

Transfrontier Shipment of Waste

by

Dr. Joachim Wuttke*

Berlin

1 Introduction

In the 1970s initial bottlenecks appeared in the disposal of hazardous waste. So called 'toxic waste scandals' occurred because no sufficient waste disposal capacities for hazardous waste were available. This led to substantial cost increases in the disposal of such waste and also resulted in illegal disposal at home and abroad. Then in 1976 in Italy a chemical accident occurred, which had a substantial influence on the development of the regulatory framework for transfrontier shipments of waste.

The malfunction of a chemical reactor for the manufacture of hexachlorophene led to the release of a huge amount of polychlorinated dibenzo-p-dioxins (PCDD). For the highly contaminated waste from this accident no adequate disposal possibility could be found in subsequent years. In 1982 the hazardous waste resulting from the accident was packed into 41 barrels, transported off without any controls and 'disappeared', until the barrels were found in France after more than six months of intensive search. The media interest this case triggered, and the search for the waste in different countries, including Germany, made the risks and problems of an insufficiently controlled transfrontier shipment of waste crystal clear to the interested public. The arising demands for regulation of transfrontier waste shipments were reinforced, and obtained a global dimension, by cases of export from industrial countries into developing countries which occurred in the 1980s.

In the EU, the 'roving' barrels with dioxin containing waste led to the issue of Directive 84/631/EEC¹, based on the internal market competence of Article 95 EC Treaty. This Directive remained however relatively ineffective. Therefore, the EC Waste Shipment Regulation No 259/93 (EC-WSR-259/93) issued in 1993 was already based on the environmental protection competence of Article 175 EC Treaty (now Art. 192 of the Treaty on the Functioning of the European Union).

Beyond the EU long years of world-wide effort to control transfrontier shipments of waste, especially waste exports from industrialised countries to developing countries, led to the establishment of a comprehensive regulatory system², comprised of international, European and national laws that are often revised and modified. When looking into the details or dealing with individual cases, this regulatory system turns out to be a very complex and difficult-to-comprehend maze of regulations. These regulations are in particular:

- Basel Convention of March 1989 on the Control of Transboundary Movements of Hazardous Wastes and their Disposal,
- OECD Council Decision C(2001)107 on the Control of Transboundary Movements of Wastes Destined for Recovery Operations,

* SJW-Beratung, Berlin, Germany, ✉ sjw-beratung@online.de, 🌐 www.waste-move.eu ☎ +49 30 38103411, mobile: +49 1525 3759442, from 1993 to 2018 Head of section 'Municipal Waste Management, Hazardous Waste Management, Focal Point to the Basel Convention', FEA Germany

- Regulation (EU) No 2024/1157 on Shipments of Waste³ (WSR),
- Regulation (EC) No 1418/2007^{a)} on shipments of 'green wastes' to countries to which the OECD Decision does not apply,
- Waste Shipment Act (Ger.) of July 2007.

This regulatory framework appears not to be transparent; however these rules have to be followed. In addition, the following regulations as particularly pertaining to waste definition and classification are significant on European level:

- EU Waste Framework Directive (WFD)⁴ and
- Decision of the Commission on the Waste List (EWL)⁵.

The Federal Republic of Germany is Party to the Basel Convention and the OECD as well as a Member State of the European Union. Therefore, it is obliged to implement the provisions of the Basel Convention and the OECD Council Decision as well as the EC provisions on transfrontier waste shipments.

The EC-WSR-259/93 of 1993 already had a certain 'pooling' function, since it transposed in particular the regulations of the Basel Convention and the OECD Decision into directly applicable EU law. This also applied to the successor Regulation (EC) No 1013/2006. The amended Waste Shipment Regulation (EU) 2024/1157 (WSR), which was adopted in May 2024, continues this practice. The WSR retained the basic idea of EC-WSR-259/93 that certain procedures have to be followed in the transfrontier shipment of waste, depending on which type of waste is shipped into which destination country and how the waste is managed in the country of destination (recovery or disposal).

2 Waste Shipment Regulation (WSR)

The regulatory framework for waste shipments enforced in Germany and the EU is based on the WSR, which is applied in all Member States of the European Union and which in turn was established on the basis of the Basel Convention as well as the OECD-Council Decision on the control of transboundary movements of wastes.

The Basel Convention was adopted on 22 March 1989 and entered into force on 9 May 1992 with the objective of restricting shipments of hazardous wastes to developing countries. Parallel to the Basel Convention, a notification system for the notifying, identifying and control of transfrontier shipments of wastes for recovery was established by the OECD for the OECD countries.

2.1 Basel Convention

The Basel Convention is based upon the Cairo Guidelines⁶, issued on 1 December 1985 by UNEP (United Nations Environment Program). They were the first milestone in the establishment of a regulatory system for world-wide supervision and control of transfrontier shipments of wastes. In the subsequent development of the Basel Convention, preliminary work done by the OECD was utilised, for example concerning disposal methods or categories of wastes and waste constituents.

2.1.1 Regulations of the Basel Convention

The Basel Convention, which was adopted on 22 March 1989 in Basel, contains the first outlines of a global 'waste management convention', giving priority to measures aimed at reducing the volumes of waste, the principle of disposing of waste as close as possible to its site of generation, and the task of

^{a)} valid until 21.05.2027; will be replaced by a new regime based on Art. 40 to 43 WSR

formulating general principles for an environmentally sound system of waste disposal which is applicable globally.

The following provisions form the core of the Convention:

- The import, export and transit of hazardous waste for the purpose of disposal is only permitted providing all the participating states have been informed beforehand and have consented to the shipment.
- Shipment to 'non-party states' is not permitted unless bi- or multilateral regulations whose contents corresponds to the requirements of the Basel Convention are in place.
- The exporter or, alternatively, the state from which the waste originates is responsible for compliance with the Convention and, if necessary, obligated to take back the waste. This obligation applies in particular to waste which is 'illegally shipped'.

The adoption of these provisions did not end the discussions as to which waste types should be allowed to be exported, particularly from developed countries. This debate continued to play an important role at the Conferences of the Parties and initially led to a non-binding political decision of the 2nd Conference of the Parties (Decision II/12 on the 'total ban') to extend the export ban to certain hazardous wastes destined for recovery.

Decision III/1 of the 3rd Conference of the Parties (COP 3), which took place at the end of September 1995 in Geneva, confirmed this extended export ban and contained at the same time an amendment to the Basel Convention requiring ratification. This amendment comprised the inclusion of a preamble, a new Art. 4a as well as a new Annex VII, which introduced a general ban on the shipment of hazardous wastes from states listed in Annex VII to the Basel Convention^{b)} to states not listed therein. Decision III/1 applies to wastes destined for disposal as well as to wastes destined for recovery. After ratification by the necessary number of Parties to the Basel Convention in 2019, the ban took effect under international law at the beginning of 2020.

Irrespective of this, all EU member states have been subject to an export ban on hazardous waste for recovery in countries to which the OECD Decision does not apply in accordance with Art. 36 of Regulation (EC) No 1013/2006. The ban now is regulated in Art. 39 of the amended Waste Shipment Regulation (EU) 2024/1157 (WSR). The hazardous wastes affected by the export ban and wastes not subject to the export ban are specified in Art. 39 in conjunction with Annex V of the WSR.

The Basel Convention offers only an unclear definition of the term 'hazardous waste'. According to Article 1 (1) the following wastes are hazardous wastes:

- Wastes that belong to any category contained in Annex I unless they do not possess any of the characteristics contained in Annex III (Article 1 (1) a), and
- Wastes that are not covered under paragraph (a) but are defined as, or are considered to be, hazardous wastes by the domestic legislation of the Party of export, import or transit (Article 1 (1) b).

This general definition on the basis of the waste streams and constituents specified in Annex I, in combination with the hazardous characteristics in Annex III, contributed to the emergence of different interpretations of the definition of hazardous waste. The implementation of the export ban on hazardous wastes makes an exact and globally valid definition of the term hazardous waste absolutely necessary.

Therefore COP 4 decided to incorporate new waste lists as new annexes VIII and IX into the Basel Convention. Since these were included via a modification of Annex I, a formal ratification by the Parties was not necessary. The Basel waste lists

- List A, Annex VIII of the Basel Convention (waste classified as hazardous) and

^{b)} which includes Lichtenstein as well as the OECD and EU Member States

- List B, Annex IX of the Basel Convention (waste not classified as hazardous),

each complemented by some waste types from the old OECD waste list system^{c)} which are not listed in the Basel waste lists, and with some deviations regarding the application of certain waste codes, were incorporated as waste lists into the revised OECD Decision from the year 2001. Since there was no unanimous agreement on the Basel waste codes in the subsequent revisions of the waste codes for plastic waste and electronic waste in the OECD, different waste codes were implemented for these waste streams, or it was left to the OECD member states to come up with a regulation. The latter is particularly the case for electronic waste, where the EU has adopted its own regulations. These supplemented and amended waste lists (green and amber waste lists) were then incorporated as waste lists into the WSR (as Annexes III and IV).

2.1.2 Work priorities under the Basel Convention

The most important issues discussed at COP 5 in December 1999 in Basel were the adoption of a political declaration ('Basel Declaration on Environmentally Sound Management') and the decision regarding the liability protocol. The Basel Declaration comprises a 10-year agenda and places emphasis on practical environmental protection, e.g. promoting the development of environmentally friendly production and disposal plants, particularly in developing countries. In the following years, work focused on the development of partnership programmes with non-governmental organisations (NGO's) as well as the development of technical guidelines.

During COP 5 a Mobile Phone Partnership Initiative (MPPI) for environmentally sound management of used and end-of-life mobile phones was suggested, the first concrete world-wide Public Private Partnership (PPP). In December 2002, during COP 6, the world's main mobile phone manufacturers signed a declaration concerning the partnership for environmentally sound management of used and end-of-life mobile phones. Guidelines concerning the design, collection, transfrontier shipment, repair, refurbishment, recovery and disposal of mobile phones have been developed from that time up to COP 8 by working groups consisting of government representatives and NGO's.

During COP 7 and COP 8 technical guidelines on the environmentally sound management of waste containing persistent organic pollutants (POP) were developed and agreed. Furthermore at COP 8 in November 2006 in Nairobi an emphasis was put on the development of an initiative for environmentally sound management of electrical and electronic scrap. These issues also formed a focal point of the deliberations at subsequent Conferences of the Parties.

