New ERA General Assembly Workshop Outcomes

DESIGNING EFFECTIVE REUSE POLICY

Background

The Global Plastic Policy Centre has been working with the New European Reuse Alliance (New ERA) to undertake a review of existing reuse-related national policy landscapes to explore how policy (including regulations and legislation) enables or constrains reuse systems. The findings will be used to identify what an effective regulatory landscape to facilitate reuse systems could look like and identify barriers and enablers of effective reuse policies.

Defining effectiveness
… the extent to which a policy achieves its intended objectives and delivers measurable, lasting outcomes including the capacity to address the problem it was designed to solve, while being efficient in resource use, adaptable to local contexts and equitable in its impacts across stakeholders.

The project looks at 12 countries across the Globe. Analysis of the first four pilot countries is currently underway, and persistent areas of diverging opinion or a lack of evidence have been identified. These are:

1 The relationship between EPR and reuse in policy

2 The role of Government in implementing reuse systems

3 Monitoring systems for policy effectiveness

4 Stakeholder engagement in policy formulation

The Global Plastics Policy Centre has extensive policy evaluation research and experience, which has identified the importance of these areas in designing effective policy. Therefore, understanding and addressing these persistent gaps is critical to facilitate recommendations for effective policy design and implementation. This summary document outlines the key findings from a workshop designed to address these immediate gaps to help inform the rest of the ongoing research. The workshop consisted of around 50 of New ERA's members, including reuse system operators, associations, related businesses and product designers.

Summary of discussions

Please note the key discussion points reflect the inputs by participants and do not necessarily reflect our final results, due to the ongoing nature of this research. See the 'opportunities to engage' section later in this document if you have further reflections you'd like us to consider in this process.

Group 1: Relationship between EPR and reuse in policy

There is ongoing debate about how EPR and reuse should relate to one another within policy frameworks. Some stakeholders argue that EPR and reuse should function together, as EPR can incentivise product design for reuse and establish systems that facilitate the reuse of products at the end of their life cycle. Others believe that EPR and reuse should be treated as separate systems, with each addressing different aspects of resource efficiency and waste management. EPR could offer a valuable entry point for reuse in diverse country contexts, meaning that understanding potential barriers and opportunities is important to support later dialogue about what effective national policy landscapes for reuse could look like.

Guiding question: How should EPR and reuse be integrated, or should they remain independent to avoid policy overlap and complexity?

Key discussion points:

1. EPR has the potential to incentivise product design for reuse and establish systems that facilitate the reuse of products at the end of their life cycle.

2. Current EPR schemes primarily focus on single-use packaging, which conflicts with the objectives of reuse, emphasising the need for policy adjustments to bridge these operational differences.

3. In countries like Germany, where EPR systems are well-established, integrating reuse strategies into existing frameworks presents significant challenges. Retrofitting is not compatible.

4. Reuse and single-use represent fundamentally different business models, necessitating distinct approaches within policy frameworks to address their unique characteristics and impacts.

5. A unified policy on packaging and packaging waste could harmonise efforts and streamline processes, though such policies must carefully define 'waste' to avoid undermining the goals of reuse.

6. At some point, there will be the need for shared infrastructure which has to be accounted for. Developing shared infrastructure for reuse requires substantial investment and strategic planning, with consideration for the long timelines needed to establish these systems effectively. There are long investment cycles needed to build infrastructure, and there is a degree of expectation management that needs to take place on how quickly this infrastructure can be set up.

7. The end-of-life management of reusable items, particularly those that are non-recyclable, is a critical aspect that should fall under the purview of EPR schemes.

Group 2: Role of Government in implementing reuse

There have been different opinions about the specific role the government should play in supporting reuse systems. For example, in one case study country, it was felt that by setting a policy target, the government had done enough to support reuse and that it was "up to industry to take over". In other countries, there was more expectation of the government to provide seed funding for start-ups and support the scaling up of existing infrastructure. Businesses identified a need for a clear policy implementation pathway to be generated by Government. In short, it is unclear how these different expectations are managed and how they can be communicated for an effective reuse policy system to be created.

Guiding question: Where does the responsibility of government around the implementation of policy end, and industry start?

Key discussion points:

1. The government has sole responsibility for enforcement. Without enforcement, non-compliant businesses gain an unfair advantage which needs to be considered. Enforcement is linked to implementation and compliance.

2. It was suggested that citizens and organisations should have the power to report non-compliance, triggering investigations. In the EU context, currently, PPWR does not allow private legal action against companies.

3. There was concern and criticism about the overrepresentation of single-use packaging actors in the formulation of laws both at national and European level, which stems from a lack of awareness of reuse, and the need for resources available for participation in policymaking for reuse companies who are often SMEs.

4. Engagement from the reuse sector into policymaking needs to be more strategic, focusing more on economic elements and emotional elements, to change the perception of the society to single-use (similarly to what happened with plastics 10 years ago) meaning that media, civil society and consumers need to put pressure on the legislator. Industry should cohesively advocate for reuse.

