



EUROPEAN
COMMISSION

Brussels, XXX
[...] (2026) XXX draft

COMMISSION DELEGATED REGULATION (EU) .../...

of XXX

supplementing Regulation (EU) 2024/1157 of the European Parliament and of the Council by establishing a list of countries to which the OECD Decision does not apply and to which exports of certain non-hazardous wastes and mixtures of non-hazardous wastes from the Union for recovery are authorised

This draft has not been adopted or endorsed by the European Commission. Any views expressed are the preliminary views of the Commission services and may not in any circumstances be regarded as stating an official position of the Commission.

EXPLANATORY MEMORANDUM

1. CONTEXT OF THE DELEGATED ACT

Regulation (EU) 2024/1157 of the European Parliament and of the Council of 11 April 2024 on shipments of waste (hereafter ‘the Regulation’) introduces a prohibition on the export of non-hazardous waste from the Union to countries to which the Decision of the Council on the Control of Transboundary Movements of Wastes Destined for Recovery Operations¹ (‘OECD Decision’) does not apply (hereafter ‘non-OECD countries’). This prohibition will enter into application on 21 May 2027. The Regulation also provides for the possibility to derogate from this prohibition for countries included in a list to be established by the Commission. This list needs to be established by the Commission through a delegated act by 21 November 2026. Countries intending to import certain waste or mixture of waste from the Union shall submit a request to the Commission, indicating that they want to import such waste and demonstrating that they have put in place and implemented all necessary measures to ensure that the waste concerned will be managed in an environmentally sound manner. Article 42 and Annex VIII of the Regulation spell out which information should be provided by third countries in their request. Based on these submissions, as well as possible other information, the Commission shall assess if the country concerned demonstrates that the waste, as well as any residual waste generated through recovery or disposal, will be managed in accordance with human health, climate and environmental protection requirements that are considered equivalent to human health and environmental protection requirements under Union legislation. This assessment shall be carried out based on the requirements set out in Articles 42 and 43 of the Regulation, as well as in its Annex VIII.

Thirty-two non-OECD countries or territories have sent a request to the Commission pursuant to Article 42 of the Regulation: Andorra, Bangladesh, Bosnia and Herzegovina, Egypt, El Salvador, Georgia, Hong Kong Special Administrative Region, India, Indonesia, Kazakhstan, Lao PDR, Malaysia, Mauritius, Moldova, Monaco, Montenegro, Morocco, Nigeria, North Macedonia, Oman, Pakistan, Philippines, Saudi Arabia, Serbia, Singapore, Sri Lanka, Taiwan, Thailand, Togo, Tunisia, Ukraine, Vietnam. A detailed assessment of the requests from these countries or territories has been performed by the Commission services in the Staff Working Document accompanying this delegated regulation. Based on this assessment, the Commission is establishing through the present delegated act, the list foreseen in Article 41.

2. CONSULTATIONS PRIOR TO THE ADOPTION OF THE ACT

In line with the second sub paragraph of Article 41(3) of the Regulation, the Commission developed an outreach strategy towards all non-OECD countries, to provide them with the necessary information on the possibility to be included in the list of countries to which exports are authorised. On 22 April 2024, an information session was organised at the premises of the World Trade Organisation to inform the delegations of non-OECD countries on the new EU waste shipment rules. On 14 and 15 May 2024, DG ENV, in cooperation with the EEAS, organised information sessions on the new rules for EU Delegations. Following these information sessions, a Note Verbale was sent to the EU Delegations in non-OECD countries requesting them to inform all non-OECD countries informing about the new regime on export of waste and its implications. On 26 July 2024, DG ENV sent an email to the competent authorities of all Parties to the Basel Convention. Furthermore, on 18 September 2024, DG ENV and the EEAS organised an information session with missions of third countries in Brussels. DG ENV also used bilateral dialogues, and regional and multilateral meetings, to

¹ OECD/LEGAL/0266

raise awareness about the new rules. In addition, the Commission reached out to applicants at multiple occasions after the submission of their initial request to provide or request additional information and clarifications.

