

WASTE MANAGEMENT and environmental reform in Ukraine



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EU⁴Environment
Water and Data in Eastern Partner Countries

EU4Environment in Eastern Partner Countries:
Water Resources and Environmental Data (ENI/2021/425-550)

ABOUT THIS REPORT

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ABOUT EU4ENVIRONMENT – WATER RESOURCES AND ENVIRONMENTAL DATA

This Programme aims at improving people's wellbeing in EU's Eastern Partner Countries and enabling their green transformation in line with the European Green Deal and the Sustainable Development Goals (SDGs). The programme's activities are clustered around two specific objectives: 1) support a more sustainable use of water resources and 2) improve the use of sound environmental data and their availability for policy-makers and citizens. It ensures continuity of the Shared Environmental Information System Phase II and the EU Water Initiative Plus for Eastern Partnership programmes.

The programme is implemented by five Partner organisations: Environment Agency Austria (UBA), Austrian Development Agency (ADA), International Office for Water (OiEau) (France), Organisation for Economic Co-operation and Development (OECD), United Nations Economic Commission for Europe (UNECE). The programme is principally funded by the European Union and co-funded by the Austrian Development Cooperation and the French Artois-Picardie Water Agency based on a budget of EUR 12,75 million (EUR 12 million EU contribution). The implementation period is 2021-2024.

<https://eu4waterdata.eu>

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List of abbreviations

EC.....	European Commission
DRS	Deposit Refund System
EPA.....	Environmental Protection Agency
EPR.....	Extended Producer Responsibility
EU4ENV W&D	EU4Environment Water & Data Programme
EU	European Union
IT	Information Technology
MEPR	Ministry of Environmental Protection and Natural Resources of Ukraine
PRO	Producer Responsibility Organisation
RST	Reform Support Team at MEPR
PCB.....	Polychlorinated Bi-Phenyls
PCT.....	Polychlorinated Ter-Phenyls
PoM	Placing on the Market
SUP	Single-Use Plastics
TOC	Table of Concordance
UBA.....	Umweltbundesamt GmbH, Environment Agency Austria

Executive Summary

This report summarizes the activities undertaken in 2023 and 2024 to support the Ukrainian administration in their efforts of approximation to European legislation and implementation practice in the waste management area, with a focus on introducing Extended Producer Responsibility in the management of specific waste streams as defined in Article 8a of the Waste Framework Directive.

The aim of the report is to document the work done on request and in continuous dialogue with the Waste Management Department of the Ukrainian Ministry of Environment, as well as the Environment Committee of the Verhovna Rada and relevant stakeholders. This work will be continued from 2025 in the EU4GreenRecovery Programme, in order to further support the EU Accession Process of Ukraine.

This report outlines the activities and progress of our programme in Ukraine, focusing on waste management, legislative reform, and establishing a comprehensive Waste Information System (WIS). Our collaboration with Ukrainian authorities, experts, and the EU4Environment project has been instrumental in aligning Ukraine's waste management policies with EU standards. Key activities include workshops, draft regulations, legislative reviews, and the development of proposals and amendments for the Ukrainian Packaging Law.

1. Identification of support needs

- Request through the Reform Support Team at the Ukrainian Ministry of Environmental Protection and Natural Resources: MEPR RST [provided a detailed list of areas requiring support](#), focusing primarily on waste data reporting and the establishment of a Waste Information System.
- Review Process: The project team conducted a comprehensive review of each point in the list, prioritizing areas crucial for improving waste data collection and management processes in Ukraine.

2. Development of Waste Information System

- **Teams Meetings:** Organized a series of virtual meetings to facilitate knowledge exchange between the UBA waste data team and the Ukrainian IT expert responsible for developing the Waste Information System. These meetings focused on technical and operational aspects, ensuring the system meets local requirements and international standards.
- **Austrian Waste Reporting Legislation:** Brigitte Karigl reviewed and presented Austria's waste reporting legislation, offering valuable insights into creating a similar framework tailored for Ukraine. This presentation helped identify potential challenges and opportunities in adopting international best practices.