Group 3: Monitoring systems for policy effectiveness

Across the countries assessed to date, there is a lack of systematic and independent monitoring to assess policy effectiveness, making it difficult to evaluate whether the policy has been implemented fully and the impacts it has across local and national systems.[1] The lack of monitoring is especially notable where a target has been created, with limited measures outlined to assess whether or not these targets have been reached. Integrating transparent monitoring criteria into policy design will support policy enforcement, as it supports compliance and can facilitate the adjustment of policies as needed. Despite this acknowledged need, there remain limited examples of this in practice and thus limited experiences to draw best practices.

Guiding questions: What does building monitoring into the design of a reuse or related policies need to look like? What sort of metrics and evaluative criteria should be included?

Key discussion points:

1. Monitoring indicators should be closely linked to the policy objectives, and support transparency.

2. Transboundary business operations necessitate shared and consistent definitions and metrics, allowing for standardised reporting and monitoring.

3. Simplicity is critical in developing monitoring systems, including integrating to existing frameworks - such as EPR - wherever possible.

4. Potential metrics were challenging to identify, with a high potential for creating accidental loopholes or greenwashing opportunities. For example, monitoring the availability of reuse products does not mean that they have been reused, and monitoring washing cycles or logistical components of a system also does not guarantee reuse. Digital product tracing was suggested as a way to overcome this. Learning from existing circularity metrics was also identified.

5. There were different opinions regarding who should monitor - some suggested government, however there was some concern regarding capacity and resourcing (e.g., using taxpayer money). Some suggested an independent and neutral NGO.

[1]The lack of built-in monitoring systems is evident in all policy areas assessed by the Global Plastics Policy Centre, including in waste management regulations, EPR, bans, taxes, affirmative action (such as national plans or roadmaps), and other policy types related to plastics and waste. Of over 200 individual policies evaluated to date, over 75% have no time bound or quantitative objectives, nor mechanisms or responsibility identified for the monitoring of the impacts of the policy.

Group 4: Stakeholder engagement in policy formulation

Interviewees across the countries have given inconsistent or conflicting answers regarding stakeholder engagement in policy formulation. For example, in the same country, one interviewee said that extensive stakeholder consultation was undertaken in policy formulation, and others identified that stakeholder engagement is never undertaken in policy formulation and never will be. It is generally difficult to evidence stakeholder engagement in policy formulation.

Guiding questions: What does the ideal process for engaging stakeholders in the design of reuse and related policies need to look like, and how should this be reflected in the policies themselves?

Key discussion points:

1. Stakeholders involved in reuse should be engaged from the onset of the policy development process, continuing their participation through to the legislative enactment and implementation stages.

2. There is significant criticism regarding the disproportionate influence of single-use packaging interests in shaping legislation at both national and European levels.

3. Factors impeding effective participation of reuse stakeholders include a lack of awareness among policymakers, absence of formal associations or businesses representing reuse interests, resource disparities, and misunderstandings about the workings and impacts of reuse systems.

4. An incident in the Dutch Parliament highlighted a proposal influenced by the single-use paper cup industry, which overlooked the adverse effects on the reuse sector, demonstrating a gap in understanding the full implications of such legislative measures.

5. There is a prevailing distrust towards legislative bodies, perceived to be swayed more by emotive appeals than factual evidence. This scepticism is fuelled by tactics used by lobbyists for single-use packaging, suggesting a need for reuse advocates to adopt more strategic and emotionally resonant approaches.

6. There is a need to focus on economic benefits and emotional engagement to shift public and legislative perceptions away from single-use products, drawing parallels to the successful campaigns against plastic use a decade ago.

7. Maintaining ethical standards in lobbying and stakeholder engagement is essential to prevent further erosion of trust in legislative institutions.

8. Proposals to improve engagement include facilitating accessible pre-legislative consultations, publishing lists of involved organisations, and ensuring diverse representation in discussions.

9. While there is a tendency to critique single-use practices, promoting reuse through positive advocacy is essential, though there is a belief that current decision-making does not typically reflect this approach.

Opportunities to engage

This research is expected to continue until July, with a report and series of policy briefs intended as the primary outputs, alongside dissemination webinars and events. There are a number of ways in which you can engage in this research.

As a reviewer/collaborator: We will be looking for reviewers who understand the regulatory landscape for each country case study, as well as for the final report. If you would like to be a collaborator in this way, please send us an email.

Connecting us with actors for interviews: The countries we are examining as an evidence base are **Germany, France, Spain, Latvia, Colombia, Chile, Argentina, the Philippines, Thailand and Indonesia.** If you have connections to policymakers or actors in the reuse landscape for any of these countries that you think would be beneficial to get their insights, please do connect us.

Taking part in online workshops: We will be hosting an online workshop for each of the regions under assessment **(Europe, South America, Southeast Asia)** to validate and discuss our findings before publication. If you would like to join one of these that are relevant to you, please get in touch so we can be sure to invite you.

About the Global Plastics Policy Centre

Based at the University of Portsmouth, the Global Plastics Policy Centre is an independent knowledge broker that facilitates effective plastics policy-making in government and the private sector. The Centre provides evidence-based guidance at the interface of government, businesses, citizens, and researchers, including supporting the process to develop a legally binding instrument to end plastic pollution. Reuse and the circular economy form part of the Centre's core areas of research, and the team regularly advises on reuse systems, their implementation, and evaluation to support the transition to more sustainable economic models.

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