Proposals to Draft Laws of Ukraine

Lead Beneficiary: Ternopil Regional State Administration (TRSA)

EUROPEAN INCLUCIVE CIRCULAR ECONOMY: POST-WAR & POST-PANDEMIC MODULE FOR UKRAINE

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DESIGNING SUSTAINABLE PRODUCTS

In order to make products fit for a climate-neutral, resource-efficient and circular economy, reduce waste and ensure that the performance of front-runners in sustainability progressively becomes the norm, the TRSA should propose a sustainable product policy legislative initiative.

As part of this legislative initiative, and, where appropriate, through complementary legislative proposals, the TRSA should consider establishing sustainability principles and other appropriate ways to regulate the following aspects:

- ***improving product durability, reusability, upgradability and reparability, addressing the presence of hazardous chemicals in products, and increasing their energy and resource efficiency;***
- ***increasing recycled content in products, while ensuring their performance and safety;***
- ***enabling remanufacturing and high-quality recycling;***
- ***reducing carbon and environmental footprints;***
- ***restricting single-use and countering premature obsolescence;***
- ***introducing a ban on the destruction of unsold durable goods;***
- ***incentivising product-as-a-service or other models where producers keep the ownership of the product or the responsibility for its performance throughout its lifecycle;***
- ***mobilising the potential of digitalisation of product information, including solutions such as digital passports, tagging and watermarks;***
- ***rewarding products based on their different sustainability performance, including by linking high performance levels to incentives.***

Priority should be given to addressing product groups, such as electronics, ICT and textiles but also furniture and high impact intermediary products such as steel, cement and chemicals. Further product groups could be identified based on their environmental impact and circularity potential.

EMPOWERING CONSUMERS AND PUBLIC BUYERS

To enhance the participation of consumers in the circular economy, the TRSA should propose a revision of consumer law to ensure that consumers receive trustworthy and relevant information on products at the point of sale, including on their lifespan and on the availability of repair services, spare parts and repair manuals.

The TRSA should propose that companies substantiate their environmental claims using Product and Organization Environmental Footprint methods.

TRSA should continue to support capacity building with guidance, training and dissemination of good practices and encouraging public buyers to take part in a "Public Buyers for Climate and Environment" initiative.

CIRCULARITY IN PRODUCTION PROCESSES

Circularity is an essential part of a wider transformation of industry towards climate-neutrality and long-term competitiveness. It can deliver substantial material savings throughout value chains and production processes, generate extra value and unlock economic opportunities.

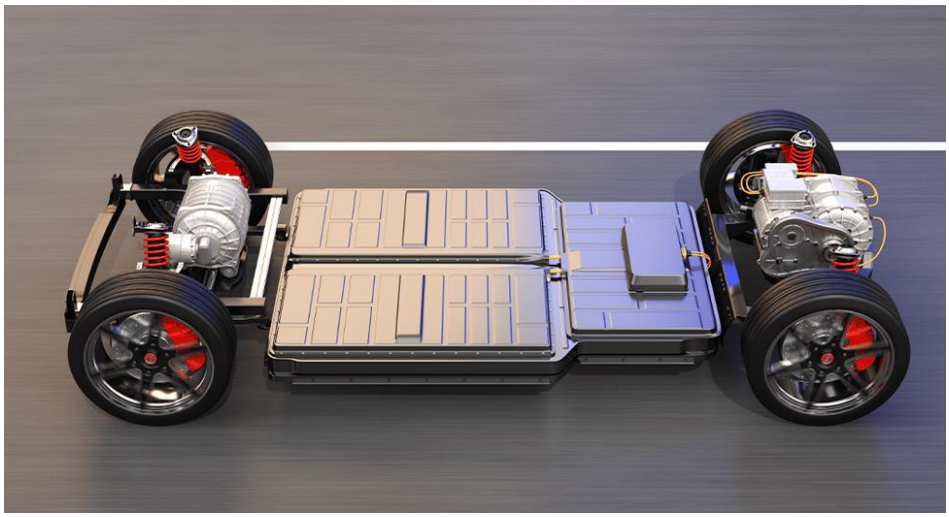
The Municipal Pover should enable greater circularity in industry by:

- **the integration of circular economy practices in upcoming Best Available Techniques reference documents;**
- **facilitating industrial symbiosis by developing an industry-led reporting and certification system, and enabling the implementation of industrial symbiosis;**
- **supporting the sustainable and circular bio-based sector;**
- **promoting the use of digital technologies for tracking, tracing and mapping of resources;**
- **promoting the uptake of green technologies.**

ELECTRONICS AND ICT

Electrical and electronic equipment continues to be one of the fastest growing waste streams. Circular electronics initiative should promote longer product lifetimes and include such actions:

- **regulatory measures for electronics and ICT including mobile phones, tablets and laptops, so that devices are designed for energy efficiency and durability, reparability, upgradability, maintenance, reuse and recycling;**
- **focus on electronics and ICT as a priority sector for implementing the 'right to repair', including a right to update obsolete software;**
- **regulatory measures on chargers for mobile phones and similar devices, including the introduction of a common charger, improving the durability of charging cables, and incentives to decouple the purchase of chargers from the purchase of new devices;**
- **improving the collection and treatment of waste electrical and electronic equipment including by exploring options for an EU-wide take back scheme to return or sell back old mobile phones, tablets and chargers.**



BATTERIES AND VEHICLES

Sustainable batteries and vehicles underpin the mobility of the future. To progress swiftly on enhancing the sustainability of the emerging battery value chain for electro-mobility and boost the circular potential of all batteries, the TRSA should propose a new regulatory framework for batteries.