3. Workshops and Presentations

- **Workshop on Austrian Waste Information System:** On 16 Februar 2023 UBA IT experts conducted an online workshop demonstrating the Austrian Waste Information System's functionalities, emphasizing its applicability to Ukraine. Presentation on [Electronic Reporting System edm.gv.at in Austrian Waste Management Act & “Waste Balance” Reporting](#) (301).
- **Regional workshop on European waste management reporting** (302) on 21 February 2023, with a presentation on [experience on Ukrainian Statistics in preparing harmonization with EU Regulation on waste statistics](#) (303). Further presentations covered
 - [Waste Data & Statistics for reporting in Europe](#) (304)
 - [EU institutional and legal framework for reporting of waste data](#) (305)
 - [Georgian Experience in implementation of a Registry and reporting of placed on the market products in the scope of Extended Producer Responsibility \(EPR\)](#) (306)
 - [Waste management in Armenia: from data collection to publication of statistics](#) (307)
- The EU4EnvW&D team engaged with Denis Kutsiy, who presented the existing Soviet-era data collection system used by municipalities. This engagement underscored the need for transitioning to a modern waste classification system, incorporating the European Waste List, which has been revised by team experts.

4. Regulatory Framework Development

- **Waste Reporting Regulation Proposal:** The Reform Office proposed developing a Waste Reporting Regulation. A comparative analysis of regulations from member states such as Poland, Lithuania, Bulgaria, and Austria was conducted to determine the most suitable waste tracing model for Ukraine.
- **Draft Regulation on Waste Reporting:** Created in collaboration with Denys Kutsyi, this draft – [English](#) (401) and [Ukrainian](#) (402) version of March 2023, with changes after exchange with the Ministry until [July 2023](#) (403) - aims to establish standardized waste reporting procedures, ensuring accuracy and compliance with EU standards. As of December 2024, no further changes or actions on the draft regulation.
- **Future Legislation Topics:** Extended Producer Responsibility (EPR) waste streams were identified as a critical element for inclusion in future waste reporting legislation, paving the way for a more accountable waste management system. In June 2023, the Reform Support Team at the Ministry was provided with comprehensive [overview information on good EPR practice in EU Member States](#) (404) and [solutions for specific waste streams](#). (405). On 10 August 2023, the Reform Support Team asked [specific questions on hazardous packaging](#) (406) which were [comprehensively answered](#) (407) and explained in a meeting on August 23.

5. EU Harmonization and Legislative Screening

- **Self-Screening Support:** To aid Ukraine's efforts in aligning with EU standards, Tables of Concordance (TOC) were developed to compare current Ukrainian legislation with the following EU Directives and Regulations:
 - **Council Regulation (EU) No 333/2011:** [Establishing criteria for when certain types of scrap metal cease to be waste under Directive 2008/98/EC](#). (501)
 - **Directive 2011/65/EU:** [Restriction of hazardous substances in electrical and electronic equipment \(recast\)](#). (502)
 - **Council Directive 87/217/EEC:** [Addressing the prevention and reduction of environmental pollution by asbestos](#). (503)
 - **Commission Delegated Directive (EU) 2021/1979:** [Amending Annex IV to Directive 2011/65/EU regarding bis\(2-ethylhexyl\) phthalate \(DEHP\) in MRI detector coils](#). (504)
 - **Council Directive 96/59/EC:** [on the disposal of polychlorinated biphenyls and polychlorinated terphenyls \(PCB/PCT\)](#) - Consolidated version 2009 (505)

