

## Promoting Extended Producer Responsibility (EPR) in international law for a sustainability transformation towards a circular economy

**TES Academy transformation process, June 2023 to February 2024**

**First workshop 27th – 29th June 2023 (3 days), Dessau-Roßlau, Germany**

### Background

Production and consumption of material goods are causing severe environmental damage. After reaching end-of-life, these products turn into waste. If not treated properly, they might leak pollutants into the environment - with the loss of precious materials. Also, waste crosses – legally or illegally, intentionally or unintentionally (e.g. in the oceans) – national borders and causes global environmental problems. Since pollution, together with climate change and biodiversity loss, constitutes one of the triple planetary crises, there is an urgent need to find applicable solutions to the waste problem and to develop sustainable waste management systems both at a national and international level.

Extended Producer Responsibility (EPR) has been increasingly discussed as a concept to solve the current waste problems for specific products. As originally introduced by Swedish economist Thomas Lindhqvist, it describes “an environmental protection strategy to reach an environmental objective of a decreased total environmental impact of a product, by making the manufacturer of the product responsible for the entire life-cycle of the product and especially for the take-back, recycling, and final disposal”<sup>1</sup>. Proponents of EPR argue that by assigning the organizational responsibility for waste management to a producer, EPR could reduce the financial burden of municipalities and support the internalization of commonly externalized costs associated with waste. As such, EPR might also constitute a transformative framework for a shared responsibility for waste handling between producers and consumers, as the latter might contribute to a sustainable waste management through increased purchasing costs. More generally, EPR is thought to set incentives for developing a more sustainable product design that matches the idea of a circular economy.

While EPR is gaining global popularity, it is not implemented in all countries or across all countries yet. Several reasons hinder a broader implementation of the strategy. In general, setting up EPR schemes requires political, legal, financial, and organizational efforts and poses challenges to the socio-economic system. From a business perspective, for example, EPR might shrink profit margins for companies and increase administrative processes. At the same time, increased product costs could also pose a potential threat to current material living standards. In addition, while establishing a new value chain among collectors, sorters, and recyclers aims at

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<sup>1</sup> Lindhqvist, T. (1992). "Towards an [EPR]- analysis of experiences and proposals". Lund University, Sweden.

establishing a more sustainable economy, it can also threaten the informal sector. These are only three prominent examples of potential challenges associated with the implementation of EPR at a national and an international level.

In sum, we consider EPR if implemented at a global level, as a powerful strategy to support a transformative change toward a circular economy that contributes to several Sustainable Development Goals (SDGs). To advance its national and international implementation, however, it is necessary to sharpen the overall understanding of EPR and develop applicable solutions to the challenges related to EPR. For this purpose, it is also important to understand the economic and social contexts related to specific products (e.g., plastics, batteries, electronic devices) into account in which EPR is implemented.

## Goals

Overall, the TES transformation process, jointly conducted by the TES Academy team and a UBA EPR expert group, aims at:

- ▶ further exploring and developing the potential role of EPR in the global context of transformation towards a circular economy, discussing the following guiding questions:
  - What is an understanding of EPR that is accepted across national and sectoral borders?
  - Which role can EPR play in establishing a circular economy?
  - Which social and economic dimensions and possible leverage points need to be considered to ensure a transformative role of EPR approaches?
  - What could this role look like in ten years from now?
- ▶ Specifying EPR's potential as a strategy to inform international law, such as the ongoing negotiations for the UNEA convention on plastic pollution or resolutions related to other products
- ▶ Identifying further opportunities to advance EPR as a strategy to promote a sustainability transformation

## Process

- ▶ For these goals, the TES Academy process aims at discussing EPR at an international level, starting with a 3-day kick-off workshop (June 2023 at UBA in Dessau-Roßlau) that aims at facilitating a collaboration process across disciplines and professional sectors. At the meeting, further steps for collaboration could be decided, e.g. joint short virtual meetings that add specific perspectives to the discussion
- ▶ Developing and conducting events for decision-makers that will be offered at international political forums (e.g., UNEA), with suitable documents for the event jointly prepared
- ▶ Additional workshops of the participants in person.
- ▶ Further jointly planned activities can emerge throughout the process

The overall process is planned for about nine months. All measures shall be accompanied by mutually orchestrated documentation activities, further increasing the visibility of EPR in public, scientific, and political discourse, as well as supporting the efficacy of the envisaged measures.

