



**BASEL CONVENTION**



## E-waste and Extended Producer Responsibility Principle in the Republic of Belarus



### Case study

Based on the information presented at the Regional workshop on enhancing capacities for the environmentally sound management of waste electrical and electronic equipment through the regional delivery in Eastern Europe and Central Asia, Bishkek, Kyrgyzstan, 6—8 July 2016

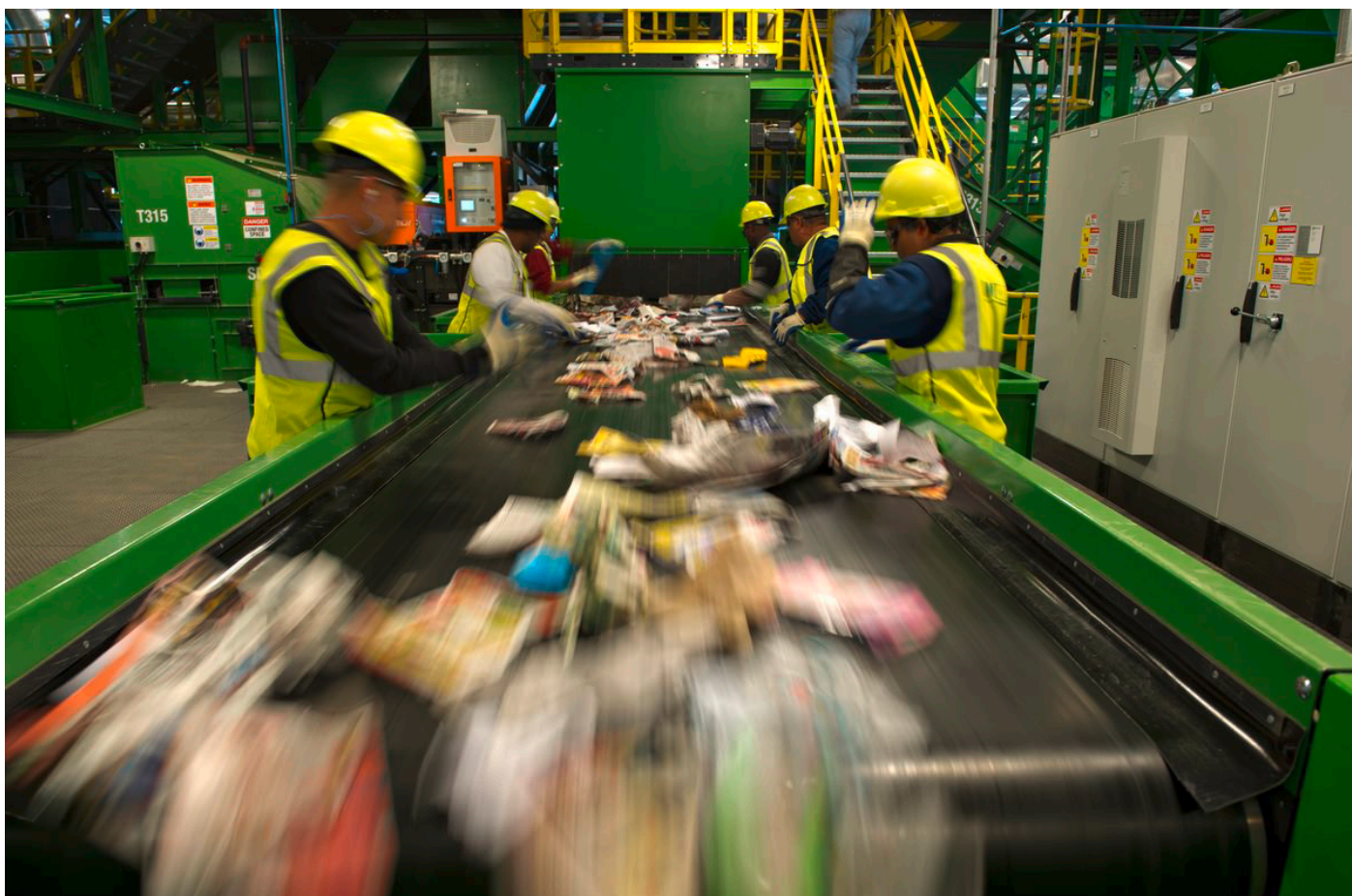
### Extended Producer and Supplier Responsibility Principle

The Extended Producer and Supplier Responsibility Principle (EPR principle) is one of the effective principles for environmental protection and wastes management which stipulates that the responsibility to collect and manage waste, lies with the producer or importer of a product.