6. Packaging Law and Legislative Proposals

- **Draft Packaging Law Review:**
 - The Reform Office sent the draft Packaging Law for review, requesting improvements based on the Austrian system for packaging waste.
 - **Project Team's Detailed Comments:** The project teams made detailed comments on the draft law on packaging, which was developed by the advisor to the Head of the Environmental Committee. These comments aimed to improve the draft's alignment with EU standards and address key issues identified in the analysis.
 - **Ministry's Request for Proposals:** Later, the Ministry requested a summary of our proposals for the Packaging Law and potential amendments based on our insights.
 - **Concept Summary and Amendments:** A concept summary of the proposed amendments was produced. An amended version with text integrated into the draft law of packaging was developed, reflecting our comprehensive recommendations for legislative improvements.
- 2. **New Terms of Reference:** Proposed by the Support Reform Office, focusing on drafting the Ukrainian Law on Packaging and its sub-legislations, with an emphasis on the development of a Deposit Refund System (DRS).
- 3. **Engagement Activities:**
 - Preliminary meeting with the Working Group to the Environment Committee of the Ukrainian Parliament, presenting key topics crucial for successful implementation.
 - Reviewed the drafted law as part of the EU4Environment project, identifying areas for improvement and alignment with EU standards.
 - Identified topics requiring clarification and enhancements, ensuring the legislation's effectiveness and enforceability.
 - Conducted a study visit to present the Austrian EPR system for packaging, offering insights into successful implementation practices.
 - Attended sessions of the Working Group to the Environmental Committee for the Ukrainian Law on Packaging, contributing to legislative discussions and development.
 - Held 12 meetings addressing over 150 stakeholder questions, ensuring thorough stakeholder engagement and feedback incorporation.
 - Developed proposals for improvement, leading to the establishment of a smaller Working Group with Oleg to discuss the preparation of a new upgraded version of the draft law.
 - Sent questions to the team, prepared official responses, and developed [a concept document on the Deposit Refund System \(DRS\)](#) (601)
 - Drafted [articles for DRS inclusion in the Draft Law on Packaging](#) (602), facilitating the adoption of by-laws for DRS implementation

- Conducted meetings and discussions with Eugenia Popovich to [present the DRS concepts of different EU MS](#) (603) and gather feedback.
- Provided support on Single-Use Plastics (SUP) through a [table of concordance with feedback for further legislative refinement](#) (604)
- Developed a [reporting decision table on SUP in format of the EC decision, showcasing examples of good practices from EU member states](#) (605) for support in decision-making processes.
- Developed a [methodology for calculating placed-on-market packaging](#) (606), led by Natalia Husieva, which was thoroughly discussed within the team and proposed to the Ministry for adoption.

7. The Final Stages in Packaging Law Development – Prior to the First Reading in Parliament:

7.1. Project Teams' Detailed Comments

Project team experts as members of the small working group established by the Rada Environment Committee Chair provided detailed feedback on the draft Packaging Law and amendments to the existing Law on Waste, which were developed by Aliona Shulima, Advisor to the Head of the Environmental Committee. These comments aimed to improve the law's alignment with EU standards and address key issues identified during the analysis. The exchange with the advisor took place in several forms:

- Responses to written questions from Aliona Shulima ([part 1](#), [part 2](#), [part 3](#), [part 4](#) - 701-704)
- Online discussions
- [Comments on Art. 35 to 37](#) (705) of Aliona's draft working version of the Packaging Law-related amendments of the Law on Waste

7.2. Ministry's Request for Summary and Amendments:

Subsequently, the Ministry of Environment requested the EU4Environment Water and Data project team to summarize the proposals and comments for the Packaging Law. They also asked for proposed amendments to the draft law based on these suggestions. In response, the project team:

- Prepared a [table with comments on each article](#) (706)
- Developed a [concept summary on the proposed amendments](#) (707)

7.3. Amended Version Developed

Based on the feedback and recommendations, an [amended working version of the draft Packaging Law](#) (708) was developed. This version incorporated [proposed changes to the key provisions, explained in summary for Head of the Rada Environment Committee Bondarenko](#) (709), reflecting the comprehensive recommendations for legislative improvements.

