



**INTRODUCTORY PUBLIC DEBATE ON THE DRAFT LAW ON HANDLING PACKAGING  
AND PACKAGING WASTE**

Skopje, 18/03/2009

**MINUTES**

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On **March 18, 2009, in the Hotel Continental in Skopje**, an introductory public debate was held on the occasion of the preparation of the Draft Law on Packaging and Packaging Waste. The Ministry of Environment and Physical Planning organized this event with the support provided by USAID Plastic Recycling Project and the Embassy of the Kingdom of the Netherlands in Macedonia.

#### **AGENDA AND SPEAKERS - PRESENTERS:**

13.30 -13.40 Nexati Jakupi, PhD, Minister for Environment and Physical Planning,  
The need for enacting a the law

13.40 – 13.50 Simone Fillippini, Ambassador of the Kingdom of Netherlands  
Donor support for protection of the environment

13.50 – 14.00 Michael Fritz, Director of USAID / Macedonia  
Sustainable management of packaging waste

14.0 – 14.30 Lence Kjurcleva, Ministry for Environment and Physical Planning  
Status of the draft law

14.30 – 15.00 Discussion

15.00 – 15.15 Break

15.15- 15.30 Aleksandar Lazarov – President of the PET Recycling Association

Presentation of the strategy of the PET Recycling Association (PETRA)

15.30 -15.45 Hasip Jusufi – Director of PUC – Gostivar  
Experiences in implementation of the recycling program, Model of a successful partnership

15.45.-16.00 Zlatko Dimovski – Director of PUC – KOMUNALNA HIGIENA, Skopje

New investments of the company for the protection of the environment

16.00- 16.15 Arijan Toska – Manager of the USAID Plastic Recycling Project

Achievements in collection and recycling plastic in Macedonia

16.15-17.00 – Discussion

Attendees: Experts from the field of environment; Management board and members of PETRA; President and Executive Director of PETRA; Public Utility Companies; Inspectors for the environment from 24 partner municipalities of the USAID Plastic Recycling Project; NGOs; President and Environment Coordinator of ZELS; Association of water fillers of ZPPVM; Association of the packaging industry; MAPEK, Industry and importers, KOMUNA, Collectors and Recyclers.

## **PRESENTATION OF THE DRAFT LAW FOR HANDLING PACKAGING WASTE**

The Draft of the Law on Packaging Waste builds upon the National Strategy for Waste Management and the National Program for Adopting the Acquit (NPAA) and it is an attempt to define the rights and obligations of all stakeholders in waste management in Macedonia. The goal of the law is to establish a system for collecting, processing, i.e. recycling packaging waste. The Draft Law proposes obligatory waste management for all packaging waste producers and for importers/traders.

The introduction to the workshop was made by **Arijan Toska, Chief of Party of the USAID Plastic Recycling Project**, who greeted the participants and emphasized the importance of the participation of the wider public and all stakeholders in the preparation of this law. Arijan Toska introduced a series of public debates that will take place in the following months, in order to assist the creation of a legal framework for packaging waste management that will at the same time be sustainable in terms of the environment, economically viable as well as socially acceptable.

**The Minister for Environment and Physical Planning, Nexati Jakupi** reiterated the willingness of the Ministry of Environment to discuss and accept all proposals, suggestions, comments, notes that will contribute towards the improvement of the text of the law in selecting an efficient option that is acceptable and meets the interests of all stakeholders.

With the enactment of the Law on Managing Packaging and Packaging Waste, the producers, packers, state institutions, local self-government units as well as all other participants in the packaging and waste packaging management flow will be able to organize, manage and handle packaging waste, which will contribute to the reduction of waste production and environmental burden by re-use, processing and recycling.

The Ambassador of the Kingdom of the Netherlands, **Simone Fillippini** stated the support for such panels that have the primary goal of protecting the environment. Once again, she confirmed the willingness of the Kingdom of the Netherlands to support such projects, and appealed to all participants for a fast, timely action that will lead to tangible results.

**Mr. Michael Fritz**, Director of USAID / Macedonia, highlighted in his speech:

“I am very pleased to see such a great gathering of stakeholders to promote the business of collecting refuse and packaging waste. Your suggestions and comments are necessary for our efforts, together with the Ministry for Environment, to finalize the Law on Waste Management. I hope that through joint activities and debates such as this one you will be able to contribute towards creating a modern, clear law consistent with the EU standards“

Mr. Fritz confirmed the willingness to provide support of USAID, which has lasted for three years and has contributed to the implementation of a system for collecting plastic waste in 24 municipalities. Now the project is going through another critical point, which is characterized by:

- a. Absence of legislation;
- b. Reduced economic activity as a result of the Global Financial Crisis

In his address to the attendees, Mr. Fritz reminded of the main goal of the public debates – to bring to the same table the representatives of the Ministry of Environment, the local self-government, the public utility companies, economical entities, that will all together, assisted by foreign experts, work on the enactment of the law.