The existing national environmental policy in the Republic of Belarus aims at reducing waste while increasing the recycling and resource recovery rate. The EPR principle supports these objectives by engaging with producers and importers. In the last ten years, steps have been taken to apply the EPR principle to waste categories such as waste glass and car tires. More recently the EPR principle was extended to other categories of waste, such as electronic and electrical wastes (e-wastes).

The establishment of a collection system for used and end-of-life products, including e-wastes, also referred to as secondary material resources<sup>1</sup>, requires an existing regulatory framework and authorized agency responsible for implementing the EPR principle. It also

<sup>1</sup> According to paragraph 3 of Article 1 of the Law of the Republic of Belarus “On Waste Management” of 20 July 2007 № 271-3 “secondary material resources — wastes, which, after their acquisition may be involved in the civil circulation as secondary raw materials and there are facilities for their using in Belarus”.



implies creating incentives for facilities engaged in the collection and sorting out of wastes, providing awareness-raising for establishing such a system and introducing liability for improper enforcement of legislation. In Belarus, there are approximately 300 organizations that participate in the collection of secondary material resources. For each ton of collected secondary resources they are entitled to receive compensation which is collected as fees from producers and importers.

The EPR principle encourages producers already in the early stage of engineering and design of products to better adopt them for recycling and disposal. In addition, the EPR principle creates an incentive for producers to establish systems for collection of their own products. Furthermore, producers and importers benefit from supplying retailers with multiple-use products such as rechargeable batteries instead of disposable ones. This also allows consumers to select environmentally-friendly products and reduce the amount of waste.

After having reviewed best practices from around the world, the Ministry of Housing and Communal Services (Minzhilkomhoz) concluded that from an environmental perspective the higher the cost of extended responsibility, the better it is for the environment. For example, in order to lower the production costs, producers would be obliged to reduce the amount of packaging.

## Legislative framework

On 1 August 2012, the Presidential Decree<sup>2</sup> came into force, as a result of a decade-long process that involved formulating the legislation establishing an extended producer responsibility. In lieu of the previous system of fixed environmental tax payments, the new principle of extended producer and supplier responsibility was introduced for plastic, glass and paper packaging, as well as for household appliances, batteries, lubricating oils, lighting equipment and other items in relation to collection, use,

---

<sup>2</sup> Presidential Decree of 11 July 2012, No 313 “On issues related to consumption wastes”.



resource recovery of waste generated after the loss of consumer properties of such goods and containers.

The EPR principle in the Republic of Belarus currently applies to the following categories of products<sup>3</sup>:

### 1. Products:

- Household appliances (refrigerators, freezers, water heaters, TV sets, air conditioners, stoves, blenders, dishwashers, washing and sewing machines, copiers, monitors, projectors, computers, calculators, printers, vacuum cleaners, electric shavers, juicers, electric irons and others);
- packaging (as a product itself) (plastic, glass, paper-based and cardboard packaging, mixed packaging);
- tires and rubber tires;
- lubricating oils;
- mercury-containing lamps, thermometers; and
- batteries and other products.

### 2. Packaging (plastic, glass, paper-based and cardboard packing, combined) used for products that were imported into the Republic of Belarus.

## Operator of secondary material resources

In order to coordinate and monitor activities on the management of end-of-life consumption products, the Decree required the Ministry of Housing and Communal Services to establish a state-owned non-for-profit organization specialized on the management of secondary material resources (the Operator). The Operator is tasked with coordinating activities related to collection of secondary material resources, re-use and resource recovery/recycling. The Operator is also responsible for the collection of fees from producers and suppliers, and their subsequent allocation to the implementation of state programmes, logistics, information and technical support for collection and recycling



systems and other activities related to the use of secondary material resources.

The decree specifies that the responsibility of collection, re-use and resource recovery/recycling of end-of-life products and packaging lie with the legal entities and individual entrepreneurs that undertake the following activities:

- Production of items listed in annex to the Decree No313;
- Import of items listed in annex to the Decree No313; and
- Import of items packaged in the specified manner (plastic, glass, paper-based and cardboard packaging, mixed).