8. “Experimental Order” on EPR of Minister of Environment

The initiative initiated by Ukraine's Ministry of Environment to introduce an earlier start for Extended Producer Responsibility (EPR) before the official adoption of the Law on Packaging reflects a proactive step towards improved waste management, particularly in the areas of Waste Electrical and Electronic Equipment (WEEE) and Waste batteries. This initiative could operate through an "Experimental Order" and a Voluntary Agreement framework involving the Ministry of Environment and businesses.

Key Elements of the actions:

- **Draft of the "Experimental Order" on EPR:**
 - The head of the Waste Management Department, Evgenia Popovich, [sent a draft of this regulation](#) (801) to the project team for feedback.
 - The project team responded by preparing a detailed list of topics that need to be regulated in such an order to ensure comprehensive EPR implementation.
- **Voluntary Agreements Between Ministry and Businesses:**
 - The initiative is based on the concept that businesses can voluntarily engage with the Ministry to begin implementing EPR measures even before formal legal requirements are in place.
 - These agreements would enable businesses to take proactive responsibility for the waste they generate, particularly in managing packaging waste, WEEE and battery waste streams.
- **EU Best Practices and International Inspiration:**
 - The Ministry of Environment requested insights into EU best practices regarding voluntary EPR agreements.
 - The Netherlands was highlighted as an exemplary case, where a fully operational EPR system is based on voluntary agreements in addition to regulatory frameworks.
 - Bulgarian experience also served as an inspiration in developing the agreement model.
- **Development of the Draft Experimental Order:**
 - The project team developed a [proposal for a comprehensive structure for the draft experimental order](#) (802), taking into consideration all the identified necessary regulatory topics of EPR.

- A [draft voluntary agreement](#) (803) was also created, drawing from the successful experiences of the Netherlands and Bulgaria.
- Both the draft order and the voluntary agreement were submitted to the Ministry for further review and consideration.

This action, initiated by the Ministry of Environment sets the stage for Ukraine to take an early lead in implementing EPR systems, potentially aligning the country with European Union standards for waste management. By leveraging voluntary business participation and drawing on international best practices, the Ministry of Environment aims to build a robust framework for waste management, particularly in the absence of finalized legislation.

9. Conference "Introduction of EPR in Ukraine"

Participation in the Conference "Introduction of EPR in Ukraine", organized by Recopack as one of the largest business stakeholders, allowed the project team to highlight to a relevant audience the critical role of Extended Producer Responsibility (EPR) in advancing a circular economy in Ukraine.

9.1. Key points presented

The following [key points were presented](#) (901) at the Conference:

1. EPR as a Key Instrument for Circular Economy:

- The project team emphasized that EPR is essential for transitioning to a circular economy by making producers responsible for the full lifecycle of their products, including the post-consumer phase.
- EPR systems are designed to minimize environmental impacts, promote recycling, and shift waste management costs from municipalities to producers.

2. Framework Requirements on EPR:

- The project team outlined the **requirements from Article 8A of the EU Waste Framework Directive**, which serve as a foundation for the Ukrainian EPR system.
- These requirements include cost coverage, transparency, and the development of performance standards for producers to ensure effective waste management and resource efficiency.

3. Level Playing Field for EPR in Ukraine:

- A **level playing field** is crucial for the successful implementation of EPR in Ukraine. The project team highlighted several key principles to ensure fairness and efficiency of the Waste management system within EPR:
 - **Geographic Coverage:** The EPR system must provide fair principle for coverage across the entire territory of Ukraine, ensuring that all regions and

municipalities have adequate waste collection, recycling, and disposal infrastructure in line with technical standards. This principle will be the basis for fair allocation of each PROs to regions of Ukraine.

- **Cost Coverage and Tariff Categories:** Producers should bear the full costs of waste management, including collection, recycling, and disposal. Distinct tariff categories should be established for **commercial and household packaging**, ensuring fair cost distribution.
- **Prevention of Free Riding:** Regulations must prevent "free riding," where some producers avoid their EPR obligations, placing an unfair burden on compliant businesses. All producers must equally contribute to ensure system fairness.
- **Transparency, Audit, and Monitoring:** EPR schemes must ensure transparent reporting, regular audits, and stringent monitoring to track compliance. These mechanisms are essential to ensuring producers meet their obligations and maintain public accountability.
- **Coordination Office's Role:** A central **Coordination Office** should oversee the system, ensuring alignment between producers, waste management operators, and municipalities. This office would handle compliance monitoring, data management, and ensure effective cooperation among stakeholders.