2.1.2.1 Basel Protocol – Liability Protocol for Environmental Damages

One significant outcome of COP 5 is the adoption of the 'Basel Protocol' following eight years of difficult negotiations. This Protocol of Liability to the Basel Convention secures the implementation of and regulates compensation claims for environmental damages world-wide due to transfrontier waste shipments.

OECD countries are exempted from applying the Protocol of Liability for environmental damages in their countries caused during transfrontier waste shipments between OECD states. Consequently, the OECD states did not need to amend their already existent regulations on liability to apply globally.

The Basel Protocol is the first liability regime in the environment sector worldwide and can be acknowledged as an immense success in international environmental protection. The next important steps include the signing and ratification of the Protocol, which requires 20 ratifications^{d)} to enter into force.

^{c)} from the Green, Amber and Red Waste Lists of OECD Decision C(92)39/final of 1992

^{d)} status of ratifications see: <http://www.basel.int/ratif/protocol.htm>

2.1.2.2 Initiative for Environmentally Sound Management of Electrical and Electronic Waste

Globally, 40 to 50 million tonnes of electrical and electronic scrap are generated each year. Many electronic devices contain hazardous pollutants such as lead, cadmium and brominated flame retardants. The export of electrical and electronic scrap under the label of reuse in the importing country, which often is not possible, currently presents a large problem. The most serious problem is the processing of electrical and electronic scrap in ways that are not environmentally sound and pose a risk to health.

Against this background, a 'World Forum on E-waste' took place on 30 November 2006 in Nairobi as part of COP 8 to discuss innovative solutions for the environmentally sound management of used and end-of-life electrical and electronic devices. As a result, decisions and a Ministerial Declaration were adopted, which stresses *inter alia* that the prohibition on exports of hazardous electrical and electronic waste from industrialised countries into developing countries has to be implemented more effectively. World-wide, devices free of hazardous substances shall be developed, and electrical and electronic waste is to be collected separately and disposed of in an environmentally sound way. In addition the take-back of old devices by the manufacturers shall be expanded world-wide.

COP 14 in 2019 adopted improved guidelines for distinguishing between waste electrical and electronic equipment and used equipment, with the aim of preventing the illegal export of waste electrical equipment to Africa, for example. The issue of waste electrical and electronic equipment was also discussed intensively at subsequent conferences of the contracting Parties. However, the guidelines on the transfrontier movement of waste electrical equipment have so far only been adopted on a 'provisional' basis^{e)}, most recently in 2023.

2.1.2.3 Partnership Acting on Computing Equipment

The Partnership for Action on Computing Equipment (PACE) was launched in 2008 by the ninth meeting of the Conference of the Parties to the Basel Convention, which took place in Bali, Indonesia. PACE was developed as a multi-stakeholder public-private partnership that provides a forum for representatives of personal computer manufacturers, recyclers, international organizations, associations, academia, environmental groups and governments to tackle environmentally sound refurbishment, repair, material recovery, recycling and disposal of used and end-of-life computing equipment.

In the framework of PACE guidelines on re-use, refurbishment and repair, environmentally sound material recovery and recycling of used computing equipment have been developed. The guidelines on environmentally sound testing, refurbishment and recycling of used computing equipment and the guideline on environmentally sound material recovery and recycling of end-of-life computing equipment were field tested to take into account practical experiences of private companies that agreed to evaluate these two guidelines and to provide recommendations for revisions.

During COP 13 in 2017 the PACE working group presented the final documents developed within the framework of the partnership. The parties provisionally adopted the guidelines for the environmentally sound disposal of used and end-of-life IT equipment and also decided that the working group had successfully fulfilled its mandate and was disbanded.

At COP 14 it was decided to establish a new partnership (PACE II) as a follow-up to the partnership for old computer equipment, as the challenges of environmentally sound disposal of used and discarded computer equipment have neither been solved nor diminished, but on the contrary continue to grow.

^{e)} Technical Guideline on transboundary movement of electrical and electronic wastes, Stand 5/23, UNEP/CHW.16/INF/10/rev.1

2.1.2.4 Guidelines on POP-containing Waste

COP 7 to the Basel Convention in October 2004 in Geneva adopted two technical guidelines on the environmentally sound management of waste containing POPs (a general guideline concerning all POPs as well as a special guideline dealing with PCB, PCT and PBB). At COP8, which took place at the end of 2006 in Nairobi, these guidelines were updated and three further guidelines on waste containing POPs such as pesticides, hexachlorobenzene, DDT as well as polychlorinated dioxins and furans were adopted.

The general guideline contains limit values for POP content above which the POPs in waste have to be destroyed in principle (low POP content):

- polychlorinated biphenyls (PCB): 50 mg/kg
- polychlorinated dibenzo-p-dioxins and dibenzofurans (PCDD/PCDF): 15 µg TEQ/kg
- other POPs (aldrin, chlordane, DDT, dieldrin, endrin, heptachlor, hexachlorobenzene, mirex and toxaphen): 50 mg/kg each

The list of POPs has been enlarged by including new POPs in the Annexes of Stockholm Convention by decisions of COP 4 in May 2009 and COP5 in May 2011 of Stockholm Convention as follows:

- the pesticides chlordecone, alpha hexachlorocyclohexane, beta hexachlorocyclohexane, lindane, and pentachlorobenzene;
- the industrial chemicals hexabromobiphenyl, tetra-, penta-, hexa- and heptabromodiphenyl ether, pentachlorobenzene, perfluorooctane sulfonic acid (PFOS), its salts, perfluorooctane sulfonyl fluoride;
- the by-products alpha hexachlorocyclohexane, beta hexachlorocyclohexane and pentachlorobenzene; and
- endosulfane

The follow-up conferences under the Basel Convention updated the existing guidelines and added new technical guidelines, for example for waste containing flame retardants such as PBDE, as well as waste containing PCB, PCT, PCN or PBB.

2.1.2.5 Shipment of plastic waste

In accordance with the decisions of COP 14 of the Basel Convention, in future only single-variety waste and mixtures of plastics such as polypropylene, polyethylene and PET that are free of impurities and demonstrably intended for recycling can be freely traded with other countries. Since these plastics are in demand worldwide and have a market value, it is unlikely that they will be landfilled. Hazardous plastic waste and those that are difficult to recycle are now subject to the requirements of the Basel Convention. This means that they may only be shipped and disposed of in an environmentally sound manner with the consent of the authorities of the exporting and importing countries. Annexes II, VIII and IX of the Basel Convention have been amended accordingly.

In the EU, the new regulation leads to an export ban on plastic waste that is not sorted, contaminated and mixed with other types of waste. This prevents exports to countries that do not have adequate infrastructure for the environmentally sound disposal or recycling of plastic waste and where there is a high risk of it ending up in landfills and later in the environment. The new regulation applies from 1 January 2021.

With the new regulation, there is a multiple mirror entry on plastic waste in the Basel Convention. In addition to the new entry B 3011 in Annex IX, which replaces the old entry B3010, there is a new entry A3210 for hazardous plastic waste in Annex VIII, and a new entry Y48 for non-hazardous plastic waste requiring monitoring in Annex II.

2.1.2.5.1 Implementation in the OECD and EU

By decision^{f)} of 7 September 2020, Annexes 3 and 4 of the OECD Council Decision were amended, but there was no consensus among OECD member countries to adopt the new Basel entries.

The Delegated Regulation⁷ (EU) 2020/2174 of 19 October 2020 adopted adapted entries in the WSR, different entries for intra-EU, OECD and third country shipments. The new regulation in the EU includes an adapted entry EU3011 for non-hazardous plastic waste, an entry AC300 for hazardous plastic waste originating from the OECD Decision and an entry EU48 for non-hazardous - but controlled - plastic waste for shipments destined for material and energy recovery within the Community.

Since 1 January 2021, the import of plastic waste under entries AC300 and Y48 into the Union from countries to which the OECD Decision does not apply, as well as the import of such plastic waste from OECD countries into the Union, is subject to the procedure of prior written notification and consent. In accordance with Article 36 (1) (a) and (b) and Annex V of the VVA, the export of plastic waste of entries A3210 and Y48 to third countries to which the OECD Decision does not apply is prohibited. Furthermore, the export of B3011 will be prohibited from 21 November 2026 in accordance with Article 36 (1) (d) of the VVA. The export of this plastic waste may be permitted again by the Commission from 21 May 2029 at the earliest, subject to strict conditions.

2.1.2.6 Shipment of electrical and electronic waste

In June 2022, at COP 15 amendments to the waste lists in Annexes II, VIII and IX were adopted so that all waste electrical and electronic equipment is subject to notification and consent for transfrontier waste shipments. To this end, the waste codes A1180 for hazardous waste electrical and electronic equipment and B1110 for non-hazardous waste electrical and electronic equipment, which previously applied to waste electrical and electronic equipment, were repealed with effect from 31 December 2024 and replaced by the new codes A1181 (for hazardous waste electrical and electronic equipment) and Y49 (for non-hazardous waste electrical and electronic equipment).

2.1.2.6.1 Implementation in the OECD and EU

However, during OECD consultations, no agreement could be reached on the adoption of these new codes for waste electrical equipment, meaning that each OECD country is free to establish its own regulations. In the EU, the amendments to the Basel Convention have been implemented in EU law by means of two delegated acts, namely amending Regulation (EC) No 1013/2006⁸ and Regulation (EU) 2024/1157⁹. This transposes the provisions of the Basel Convention into EU law.

Since 1 January 2025, the following has applied to shipments between EU Member States

- hazardous waste electrical and electronic equipment must be classified under the new entry A1181 and may only be shipped transfrontier if permission has been given.
- non-hazardous electrical waste may be shipped transfrontier until 31 December 2026 using the general information requirements procedure (classification under OECD codes GC010 or GC020),
- from 1 January 2027, non-hazardous waste electrical equipment must be classified under the new waste code Y49, i.e. intra-Community shipments of non-hazardous waste electrical equipment will also be subject to notification requirements from this date on.

From 1 January 2025, hazardous waste electrical equipment exported to or imported from OECD countries must be classified under the new code A1181 and non-hazardous waste electrical equipment under the new code Y49, meaning that they can only be transported if permission has been given. These classifications also applies to the export or import of waste electrical equipment to or from non-OECD

^{f)} see: <http://www.oecd.org/environment/waste/theoecdcontrolsystemforwasterecovery.htm>

countries, which means that all hazardous and non-hazardous waste electrical equipment is subject to a strict export ban.

