EU**

This part of the session was divided into four thematic blocks: - exports to non-OECD countries; - exports to OECD countries; - Plastic waste and - Audit obligations.

##### ***On exports to non-OECD countries***

The Commission recalled that the export ban of hazardous and certain other wastes to non-OECD countries continues to apply, while export of non-hazardous waste can only be allowed after 21 May 2027 to those countries that notified the the Commission and demonstrated their ability to manage waste in an environmentally sound manner. The Commission explained that a delegated act establishing the list of such countries is to be adopted by 21 November 2026. The Commission reiterated that 32 country applications were received and assessed. The Commission then presented an overview of the assessment process. The Commission informed about the main challenges found for a number of countries, such as insufficient data on their waste management system and a lack of pollution control measures.

Responding to a question from a stakeholder, the Commission explained that country assessments will be shared together with the draft list and that a public consultation on the delegated act will take place, tentatively still before summer. The Commission additionally explained that the list would have to be updated through a delegated act in the future, at least every two years and that, if a country wishes to remove or add certain waste, that can be done through such update.

##### ***On exports to OECD countries***

The Commission recalled the provisions in the new WSR rules on the monitoring of exports of waste to OECD countries. The Commission confirmed that this monitoring is ongoing, based on trade data and open sources. Further, the Commission explained that it is specifically mandated by the WSR to exercise scrutiny on export plastic waste and its treatment in countries importing large volume of plastic waste. The Commission added that it currently focuses on Türkiye as it is the main destination country for plastic waste exports from the EU.

Responding to a question from a participant, the Commission also indicated that it is looking into addressing concerns related to the provisions in the WSR that prohibit the export of mixed municipal waste for recovery outside the EU, where specific exports to EFTA countries are concerned.

### ***On plastic waste***

The Commission reminded about the upcoming change of rules regarding export of plastic waste:

- Export of all plastic waste to third countries will be subject to the prior notification and consent procedure from 21 May 2026.
- Overall export prohibition for all plastic waste to non-OECD countries from 21 November 2026 and at least until 21 May 2029.

Responding to a question of a stakeholder, the Commission clarified that it does not have an established dialogue with the UK on the trade in plastic waste.

### **On audit obligations**

The Commission recalled that, from 21 May 2027, EU exporters of any waste to third countries should ensure that the facility receiving such waste has undergone an audit, conducted by an independent auditor, confirming that the facility complies with applicable environmental laws and manages waste in an environmentally sound manner (ESM), equivalent to the conditions in the EU. The Commission explained that Annex X to WSR sets out detailed criteria for third parties conducting audits and for the audit to demonstrate ESM. The Commission clarified that it has no intention to provide guidance document on how the criteria in Annex X should be interpreted.

The Commission explained that while it is tasked to maintain a register of audited facilities, it will not validate the audits reports nor publish them. The Commission clarified that the purpose of the register is rather to provide an overview of facilities which have been audited.

The Commission's intervention was followed by a stakeholders' presentation outlining industry's preparatory work for implementing the audit obligation. The presentation focused on developing a workable questionnaire for specific waste streams, notably paper, metals and plastics, and showcased in particular the traceability of plastics. Stakeholders underlined the need for legal procedural certainty regarding how audits will be recognised and accepted by competent authorities across the EU. The presentation suggested that a small, operational group should be set up to take this forward. The Commission supported that the discussion should continue, and several stakeholders and Member States expressed interest in participating in such a working group.

Responding to a question of a participant, the Commission explained that audits will not replace consent by the Member States and scrutiny still needs to be applied by the competent authorities, inter alia making use of audit reports as a source of information. Additionally, the Commission clarified that the auditors can be accredited by Member States, but they can also be nationally accredited in a third country.