4. Clear Responsibilities of Key Players:

- For the EPR system to function effectively, the **roles and responsibilities of key players** must be clearly defined:
 - **Producers and Producer Responsibility Organizations (PROs):** Producers are responsible for financing the collection, recycling, and proper treatment of their products once they become waste. They can fulfill their obligations directly or through **PROs**, which manage these responsibilities on behalf of multiple producers. PROs play a critical role in organizing and coordinating waste management activities, ensuring compliance, and reporting data.
 - **Private Operators (Collection and Treatment):** Private waste management companies are responsible for the **collection, transport, and treatment** of waste products. They must be contracted based on the legal set up for tender selection organized by PROs and to operate according to agreed standards, ensuring environmentally sound recycling and disposal methods. Their role includes working in cooperation with PROs and municipalities to ensure that waste is efficiently managed. All these operators must be permitted/licensed and to report to Central Authority, responsible data management, monitoring and control of waste management activities.
 - **Municipalities and Regions:** Local authorities are responsible for **providing infrastructure** and facilitating the collection of waste in their territories, ensuring compliance with national standards. While producers are financially

responsible, municipalities play a coordinating role, ensuring that collection systems are in place and accessible to the public. They also collaborate with private operators and PROs to optimize waste management processes.

5. Focus on Packaging Waste:

- Packaging waste, given its high volume and environmental impact, was identified as a priority for EPR implementation. The project team stressed the need for producers to take responsibility for both **commercial and household packaging**, ensuring that systems are in place for proper collection, recycling, and disposal.
- By aligning with EU best practices, Ukraine can establish a structured packaging waste system that addresses local challenges while contributing to broader circular economy goals.

9.2. Outcome of the discussion

The conference provided an opportunity to engage with business stakeholders on the future of EPR in Ukraine, focusing on the creation of a fair and functional waste management system within EPR. The project team emphasized that a successful EPR framework requires clear responsibilities for all involved stakeholders—**producers, private operators, and municipalities**—alongside transparent mechanisms, effective cost coverage, and nationwide geographic coverage. By adopting these principles, Ukraine can establish an effective and sustainable EPR system that contributes to its circular economy goals.

10. Cooperation with Swedish and Finnish projects

10.1. Initial meeting

Since both Sweden and Finland had initiated co-operation activities on waste management on request of the Ukrainian MEPR, the EU4Env W&D team initiated co-ordination in a Team Europe spirit. The substantial Swedish support addresses for several years both the Acquis Chapter 27 approximation process (project led by Swedish EPA) and operation waste management development with a focus on municipalities (let by Avfall Sverige), while the Finnish Environment Ministry held in 2024 a series of online seminars on waste-related issues including EPR.

At an initial meeting with the team of the Swedish and Finnish projects, coordinating efforts for EU support and main topics were discussed:

- Essence of the EU4Environment Programme Activities
- Essence of the Reform and Key Challenges
- Reform Goals:

- Redefine roles of stakeholders in waste management.
 - Establish regional planning systems for effective waste management.
- **Institutional Coordination:** Address challenges in aligning institutional roles and responsibilities.
- **Legislative Challenges in general:** Overcome obstacles in existing laws to support reform.
- **Legislative Challenges regarding EPR issues:** Clarify distinctions between EPR and non-EPR waste, responsible state authorities -current status.
- **EPR clear concept on the role of the main participants:** Assign clear responsibilities to ensure efficiency in Producer Responsibility Organizations (PROs).
- **Status of the Draft Law on Packaging, Parliamentary Working Group, main points:**
 - Clearly define household vs. commercial packaging.
 - Set material-specific recycling targets for household and commercial origins.
 - Differentiate tariffs for household vs. commercial packaging.
 - Ensure nationwide PRO coverage with tender-based operator selection.
 - Standardize agreements and technical standards across regions.
 - Introduce verification and reporting systems for packaging waste volumes.
 - Strengthen the coordination body and mandate PRO registration.
 - Ensure annual reporting distinguishes between household and commercial waste.