2.1.3 Bilateral Agreements in accordance with Article 11 of the Basel Convention

The Basel Convention prohibits the transfrontier shipment of wastes to or from non-Parties (Article 4 Para 5). However, Article 11 of the Basel Convention allows Parties to enter into bilateral agreements on transfrontier waste shipments with non-Party states, on the condition that environmentally sound waste management as required by the Basel Convention is carried out.

Germany has concluded a bilateral agreement with Kosovo (KFOR/NATO) pursuant to Article 11 of the Basel Convention, which has been in force since 15 February 2000. Shipments of waste are subject both to the provisions of the EC Waste Shipment Regulation and to the national laws of the individual state.

2.2 OECD Council Decision

In addition to the above agreements, there is a multilateral agreement based on Article 11 of the Basel Convention through which the OECD Council in May 1992 regulated transboundary movements of wastes destined for recovery operations to or from OECD states. This OECD-Council Decision, together with other Council decisions, constitutes a multilateral agreement pursuant to Article 11 Para 2 of the Basel Convention. The fundamentally revised OECD Decision of 2001 [C(2001)107/final] was transposed into EU law by the WSR.

Unlike the Basel Convention, the OECD-Council Decision only contains stipulations relating to shipments of wastes destined for recovery, not for disposal. On the other hand, the Decision applies not only to hazardous wastes, but to all types of wastes. In addition the OECD Decision contains more concrete provisions, including in particular concerning the deadlines of the notification procedure.

2.3 Waste Shipment Act (Ger.)

The Waste Shipment Act (Ger.) contains the legal provisions necessary for the implementation of the Basel Convention and simultaneously makes necessary additions to the WSR, such as supplementary provisions governing in particular compulsory re-importing, the financial guarantee, the establishment of a focal point, exchange of data, as well as provisions concerning penalties and fines. Due to the amendment to the WSR, an amendment to the AbfVerbrG is necessary

2.4 Regulation on Shipments of Waste (EU) 2024/1157)

The Regulation (EU) 2024/1157 of the European Parliament and of the Council on shipments of waste (WSR) fully transposes the procedural rules of the Basel Convention and the OECD Decision into directly applicable law of the EU. The WSR contains a ban on exports of waste for disposal outside the European Union with the exception of the export in countries which belong to European Free Trade Association (Island, Norway, Switzerland and Liechtenstein) and are Party to the Basel Convention. Exports can only be approved if the requirements set out in Article 11 of the WSR are met. Pursuant to Article 39 in conjunction with Annex V, the WSR in addition prohibits all exports of hazardous waste for recovery to countries to which the OECD Decision does not apply.

The provisions of the WSR aim to ensure proper transfrontier shipment of waste as well as an environmentally sound disposal of waste not posing a risk to health. Environment and health risks shall be prevented and developing countries protected against imports of waste.

2.4.1 Scope of Application and Requirements

The WSR is applicable to all waste excluding the exceptions as specified in Art. 2 Para 2 of the WSR, which are not subject to the control procedures of the WSR on the basis of special regulations, applicably, where already covered by other Community legislation containing similar conditions apply.

An exception applies to the import of waste generated by armed forces or relief organisations in situations of crisis, peace-making or peacekeeping operations. This introduces facilitations for the import of waste generated abroad on missions of the German Federal Armed Forces, for example.

To ensure a as much as possible nationwide uniform application of the regulations the Federation/Federal States Working Party on Waste (LAGA) has issued a guide¹⁰ covering the stipulations of WSR and Waste Shipment Act (Ger.). This guide is currently being revised by the working group.

The WSR applies to wastes as defined in the Waste Framework Directive. Consequently, the WSR is applicable only to materials to which this definition applies. The differentiation between waste and products is therefore very important. Some guidance for this differentiation is provided by a paper produced within the framework of the OECD¹¹, a Communication from the Commission to the Council and the European Parliament¹² as well as a paper developed by German federal and federal state governments concerning waste definition, waste recovery and waste disposal¹³. For waste electrical and electronic equipment the WEEE Directive contains specific regulations¹⁴. The EU has also issued end-of-waste regulations for steel, iron and aluminium scrap¹⁵, glass¹⁶ and copper¹⁷.

Where a competent authority does not classify a material as waste, Article 29 No. 2 WSR provides that it nevertheless has to treat it as waste and apply the WSR if another, foreign authority involved in the shipment classifies the material as waste.

The wastes are classified by a two-list-system supplemented by OECD and EU and implemented in European law with the WSR:

- Green List (Annexes III, IIIA and IIIB of WSR – based on Annex IX of Basel Convention and supplemented by OECD and EU),
- Amber List (Annex IV of WSR – based on Annex VIII and II of Basel Convention and supplemented by OECD and EU).

The classification in the lists is based on substances by applying a risk based approach. Mentioning of waste sources only gives additional indications¹⁸. The wastes are classified according to their constituents (substances) as metal wastes, metal containing wastes, wastes containing principally inorganic constituents, wastes containing principally organic constituents and wastes which may contain either inorganic or organic constituents.

Depending on the intended management method and the classification of the waste, a transfrontier waste shipment is subject either to the procedure of prior written notification and consent by the authority or to general information requirements. Subject to the general information requirements are shipments of:

- waste for recovery listed in Annexes III or IIIB, as well as non-hazardous waste mixtures listed in Annex IIIA when shipped in amounts of more than 20 kg, and
- waste destined for laboratory analysis up to a maximum of 250 kg.

Such shipments have to be accompanied by a form (consignment information) in accordance with Annex VII (see Fig. 2).

If an authority involved does not regard a waste as being listed in Annexes III, IIIA, and/or IIIB and therefore regards transfrontier shipments as requiring notification, the other competent authorities must also treat the waste as notifiable, in accordance with Article 29 No. 4 WSR.

Tables 1 and 2 give an overview of further substantial provisions of the WSR. Where a notification duty based on WSR and the Waste Shipment Act (Ger.) exists, shipments between the Member States of the EU, imports into the EU and exports from the EU into third countries are subject to the procedure of

prior written notification and consent. In this connection the competent authority of dispatch, if necessary the competent authority (ies) of transit and the competent authority of destination cooperate in order to settle the modalities of the waste shipment.

Table 1: Regulatory Areas of the EC Waste Shipment Regulation for Shipments within, into and through the EU

Transfrontier shipment	within the EU Articles 4 to 18	import into the EU Articles 50 to 56	transit through the EU, Articles 57/58
Waste for recovery Annexes III, IIIA and IIIB ≤ 20 kg	free movement Art. 4 (4)	free movement Art. 4 (4)	free movement Art. 4 (4)
Waste for recovery Annexes III, IIIA and IIIB > 20 kg	information requirements Art. 18	information requirements Art. 18	information requirements Art. 18
Waste for recovery Annexes IV	permitted notification according to Articles 4 to 17	prohibited, with exceptions ¹⁾ notification according to Articles 53 to 56	permitted notification according to Art. 58
Waste for laboratory analysis ≤ 250 kg	information requirements Art. 4 (5), Art. 18	information requirements Art. 4 (5), Art. 18	information requirements Art. 4 (5), Art.18
Waste for disposal	permitted notification according to Art. 4 to 17, 51	prohibited, with exceptions ²⁾ notification according to Article 50	permitted notification according to Art. 57

1) the import from countries to which the OECD Decision applies, Parties to the Basel Convention and countries with which bilateral agreement exist is permitted

2) the import from Parties to the Basel Convention and countries with which bilateral agreements exist is permitted

Illegal waste shipments or legal waste shipments which cannot be completed within the country of destination must be returned by the generator/producer or the notifying person. This party must bear the costs for the return shipment and the environmentally sound disposal of the wastes within the country of dispatch.

2.4.1.1 Export and Import of Waste destined for Disposal

EU Member States are allowed to export waste for disposal only into other EU Member States and in EFTA countries which are Parties to the Basel Convention. This is subject to compliance with the conditions and criteria set out in Article 11 of the WSR in order to ensure environmentally sound disposal. To this end, the disposal facilities in question must be audited by independent third parties in accordance with Art. 46 (3) of WSR to verify whether the requirements set out in the directives, regulations and guidelines⁹⁾ listed in Annex X to the WSR are met, unless there is an international agreement between the EU and the OECD-country in accordance with Art. 46 (11) of WSR.

The import of waste for disposal into the EU is only permitted from countries that are parties to the Basel Convention or with which the EU or individual Member States have concluded bilateral or multilateral agreements or arrangements, as well as from other areas in cases where, exceptionally, for example during crisis situations, no agreements can be concluded (cf. Art. 50 (1) d)).

2.4.1.2 Export and Import of Waste destined for Recovery

The export and import of hazardous waste for recovery from or into the EU are likewise prohibited depending on the third country involved. The export for recovery of hazardous and other wastes listed

⁹⁾ EU directives and regulations are listed, as well as guidelines/guidance documents from the Basel Convention and the OECD.

in Art. 39 in conjunction with Annex V of the WSR from the EU into countries to which the OECD Decision does not apply is prohibited (cf. Fig. 1). The import of waste for recovery into the EU from countries to which the OECD Decision applies, which are a Party to the Basel Convention and countries with bilateral agreement is permitted (also cf. Tables 1 and 2).

Waste may only be exported if it is recovered in an environmentally sound manner in the country of destination in accordance with Art. 59 of WSR. To this end, the relevant disposal facilities must be audited by independent third parties in accordance with Art. 46 (3) of WSR to verify compliance with the requirements set out in the directives, regulations and guidelines listed in Annex X to the WSR.