#### Guiding principles of the TES Academy:

The work of the TES Academy is built upon the following pillars:

**Multiple perspectives on the environment and sustainability** – We reflect complexity and diverse expertise among participants.

**From personal to systemic** – We consider all levels of transformation.

**Holistic learning** – We integrate our bodies, emotions, senses, as well as our intellect.

**From local to global** – We link different scales of sustainability.

**Mutual learning** – We learn from each other and develop spaces for collaboration on eye level.

## Approach of the first workshop

**Analyzing the challenge and the options EPR might have to address them:** Against the outlined background, the first workshop of the process follows two main analytical purposes: First, we want to understand the general scope of EPR and how it can support the transformation towards a circular economy. Also, the risks and hindrances associated with such a role should be discussed. Secondly, the potential role of EPR in bi- and multilateral agreements on waste management should be addressed.

**Extending the scope for solutions:** Where are successes on the local level, and which challenges arise from EPR approaches there (e.g., role of the informal sector, role of consumption patterns)? On the international level, which role could an EPR approach take in bi- and multilateral activities? What do actors need in order to take (joint) action -from the local to the global level? How can different stakeholders (private sector, consumer representatives, ...) get involved? How can public awareness and acceptance be improved?

Which resources for joint action are already available and which ones have yet to be established? These are guiding questions we want to explore as a heterogeneous group of participants from different professional organizations and sectors.

**Defining the way forward:** In collaboration with representatives of authorities, international organizations, scientific experts, environmentalists, local stakeholders, policymakers, business representatives, and others, we envisage contributing to the development of proposals on how to make use of EPR solutions on all levels from local to global. The event might be an initial stage of a process leading to a stronger network and applicable instruments to make use of EPR solutions for a sustainability transformation. Joint follow-up activities (policy papers, practical projects, further events) will ideally result from this mutual learning process.

It is our aim as TES Academy to create transformative spaces for mutual learning, relating, and collaborating. We want to invite participants to meet and connect at eye level, dive into new perspectives, and let novel, integrative approaches on EPR and beyond emerge that can ideally inform future specific projects and actions. We trust that bringing together people with such rich and diverse expertise constitutes a unique opportunity to develop something genuinely new that cannot fully be planned beforehand. Therefore, the schedule of our event is not fully determined and does not foresee the delivery of specific contents prepared in advance (e.g., presentations).

## Provisional Schedule for the first workshop

### 27<sup>th</sup> June 2023: Arrival and Immersion

**Guiding questions:**

What is an understanding of EPR that is accepted across national and sectoral borders?  
Which role can EPR play in fighting waste pollution at a national and international level and establishing a circular economy?

**Provisional program:**

12:30 am - 3:00 pm: Introduction and getting to know each other

3:00 pm - 6:00 pm: Exploring the “why” and “what” of EPR

6:00 pm – 7:00 pm: Check-in at the hotel

7:00 pm: Joint Dinner

### 28<sup>th</sup> June 2023: Mutual Learning and Collaboration

**Guiding questions:**

What is an understanding of EPR that is accepted across national and sectoral borders?  
Which role can EPR play in fighting waste pollution at a national and international level and establishing a circular economy? What are the advantages and drawbacks of EPR as a tool to fight waste pollution?

**Provisional program:**

9:00 am – 9:30 am: Check-in and review

9:30 am – 12:00 am: EPR in practice

12:00 am – 1:00 pm: Lunch break

1:00 pm – 2:00 pm: Envisioning solutions to waste pollution (through EPR)

2:00 pm – 5:45 pm: Open Space

5:45 pm – 6:30 pm: Wrap-up and Reflection

6:45 pm: Optional dinner

### 29<sup>th</sup> June 2023: Wrap-Up and Reflection

**Guiding questions:**

What is needed to further establish EPR as a tool to fight waste pollution at a national and international level?

**Provisional program:**

9:00 am – 12:15 am: Sharing results and joint planning of potential follow-up work

12:15 am – 1:00 am: Final reflection

1:00 pm: Closing lunch (optional)

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## IMPRINT

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The TES Academy is an in-house research project at UBA  
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