The legislative proposal should build on the evaluation of the Batteries using with the consideration of the following elements:

- **rules on recycled content and measures to improve the collection and recycling rates of all batteries, ensure the recovery of valuable materials and provide guidance to consumers;**
- **addressing non-rechargeable batteries with a view to progressively phasing out their use where alternatives exist;**
- **sustainability and transparency requirements for batteries taking account of, for instance, the carbon footprint of battery manufacturing, ethical sourcing of raw materials and security of supply, and facilitating reuse, repurposing and recycling.**

The TRSA should propose to revise the rules on end-of-life vehicles with a view to promoting more circular business models by linking design issues to end-of-life treatment, considering rules on mandatory recycled content for certain materials of components, and improving recycling efficiency.

PACKAGING

The amount of materials used for packaging is growing continuously. In order to ensure that all packaging is reusable or recyclable in an economically viable way, the TRSA should reinforce the mandatory essential requirements for packaging and consider measures, with a focus on:

- **reducing (over)packaging and packaging waste, including by setting targets and other waste prevention measures;**
- **driving design for re-use and recyclability of packaging, including considering restrictions on the use of some packaging materials for certain applications, in particular where alternative reusable products or systems are possible or consumer goods can be handled safely without packaging;**
- **considering reducing the complexity of packaging materials, including the number of materials and polymers used.**

PLASTICS

The EU Strategy for Plastics in the Circular Economy has set in motion a comprehensive set of initiatives responding to a challenge of serious public concern.

To increase uptake of recycled plastics and contribute to the more sustainable use of plastics, the TRSA should propose mandatory requirements for recycled content and waste reduction measures for key products such as packaging, construction materials and vehicles.

In addition to measures to reduce plastic litter, the TRSA should address the presence of microplastics in the environment by:

- **restricting intentionally added microplastics and tackling pellets;**
- **developing labelling, standardisation, certification and regulatory measures on unintentional release of microplastics, including measures to increase the capture of microplastics at all relevant stages of products' lifecycle;**
- **further developing and harmonising methods for measuring unintentionally released microplastics, especially from tyres and textiles, and delivering harmonised data on microplastics concentrations in seawater;**
- **closing the gaps on scientific knowledge related to the risk and occurrence of microplastics in the environment, drinking water and foods;**
- **use of biodegradable or compostable plastics, based on an assessment of the applications where such use can be beneficial to the environment, and of the criteria for such applications.**

TEXTILES

Textiles are the fourth highest-pressure category for the use of primary raw materials and water, after food, housing and transport, and fifth for GHG emissions.

The TRSA should boost the market for sustainable and circular textiles, including the market for textile reuse, addressing fast fashion and driving new business models. This will be achieved by a comprehensive set of measures, including:

- **applying the new sustainable product framework, including developing ecodesign measures to ensure that textile products are fit for circularity, ensuring the uptake of secondary raw materials, tackling the presence of hazardous chemicals, and empowering business and private consumers to choose sustainable textiles and have easy access to re-use and repair services;**
- **improving the business and regulatory environment for sustainable and circular textiles, in particular by providing incentives and support to product-as-service models, circular materials and production processes, and increasing transparency through international cooperation;**
- **providing guidance to achieve high levels of separate collection of textile waste;**
- **boosting the sorting, re-use and recycling of textiles, including through innovation, encouraging industrial applications and regulatory measures such as extended producer responsibility.**

CONSTRUCTION AND BUILDINGS

The built environment has a significant impact on many sectors of the economy, on local jobs and quality of life.

To exploit the potential for increasing material efficiency and reducing climate impacts, TRSA should coherence across the relevant policy areas such as climate, energy and resource efficiency, management of construction and demolition waste, accessibility, digitalisation and skills. It will promote circularity principles throughout the lifecycle of buildings by:

- **addressing the sustainability performance of construction products in the context of the revision of the Construction Product Regulation, including the possible introduction of recycled content requirements for certain construction products, taking into account their safety and functionality;**
- **promoting measures to improve the durability and adaptability of built assets in line with the circular economy principles for buildings design and developing digital logbooks for buildings;**
- **using level to integrate life cycle assessment in public procurement and the sustainable finance framework and exploring the appropriateness of setting of carbon reduction targets and the potential of carbon storage;**
- **considering a revision of material recovery targets for construction and demolition waste and its material-specific fractions;**
- **promoting initiatives to reduce soil sealing, rehabilitate abandoned or contaminated brownfields and increase the safe, sustainable and circular use of excavated soils.**

FOOD, WATER AND NUTRIENTS

The circular economy can significantly reduce the negative impacts of resource extraction and use on the environment and contribute to restoring biodiversity and natural capital in Europe. TRSA should:

- **propose a target on food waste reduction, as a key action under the Green Strategy, which will address comprehensively the food value chain;**
- **consider specific measures to increase the sustainability of food distribution and consumption;**
- **determine the scope of a legislative initiative on reuse to substitute single-use packaging, tableware and cutlery by reusable products in food services;**
- **develop an integrated nutrient management plan, with a view to ensuring more sustainable application of nutrients and stimulating the markets for recovered nutrients;**
- **consider reviewing directives on wastewater treatment and sewage sludge and will assess natural means of nutrient removal such as algae.**