Table 2: Regulatory Areas of the WSR for shipments out of the EU (export)

Transfrontier shipment	Export from the EU to countries to which the OECD Decision applies Art. 18, 38, 44/45	Export from the EU to countries to which the OECD Decision does not apply; Art. 18, 39 to 45
Waste for recovery Annexes III, IIIA, IIIB	permitted Art. 44/45; information requirements within EU: Art. 18	special provisions ¹⁾ acc.to Art. 37 (EC) 1013/2006 Art. 40 to 43 of WSR information requirements within EU: Art. 18
Waste for recovery Annexes IV	permitted notification according to Art. 44/45	not applicable
Hazardous waste for recovery according to Annex V²⁾	not applicable	prohibited
Waste for disposal	prohibited, with exceptions ³⁾ notification according art. 38	prohibited

1) until 21.05.2027 according to Commission Regulation No 1418/2007 including issued corrections and amendments, from then onwards only in countries listed by Commission acc. to Art. 41 to 43 of WSR, if ESM of receiving facility is ensured

2) see figure 1

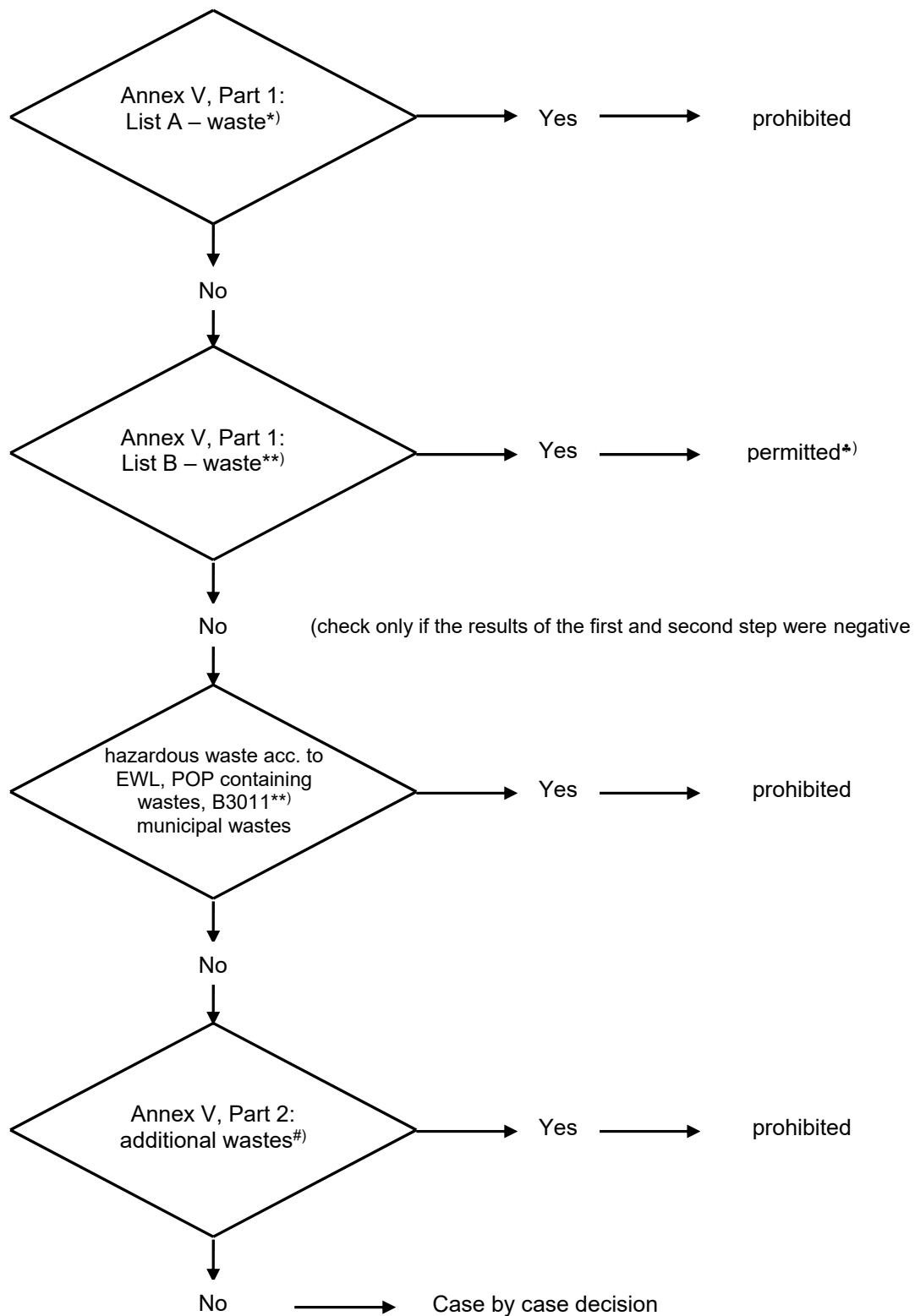
3) export is only permitted to EFTA countries which are Parties to the Basel Convention

Such shipments are subject to a control system which differentiates between two waste categories. While notification is required for waste of the Amber Waste List, an exemption from the requirement to carry out a notification procedure applies to 'Green Waste'. This waste can be shipped without consent of a competent authority within the EU and the countries to which the OECD Decision applies, although it has to be accompanied within the EU by certain information pursuant to Art. 18 WSR (form in Annex VII of the WSR) as well as other requirements are met.

However exports of this non-hazardous waste for recovery into a country to which the OECD Decision does not apply are subject to special arrangements in accordance with the revised stipulations of Art. 39 to 43 of the WSR. Up to now these special provisions have been published by the Commission in the form of a binding regulation ([Regulation (EC) No 1418/2007]) in accordance with Regulation (EC) No 1013/2006. The information is available in a prepared form in a list of countries (Staatenliste) compiled by the Basel Convention Focal Point at the Federal Environment Agency of Germany.

Regulation 1418/2007 will only remain in force until 21 May 2027, when it will be replaced by a new regime set out in Articles 39 to 43 of the WSR. To this end, third countries must submit a reasoned request to the Commission, using the form in Annex VIII to the WSR, for inclusion in a list of countries to which green waste may be exported. The Commission shall examine the application in accordance with the requirements of Article 42 of the WSR and, depending on the outcome of the examination, shall include or exclude the country from the list. In doing so, the Commission shall apply the relevant provisions of the legislation and guidelines listed in Annex IX of the WSR.

Fig. 1: Decision Tree for the Export Prohibition for Hazardous Wastes Listed in Annex V of WSR



*) hazardous waste listed in Annex VIII to the Basel Convention

**) non-hazardous waste listed in Annex IX to the Basel Convention, except B3011 which is banned from 21 of November 2026

♣) until 21.05.2027 taking into account export prohibitions and authorisation requirements laid down in Commission Regulation (EC) No 1418/2007, including corrections and amendments, from then onwards only in Countries listed acc. to Art. 41 to 43 WSR, when ESM for the facility is ensured

#) Y46, Y47, Y48, Y49, AA010, AA060, AA190, AB030, AB070, AB120, AB130AB150, AC060, AC070, AC080, AC150, AC160, AC170, AC250, AC260, AC270, AD090, AD100, AD120, AD150, RB020

2.4.2 Digital Waste Shipment System of the EU (DIWASS)

According to Article 27 of the WSR, from 21 May 2026 onwards, all waste shipments within the EU must be processed electronically, i.e. both shipments subject to notification and shipments of waste that are only subject to general information requirements. A central European IT system^{h)} has been set up for this purpose to handle the reporting, authorisation and monitoring of waste shipments by electronic means. This also applies to all other declarations, confirmations and decisions required in the context of waste shipments. DIWASS makes the information available to the other parties involved in the respective shipment and to the competent authorities. This is intended to make the processes more efficient and transparent for companies and authorities.

DIWASS applies to all parties involved, both within the EU and to companies from third countries that ship waste to the EU. Transactions are processed via the EU's central system or via national systems in the Member States that are connected to DIWASS. Companies can use special software solutions connected to DIWASS to submit and manage documents by electronic means.

From May 2026, all parties involved will therefore need to register with DIWASS. When registering, you can apply for the type of use (EU GUI, local system or commercial software solution). The competent authority will decide which use is permitted according to the current interpretation. Waste producers based in Germany will be able to use either an online service operated by the EU Commission (DIWASS-GUI)ⁱ⁾ or software solutions offered for a fee.

Only sites previously registered in DIWASS can be entered in an electronically maintained Annex VII document (information obligation pursuant to Art. 18 VVA), notification document or movement document. The sites are registered by the competent authorities at the request of the operator. Access to DIWASS is always via personal user accounts. These can be set up via the DIWASS GUI of the EU. Notifier who use a software solution from a commercial provider do not need direct access to DIWASS. They therefore do not need to set up a user account in DIWASS assigned to their company.

2.4.3 General Information Requirements

The shipment of 'Green Waste' for recovery as referred to in Art. 4 Para 4 of WSR and listed in Annexes III and IIIB, and of green waste mixtures of Annex IIIA of more than 20 kg requires general information in accordance with Article 18 of WSR. For shipments which are subject to the general information requirements neither a notification (prior announcement) of such shipment nor consent of the authorities is necessary. However the person arranging the shipment has to complete the consignment information in accordance with Art. 18 and Annex VII by electronic means two working days before each individual waste shipment. It must be ensured that the information is available electronically to all other persons and authorities involved in the shipment, including during transport. If the information is not available via the Internet during transport, it must be made available by other suitable means (e.g. in paper form).

The operator of the recovery facility or the laboratory must confirm receipt of the waste within two working days of its arrival in box 14 by electronic means. The recovery facility shall confirm by electronic means completion of recovery in box 15 no later than 30 days after completion of recovery and no later than one year after receipt of the waste. The shipment information shall be kept by the person arranging the shipment, the recipient and the recovery facility for five years.

The provisions of Art. 18 WSR in conjunction with the mandatory form in Annex VII (see Fig. 2) constitute a series of obligations for the shipment of green waste. This means that

- the person arranging the shipment must be authorised or registered in accordance with Chapter IV of the Waste Framework Directive,

^{h)} Details of the electronic procedure are regulated by Implementing Regulation (EU) 2025/1290

ⁱ⁾ Graphical user interface of DIWASS

- waste may only be shipped to a facility that is authorised or registered in accordance with Chapter IV of the Waste Framework Directive,
- when shipping waste for preliminary recovery, information about the subsequent steps (recovery facility/facilities, R codes) must be provided, and
- a disposal contract, which must be concluded between the person arranging the shipment and the recipient prior to shipment.

Furthermore, at the request of the authorities involved in transport checks, the person arranging the shipment or recipient must send a copy of the disposal contract or the agreement for laboratory analysis to the authority.

The shipment of waste for laboratory analysis of less than 250 kg of the type of waste to be analysed is not subject to the prior notification and consent procedure pursuant to Art. 43 (5) of the WSR, but is subject to the general information requirements.

2.4.4 Procedure of Prior Written Notification and Consent

All transfrontier waste shipments that are not subject to general information requirements or are otherwise exempt from the provisions of the WSR are subject to the procedure of prior written notification and consent.

