Waste: control of shipments of waste within, into and out of the EC (amend. Regul. 259/93/EEC)

1995/0107(SYN) - 18/10/1995

Adopted was the report of Mr. Ivar VIRGIN (Sw., EPP) on the proposal for a Council Regulation amending Regulation (EEC) No. 259/93 on the supervision and control of shipments of waste within, into and out of the EU to prohibit all exports of hazardous wastes destined for recovery operations from OECD to non-OECD countries. The rapporteur was just in time to table 3 amendments which update his report and which are the result of the outcome of the Conference of Parties to the Basel Convention (18-25 September 1995, Geneva). That conference agreed on an amendment of the Basel Convention in order to prohibit the export of hazardous waste, for final disposal, from OECD to non-OECD countries, immediately, and to prohibit the export of hazardous waste, for recycling purposes, from OECD to non-OECD countries, from 1 January 1998. In his most important amendment, no 3., like the other amendments adopted unanimously, Mr. VIRGIN proposes to add, to the export ban, hazardous waste covered by the Basle Convention's definition of hazardous waste as well as waste covered by the EU's hazardous waste list. a. Background: on 20 January 1993, the EP gave its opinion on the Commission proposal for a Regulation on the supervision and control of shipments of waste, within, into and out of the EU. Then, it was unable to reach any agreement with the Commission on whether the export of hazardous waste to non-OECD countries for recycling was to be permitted or not. In Regulation 259/93 the export of hazardous waste for recycling (recovery) was not prohibited. The EP continued to oppose this state of affairs, since 'recycling' is often merely a euphemism for final disposal. b. The Commission proposal: on 5 April 1995, Parliament adopted a resolution in which it reiterated its view that the export of hazardous waste to non-OECD countries for recycling should be prohibited as soon as possible and called on upon Council and Commission to give their formal endorsement to Decision II/12, taken by the Basle Convention in March 1994. Under this decision, all transboundary movements of hazardous wastes which are destined for final disposal from OECD to non-OECD States are immediately prohibited. The transboundary movements of hazardous wastes which are destined for recycling or recovery operations. (cf. COM(93)0143 final, 26 April 1995). The Commission proposal reflects Parliament's latest requests. c. The Commission's position Rapporteur VIRGIN is of the opinion that the Commission is in a difficult position. On the one hand is should protect the needs of the environment, on the other hand the pressure of business interests is very strong. A number of groups within the waste sector in non-OECD countries want the trade in all hazardous wastes to be as unrestricted as possible to enable them to use waste substances as raw materials. Some Member states would like to retain the ability to export their hazardous waste. This makes it very difficult for decisions to be taken by the Commission. d. The rapporteur's conclusions: although rapporteur VIRGIN was not entirely satisfied this morning by the Commission's proposal, the Committee agreed with him that the proposal could be accepted by adopting the above mentioned amendments. In the future, when the problems of defining hazardous waste have been to some extent resolved, the proposal can be tightened up somewhat.