

Shipments of waste, Basel Convention 1989 and OECD Decision 1992

2003/0139(COD) - 02/03/2004

The Council held a policy debate on a proposal for a Regulation of the European Parliament and the Council on shipments of waste. It requested the Permanent Representatives' Committee to resolve the outstanding issues, in the light of the debate, in order to enable the Council to reach a political agreement at its meeting on 28 and 29 June.

The Council's debate focused on the following issues:

- grounds for objecting to shipments in order to prevent so-called "eco-dumping" In the absence of uniform Community standards for the treatment of waste, there is a risk that waste travels within the Community to avoid the costs of treatment to a higher standard. Many delegations agreed that competent authorities should be able to object to waste shipments on the basis of the non-respect of national law standards, as long as Community standards have not been established. They further expressed their wish that the development of Community standards should be a long-term objective;

- requirements for dealing with mixtures of non-hazardous "green" waste There is a risk that the mixture of different types of non-hazardous "green" waste would impair its environmentally sound recovery. A majority of delegations considered that a precautionary approach might justify treating such mixtures as hazardous "amber" listed waste as proposed by the Commission. Others maintained that mixed green waste should only comply with the OECD Decision according to which: "a mixture of two or more Green wastes shall be subject to the Green control procedure, provided the composition of this mixture does not impair its environmentally sound recovery";

- application of take-back requirements to uncompleted or illegal shipments of green waste Currently, the obligation to take back green waste in cases of uncompleted or illegal shipments is optional for Member States. On this point, a majority of delegations agreed with the Commission that take-back requirements should also be applied to green waste, whilst others considered that alternative mechanisms could be envisaged.