The procedure of prior written notification and consent comprises obligations concerning prior checks (before the beginning of the waste shipment) and verification of the waste's fate (for each waste shipment). Beyond that additional provisions exist concerning shipments of waste destined for interim recovery or disposal operations (D 12 to D 15 and R 12 to R 13, in accordance with Art. 15 WSR). Furthermore different provisions exist concerning the shipment of waste to pre-consented recovery facilities in accordance with Art. 14 WSR.

The notifier has to apply for the planned shipment of waste electronically via DIWASS to all competent authorities by means of a notification document and further necessary documents. According to Art. 3 No 6 of the WSR, the notifier can be:

- i. the original waste producer,
- ii. the new waste producer,
- iii. a collector,
- iv. a dealer or a broker acting on behalf of one of the persons referred to in i, ii or iii, or
- v. the owner of the waste, if the persons referred to in i to iv are unknown or insolvent.

The notifier must be authorised or registered in accordance with Chapter IV of the Waste Framework Directive (Articles 23 to 27 of the WSR). As before, individual notifications as well as general notifications – covering several shipments - are allowed.

Transfrontier waste shipments are permitted only if and as long as the competent authorities at the place of dispatch (competent authority of dispatch) and at the place of destination (competent authority of destination) have given their prior written consent and any transit authority involved (competent authority of transit) have consented at least tacitly. All authorities must have consented. For example, if the written consent of the competent authority of destination is absent, the waste shipment is prohibited even if the written consent of the competent authority of dispatch is available and all competent authorities of transit have consented at least tacitly.

2.4.4.1 Competent Authorities

Competent authorities responsible for the implementation of the WSR are to be designated by the Member States, as provided for in Article 75 of the WSR. In addition, Art. 76 WSR provides that each Member State has to designate at least one correspondent, responsible for cooperation in particular between the Member States and the EU Commission and also for informing or advising persons or undertaking.

In Germany, the Federal Environment Agency (Umweltbundesamt) has been designated as Focal Point in accordance with Art. 15 Waste Shipment Act (Ger.) and as competent authority for the authorisation of the transit of wastes in accordance with Art. 14 para 4 Waste Shipment Act (Ger.). The competent authorities designated for the import and export of wastes in the Federal States are the regional authorities (district governments or district administrations in North-Rhine Westphalia, Hesse and Bavaria). Most of the Federal States have designated only one authority.

In some Member States of the EU the responsibility is likewise divided according to export, import and transit, based on the political structure (counties, districts, regions and departments). In other Member States only one competent authority has been designated. Addresses and contact persons concerning Germany and foreign countries can be obtained from the Focal Point in the Federal Environment Agency, Germany. These can also be viewed on the Basel Convention website.

2.4.4.2 Application Procedure

The application for transfrontier shipments of waste (notification) has to be submitted electronically with the notification document (see Figures 3 and 4), the movement document (see Figures 5 and 6) contained in Annexes IA and IB of the WSR and additional documents. The application has to be done electronically in the central system of the EU (DIWASS).

These sets of documents are harmonised with the forms issued by the OECD and the Basel Convention with the exception of the addition of the packaging material 'bales' on the reverse side of both forms and the container number in the additional box 2a of the EU movement document. They serve as notification document, as document accompanying the transfrontier shipment of waste and as disposal or recovery certificate. Both forms contain fields for official entries such as acknowledgement of receipt, consent, customs office stamp, etc.

When submitting an application for the transfrontier shipment of waste, in addition to the notification document, the movement document has to be submitted containing the entries in boxes 1, 3, 4, 7, 8 (as far as possible at the time of notification) and 9 to 14. The application is to be submitted in German or together with the corresponding translation - certified if necessary. In accordance with the LAGA-Guidance^{j)} on the enforcement of the WSR, in individual cases the authorities can also accept other languages.

The notifier has to have prior consultations with the relevant competent authority on the details (of the shipment). Although the notification procedure has been digitised, it is advisable to check the details, such as which documents are required or whether these are sufficient, with the relevant authority. To do this, it is best to contact the relevant official in the country of dispatch. Where the intention is to export waste it is advisable that the other required copies of the application be submitted in the relevant national languages of the countries concerned.

The competent authority of dispatch checks all obligatory documents and information (as listed in Parts 1 and 2 of Annex to WSR) for completeness. This obligatory documentation and information includes the completely filled-in notification document and, to the extent necessary, the movement document. It also includes proof of the existence of a disposal or recovery contract between the notifier and consignee as well as of a financial guarantee to cover the costs of a possible return of the waste. If this obligatory documentation and information is complete, the notification is considered 'properly carried out'.

^{j)} under revision by the working party

Fig. 3 Front page of the Notification Document for Transfrontier Shipments of Waste in Annex IA of WSR

Notification document for transboundary movements/shipments of waste		EU
1. Exporter - notifier Registration No: Name: Address: Contact person: Tel: Fax: E-mail:	3. Notification No: IE 0000 000000 Notification concerning A.(i) Individual shipment: <input type="checkbox"/> (ii) Multiple shipments: <input type="checkbox"/> B.(i) Disposal ⁽¹⁾ : <input type="checkbox"/> (ii) Recovery : <input type="checkbox"/> C. Pre-consented recovery facility ^(2,3) Yes <input type="checkbox"/> No <input type="checkbox"/>	
2. Importer - consignee Registration No: Name: Address: Contact person: Tel: Fax: E-mail:	4. Total intended number of shipments: 5. Total intended quantity ⁽⁴⁾: Tonnes (Mg): m ³ : 6. Intended period of time for shipment(s) ⁽⁴⁾: First departure: Last departure:	
8. Intended carrier(s) Registration No: Name ⁽⁷⁾ : Address: Contact person: Tel: Fax: E-mail: Means of transport ⁽⁵⁾ :	7. Packaging type(s) ⁽⁵⁾: Special handling requirements ⁽⁶⁾: Yes: <input type="checkbox"/> No: <input type="checkbox"/> 11. Disposal / recovery operation(s) ⁽²⁾ D-code / R-code ⁽⁵⁾ : Technology employed ⁽⁶⁾ : Reason for export ^(1,6) :	
9. Waste generator(s) - producer(s) ^(1;7,8) Registration No: Name: Address: Contact person: Tel: Fax: E-mail: Site and process of generation ⁽⁶⁾ :	12. Designation and composition of the waste ⁽⁶⁾: 13. Physical characteristics ⁽⁵⁾:	
10. Disposal facility ⁽²⁾: <input type="checkbox"/> or recovery facility ⁽²⁾: <input type="checkbox"/> Registration No: Name: Address: Contact person: Tel: Fax: E-mail: Actual site of disposal/recovery:	14. Waste identification (fill in relevant codes) (i) Basel Annex VIII (or IX if applicable); (ii) OECD code (if different from (i)); (iii) EC list of wastes; (iv) National code in country of export; (v) National code in country of import; (vi) Other (specify): (vii) Y-code: (viii) H-code ⁽⁵⁾ : (ix) UN class ⁽⁵⁾ : (x) UN Number: (xi) UN Shipping name: (xii) Customs code(s) (HS):	
15. (a) Countries/states concerned, (b) Code No. of competent authorities where applicable, (c) Specific points of exit or entry (border crossing or port)		
State of export - dispatch	State(s) of transit (entry and exit)	State of import - destination
(a)		
(b)		
(c)		
16. Customs offices of entry and/or exit and/or export (European Community): Entry: Exit: Export:		
17. Exporter's - notifier's - generator's - producer's ⁽¹⁾ declaration: I certify that the information is complete and correct to my best knowledge. I also certify that legally-enforceable written contractual obligations have been entered into and that any applicable insurance or other financial guarantee is or shall be in force covering the transboundary movement.		
Exporter's - notifier's name: Date: Signature: Generator's - producer's name: Date: Signature:	18. Number of annexes attached	
FOR USE BY COMPETENT AUTHORITIES		
19. Acknowledgement from the relevant competent authority of countries of import - destination / transit ⁽¹⁾ / export - dispatch ⁽⁹⁾: Country: Notification received on: Acknowledgement sent on: Name of competent authority: Stamp and/or signature:	20. Written consent ^(1,8) to the movement provided by the competent authority of (country): Consent given on: Consent valid from: until: Specific conditions: No: <input type="checkbox"/> If Yes, see block 21 ⁽⁶⁾ : <input type="checkbox"/> Name of competent authority: Stamp and/or signature:	
21. Specific conditions on consenting to the movement document of reasons for objecting		

(1) Required by the Basel Convention
 (2) In the case of an R12/R13 or D13-D15 operation, also attach corresponding information on any subsequent R12/R13 or D13-D15 facilities and on the subsequent R1-R11 or D1-D12 facility(ies) when required
 (3) To be completed for movements within the OECD area and only if B(ii) applies
 (4) Attach detailed list if multiple shipments
 (5) See list of abbreviations and codes on the next page
 (6) Attach details if necessary
 (7) Attach list if more than one
 (8) If required by national legislation
 (9) If applicable under the OECD Decision

Fig. 4 Reverse side of the Notification Document for Transfrontier Shipments of Waste in Annex IA of WSR**List of abbreviations and codes used in the notification document**

