

Second International TouMaLi Conference

Tunisian Experience on the Extended Producer Responsibility Approach
The EcoLef public system for the take-back and recovery of used packaging

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- Law No. 96-1996 of 10 June 1996 on waste and the control of its management and disposal,
 - Decree No. 97-1102 of 2 June 1997 laying down the conditions and procedures for the return and management of used packaging.
 - Decree No. 2000-2339 of 10 October 2000 establishing the list of hazardous waste,
 - Decree No. 2002-693 of 1 April 2002 relating to the conditions and procedures for the take-back of used lubricating oils and oil filters and their management, as amended by Decree No. 2008-2565 of 7 July 2008.
 - Decree No. 2005-3395 of 26 December 2005 laying down the conditions and procedures for the collection of used accumulators and batteries
 - Decree No. 2008-2745 of 28 July 2008, laying down the conditions and procedures for the management of waste from sanitary activities
 - Government Decree No. 2015-786 of 9 July 2015, laying down the conditions and procedures for the management of used tyres

Legal framework for waste management in Tunisia

Law No. 96-41 of 10 June 1996 on waste and the control of its management and disposal established the appropriate framework in the field of waste and its management methods to achieve the following basic objectives:

- ✓ the prevention and reduction of waste production and its harmfulness, in particular by acting at the level of the manufacture and distribution of products;
- ✓ the recovery of waste through reuse, recycling and all other actions aimed at the recovery of reusable materials and their use as an energy source;
- ✓ the reservation of controlled landfills for the disposal of final waste, i.e. after all possibilities of recovery have been exhausted.

Obligations for the producer/holder of waste

Any person whose activity produces waste or who holds waste in conditions likely to have negative effects on the soil, flora or fauna, to cause the degradation of sites and landscapes or to pollute the air or water or to cause noise or odors and, in general, to harm public health or the environment is required to dispose of it in accordance with the provisions of the and under conditions that will avoid the above-mentioned effects. (Law 96-41, Art.4)

The producer, distributor or transporter is responsible for recovering the waste generated by the materials or products they produce or sell. The competent authorities may require them to dispose of such waste and, where appropriate, to participate in systems for the recovery and disposal of waste from other identical or similar products. (Law 96-41, Art.9)

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Obligations for the producer/holder of waste

Professionals set up, on their own initiative or on the initiative of the competent authorities, systems for the take-back of packaging waste, its recovery or its reuse. Producers and importers are required to adhere to any system created for the collection, processing or recovery of specific categories of packaging waste... (Law 96-41, Art.12)

Any person in possession of waste is required to deliver it, in accordance with the procedures determined by the competent authorities, to a public or private body responsible for collection or to an establishment carrying out disposal and recovery operations or to undertake such operations by himself (Law 96-41, Art.25)

Legal framework for waste management in Tunisia

- Extended Producer Responsibility (EPR) is based on the principle that producers are responsible for the products they place on the market, right up to their end of life. As a result, they are obliged to ensure the collection and treatment of their product that has become waste. It follows the polluter pays principle: the costs of waste management are passed on to the producer.
- EPR was introduced into Tunisian legislation in 1997. It primarily targets packaging bags and used packaging. In the case of lubricating oils, although the activity has been in existence since 1980, the decree organizing the procedures for the take-back of lubricating oils and used oil filters and their management was published in 2002.
- Today, depending on the waste stream in question, the same principle is applied to other sectors.

Recyclable and recoverable waste management channels



- EcoPile

Batteries

2005



- EcoBatterie

Used batteries

2009



- EcoFiltre

Used Oil Filters

2004



- EcoZit

Lubricating oils

2004



- EcoLef

Packaging Used

1997

In addition to the D3E sector, the tyre sector and the edible oil and other sectors

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Terms and conditions for the return and management of packaging

- Decree No. 97-1102 of 2 June 1997 laying down the conditions and procedures for the take-back and management of packaging bags and used packaging
 - Art. 5. - Persons concerned (.....) who market packaged products are required to:
 - To provide themselves for the take-back and management of the packaging used of the products they place on the market in accordance with the conditions laid down in Article 6 of this Decree,
 - Or entrust the assumption of this obligation on their behalf to companies holding the authorisation defined in Article 9 of this Decree and on the basis of a contract to be concluded with them,
 - Or join the public system for the take-back and recovery of used packaging created in accordance with Article 8 of this decree.