The obligation arises when products and packaging are imported into the territory of the Republic of Belarus for sale or when manufactured products are sold within the country. Producers and suppliers of consumer goods can either use their own collection systems or conclude an agreement for relevant services with the Operator. The fee for such services and the procedure of transferring funds to the Operator are determined by the decision of the Council of Ministers.

<sup>3</sup> See Annex to the Decree No 313.

The amount is calculated by producers and suppliers based on the quantity of items produced and sold and/or products imported into the Republic of Belarus as referred to in the annex to the Decree No 313 as well as packaging, in which the imported goods are packed. The rate for calculating a fee is set by the government<sup>4</sup>.

When calculating the fee representing a percentage of the value of items, suppliers use the price of imported items as per a contract without the value-added tax, customs duties and transport costs. Producers calculate the entire cost of produced and sold items.

Producers and suppliers pay their fees to the Operator and provide information confirming their compliance related to the collection, re-use and resource recovery/recycling of end-of-life products and packaging wastes within the reporting period.

Since 1st October 2014, retailers have been required to ensure that certain products that lost

their consumer properties are collected. The list of such products, as well as the procedure for their collection is set by the government<sup>5</sup>. For each ton of secondary material resources collected from the public and transferred for recycling to a specialized facility, legal entities and entrepreneurs are entitled to receive a certain fee from the operator. The set of procedures for the reimbursement of costs related to waste collection and packaging wastes, as well as reusable glass packaging is approved by the government<sup>6</sup>.

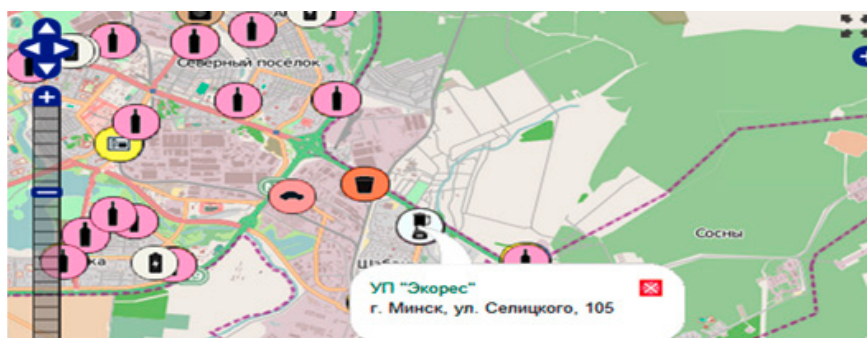
The failure to comply with their obligations by producers and suppliers and illegal or improper use of funds by the Operator or recipients can lead to an administrative liability through the imposition of a fine.

The website of the Operator ([vtoroperator.by](http://vtoroperator.by)) includes an interactive map of collection points throughout the country. The map contains information on the location of collection points and types of secondary material resources:

## Recycling collection points:

### All points

- |  |   |
|--|---|
|  <b>Waste oils</b>                   |  <b>Waste batteries</b>  |
|  <b>Waste plastic</b>                |  <b>Waste mercury-containing lamps</b>   |
|  <b>Waste tires and rubber tires</b> |  <b>Waste medical thermometers</b>   |
|  <b>Wastepaper</b>                   |  <b>Waste household appliances</b>   |
|  <b>Waste glass</b>                  |  <b>Organizations engaged the collection (preparation) of secondary material resources (SMR)</b> |



<sup>4</sup> Regulation of Council of Ministers of the Republic of Belarus from 31.07.2012, № 708 "On measures to implement the Presidential Decree of July 11, 2012 № 313".

<sup>5</sup> Regulation of the Council of Ministers of the Republic of Belarus dated 12.02.2014, #124 "On approval of the list of goods that have lost their consumer properties, and packaging waste that must be collected from individual buyers by companies engaged in retail trade, and Regulation of procedures for the collection of goods that have lost their consumer properties and packaging waste from individual buyers by companies engaged in retail trade, at the point of sales (repair, maintenance)".

<sup>6</sup> Resolution of the Ministry of Housing and Communal Services of Republic of Belarus of 21.09.2015, No 26 "On issues of implementing the Decree of the President of the Republic of Belarus on 11 July 2012, No 313".