DISPOSAL OPERATIONS (block 11)																																															
D1	Deposit into or onto land, (e.g., landfill, etc.)																																														
D2	Land treatment, (e.g., biodegradation of liquid or sludgy discards in soils, etc.)																																														
D3	Deep injection, (e.g., injection of pumpable discards into wells, salt domes or naturally occurring repositories, etc.)																																														
D4	Surface impoundment, (e.g., placement of liquid or sludge discards into pits, ponds or lagoons, etc.)																																														
D5	Specially engineered landfill, (e.g., placement into lined discrete cells which are capped and isolated from one another and the environment, etc.)																																														
D6	Release into a water body except seas/oceans																																														
D7	Release into seas/oceans including sea-bed insertion																																														
D8	Biological treatment not specified elsewhere in this list which results in final compounds or mixtures which are discarded by means of any of the operations in this list																																														
D9	Physico-chemical treatment not specified elsewhere in this list which results in final compounds or mixtures which are discarded by means of any of the operations in this list (e.g., evaporation, drying, calcination, etc.)																																														
D10	Incineration on land																																														
D11	Incineration at sea																																														
D12	Permanent storage, (e.g., emplacement of containers in a mine, etc.)																																														
D13	Blending or mixing prior to submission to any of the operations in this list																																														
D14	Repackaging prior to submission to any of the operations in this list																																														
D15	Storage pending any of the operations numbered in this list																																														
RECOVERY OPERATIONS (block 11)																																															
R1	Use as a fuel (other than in direct incineration) or other means to generate energy (Basel/OECD) - Use principally as a fuel or other means to generate energy (EU)																																														
R2	Solvent reclamation/regeneration																																														
R3	Recycling/reclamation of organic substances which are not used as solvents																																														
R4	Recycling/reclamation of metals and metal compounds																																														
R5	Recycling/reclamation of other inorganic materials																																														
R6	Regeneration of acids or bases																																														
R7	Recovery of components used for pollution abatement																																														
R8	Recovery of components from catalysts																																														
R9	Used oil re-refining or other reuses of previously used oil																																														
R10	Land treatment resulting in benefit to agriculture or ecological improvement																																														
R11	Uses of residual materials obtained from any of the operations numbered R1-R10																																														
R12	Exchange of wastes for submission to any of the operations numbered R1-R11																																														
R13	Accumulation of material intended for any operation in this list.																																														
PACKAGING TYPES (block 7)		H-CODE AND UN CLASS (block 14)																																													
<ol style="list-style-type: none"> 1. Drum 2. Wooden barrel 3. Jerrican 4. Box 5. Bag 6. Composite packaging 7. Pressure receptacle 8. Bulk 9. Bale 10. Other (specify) 		<table border="1"> <thead> <tr> <th>UN Class</th> <th>H-code</th> <th>Characteristics</th> </tr> </thead> <tbody> <tr> <td>1</td> <td>H1</td> <td>Explosive</td> </tr> <tr> <td>3</td> <td>H3</td> <td>Flammable liquids</td> </tr> <tr> <td>4.1</td> <td>H4.1</td> <td>Flammable solids</td> </tr> <tr> <td>4.2</td> <td>H4.2</td> <td>Substances or wastes liable to spontaneous combustion</td> </tr> <tr> <td>4.3</td> <td>H4.3</td> <td>Substances or wastes which, in contact with water, emit flammable gases</td> </tr> <tr> <td>5.1</td> <td>H5.1</td> <td>Oxidizing</td> </tr> <tr> <td>5.2</td> <td>H5.2</td> <td>Organic peroxides</td> </tr> <tr> <td>6.1</td> <td>H6.1</td> <td>Poisonous (acute)</td> </tr> <tr> <td>6.2</td> <td>H6.2</td> <td>Infectious substances</td> </tr> <tr> <td>8</td> <td>H8</td> <td>Corrosives</td> </tr> <tr> <td>9</td> <td>H10</td> <td>Liberation of toxic gases in contact with air or water</td> </tr> <tr> <td>9</td> <td>H11</td> <td>Toxic (delayed or chronic)</td> </tr> <tr> <td>9</td> <td>H12</td> <td>Ecotoxic</td> </tr> <tr> <td>9</td> <td>H13</td> <td>Capable, by any means, after disposal of yielding another material, e. g., leachate, which possesses any of the characteristics listed above</td> </tr> </tbody> </table>	UN Class	H-code	Characteristics	1	H1	Explosive	3	H3	Flammable liquids	4.1	H4.1	Flammable solids	4.2	H4.2	Substances or wastes liable to spontaneous combustion	4.3	H4.3	Substances or wastes which, in contact with water, emit flammable gases	5.1	H5.1	Oxidizing	5.2	H5.2	Organic peroxides	6.1	H6.1	Poisonous (acute)	6.2	H6.2	Infectious substances	8	H8	Corrosives	9	H10	Liberation of toxic gases in contact with air or water	9	H11	Toxic (delayed or chronic)	9	H12	Ecotoxic	9	H13	Capable, by any means, after disposal of yielding another material, e. g., leachate, which possesses any of the characteristics listed above
UN Class	H-code	Characteristics																																													
1	H1	Explosive																																													
3	H3	Flammable liquids																																													
4.1	H4.1	Flammable solids																																													
4.2	H4.2	Substances or wastes liable to spontaneous combustion																																													
4.3	H4.3	Substances or wastes which, in contact with water, emit flammable gases																																													
5.1	H5.1	Oxidizing																																													
5.2	H5.2	Organic peroxides																																													
6.1	H6.1	Poisonous (acute)																																													
6.2	H6.2	Infectious substances																																													
8	H8	Corrosives																																													
9	H10	Liberation of toxic gases in contact with air or water																																													
9	H11	Toxic (delayed or chronic)																																													
9	H12	Ecotoxic																																													
9	H13	Capable, by any means, after disposal of yielding another material, e. g., leachate, which possesses any of the characteristics listed above																																													
MEANS OF TRANSPORT (block 8)																																															
R = Road T = Train/rail S = Sea A = Air W = Inland waterways																																															
PHYSICAL CHARACTERISTICS (block 13)																																															
<ol style="list-style-type: none"> 1. Powdery/powder 2. Solid 3. Viscous/paste 4. Sludgy 5. Liquid 6. Gaseous 7. Other (specify) 																																															

Further information, in particular related to waste identification (block 14), i.e. on Basel Annexes VIII and IX codes, OECD codes and Y-codes, can be found in a Guidance/Instruction Manual available from the OECD and the Secretariat of the Basel Convention.

All competent authorities may request the submission of optional (additional) documentation and information from the notifier. If they request such documentation or information they have to inform the

other authorities concerned, in particular the competent authority of destination. When the competent authority of dispatch or transit subsequently receives all optional documentation and information it has requested, it has to inform the competent authority of destination immediately.

The competent authority of destination checks all obligatory and optional documentation and information as listed in Parts 1, 2 and 3 of Annex II to WSR for completeness. The notification is considered 'properly completed' when the competent authority of destination is satisfied that all documentation and information has been transmitted and when there is no communication from the competent authority of dispatch or a competent authority of transit that it is requesting optional documentation or information from the notifier or when such a communication from the competent authority of dispatch or a competent authority of transit has been settled in the meantime by a further communication of that authority. The authority of destination shall inform the notifier and the other authorities concerned of this as soon as possible, at the latest within the time limits specified in Article 8 (6) of the WSR (10 or 7 working days) by electronic means.

On the date of information to the notifier and the authorities concerned starts the 30 day time period within which all competent authorities have to decide on the notification in accordance with Article 9 para 1 WSR.

The WSR provides for the following possible decisions by the competent authorities:

- consent without conditions,
- consent with conditions in accordance with Art. 10 WSR;
- objections in accordance with Articles 12 WSR, or
- no consent if the conditions set out in Article 11 are not met..

After the end of this period without written consent by a competent authority of transit, tacit consent without conditions by that competent authority of transit may be assumed.

The possible conditions that may be laid down in connection with the consent to a shipment are specified in Article 10 of the WSR. These requirements may be based on one or more of the conditions set out in Article 11 or on the grounds listed in Article 12 of the VVA. Even if a German authority gives its consent without conditions to a waste shipment, the German regulations concerning transport and waste disposal are directly applicable to the persons concerned, to whom these regulations are addressed.

2.4.4.3 Movement Document Procedure

The waste must be tracked with the movement document. When all necessary consents have been granted by the competent authorities, the movement document with the data given when the application was filed - in boxes 1, 3, 4, 7, 8 (as far as possible) and 9 to 14 - is to be supplemented by the notifier with the data which are still missing, with the exception of that in boxes 5, 6 and 15 ff.

Two days before each intended shipment the relevant document has to be supplemented by electronic means with the data still missing, signed digital in box 15 and transmitted to all competent authorities concerned, in order to announce the transport.

The companies involved in the shipment will confirm by electronic means the custody transfer, receipt and recovery or disposal of the waste using the movement document, which must accompany each waste shipment. For each individual waste transport, therefore the movement documents have to be transmitted by electronic means to all competent authorities three times, i.e.

- as announcement of the shipment by the notifier two working days before the shipment,
- as an acknowledgment of receipt (box 18) by the operator of the waste disposal/recovery facility two working days after receipt of the waste, and

Fig. 5: Front page of the movement document for transfrontier shipment of waste as contained in Annex IB of WSR

Movement document for transboundary movements/shipments of waste		EU
1. Corresponding to notification No: IE 0000/000000		2. Serial/total number of shipments: /
3. Exporter - notifier Registration No: Name: Address: Contact person: Tel: Fax: E-mail:		2a. Container identification number, if applicable: 4. Importer - consignee Registration No: Name: Address: Contact person: Tel: Fax: E-mail:
5. Actual quantity: Tonnes (Mg): m ³ :		6 Actual date of shipment:
7. Packaging Special handling requirements: ⁽²⁾ Yes: <input type="checkbox"/>		Type(s) ⁽¹⁾ : Yes: <input type="checkbox"/> Number of packages: No: <input type="checkbox"/>
8.(a) 1 st carrier ⁽³⁾ : Registration No: Name: Address: Tel: E-mail:	8.(b) 2 nd carrier: Registration No: Name: Address: Tel: E-mail:	8.(c) Last carrier: Registration No: Name: Address: Tel: E-mail:
----- To be completed by carrier's representative ----- More than 3 carriers ⁽²⁾ <input type="checkbox"/>		
Means of transport ⁽¹⁾ : Date of transfer: Signature:		Means of transport ⁽¹⁾ : Date of transfer: Signature:
9. Waste generator(s) - producer(s) ^(4,5,6) : Registration No: Name: Address: Contact person: Tel: Fax: E-mail: Site of generation ⁽²⁾ :		12. Designation and composition of the waste ⁽²⁾ : 13. Physical characteristics ⁽¹⁾ :
10. Disposal facility <input type="checkbox"/> or recovery facility <input type="checkbox"/> Registration No: Name: Address: Contact person: Tel: Fax: E-mail: Actual site of disposal/recovery ⁽²⁾		14. Waste identification (fill in relevant codes) (i) Basel Annex VIII (or IX if applicable): (ii) OECD code (if different from (i)): (iii) EC list of wastes: (iv) National code in country of export: (v) National code in country of import: (vi) Other (specify): (vii) Y-code: (viii) H-code ⁽¹⁾ : (ix) UN class ⁽¹⁾ : (x) UN Number: (xi) UN Shipping name: (xii) Customs code(s) (HS):
11. Disposal/recovery operation(s) D-code / R-code ⁽¹⁾ :		
15. Exporter's - notifier's / generator's - producer's ⁽⁴⁾ declaration: I certify that the above information is complete and correct to my best knowledge. I also certify that legally-enforceable written contractual obligations have been entered into, that any applicable insurance or other financial guarantee is in force covering the transboundary movement and that all necessary consents have been received from the competent authorities of the countries concerned. Name: Date: Signature:		
16. For use by any person involved in the transboundary movement in case additional information is required		
17. Shipment received by importer - consignee (if not facility): Date: Name: Signature:		
TO BE COMPLETED BY DISPOSAL / RECOVERY FACILITY		
18. Shipment received at disposal facility <input type="checkbox"/> or recovery facility <input type="checkbox"/> Date of reception: Quantity received: Tonnes (Mg): m ³ : Approximate date of disposal/recovery: Disposal/recovery operation ⁽¹⁾ : Name: Date: Signature:		19. I certify that the disposal/recovery of the waste described above has been completed. Name: Date: Signature and stamp:

(1) See list of abbreviations and codes on the next page

(2) Attach details if necessary

(3) If more than 3 carriers, attach information as required in blocks 8 (a, b, c).