10.2. Follow-up meeting with Swedish project

During 2024, all essential documents developed by the EU4Env W&D team, including in the dialogue with the Verhovna Rada Environmental Committee, were shared with the Swedish technical project to assure full exchange of information.

A follow-up meeting on 4 December 2024 focused on presenting detailed recommendations and addressing concerns regarding the draft Packaging Law, with an emphasis on sharing progress and fostering collaboration among stakeholders.

Key Points Discussed

1. Recommendations and Concerns on the Packaging Draft Law
 - A detailed overview of our proposals and areas of concern was shared, focusing on ensuring an effective legal framework.
2. Progress of the Parliamentary Working Group
 - Updates were provided on the Working Group's activities, including steps taken to refine the draft law and address technical issues such as deposit systems and extended producer responsibility (EPR).

3. Collaboration with the Environmental Committee

- The history of cooperation with the Verkhovna Rada Environmental Committee was revisited, showcasing the milestones achieved through joint efforts.

Summary of Outcomes

The meeting successfully provided a platform to discuss our ongoing efforts within the Parliamentary Working Group, the Environmental Committee, and in reviewing specific legal inputs. This facilitated a clearer understanding of the current state of the draft law and ensured that all parties remain aligned in their objectives.

Next Actions

While this report summarizes what has occurred, the next steps involve further refining the draft based on feedback, engaging with additional stakeholders, and preparing for future discussions to address unresolved issues.

10.3. Conclusions and next steps in 2025

Fact sheet from exchange with Avfall Sverige Project Leader Weine Wiqvist:

1. Shared Vision for Alignment:

- Common ground based on collective experience.
- Commitment to avoiding conflicting or opposing solutions when presenting to the Ukrainian side.
- Consensus on the need for cohesive and coordinated efforts to meet the needs of all stakeholders.

2. Recommended Next Steps

- **Refine the draft of the Packaging Law and coordinate efforts:**
 - Provide further expertise and guidance to improve the text, ensuring it aligns with international best practices and local needs.
 - Focus on strengthening the provisions related to deposit systems.
 - Continue working closely with all stakeholders to align perspectives and strategies.
 - Share updates and maintain transparent communication to address emerging challenges.









































- **Monitor Developments:**
 - Track procedural and legislative changes within the Verkhovna Rada and Ministry.
 - Be prepared to respond promptly to any adjustments or requests.
- **Capacity Building:**
 - Support skill-building for advisors and stakeholders involved in drafting and discussions to address knowledge gaps.
- **Regular Updates:**
 - Schedule periodic meetings to review progress and adapt strategies as needed.

11. Seminar on Tariffs for Household Waste Management Services

The team participated in the practical seminar titled "Formation and Establishment of Tariffs for Operations and the Weighted Average Tariff for Household Waste Management Services" held on 18/19 December 2024 in Khmelnytsky. The concept of tariff reform was presented in a highly detailed and comprehensive manner:

- Key Legislative Requirements for the Household Waste Management System in the Context of Tariff Formation
- Procedural Aspects of Approving, Adjusting, and Revising the Weighted Average Tariff for Household Waste Management Services and Tariffs for Collection, Transportation, Recovery, and Disposal Operations
- Demonstration of Tariff Formation Model Developed for Khmelnytsky City
- Algorithm for Forming Tariffs for Household Waste Management Operations
- Formation of the Weighted Average Tariff for Household Waste Management Services
- Examples of International Best Practices in Waste Management Planning
- International presentation on: Budgeting processes, tariff forecasting models, and analyzing population affordability for long-term tariff policy formulation (by: Claudia Tevne, Bruno Jeannen)

12. Referenced documents

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