The draft delegated act was published for public feedback on the Better Regulation Portal from [date] to [date] 2026. It was notified to the World Trade Organization Committee on Technical Barriers to Trade for feedback from [date] to [date] 2026.

3. LEGAL ELEMENTS OF THE DELEGATED ACT

The delegated act establishes a list of countries to which the OECD Decision does not apply and to which exports of non-hazardous wastes and mixtures of non-hazardous wastes from the Union for recovery are authorised. This list is established pursuant to the first paragraph of Article 41 of the Regulation, which empowers the Commission to supplement the Regulation in this respect.

Countries are included in the list where they were assessed to fulfil the modalities in Article 42 of the Regulation.

In accordance with the principle of proportionality, the measure does not go beyond what is necessary to achieve its objective.

The proposal has no implications for the EU budget.

COMMISSION DELEGATED REGULATION (EU) .../...

of **XXX**

supplementing Regulation (EU) 2024/1157 of the European Parliament and of the Council by establishing a list of countries to which the OECD Decision does not apply and to which exports of certain non-hazardous wastes and mixtures of non-hazardous wastes from the Union for recovery are authorised

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to 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 1013/2006², and in particular Article 41(1) thereof,

Whereas:

- (1) Regulation (EU) 2024/1157 lays down rules on the export from the Union for recovery of non-hazardous waste to third countries to which the OECD Decision does not apply, in order to ensure that such waste does not cause damage to the environment and human health in those countries. Pursuant to that Regulation, from 21 May 2027, such exports are only authorised to those countries which are included in a list established by the Commission ('list of countries to which exports are authorised'). The list of countries to which exports are authorised is to be established by 21 November 2026.
- (2) In accordance with Regulation (EU) 2024/1157, a third country may be included in the list of countries to which exports are authorised only upon request and where it has demonstrated its ability to manage the waste concerned in an environmentally sound manner. Pursuant to Article 41 of that Regulation, a third country wishing to receive certain non-hazardous waste exported from the Union for recovery was required to submit, by 21 February 2025, a request to the Commission demonstrating that it has put in place and implements all necessary measures to ensure that the waste concerned will be managed in an environmentally sound manner as referred to in Article 59 of that Regulation. A number of countries submitted requests to the Commission in order to be included in the list of countries to which exports are authorised. The Commission assessed the requests, in accordance with Articles 42, 43 and Annex VIII to Regulation (EU) 2024/1157. The result of the assessment is compiled in the Staff Working Document [add number]³.
- (3) Ferrous and non-ferrous metal waste can present a higher hazard profile than other waste streams due to the potential presence of persistent and toxic heavy metals such as lead, mercury, cadmium and hexavalent chromium. Unlike many other materials, metal elements are also non-degradable and remain environmentally active indefinitely, with the potential for bioaccumulation and long-term ecological and human health damage. In addition, the treatment process of metallic materials is

² OJ L, 2024/1157, 30.4.2024, ELI: <http://data.europa.eu/eli/reg/2024/1157/oj>

³ [add reference]

associated with specific hazards which, if improperly managed, may result in irreversible environmental degradation. Metallurgical treatment processes, such as shredding, smelting and refining are energy and chemically intensive and can generate significant emissions of fine dust, fumes and contaminated residues. Therefore, the Union has implemented a robust legislative framework to ensure the environmentally sound management of metal waste streams with strict pollution and emissions controls as well as mandatory permitting and engineering requirements as laid down in Directive 2010/75/EU⁴ and Directive 2008/98/EC⁵. In view of these elements, the requests from third countries relating to metal waste streams require particular scrutiny to ensure that, in those countries, such waste will be managed under conditions equivalent to those of the Union for the protection of the environment, the climate and human health.