The EcoLef public system for the take-back and recovery of used packaging

- Legal framework

Decree No. 97-1102 of 2 June 1997 laying down the conditions and procedures for the return and management of used packaging

- Definition

EcoLef is a public system (created in 2001) for the recovery of used packaging managed by ANGED.

- Indicators

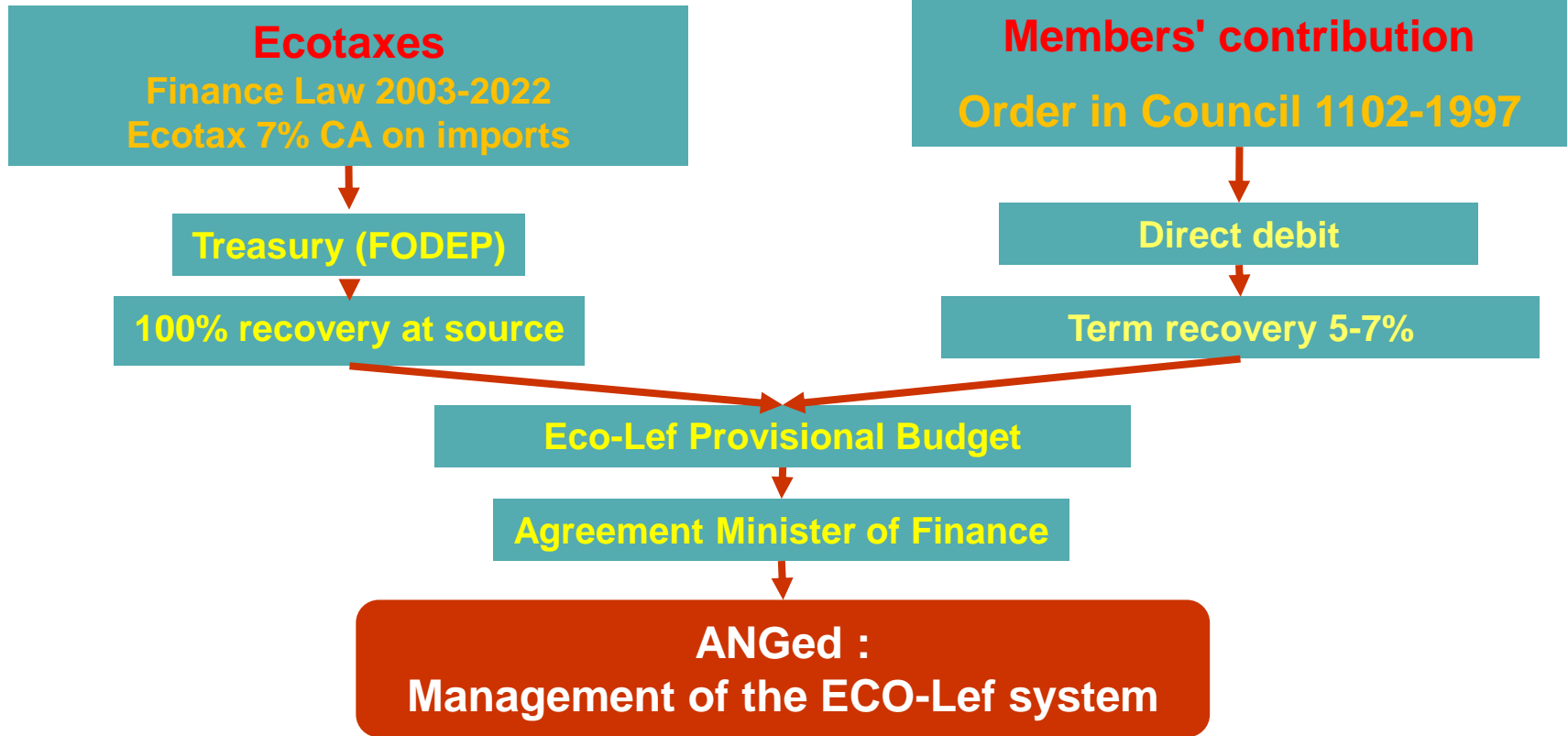


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Funding system



Concept of Environmental Taxes: Environmental Conservation Tax

- The environmental conservation tax, in general, is a mechanism that implements the "polluter pays" principle, by integrating the cost of treating environmental damage directly into the price of the materials, services and activities that cause that damage.
- The Environmental Protection Levy was created in accordance with the Finance Act 2003 and applies to manufacturers or importers of plastic raw materials and other polluting materials