(4) Required by the Basel Convention

(5) Attach list if more than one

(6) If required by national legislation

Fig. 6: Reverse side of the movement document for transfrontier shipment of waste as contained in Annex IB of WSR

FOR USE BY CUSTOMS OFFICES (if required by national legislation)			
20. Country of export - dispatch or customs office of exit The waste described in this movement document left the country on: Signature: Stamp:		21. Country of import - destination or customs office of entry The waste described in this movement document entered the country on: Signature: Stamp:	
22. Stamps of customs offices of transit countries			
Name of country: Entry:		Name of country: Entry:	
Exit:		Exit:	
Name of country: Entry:		Name of country: Entry:	
Exit:		Exit:	

List of Abbreviations and Codes Used in the Movement Document

DISPOSAL OPERATIONS (block 11) D1 Deposit into or onto land, (e.g., landfill, etc.) D2 Land treatment, (e.g. biodegradation of liquid or sludgy discards in soils, etc.) D3 Deep injection, (e.g., injection of pumpable discards into wells, salt domes or naturally occurring repositories, etc.) D4 Surface impoundment, (e.g., placement of liquid or sludge discards into pits, ponds or lagoons, etc.) D5 Specially engineered landfill, (e.g., placement into lined discrete cells which are capped and isolated from one another and the environment), etc. D6 Release into a water body except seas/oceans D7 Release into seas/oceans including sea-bed insertion D8 Biological treatment not specified elsewhere in this list which results in final compounds or mixtures which are discarded by means of any of the operations in this list D9 Physico-chemical treatment not specified elsewhere in this list which results in final compounds or mixtures which are discarded by means of any of the operations in this list (e.g., evaporation, drying, calcination, etc.) D10 Incineration on land D11 Incineration at sea D12 Permanent storage, (e.g., emplacement of containers in a mine, etc.) D13 Blending or mixing prior to submission to any of the operations in this list D14 Repackaging prior to submission to any of the operations in this list D15 Storage pending any of the operations in this list	RECOVERY OPERATIONS (block 11) R1 Use as a fuel (other than in direct incineration) or other means to generate energy (Basel/OECD) - Use principally as a fuel or other means to generate energy (EU) R2 Solvent reclamation/regeneration R3 Recycling/reclamation of organic substances which are not used as solvents R4 Recycling/reclamation of metals and metal compounds R5 Recycling/reclamation of other inorganic materials R6 Regeneration of acids or bases R7 Recovery of components used for pollution abatement R8 Recovery of components from catalysts R9 Used oil re-refining or other reuses of previously used oil R10 Land treatment resulting in benefit to agriculture or ecological improvement R11 Uses of residual materials obtained from any of the operations numbered R1-R10 R12 Exchange of wastes for submission to any of the operations numbered R1-R11 R13 Accumulation of material intended for any operation in this list																																													
PACKAGING TYPES (block 7) 1. Drum 2. Wooden barrel 3. Jerrican 4. Box 5. Bag 6. Composite packaging 7. Pressure receptacle 8. Bulk 9. Bale 10. Other (specify)	H-CODE AND UN CLASS (block 14) <table style="width: 100%; border-collapse: collapse;"> <thead> <tr> <th style="text-align: left;">UN class</th> <th style="text-align: left;">H-code</th> <th style="text-align: left;">Characteristics</th> </tr> </thead> <tbody> <tr><td>1</td><td>H1</td><td>Explosive</td></tr> <tr><td>3</td><td>H3</td><td>Flammable liquids</td></tr> <tr><td>4.1</td><td>H4.1</td><td>Flammable solids</td></tr> <tr><td>4.2</td><td>H4.2</td><td>Substances or wastes liable to spontaneous combustion</td></tr> <tr><td>4.3</td><td>H4.3</td><td>Substances or wastes which, in contact with water, emit flammable gases</td></tr> <tr><td>5.1</td><td>H5.1</td><td>Oxidizing</td></tr> <tr><td>5.2</td><td>H5.2</td><td>Organic peroxides</td></tr> <tr><td>6.1</td><td>H6.1</td><td>Poisonous (acute)</td></tr> <tr><td>6.2</td><td>H6.2</td><td>Infectious substances</td></tr> <tr><td>8</td><td>H8</td><td>Corrosives</td></tr> <tr><td>9</td><td>H10</td><td>Liberation of toxic gases in contact with air or water</td></tr> <tr><td>9</td><td>H11</td><td>Toxic (delayed or chronic)</td></tr> <tr><td>9</td><td>H12</td><td>Ecotoxic</td></tr> <tr><td>9</td><td>H13</td><td>Capable, by any means, after disposal of yielding another material, e. g., leachate, which possesses any of the characteristics listed above</td></tr> </tbody> </table>	UN class	H-code	Characteristics	1	H1	Explosive	3	H3	Flammable liquids	4.1	H4.1	Flammable solids	4.2	H4.2	Substances or wastes liable to spontaneous combustion	4.3	H4.3	Substances or wastes which, in contact with water, emit flammable gases	5.1	H5.1	Oxidizing	5.2	H5.2	Organic peroxides	6.1	H6.1	Poisonous (acute)	6.2	H6.2	Infectious substances	8	H8	Corrosives	9	H10	Liberation of toxic gases in contact with air or water	9	H11	Toxic (delayed or chronic)	9	H12	Ecotoxic	9	H13	Capable, by any means, after disposal of yielding another material, e. g., leachate, which possesses any of the characteristics listed above
UN class	H-code	Characteristics																																												
1	H1	Explosive																																												
3	H3	Flammable liquids																																												
4.1	H4.1	Flammable solids																																												
4.2	H4.2	Substances or wastes liable to spontaneous combustion																																												
4.3	H4.3	Substances or wastes which, in contact with water, emit flammable gases																																												
5.1	H5.1	Oxidizing																																												
5.2	H5.2	Organic peroxides																																												
6.1	H6.1	Poisonous (acute)																																												
6.2	H6.2	Infectious substances																																												
8	H8	Corrosives																																												
9	H10	Liberation of toxic gases in contact with air or water																																												
9	H11	Toxic (delayed or chronic)																																												
9	H12	Ecotoxic																																												
9	H13	Capable, by any means, after disposal of yielding another material, e. g., leachate, which possesses any of the characteristics listed above																																												
MEANS OF TRANSPORT (block 8) R = Road T = Train/Rail S = Sea A = Air W = Inland Waterways																																														
PHYSICAL CHARACTERISTICS (block 13) 1. Powdery / powder 5. Liquid 2. Solid 6. Gaseous 3. Viscous / paste 7. Other (specify) 4. Sludgy																																														

Further information, in particular related to waste identification (block 14), i.e. on Basel Annexes VIII and IX codes, OECD codes and Y-codes, can be found in a Guidance/Instruction Manual available from the OECD and the Secretariat of the Basel Convention.

- as confirmation of disposal or recovery (box 19) by the operator of the waste disposal/recovery facility 30 days after completion of the disposal / recovery operation and no later than 1 year after receipt at the facility.

2.4.5 Special Provisions for the Shipment of Green Listed Wastes for Recovery to Third Countries

When 'Green Waste' is shipped for recovery from the EU to a country to which the OECD Decision applies or when it is imported into or transited through the EU, the shipping information described in Chapter 2.4.3 must be carried during transport. A notification procedure is not required. This also applies if the transport passes through a state to which the OECD Decision does not apply. It should be noted, however, that authorisations (e.g. for transit) may have to be obtained in those countries.

Special arrangements apply to shipments of 'Green Waste' for recovery to countries to which the OECD Decision does not apply.

2.4.6 Take Back Obligations

Take back obligations pursuant to Articles 22 to 26 WSR are possible

- in the case of transfrontier waste shipments carried out legally on the basis of consent obtained from the authorities, if the shipment including the intended disposal or recovery operation in the country of destination cannot be completed or
- in the case of illegal waste shipments as defined in Art. 3 No 26 of the WSR.

Where such take back obligations exist, it is in principle the notifier – subject to certain exceptions – or instead the competent authority of dispatch, if necessary, who is responsible for the return and disposal or recovery of the waste shipped.

2.4.7 Controls

Article 60 of the WSR requires the competent authorities to provide for spot checks on transfrontier shipments of waste regarding compliance with the requirements of the WSR. In accordance with Article 62 of the WSR, EU Member States are required to draw up one or more control plans for their control area, which must be reviewed at least every three years and updated if necessary.

3 Duty to Register for Collectors, Carriers, Dealers or Brokers of non-hazardous wastes in Germany

Collectors, Carriers, Dealers or Brokers of non-hazardous wastes have to register their business, to the competent authority according to Article 53 para 1 Circular Economy Act (KrWG)¹⁹ before taking up their business. This duty exist for domestic and foreign enterprises which want to take up corresponding activities.

The owner of the business as well as the responsible person for management and supervision of the business have to be reliable. Furthermore the owner, if responsible for the management and supervision of the business, the responsible person for management and supervision of the business and other personnel have to have the necessary technical competence and skills for running the business.

The responsible competent authority can make the registered activity dependent on conditions, limit the registration time or provide additional provisions. The competent authority can ask for documents showing the proof of reliability and technical competence and skills. She has to bar the registered activities if facts emerge from which doubts arise against the reliability of the owner or the persons responsible

for the management and supervision of the business or if the required technical competence and skills wasn't proved.