- (4) The Commission assessed the request submitted by Andorra, which covers waste classified under code 19 12 12 of the European List of Waste set out in the Commission Decision 2000/532/EC⁶. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of the waste requested and should therefore be included in the list of countries to which exports are authorised for those wastes, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157.
- (5) The Commission assessed the request submitted by Bangladesh, which covers the following types of eligible waste: paper waste, rubber waste and metal waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of paper waste and rubber waste, and should therefore be included in the list of countries to which exports are authorised for those wastes, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157. Based on the available information, the Commission concluded that the country has not demonstrated it has put in place and implements all necessary measures to ensure that metal waste is managed in an environmentally sound manner as referred to in Article 59 of that Regulation. Therefore, the export of metal waste should not be authorised to this country.
- (6) The Commission assessed the request submitted by Bosnia and Herzegovina, which covers the following types of eligible waste: paper waste, rubber waste, refuse-derived fuel, textile waste and metal waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of paper waste, rubber waste, refuse-derived fuel and textile waste, and should therefore be included in the list of countries to which exports are authorised for those wastes, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article

⁴ Directive 2010/75/EU of the European Parliament and of the Council of 24 November 2010 on industrial emissions (integrated pollution prevention and control) (*OJ L 334*, 17.12.2010, p. 17, ELI: <http://data.europa.eu/eli/dir/2010/75/oj>).

⁵ Directive 2008/98/EC of the European Parliament and of the Council of 19 November 2008 on waste and repealing certain Directives (*OJ L 312*, 22.11.2008, p. 3, ELI: <http://data.europa.eu/eli/dir/2008/98/oj>).

⁶ Commission Decision of 3 May 2000 replacing Decision 94/3/EC establishing a list of wastes pursuant to Article 1(a) of Council Directive 75/442/EEC on waste and Council Decision 94/904/EC establishing a list of hazardous waste pursuant to Article 1(4) of Council Directive 91/689/EEC on hazardous waste (*OJ L 226* 6.9.2000, p. 3, ELI: <http://data.europa.eu/eli/dec/2000/532/2023-12-06>)

42(5) of Regulation (EU) 2024/1157. Based on the available information, the Commission concluded that the country has not demonstrated it has put in place and implements all necessary measures to ensure that metal waste is managed in an environmentally sound manner as referred to in Article 59 of that Regulation. Therefore, the export of metal waste should not be authorised to this country.

- (7) The Commission assessed the request submitted by Egypt, which covers the following types of eligible waste: paper waste, textile waste, rubber waste, wood waste, glass waste, organic and agri-food waste and metal waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of paper waste, textile waste, rubber waste, wood waste, glass waste and organic and agri-food waste, and should therefore be included in the list of countries to which exports are authorised for those wastes, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157. Based on the available information, the Commission concluded that the country has not demonstrated it has put in place and implements all necessary measures to ensure that metal waste is managed in an environmentally sound manner as referred to in Article 59 of that Regulation. Therefore, the export of metal waste should not be authorised to this country.
- (8) The Commission assessed the request submitted by Georgia, which covers the following types of eligible waste: paper waste, textile waste, wood waste, glass waste, mineral waste, organic and agri-food waste and metal waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of paper waste, textile waste, wood waste, glass waste, mineral waste and organic and agri-food waste, and should therefore be included in the list of countries to which exports are authorised for those wastes, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157. Based on the available information, the Commission concluded that the country has not demonstrated it has put in place and implements all necessary measures to ensure that metal waste is managed in an environmentally sound manner as referred to in Article 59 of that Regulation. Therefore, the export of metal waste should not be authorised to this country.
- (9) The Commission assessed the request submitted by India, which covers the following types of eligible waste: paper waste, wood waste, rubber waste, textile waste, organic and agri-food waste, mineral waste, acidic waste, glass waste, ceramic waste, paint, dye and ink waste and metal waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of paper waste, wood waste, rubber waste, textile waste, organic and agri-food waste, mineral waste, acidic waste, glass waste, ceramic waste and paint, dye and ink waste, and should therefore be included in the list of countries to which exports are authorised for those wastes, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157. Based on the available information, the Commission concluded that the country has not demonstrated it has put in place and implements all necessary measures to ensure that metal waste is managed in an environmentally sound manner as referred to in Article 59 of that Regulation. Therefore, the export of metal waste should not be authorised to this country.