such as lubricating oils, oil filters, imported or locally manufactured batteries and hazardous chemicals at a rate of 5% (it has been increased to 7% since 2022) Based on the number of tax-free transactions carried out by Manufacturers of products subject to the internal procedure and on the basis of the customs value on delivery.
- The revenues are allocated to the Pollution Control Fund established by the Public Treasury.

EcoLef Public System Oversight Mechanism

Collection Mechanisms

(Private)

- Creation of private collection points in each region
- Providing job opportunities for holders of advanced degrees
- Signature of agreements for the collection of used packaging



Monitoring and control

(ANGed)

- Collection points and centres
- Supervision of Contracting Institutions
- Payment Tracking
- Renewal and maintenance of equipment and supplies
- Job creation



Sorting and recycling mechanisms

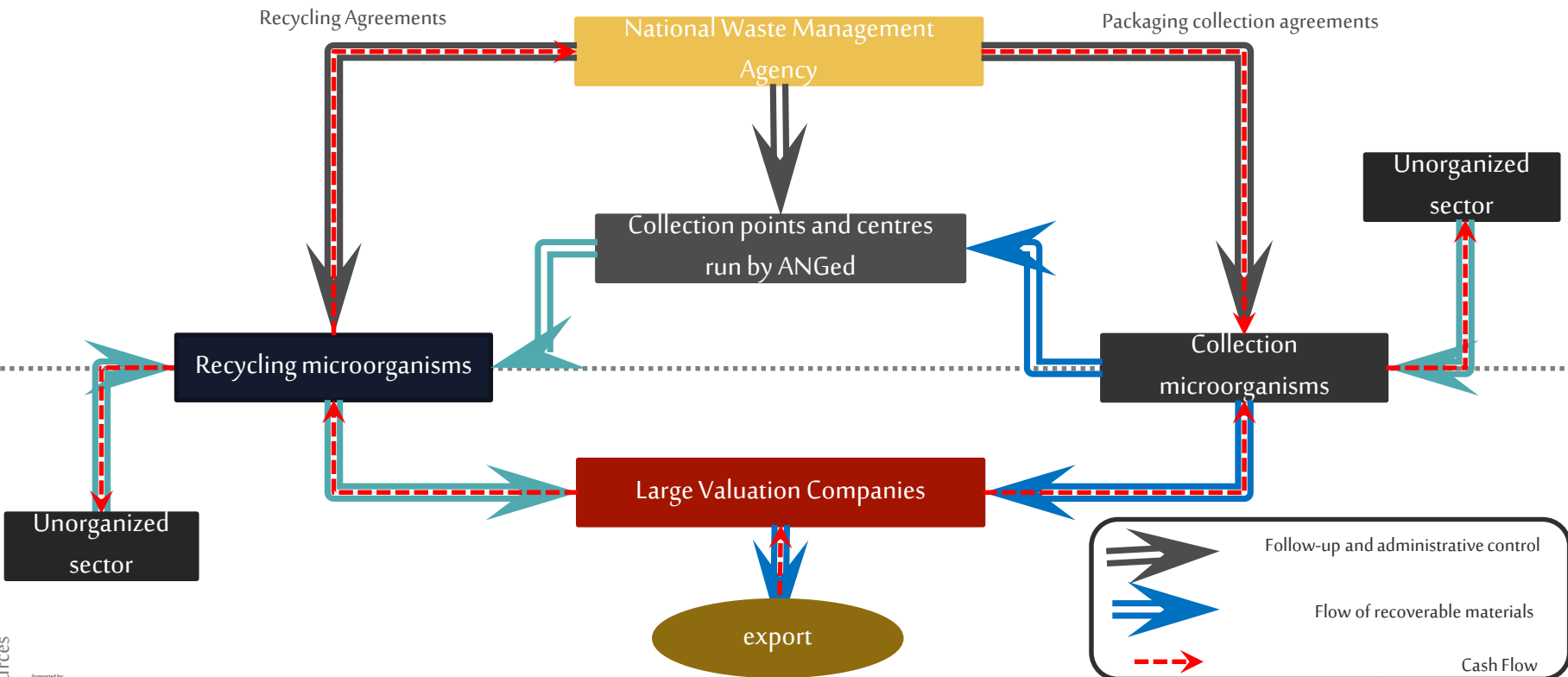
(Private)