He placed a special emphasis on the social component, the deployment of approximately 5 000 collectors, mostly members of the Roma population and their subsistence (a total of approximately 20 000 people). A business model should come as a result of this cooperation, from which all stakeholders will benefit.

Finally, Mr. Fritz expressed hope that, through joint efforts and public debates such as today's, we will be able to create a clear, modern Law on packaging waste adjusted to EU standards.

## **LENCE KJURCIEVA – Ministry for the Environment and Physical Planning**

Lence Kjurcieva presented the Draft Law on Waste Packaging, providing explanation of the objectives of the law; harmonization with the EU regulations; models for waste management.

### Objectives of the law:

- To harmonize the national measures for managing packaging and packaging waste
- To prevent any negative impact on the environment and to provide a high level of environmental protection
- To reduce the quantity of packaging waste through processing, i.e. recycling
- To establish systems for achieving the national objectives for collecting and processing, i.e. recycling

1. HARMONIZATION with the European standards, harmonization with the European basic directive, DIRECTIVE 2004/12 and DIRECTIVE 2005/20.

### 2. STAKEHOLDERS:

Economic operators working in packaging –providers of packaging materials, manufacturers of packaging materials and their converters, packers and users, importers, retail vendors and distributors, bodies and organizations.

### PACKAGING WASTE MANAGEMENT MODEL

In order to efficiently manage packaging waste, the option of establishing a non-profit organization is proposed, which will facilitate the relations between those that generate waste, central and local authorities, in order to achieve more effective protection of the environment.

The founding of the legal entity / the non-profit organization for handling/managing packaging waste

- The legal entity for handling packaging waste should provide:
- Regular collection of packaging waste which is municipal waste from collection points or centers at which municipal waste is collected;
- Taking over and collection of packaging waste which is not municipal waste from end users
- Accomplish their share of national objectives in processing and recycling of collected quantities of packaging waste, and
- Collection, processing, recycling and removal of packaging waste can be entrusted only to legal and physical persons that possess the relevant licenses for handling waste, pursuant to the Law on Waste Management and other legislative acts, as well as
- Submit annual reports on handling the collected packaging waste

### TYPES OF PACKAGING WASTE

In Macedonia, according to the current proposed solutions, the following types of packaging waste should be recycled:

- glass,
- paper and cardboard,
- metals,
- plastic, having in mind only the materials that are recycled in plastic,
- wood.

### MONITORING THE MANAGEMENT OF PACKAGING WASTE

A Commission with an advisory function should be established that will monitor the situation concerning the packaging and handling of packaging waste

IN THE PROCESS OF ADOPTION OF THE LAW, the most favorable institutional framework should be created under the Ministry of Environment and Physical Planning, which will administrate the process of handling packaging waste.

**The law is in its DRAFT VERSION and it should be adopted by DECEMBER 2009.**

This is the first law in Macedonia enacted in accordance with RIA (Regulatory Impact Assessment) procedure.

In the run up to the adoption of the law, roll out of several public campaigns has been planned aimed at ensuring that the law is well and fully articulated and in turn enacted, with significant participation of the business community and the civil sector is expected in this part. (March - May)

## FUNDING THE MANAGEMENT OF PACKAGING WASTE - FEES

From Ms. Kjurciewa's presentation underlines that special attention must be paid to the financial aspects of THE POLLUTER PAYS system because in this way, a sustainable model for managing packaging waste is created. In the absence of effective legislation on packaging and packaging waste, prior and through to the enactment of the law, such fees are payable to the general budget of the R. Macedonia, and they are not returned to those that contribute to the reduction of packaging waste.

### Fees

- The manufacturer and packer that releases on the market of the Republic of Macedonia packaging and packaging of packed goods during the use of which waste is generated, is obligated to pay a fee for managing packaging waste.
- The fees are calculated based on a compensation according to the type and quantity (net weight/packaging quantity).
- The types of packaging and packed goods for which a fee is paid will be prescribed with a special act.
- Fee returns or exemption from payment of a part of the future fee for secured handling of packaging waste, i.e. for an established system for collecting and receiving back, that is waste processing.

#### **PRESENTATION – LENCE KJURCIEVA**



Ms. Kjurciewa stated in her presentation that the preparation of a new version of the draft law is in progress, and it should be submitted to all stakeholders for a reading by the end of March, 2009. Further on, a series of public meetings is expected to be organized, at which the draft versions of the law will be additionally read and supplemented all the way through to its enactment into a law by the end of the year.

