



13 September 2024

Ms. Florika Fink-Hooijer, Director General for Environment
Mr. Patrick Child, Deputy Director General for Environment
European Commission
rue de la Loi 200 Wetstraat
1049 Brussels

Dear Director-General, Dear Deputy Director General,

An EU “Manifesto” for a litter-free Europe: A call to action

We kindly refer to our letters to you in 2023 (9 June & 6 July, and attachments).

Background

With the European Parliament elections behind us, as preparations move forward for the appointment of a new college of commissioners and as you and your services are, no doubt, busy with planning for the new mandate, we are taking the liberty to write again about how we believe the Commission could help promote a litter-free Europe.

The Clean Europe Network is not a lobbying organisation as such and does not promote specific interests. That said, we do advocate more and better litter prevention (including via policy and legislation), ideally through an integrated litter prevention approach as clearly explained in the “*Clean Europe Strategy*” shared with you last year and launched at the “*Stop Litter Now! Summit 2023*” at the Committee of the Regions with the kind presence of Patrick Child.

As you know, we have repeatedly called for proper implementation of *the litter related obligations in secondary EU legislation*¹ by Member States, local authorities and producers. Indeed, we developed the “*Clean Europe Strategy*” notably to help EU, national and other policymakers develop litter prevention strategies and actions. Member States are required to do this by the WFD.

Recent developments

1. Recently, we were pleased to see that DG Environment decided to launch *a call for experts to support the Commission in its work on implementation of the WFD and the PPWR*. We will respond positively to this request and hope that we can be actively involved in the near future in areas of waste policy that are relevant to the prevention of littering.

2. We were also interested to see that the Commission had taken all twenty-seven EU member states to task for *failing to meet certain obligations under the WFD and the PPWR*. There is no point in having EU law if it is not implemented and enforced in practice; so, we welcome, as a point of principle, this action by the Commission. However, we cannot hide our *disappointment* that litter and the prevention of littering appear to have been overlooked in this action.

¹ Notably the Waste Framework Directive (WFD), the Packaging & Packaging Waste Directive (PPWR), the Single Use Products Directive (SUPD) and the Marine Strategy Directive.

3. The SUPD established a requirement that producers of certain single use products pay for cleaning up their share of litter in the public space, including costs of cleansing, appropriate infrastructure, collection of waste from bins in the public space and subsequent treatment of all this. Given that this is a significant cost (even if it will no doubt be passed on to the consumer in some way), producers are understandably focused on containing this. As a result, in some EU countries, they are *ignoring their obligations under the WFD to implement effective litter prevention communication programmes*, obligations that pre-date the SUPD requirement to finance clean-up.

The SUPD, in application since July 2021, tasked the Commission with preparing *a guidance document on how to allocate these clean-up costs* but without setting a deadline. So far, although drafting has been underway for some time, guidelines have not been issued. The Clean Europe Network met the DG Environment services concerned and explained the desirability of using the opportunity of these guidelines to address the prevention and clean-up aspects holistically. In other words, to address the *funding of both litter prevention and clean-up* and to highlight that the more effective the prevention, the lower the clean-up costs and the greater the benefits to the environment. The officials recognised the interest of this approach and were open to addressing it.

In a subsequent draft that was leaked we saw that a reference had, indeed, been made. Unfortunately, in our view, it was somewhat “coded”, and likely to be missed or ignored by Member States. We feel that, were the text to remain this way, it would be a missed opportunity.

While *we do not wish to criticise anyone in your services*, with whom we have had open, constructive and friendly exchanges, perhaps some further orientation from the leadership could help ensure that the financing of prevention efforts by producers is given the prominence it deserves in the litter clean-up costs guidance document – a good way to nudge governments/producers to act.

Looking forward in the short term

In our view, there is enormous political openness to tackling the litter challenge across the EU yet insufficient action by Member States in practice. EU law obligations relating to litter and the prevention of littering – that mandate key actions – are ignored by governments.

With a new Commission mandate in view, we respectfully submit that it is an ideal time for DG Environment to include action on litter and the prevention of littering in the programme for the next five years, focusing on decisive action to ensure implementation and enforcement, supported by clear orientation and guidance on how to address the challenge in practice.

We sincerely hope, therefore, that the new Commission will take on board the ideas in our attached “**Manifesto**” and demonstrate that it is committed to ensuring that the policy elements established in EU law are respected by all concerned when it comes to litter and the prevention of littering.

We would be delighted to discuss this further with you in a meeting and look forward to hearing from you soon.