- (10) The Commission assessed the request submitted by Indonesia, which covers paper waste and metal waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of paper waste and should therefore be included in the list of countries to which exports are authorised for that waste, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157. Based on the available information, the Commission concluded that the country has not demonstrated it has put in place and implements all necessary measures to ensure that metal waste is managed in an environmentally sound manner as referred to in Article 59 of that Regulation. Therefore, the export of metal waste should not be authorised to this country.
- (11) The Commission assessed the request submitted by Malaysia, which covers the following types of eligible waste: paper waste, wood waste, rubber waste, textile waste, glass waste and metal waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of paper waste, wood waste, rubber waste, textile waste and glass waste, and should therefore be included in the list of countries to which exports are authorised for those wastes, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157. Based on the available information, the Commission concluded that the country has not demonstrated it has put in place and implements all necessary measures to ensure that metal waste is managed in an environmentally sound manner as referred to in Article 59 of that Regulation. Therefore, the export of metal waste should not be authorised to this country.
- (12) The Commission assessed the request submitted by Mauritius, which covers paper waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of the eligible waste requested and should therefore be included in the list of countries to which exports are authorised for that waste, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157.
- (13) The Commission assessed the request submitted by Moldova, which covers the following types of eligible waste: glass waste, paper waste, mineral waste, textile waste (cotton waste) and metal waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of the eligible waste requested and should therefore be included in the list of countries to which exports are authorised for those wastes, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157.
- (14) The Commission assessed the request submitted by Monaco, which covers the following types of eligible waste: wood waste, organic and agri-food waste and textile waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of the eligible waste requested and should therefore be included in the list of countries to which exports are authorised for those wastes, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157.

- (15) The Commission assessed the request submitted by Montenegro, which covers metal waste and tyre waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of the eligible waste requested and should therefore be included in the list of countries to which exports are authorised for those wastes, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157.
- (16) The Commission assessed the request submitted by Morocco, which covers the following types of eligible waste: textile waste, tyre waste and metal waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of textile waste and tyre waste, and should therefore be included in the list of countries to which exports are authorised for those wastes, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157. Based on the available information, the Commission concluded that the country has not demonstrated it has put in place and implements all necessary measures to ensure that metal waste is managed in an environmentally sound manner as referred to in Article 59 of that Regulation. Therefore, the export of metal waste should not be authorised to this country.
- (17) The Commission assessed the request submitted by North Macedonia, which covers the following types of eligible waste: paper waste, organic and agri-food waste, glass waste and metal waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of the eligible waste requested and should therefore be included in the list of countries to which exports are authorised for those wastes, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157.
- (18) The Commission assessed the request submitted by Oman, which covers the following types of eligible waste: glass waste, paper waste, rubber waste, textile waste, organic and agri-food waste, mineral waste and metal waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of glass waste, paper waste, rubber waste, textile waste, organic and agri-food waste and mineral waste, and should therefore be included in the list of countries to which exports are authorised for those wastes, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157. Based on the available information, the Commission concluded that the country has not demonstrated it has put in place and implements all necessary measures to ensure that metal waste is managed in an environmentally sound manner as referred to in Article 59 of that Regulation. Therefore, the export of metal waste should not be authorised to this country.
- (19) The Commission assessed the request submitted by Pakistan, which covers the following types of eligible waste: paper waste, wood waste, rubber waste, textile waste, mineral waste, acidic waste, glass waste, ceramic waste and metal waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of paper waste, wood waste, rubber waste, textile waste, mineral waste, acidic waste, glass waste and ceramic waste, and should therefore be included in the list of countries to which exports are authorised for those wastes, as indicated in

the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157. Based on the available information, the Commission concluded that the country has not demonstrated it has put in place and implements all necessary measures to ensure that metal waste is managed in an environmentally sound manner as referred to in Article 59 of that Regulation. Therefore, the export of metal waste should not be authorised to this country.

