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NOTE

From: General Secretariat of the Council
To: Delegations

Subject: AOB for the meeting of the Council (Environment) on 25 June 2026
Benelux non-paper on the upcoming Circular Economy Act
- Information from Belgium, Luxembourg and the Netherlands

Europe and European industry have strong potential to achieve the ambition of the Clean Industrial Deal to become a global leader in the circular economy by 2030, fostering an open strategic autonomy and a future-proof economy while delivering on environmental objectives. To realise this ambition, further action is required. In light of the global competitive landscape in which European companies operate, a strong EU-level commitment is essential to advance the transition to a circular economy. This will enable a prosperous Europe.

The circular transition supports industrial transformation, competitiveness and an open strategic autonomy while addressing the interlinked challenges of climate change, biodiversity loss and pollution. The Circular Economy Act (CEA) therefore offers an opportunity to contribute to the needed broader system change, by setting a long-term EU vision for the transition to a circular economy and sustainable resource use¹. This involves moving away from a linear economy focused on waste management, with a stronger role for higher R-strategies. The CEA should lead to a reduction of the demand for primary resources and support a more efficient use of materials.

¹ As mentioned in the [Council Conclusions on the 8th Environmental Action Programme Mid-term Review](#) and the [Council Conclusions on Europe's Environment 2030](#)

In light of the above, Belgium, Luxembourg and the Netherlands call on the Commission to deliver, at a minimum, on the following focus points in the upcoming CEA.

1. The CEA provides an opportunity to support the creation and strengthening of a circular single market in the EU. For circular businesses to thrive, the right enabling conditions need to be created, including clear legislation supporting a long-term vision for a circular economy. The CEA should encourage industries to develop circular, sustainable, resilient, and future-proof business models, while ensuring that circular products can compete on an equal footing with linear products. While fully respecting Member States' and region's competences, this requires a proportionate and coherent regulatory framework, striving for harmonized rules, that fosters competitiveness, reduces administrative burden, and respects environmental objectives.
2. Strengthening both supply and demand for secondary raw materials is essential to building a well-functioning European circular market. This would help create a level playing field, support the growth of European circular businesses and reduce dependence on virgin materials. The CEA should therefore aim to strengthen the EU's Waste Framework Directive and, where possible, contribute to more harmonisation of waste legislation and the explanation and interpretation thereof, enabling consistent implementation and reducing unnecessary administrative burden for Member States and economic operators. This requires, among other things, stimulating the implementation of the waste hierarchy, developing EU-wide end-of-waste criteria to facilitate intra-EU movement of secondary materials and ensuring safe material loops to prevent the circulation of hazardous substances in a coherent way, avoiding regulatory overlap with relevant legislation. Additionally, we need to improve waste separation, collection and sorting systems across the EU and prevent the loss of valuable resources by diverting recyclable waste streams from landfilling and incineration. To ensure safety and address unfair competition, tools are needed to monitor the compliance of imported products. These tools should not impose disproportionate burdens on SMEs, should be in line with international obligations of the EU, including those stemming from the WTO and EU FTAs, and must be verifiable by competent authorities. Beyond improving supply and market conditions, the CEA should also stimulate sufficient demand for high-quality EU recyclates, which is essential for a well-functioning single market for secondary raw materials.

3. The CEA should further strengthen the Extended Producer Responsibility (EPR) framework by supporting waste prevention, repair and reuse and expanding its scope to other product groups. A stronger EPR framework can help create the right conditions for future-proof and competitive circular business models and innovation. Additionally, it should harmonise, where possible, across EPR schemes and Member States, reducing the administrative burden without compromising environmental objectives and contributing to a level playing field. Furthermore, the CEA should coordinate action to address the issue of free-riding, both within the internal market and globally, such as through online platforms. This is essential to avoid putting compliant companies at a competitive disadvantage and to safeguard the effective functioning of a circular single market.

4. A revision of the Waste of Electrical and Electronic Equipment (WEEE) Directive, as part of the CEA, is needed to address current challenges in the e-waste market. At present, (critical) raw materials (CRMs), are not sufficiently recovered from WEEE, while the EU remains heavily dependent on imports from third countries for these materials. The WEEE revision offers an opportunity to tackle this unnecessary loss of CRMs and strengthen Europe's open strategic autonomy. The revision should include requirements that promote prevention, prolonging use, repair, (preparation for) re-use, effective collection and high-quality treatment with goals that are realistic and measurable. The WEEE Directive should be closely aligned with, among others, the delegated legislation under the Ecodesign for Sustainable Products Regulation and the Critical Raw Materials Act.

In sum, the EU has a unique opportunity to address interconnected challenges through a strong push for a circular economy, supported by a coherent and well-functioning single market that removes barriers, enhances competitiveness, ensures fair competition and - in line with the Better Regulation agenda – reduces regulatory and administrative burdens. This will ensure the long-term competitiveness of our economies and Europe's open strategic autonomy, while simultaneously decoupling material use from economic development and well-being.