4 Licence for Collectors, Carriers, Dealers or Brokers of hazardous wastes

In principle, hazardous waste may be collected, traded and transported in accordance with Article 54 para 1 KrWG, only with permission of the responsible authority. The permission applied for must be issued if no facts are known which would justify assuming the unreliability of the applicant or a person charged with managing or supervising the relevant operations. These facts include in particular relevant violations of waste legislation (administrative fees or criminal offenses) and other aspects of criminal law (e.g. fraud) or commercial law. In case of suspected unreliability the applicant has the possibility to refute these. If such facts emerge the competent authority after granting of the permission, the permission has to be revoked. Furthermore the applicant has to have the necessary technical competence and skills according to Art. 54 para 1 KrWG.

The permission is granted in writing by using a form and is valid throughout Germany. The permission may be restricted in content (limitation to certain waste streams or with regard to the region), be subject to conditions and additional requirements (revocation reservation) and is not transferable. In the event of a change in the holder of the permit (e.g. change in the legal status of the company) the competent authority has to be informed thereof. The authority must be informed of any change in responsible persons.

Transport and broker licenses awarded for an indefinite period according to former legislation are regarded as a permit according to Art. 54 KrWG; licenses awarded for a limited period are valid until end of the limitation, after that a permission becomes necessary according to Art. 54 KrWG.

Permits from another EU Member State or another EEA Member State are equivalent to permits pursuant to Art. 54 (1) sentence 1 KrWG, provided that they are equivalent to them (Art. 54 (4) sentence 1 KrWG).

4.1 Transport Allowance

Details concerning the required technical competence and skills, the application documents, the contents of the transport allowance and the charges are regulated in the Ordinance on Notice and Allowance (Anzeige- und Erlaubnisverordnung - AbfAEV²⁰). The transport allowance is valid for the transport of waste on public roads throughout Germany and is generally valid indefinitely. Upon application, it can be restricted to specific types of waste or granted for a limited period.

4.1.1 Competent Authority

The competent authority of the Federal State in which the carrier or collector has its headquarter is responsible for issuing the transport allowance or the duty to register (Art. 53 para 1 and Art. 54 para 1 KrWG). In the case of foreign carriers that have a branch in the Federal Republic of Germany, the competent authority of the Federal State in which the branch has its head office is responsible for issuing the transport allowance. In the case of foreign carriers that don't have a branch in the Federal Republic of Germany, competence in the Federal States differs according to whether transit, import or export is involved. For example in the case of transit through the Federal Republic of Germany, the competent authority is the authority whose area of competence is first affected by the transport operation.

4.1.2 Application documents

Each applicant has to submit a completely filled-in application for issue of a transport licence. Both the application for permission pursuant to §54 KrWG and the notification pursuant to §53 KrWG can be made directly on the website of ZKS Abfall^k.

The following information and documents should be provided for an application in accordance with Article 54 of the KrWG:

- the waste management company number(s) as a collector, transporter, broker or dealer of waste (if already issued), and
- the reference number of your permit (only if an application is being made to amend an existing permit).

The following documents (in PDF format) must be enclosed with the application

- the trade or business registration,
- proof of public liability insurance and environmental liability insurance relevant to the respective activity, if such insurance policies exist,
- proof of the professional competence of the persons responsible for managing and supervising the business,
- an extract from the commercial, association or cooperative register, if an entry has been made,
- Proof of motor vehicle liability insurance (if a permit for collection or transport activities is to be applied for and the transport takes place on public roads).

In the case of foreign carriers the competent authority may allow exceptions from individual requirements and proofs if the necessary technical competence and relevant skills as well as reliability are proved in a different way. For example, in verifying the required technical competence and relevant skills, the competent authority has to take into account equivalent diplomas, certificates and other evidence of relevant qualifications as well as equivalent licences and certificates of other Member States of the European Communities or another Contracting Party to the Agreement on the European Economic Area. Foreign carriers should attach admission-to-occupation proof from their country (the EU/EEC) or the authorisation under their country's road haulage legislation and/or the single journey licence to their requests for issue of a transport licence. Further details are to be inquired at the responsible Federal State authority.

4.1.3 Commissioning of Subcontractors

A transport allowance authorises only one individual and is not transferable. Therefore commissioned subcontractors require their own transport allowance.

4.2 Identification of Transport Vehicles

Article 55 KrWG in connection with Article 10 of the Waste Shipment Act (Ger.) provides that the transport vehicles must be fitted with two rectangular, reflective, white warning panels 40 cm wide and at least 30 cm high; the warning panels must carry the inscription 'A'^{l)}, written in black (letter height: 20 cm; letter-stroke width 2 cm). During transport, the vehicle must carry these warning panels both in

^{k)} retrieved January 2026 (webpage in German only):
<https://einreichen.eaev-formulare.de/intelliform/forms/AbfAEV/AbfAEV/index>

^{l)} 'A' meaning 'Abfall' (Waste)

front and in back in a clearly visible position. Tractor-trailers must carry the second warning panel at the rear of the trailer.

This identification requirement applies to all vehicles with which waste is transported on public roads. Waste in this context also refers to wastes listed in Annexes III, IIIA or IIIB of the EC Waste Shipment Regulation (green-listed wastes).

The driver of the vehicle is responsible for attaching the warning panels.

Berlin, May of 2026

5 References

BGBI. = Federal Law Gazette of Germany; OJ = Official Journal of the European Communities

- ¹ Council Directive 84/631/EEC of 6 December 1984 on the supervision and control within the European Community of the transfrontier shipment of hazardous waste, OJ L 326, p. 31
- ² Wuttke, J.: "Praxishandbuch zur grenzüberschreitenden Abfallverbringung, Verkehrs-Verlag J. Fischer GmbH & Co KG, Corneliusstraße 49, 40215 Düsseldorf, 2021
Wuttke, J.: "Practical Guide on Transboundary Waste Movement", Books on Demand, Nordeerstedt, 2021, available from BoD at: <https://www.bod.de/buchshop/practical-guide-on-transboundary-waste-movements-joachim-wuttke-9783755760122>
- ³ Regulation (EU) 2024/1157 of the European Parliament and of the Council of 11 April 2024 on shipments of waste, amending Regulations (EU) No 1257/2013 and (EU) 2020/1056 and repealing Regulation (EC) No 1013/2006, OJ L, 2024/1157, 30.4.2024
- ⁴ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2018 on waste and repealing certain Directives, OJ No. L 127, p. 24, as amended
- ⁵ Commission Decision 2014/955/EU of 18 December 2014 amending Decision 2000/532/EC establishing a list of waste pursuant to Directive 2008/98/EC of the European Parliament and of the Council, OJ L 370, 30.12.2014, pp. 44–86, as amended
- ⁶ Cairo Guidelines and Principles for the Environmental Sound Management of Hazardous Waste, UNEP WG 122/3, UNEP GC 14/17 Annex II
- ⁷ Commission Delegated Regulation (EU) 2020/2174 of 19 October 2020 amending Annexes IC, III, IIIA, IV, V, VII and VIII to Regulation (EC) No 1013/2006 of the European Parliament and of the Council on shipments of waste, OJ L 433, p. 11
- ⁸ Commission Delegated Regulation (EU) 2024/3229 of 18 October 2024 amending Regulation (EC) No 1013/2006 of the European Parliament and of the Council as regards the amendments agreed under the Basel Convention relating to shipments of waste electrical and electronic equipment, OJ L 2024/3229, 20.12.2024
- ⁹ Commission Delegated Regulation (EU) 2024/3230 of 18 October 2024 amending Regulation (EU) 2024/1157 of the European Parliament and of the Council as regards the amendments agreed under the Basel Convention relating to the shipment of waste electrical and electronic equipment, OJ L 2024/3230 of 20 December 2024
- ¹⁰ Vollzugshilfe zur Verordnung (EG) Nr. 1013/2006 des Europäischen Parlaments und des Rates vom 14. Juni 2006 über die Verbringung von Abfällen (VVA) und zum Abfallverbringungsgesetz vom 19. Juli 2007 (AbfVerbrG), Mai 2017, download in German only: <http://www.laga-online.de>
- ¹¹ OECD: "Final Guidance Document for Distinguishing Waste from Non-Waste" (ENV/EPOC/WMP(98)1/REV1) of July 1998
- ¹² Communication from the Commission to the Council and the European Parliament on the Interpretative Communication on waste and by-products, COM(2007) 59 final of 21.2.2007
- ¹³ "Abfallbegriff, Abfallverwertung und Abfallbeseitigung nach dem Kreislaufwirtschafts- und Abfallgesetz", beschlossen von der 49. Umweltministerkonferenz (UMK) am 6. November 1997
- ¹⁴ Directive 2012/19/EU of the European Parliament and of the Council of 4 July 2012 on waste electrical and electronic equipment (WEEE), OJ L197 of 24.7.2012, p. 37, as amended
- ¹⁵ Council Regulation (EU) No 333/2011 of 31 March 2011 establishing criteria determining when certain types of scrap cease to be waste under Directive 2008/98/EC of the European Parliament and of the Council, OJ L 94, 8.4.2011, pp. 2–11
- ¹⁶ Commission Regulation (EU) No 1179/2012 of 10 December 2012 establishing criteria determining when certain types of cullet cease to be considered waste under Directive 2008/98/EC of the European Parliament and of the Council, OJ L 337, 11.12.2012, pp. 31–36
- ¹⁷ Commission Regulation (EU) No 715/2013 of 25 July 2013 establishing criteria determining when certain types of copper scrap cease to be waste under Directive 2008/98/EC of the European Parliament and of the Council, OJ L 201, 26.7.2013, pp. 14–20
- ¹⁸ Wuttke, J.: "Einstufung von Abfällen", in Kurth/Oexle/Faulstich (Hrsg.): Praxishandbuch der Kreislauf- und Rohstoffwirtschaft, Springer Vieweg, Wiesbaden 2022, S. 27/52
- ¹⁹ Gesetz zur Förderung der Kreislaufwirtschaft und Sicherung der umweltverträglichen Bewirtschaftung von Abfällen (Kreislaufwirtschaftsgesetz – KrWG) vom 24. Februar 2012, BGBI. I, S. 212, as amended
- ²⁰ Verordnung über das Anzeige- und Erlaubnisverfahren für Sammler, Beförderer, Händler und Makler von Abfällen (Anzeige- und Erlaubnisverordnung - AbfAEV) vom 5. Dezember 2013, BGBI. I, S. 4043, in der geltenden Fassung