- Encouraging the creation of recycling companies
- Ensuring the sustainability of the activity with the help of the companies created
- Delivery of collected quantities in the form of monthly quotas
- Ensuring the minimum yield

Organizational chart of the EcoLef system

Financing from public system resources

Financing with private sector resources



- Follow-up and administrative control
- Flow of recoverable materials
- Cash Flow

Positives and negatives of the public system

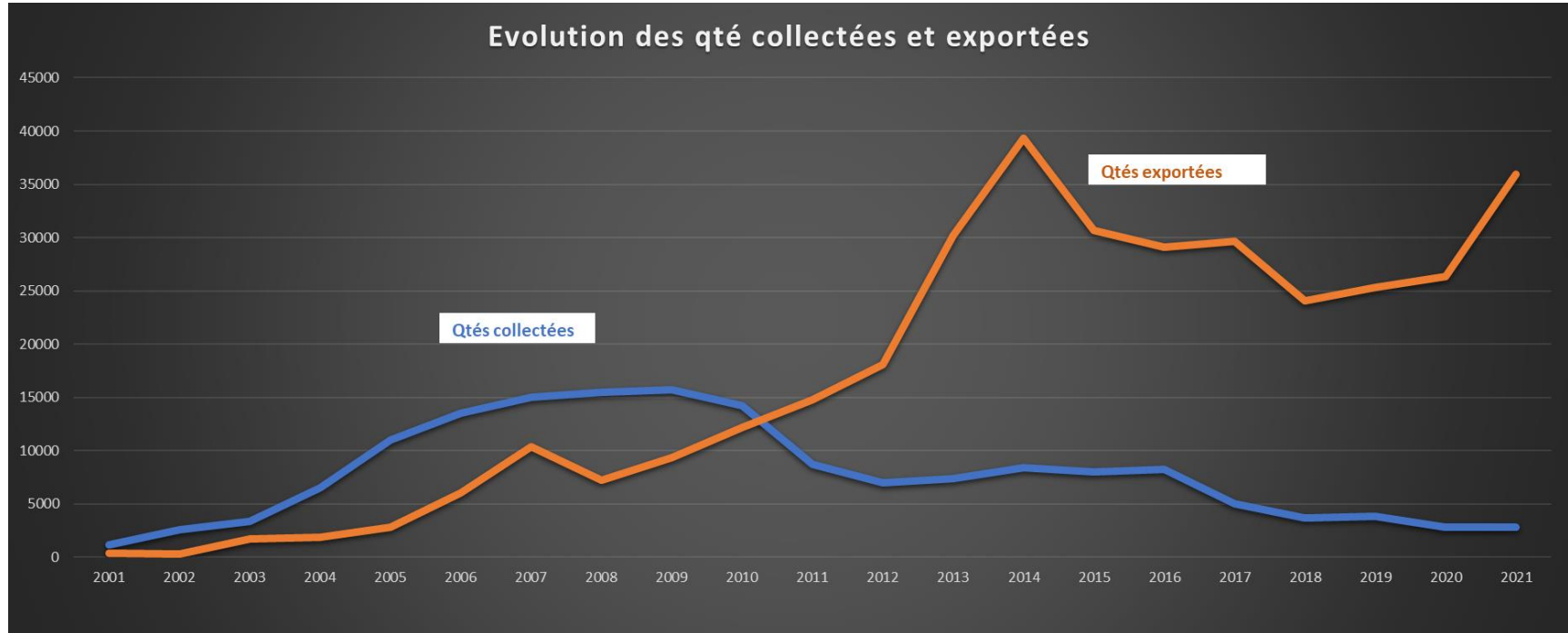


- ✓ The development of the system has helped to create added value for the packaging material waste used
- ✓ Creation of jobs and collection points in various regions
- ✓ Creation of fixed resources from the state budget to manage and monitor the system
- ✓ Contribute to encouraging the creation of micro-enterprises for the collection and recycling of packaging
- ✓ VSE's contribution to cover TCs' operating expenses (80%).
- ✓ The system contributed to the creation of many small businesses that later became independent and turned to foreign markets



- ✓ The producer's liability was limited to the payment of environmental protection taxes
- ✓ The public system has limited itself to collecting only certain specific packaging
- ✓ Failure to assist the producer in the manufacture of "clean" packaging materials.
- ✓ Regression of the quantities collected and the collection points and the number of active companies
- ✓ Waste collection rates are fixed and not subject to change
- ✓ Decrease in budget disbursements due to low performance of the agency's points
- ✓ Poor communication between the public system and the private sector
- ✓ complexity of the procedures for the development of the public system and the broadening of its scope
- ✓ The system does not encourage the adoption of source separation
- ✓ Many institutions (collectors and recyclers) remain linked to the agency despite the availability of self-employment opportunities

Evolution of the quantities collected (2001-2020)



Sources:

Quantité collectés: ANGED

Quantité exportée: The United Nations Comtrade database (Produit : 3915 Déchets, rognures et débris de matières plastiques)

- In the light of what has been observed in terms of a decrease in the quantities collected since the creation of the public system "EcoLef" compared to the evolution of the quantities collected directly from the private sector, and with the aim of continuing to activate the principles of Law No. 41 of 1996 on waste and the control of its disposal and disposal with regard to the "polluter pays" and the "producer-recoverer"»

Launch of a study on the development of the used packaging management system "Ecolef" and the extensive involvement of the private sector through the creation of environmental structures (eco-organisations) in application of the EPR principle.