#### **ZLATKO DIMOVSKI, Director General, PUC KOMUNALNA HIGIENA, Skopje**

The Director General of the PUC Komunalna Higiena Skopje, Mr. Zlatko Dimovski presented a system for collection of plastics in the city of Skopje, established in partnership with USAID.

Mr. Zlatko Dimovski underlined that in the absence of state regulations and a system for collection and recycling, tangible results have been achieved with an improved organized collection of packaging waste.

With the additional efforts they provided, the so called Recycling Yard was put into operation, 130 wire containers were placed, as well as 120 ecological islands.



Direct benefits from the selection of waste for Komunalna Higiena:

- Reduction of waste in the containers
- Prolonging the life span of the land fill Drisla for over 30 years
- Protection of the environment
- It takes from 1 000 to 4 000 years for plastic to decompose
- 1 t. of recycled paper = 17 trees saved
- 1 kg. of waste = 650 g. CO<sub>2</sub>, 124.000 000 kg. =118.625 kg. CO<sub>2</sub>

In his presentation, Mr. Dimovski paid attention to the costs incurred in the development of infrastructure in Skopje for selection, collection and processing of PET packaging, revenues versus expenses where it could be easily noticed that expenses are significantly higher than revenues in light of the global crisis and drastic reduction of the purchase price of processed PET packaging.

In the end, some suggestions were made on how to proceed in the process of enacting the Law on Handling Packaging and Packaging Waste.

#### KOMUNALNA HIGIENA - SUGGESTIONS

- Organization of a system for selection, collection and purchase of usable waste
- Providing resources for increasing the productivity by procuring the necessary equipment for selecting waste
- Establishing independent recycling funds
- The current ecological fees should go into the independent funds, from where funds will be provided for preserving the environment

#### **DISCUSSION**

**Zoran Dimov (Provavil)**

One of the first collectors expressed a lot of concern regarding the delay in the enactment of the law. The drastic fall in purchase prices, the reduced export of recycled packaging can easily lead to closure and cessation of operation of a lot of waste collectors.

#### **Mihail Mateski (Greentech) -**

The situation since December, 2008 till present has been poor: Purchase prices have plummeted, the export of recycled packaging has been reduced, lowered demand worldwide. The closing down of factories for recycling packaging will be inevitable. His appeal: since ecological fees are already being paid, the Ministry of Environment should enact a Regulation for subsidizing the entities, in order to survive these critical times.

#### **Elvis Ismail (Grintri)**

Concerned for the survival and the social status of over 5 000 waste collectors, coming mostly from the Roma population. He asked for their compulsory incorporation and adequate treatment by the new law.

#### **Aleksandar Lazarov - PETRA**

Mr. Lazarov presented the organizational set up and the work of the association

The specific question and request to the Ministry: do they presently have the funds for subsidizing the waste collectors? The estimate shows that approximately 200 million MKD are needed.

#### **Representative of Soncevo Rid Kratovo**

His proposal/request to the Ministry for the Environment referred to the planned resources for rewards: they should be awarded for subsidizing the waste collectors, in order to overcome the current situation.

#### **Slobodanka Koseva – Faculty of Technology**

Recycling (making a new product out of an old one) is faced with the absence of a system for selective waste collecting. The creation of the system is seriously belated, and the subsidizing in such circumstances of non-existence of a recycling system is inevitable.

#### **Jovica - Agropal**

He commented that this workshop mainly focused on PET plastic, and that actually there are more companies that process and recycle other types of plastic. They too should be taken into consideration. A short explanation followed, provided by the moderator of the discussion Arijan Toska stating that representatives of all types of waste should be involved in the process of the preparation of the law.

#### **Representatives of the Local Self Government Units**

A large number of responsible persons from the municipal authorities participated, and they commented that the local government should also be involved in the overall process, because in the end, when the law is enacted it will be implemented exclusively on a local level.

## **CONCLUSION**

The debate on the draft law provided more suggestions, proposals and requests. Some of them referred to the work of the public utility companies, some referred to the state bodies and the local self-government, and some to the collectors themselves. The common points of the discussions of all that took part in the debate could be listed as follows:

- Protection of the environment
- The social aspect of the collectors
- Economical effects – profitability of the entities

A final conclusion and proposal of the majority of the people that took part in the discussion was to submit a request to the Ministry for the Environment (delivered as soon as possible, by PETRA) for making a grant for the collection of waste, up until the enactment and placement into function of the law. All of this will provide for undisturbed function of the collection of waste, and for overcoming the current extremely difficult situation, which is a result of the global financial crisis, as well as the lack of a system that regulates this subject matter in our country.