- (20) The Commission assessed the request submitted by Philippines, which covers paper waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of the eligible waste requested and should therefore be included in the list of countries to which exports are authorised for that waste, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157.
- (21) The Commission assessed the request submitted by Saudi Arabia, which covers the following types of eligible waste: paper waste, wood waste, rubber waste, textile waste, organic and agri-food waste, mineral waste, glass waste and metal waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of paper waste, wood waste, rubber waste, textile waste, organic and agri-food waste, mineral waste and glass waste, and should therefore be included in the list of countries to which exports are authorised for those wastes, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157. Based on the available information, the Commission concluded that the country has not demonstrated it has put in place and implements all necessary measures to ensure that metal waste is managed in an environmentally sound manner as referred to in Article 59 of that Regulation. Therefore, the export of metal waste should not be authorised to this country.
- (22) The Commission assessed the request submitted by Serbia, which covers the following types of eligible waste: paper waste, rubber waste and metal waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of the eligible waste requested and should therefore be included in the list of countries to which exports are authorised for those wastes, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157.
- (23) The Commission assessed the request submitted by Sri Lanka, which covers the following types of eligible waste: paper waste, waste from pre-treatment of composite packaging, wood waste, rubber waste, textile waste, organic and agri-food waste, mineral waste, acidic waste, glass waste, ceramic waste, paint, dye and ink waste and metal waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of paper waste, wood waste, rubber waste, textile waste, organic and agri-food waste, mineral waste, acidic waste, glass waste, ceramic waste and paint, dye and ink waste, and should therefore be included in the list of countries to which exports are authorised for those wastes, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157. Based on the available information, the Commission concluded that the country has not demonstrated it has put in place and implements all necessary measures to ensure that metal waste is managed in an environmentally

sound manner as referred to in Article 59 of that Regulation. Therefore, the export of metal waste should not be authorised to this country.

- (24) The Commission assessed the request submitted by Taiwan, which covers the following types of eligible waste: paper waste, textile waste and metal waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of paper waste and textile waste, and should therefore be included in the list of countries to which exports are authorised for those wastes, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157. Based on the available information, the Commission concluded that the country has not demonstrated it has put in place and implements all necessary measures to ensure that metal waste is managed in an environmentally sound manner as referred to in Article 59 of that Regulation. Therefore, the export of metal waste should not be authorised to this country.
- (25) The Commission assessed the request submitted by Thailand, which covers the following types of eligible waste: paper waste, rubber waste and metal waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of paper waste and rubber waste, and should therefore be included in the list of countries to which exports are authorised for those wastes, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157. Based on the available information, the Commission concluded that the country has not demonstrated it has put in place and implements all necessary measures to ensure that metal waste is managed in an environmentally sound manner as referred to in Article 59 of that Regulation. Therefore, the export of metal waste should not be authorised to this country.
- (26) The Commission assessed the request submitted by Tunisia, which covers the following types of eligible waste: mineral waste, paper waste, textile waste, rubber waste, organic and agri-food waste, ceramic waste and metal waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of mineral waste, paper waste, textile waste, rubber waste, organic and agri-food waste and ceramic waste, and should therefore be included in the list of countries to which exports are authorised for those wastes, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157. Based on the available information, the Commission concluded that the country has not demonstrated it has put in place and implements all necessary measures to ensure that metal waste is managed in an environmentally sound manner as referred to in Article 59 of that Regulation. Therefore, the export of metal waste should not be authorised to this country.
- (27) The Commission assessed the request submitted by Ukraine, which covers the following types of eligible waste: paper waste, wood waste, rubber waste, textile waste, organic and agri-food waste, mineral waste, glass waste, ceramic waste, refuse-derived fuel and metal waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of the eligible waste requested and should therefore be included in the list of countries to which exports are authorised for those wastes, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157.