Yours sincerely,



Johanna Ragnartz
Clean Europe Network President (CEO of Keep Sweden Tidy)



Eamonn Bates
Secretary General

A short EU Manifesto for a litter-free Europe

How the European Commission could make a difference in the 2024-2029 mandate

Preamble

If society does not defeat littering on the land, it can never stop it in the marine environment because eighty per cent of litter in the seas and oceans comes from the land.

In 2018 the EU Waste Framework Directive established for the first time some key elements of an EU policy on litter and the prevention of littering.

The relevant measures regarding litter prevention communication and awareness-raising have been reiterated in the Single Use Products Directive (SUPD) and the Packaging & Packaging Waste Directive (PPWR).

So far, the key elements of the EU litter prevention policy have not been implemented by the vast majority of EU member states, and where they have, only partially or in an unsatisfactory manner. This is unacceptable, years after these obligations were due to be implemented.

Call to action

The Clean Europe Network, which brings together Europe's leading litter prevention organisations, calls on the Commission to take action to ensure that all the litter prevention measures identified in the WFD and the SUPD are properly implemented.

This environmental and social challenge could be achieved by the Commission making use of the powers bestowed upon it by the EU Treaty and EU legislation to do the following:

- **Take remedial action to:**

- Ensure that all Member State governments develop and submit to the Commission updates to their national/territorial *Waste Management Plans* (as required by the 2018 Waste Framework Directive) to incorporate *strategies and action plans to address litter and all forms of littering*.

This action should be accompanied by *a guidance note* orienting national authorities on how to prepare such litter prevention strategies, eventually inspired by the *Clean Europe Strategy*.

- Take steps to *monitor and assess the practical implementation* of those national/territorial strategies and action plans thereafter and report on this publicly.
- Ensure that all Member States adapt their laws to *make littering a sanctionable offence* (as required by the 2018 Waste Framework Directive).
- Ensure that all Member States have taken adequate steps to *implement effective awareness-raising* about litter and the prevention of littering as required by the 2018 Waste Framework Directive and specific waste laws, including the 2019 Single Use Products Directive.
- Likewise, ensure that all Member States mandate relevant producers to undertake *ambitious and sustained litter prevention information and communication campaigns, as required*.

- **Propose a revision of the Waste Framework Directive to:**

- Introduce *clearer legally-binding requirements for national action on litter and the prevention of littering and stronger enforcement measures* so that all stakeholders concerned (national and local authorities, producers) implement the law without ambiguity.

- develop *a detailed legal definition of “litter” and “littering”* for two purposes:
 - to *overcome the confusion and inaction* that has come about in EU and some national law because the English words “litter” and “littering” do not easily translate into other EU languages²;
 - to *ensure that there is a more coherent approach* to classifying and addressing litter and the prevention of littering across the EU, keeping in mind that litter also moves freely between member states.
- **In the context of the 2019 Single Use Products Directive:**
 - Issue *guidance to member states on allocation of the costs of litter clean-up* as required by the 2019 Single Use Products Directive:
 - including the costs of ambitious and sustained litter prevention information and communication programmes;
 - ensuring that a link is made between the availability of EPR funds to local authorities for clean-up and their meeting specific performance criteria;
 - promoting the implication of obligated industry in ensuring that clean-up measures are optimised in practice;
 - making a clear connection between the availability of EPR funds to local authorities for clean-up costs and cooperation by local authorities with litter awareness-raising and prevention efforts.
- **In the context of a revision of the Marine Strategy Framework Directive:**
 - Establish *a strong causal link between land and marine litter*.
 - Require Member States to explicitly *link marine litter strategy objectives to clear action to reduce littering on the land*.
- **In the context of the revision of the Urban Wastewater Treatment Directive:**
 - Ensure *a polluter pays obligation is placed on producers to cover the litter clean-up costs in sewer systems (incl. urban runoff) of plastics-containing wipes and other such products*, in line with the philosophy of the single use products directive.
- **In the context of EU cohesion and similar policy:**
 - Determine what *EU financial instruments could be directed to support more and better systems and infrastructure for collecting litter* and other waste in the public space and promote these opportunities actively to the member states.

Conclusion

The Clean Europe Network calls on all relevant stakeholders to take up their share in the responsibility to develop litter prevention strategies and actions which would create a litter-free Europe and promote sustainable lifestyles for its citizens. It calls on the Commission to take a robust leadership role.

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² The English words “litter” and “littering” have often been translated in other EU official languages simply as “waste” or “disposal of waste” for lack of a precise equivalent word for litter in that language.