The most important ways to develop The public system

- The study was able to identify the most significant difficulties and challenges needed to activate the EPR system in Tunisia as follows:
 - It is necessary to amend the legal aspect related to the Commercial Companies Code in order to pave the way for the creation and regulation of environmental producer responsibility structures (eco-organizations)
 - The willingness of the private sector (producers) to move towards the implementation of an extended producer responsibility system
 - Initiate the coordination process with the Ministry of Finance to develop an action plan to structure the resources of the newly created environmental accountability structures through environmental taxes
 - The implementation of waste separation systems at source depends first and foremost on the focus on extended producer responsibility
 - The need for a progressive set of measures on:
 - Small businesses contracting with the agency (collection and recycling institutions)
 - The unorganized sector (assembly and recycling)

Activating the principle of EPR through a PPP

- Terms of reference have been formulated to engage a group of experts to:
 - Provide proposals to develop the institutional aspect in order to activate the appropriate legal framework to establish environmental product responsibility structures and entrust them with the management of systems through the private sector.
 - Propose mechanisms for activating the principle of the circular economy in order to familiarize oneself with the economic, social and environmental aspects related to the missions of the environmental responsibility structures (Eco-organizations) responsible for managing the systems

It is planned to launch the EPR activation study in the second quarter of 2023

Expected results from the adoption of the EPR system

- It is expected that the creation of structures as part of the implementation of EPR principles will reduce the amount of waste sent to landfills and reduce pollution in many pathways through :
 - Motivation of the producer to reduce waste generation at the source because he is responsible for it
 - Pushing towards the production of clean materials and highly recyclable products
 - Control the material and/or financial burdens imposed on municipalities by integrating them into environmental product responsibility structures (Eco-organizations)
 - Encouraging more efficient use of natural resources
 - Promote the circular economy and the sustainability of local jobs by encouraging the total/partial reuse of materials or products
 - Improving environmental relations between the public and private sectors
 - Supporting resource and environmental conservation with a focus on the product life cycle

Merci pour votre attention
Thank you for your attention

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