- (28) The Commission assessed the request submitted by Viet Nam, which covers the following types of eligible waste: paper waste, glass waste and metal waste. Based on the available information, the Commission concluded that the country complies with the requirements set out in Articles 42 and 43 of Regulation (EU) 2024/1157 for the management of paper waste and glass waste, and should therefore be included in the list of countries to which exports are authorised for those wastes, as indicated in the Annex to this Regulation. The country has also agreed to comply with Article 42(5) of Regulation (EU) 2024/1157. Based on the available information, the Commission concluded that the country has not demonstrated it has put in place and implements all necessary measures to ensure that metal waste is managed in an environmentally sound manner as referred to in Article 59 of that Regulation. Therefore, the export of metal waste should not be authorised to this country.
- (29) The list of third countries to which the OECD Decision does not apply and to which exports from the Union for recovery of certain non-hazardous waste may be authorised should therefore be set out, together with the wastes or mixtures of wastes concerned per country. For each type of waste, it should also be specified whether the shipments have to take place under the prior notification and consent procedure or not, as indicated by the concerned countries in their requests.
- (30) In accordance with Article 41(4) of Regulation (EU) 2024/1157, the list of countries to which exports are authorised is to be regularly updated by the Commission, and at least every two years. A country that has been included in the list may be reassessed at the next review of the list. At any time, the Commission may request additional information from those countries demonstrating that they continue to comply with the requirements set out in Article 42 of that Regulation. Where information becomes available which shows in a plausible manner that those requirements are no longer fulfilled, the Commission is to invite the country concerned to provide its views and supporting evidence and, where no such views and evidence are provided within the time limit or where the evidence provided is insufficient, is to remove that country from the list without undue delay.
- (31) It is important to note that in accordance with Article 40(2) of Regulation (EU) 2024/1157, the countries to which the OECD Decision does not apply may only receive wastes or mixtures of wastes from the Union on the condition that (a) those wastes are destined for a facility licensed under the domestic legislation of the country concerned to undertake recovery operations for that waste and (b) are not destined for interim operations, unless all subsequent non-interim or interim recovery operations would take place in the same country of destination or in other countries for which the related waste is included in the list of countries to which exports are authorised. The Commission will monitor closely the implementation of these provisions, in particular to minimise risks that waste exported to a country eligible to receive waste from the Union is further shipped to a country which is not included in the list of countries to which exports are authorised. Member States should take the necessary measures to ensure that waste is not shipped as non-waste to escape the rules of Regulation (EU) 2024/1157. This monitoring is part of the process laid down in Article 41(6) of Regulation (EU) 2024/1157 designed to ensure that each country of the list continues to comply with the conditions for its inclusion in the list and could be used to ultimately justify the removal of a country from this list.
- (32) Taking into account a close monitoring of the implementation of this Commission Regulation, the Commission may consider separate measures relating to the export of waste or materials which have ceased to be waste to address global imbalances, secure

the supply of secondary materials and maintain the competitiveness of the EU industry.

HAS ADOPTED THIS REGULATION:

Article 1

The list of countries to which the OECD Decision does not apply and to which, from 21 May 2027, exports of non-hazardous wastes and mixtures of non-hazardous wastes from the Union for recovery are authorised, is laid down in the Annex.

Article 2

This Regulation shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

It shall apply from 21 May 2027.

This Regulation shall be binding in its entirety and directly applicable in all Member States.

Done at Brussels,

For the Commission

The President

[...]

[Choose between the two options, depending on the person who signs.]

On behalf of the President

[...]

[Position]