## **5. Enforcement**

The Commission recalled that the first meeting of WSEG took place in Warsaw in May 2025 and was attended by enforcement agencies from almost all the EU Member States. The Commission further recalled that the main focus of the group is to work towards improving cooperation and coordination regarding the addressing illegal waste shipment. The Commission explained that the second meeting of the WSEG is tentatively expected to take place in the autumn of 2026. The Commission suggested that the focus of the next WSEG should be on the enforcement of new export rules under the WSR and national inspection planning. The Commission invited suggestions from the participants on what the next WSEG meeting should address. Participants to the meeting mentioned as possible areas for discussion in the WSEG (i) the activity of waste dealers/brokers and (ii) the use of available data stemming from DIWASS for inspection purposes. A number of Member States underlined the importance to include all relevant national competent authorities in this group and to foster communication.

## **6. Implementation – Transitional rules**

The Commission clarified the scope of Article 85(3) of the new WSR, namely that WSR 1013/2006 applies to shipments for notified waste where operators submitted the notification to competent authorities before 21 May 2026 and the competent authority of destination acknowledges the receipt of notification before 21 May 2026. In the absence of such acknowledgement in time, notifiers should resubmit their notification in DIWASS after 21 May 2026.

The Commission additionally clarified the scope of Article 85(5) of the new WSR. More specifically, the Commission explained that the recovery or disposal of waste in a shipment, for which the competent authorities concerned have given their consent in accordance with WSR 1013/2006, shall be completed not later than 21 May 2027. The Commission stressed that this provision covers all notifications that have been consented under WSR 1013/2006, but also notifications that have received consent under Article 85(3). The Commission noted that a similar provision exists under Article 85(6) for shipments consented under Article 14.

After hearing stakeholders' concerns on potential delays, the Commission confirmed that no further flexibility rules can be foreseen for notifiers and competent authorities. Regarding notifications originating from third countries in DIWASS, the Commission explained that authorities and operators in third countries can use DIWASS on a voluntary basis. In case that local authorities and/or local operators from the third countries choose to use DIWASS, the Commission confirmed that they can use the API.

If not using DIWASS, Titles IV, V and VI specify rules on who has to introduce data in DIWASS.

Responding to stakeholders' concerns on the implementation of Article 11 of the new WSR, the Commission reported that no work is envisaged at the moment. One Member State informed about ongoing work to develop guidance in the framework of IMPEL.

## ANNEX TO THE REPORT FROM THE MEETING OF THE EXPERT GROUP ON WASTE SHIPMENT (27<sup>TH</sup> MARCH 2026)

### **DIWASS – Annex VII documents – postponement until 1 January 2027**

In view of challenges related to ensuring the proper and timely functioning of the interconnection between the central system and local systems and software concerning the exchange of Annex VII documents, and in light of the way forward suggested by the Commission, the Members of the Expert Group acknowledged that the following approach should be pursued in the implementation of Regulation (EU) 2024/1157:

- 1) In the period between 21 May 2026 and 31 December 2026, Annex VII documents should be handled in the same manner as they have been until now:
  - a) In most Member States, such documents will continue to be completed on paper; these Member States may not require submission of paper versions of Annex VII documents by economic operators to their respective competent authorities. Also, no submission of paper Annex VII documents to DIWASS is expected from competent authorities.
  - b) Where competent authorities use a specific system based on which the persons who arrange the shipments submit Annex VII documents electronically to their competent authorities, the use of such systems by those Member States should be able to continue. Again, no submission of Annex VII documents to DIWASS is expected from competent authorities or the operators.
- 2) Waste shipments referred to in Article 4(4) and (5) of Regulation (EU) 2024/1157 must be accompanied by a properly completed Annex VII document, as set out in the respective Annex to Regulation (EU) 2024/1157.
- 3) Where Annex VII documents are not submitted in DIWASS before 31 December 2026, it should not result in imposing sanctions on the person arranging the shipment in the abovementioned period.
- 4) DIWASS GUI may be used to generate and complete Annex VII documents in the above-mentioned period on a voluntary basis. DIWASS GUI will allow for downloading the Annex VII document in pdf format. In such cases, the other operators involved in the shipments concerned may choose how to complete relevant boxes of Annex VII documents, either in DIWASS GUI, or in the paper copy of the document.