Basic information

1995/0029(SYN) SYN - Cooperation procedure (historic)	Procedure completed
Waste: common rules to apply to shipments to non OECD countries **Subject** 3.70.12 Waste management, domestic waste, packaging, light industrial waste	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Public Health and Consumer Protection	VIRGIN Ivar (PPE)	09/10/1996

Former committee responsible	Former rapporteur	Appointed
ENVI Environment, Public Health and Consumer Protection	VIRGIN Ivar (PPE)	09/10/1996

Former committee for opinion	Former rapporteur for opinion	Appointed
RELA External Economic Relations	KREISSL-DÖRFLER Wolfgang (V)	17/03/1997
JURI Legal Affairs, Citizens' Rights		
DEVE Development and Cooperation	TELKÄMPER Wilfried (V)	15/04/1997

Council of the European Union

Council configuration	Meetings	Date
Environment	1978	1996-12-09
Environment	2062	1997-12-16
Industry	2174	1999-04-29
Social Affairs	2102	1998-06-04

Key events

Date	Event	Reference	Summary

06/02/1995	Additional information		Summary
08/02/1995	Legislative proposal published	COM(1994)0678	Summary
09/12/1996	Debate in Council		
19/02/1997	Committee referral announced in Parliament		
02/07/1997	Vote in committee		Summary
02/07/1997	Committee report tabled for plenary, 1st reading/single reading	A4-0241/1997	
16/07/1997	Debate in Parliament		Summary
04/06/1998	Council position published	05474/2/1998	Summary
22/10/1998	Committee referral announced in Parliament, 2nd reading		
05/01/1999	Vote in committee, 2nd reading		Summary
05/01/1999	Committee recommendation tabled for plenary, 2nd reading	A4-0001/1999	
08/02/1999	Debate in Parliament		
13/04/1999	Modified legislative proposal published	COM(1999)0150	Summary
29/04/1999	Act adopted by Council after consultation of Parliament		
29/04/1999	End of procedure in Parliament		
01/07/1999	Final act published in Official Journal		

Technical information

Procedure reference	1995/0029(SYN)
Procedure type	SYN - Cooperation procedure (historic)
Procedure subtype	Legislation
Legal basis	EC Treaty (before Amsterdam) E 130S EC Treaty (before Amsterdam) E 113
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/4/10198

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee report tabled for plenary, 1st reading/single reading		A4-0241/1997 OJ C 286 22.09.1997, p. 0007	02/07/1997	
Text adopted by Parliament, 1st reading/single reading		T4-0388/1997 OJ C 286 22.09.1997, p. 0180-0229	17/07/1997	Summary
Committee recommendation tabled for plenary, 2nd reading		A4-0001/1999 OJ C 104 14.04.1999, p. 0005	05/01/1999	

Text adopted by Parliament, 2nd reading		T4-0081/1999 OJ C 150 28.05.1999, p. 0019-0076	09/02/1999	Summary

Council of the EU

Document type	Reference	Date	Summary
Council position	05474/2/1998 OJ C 333 30.10.1998, p. 0001	04/06/1998	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(1994)0678	08/02/1995	Summary
Commission communication on Council's position	SEC(1998)1691	14/10/1998	Summary
Modified legislative proposal	COM(1999)0150	13/04/1999	Summary

Other institutions and bodies

Institution/body	Document type	Reference	Date	Summary
EESC	Economic and Social Committee: opinion, report	CES0640/1998 OJ C 214 10.07.1998, p. 0074	29/04/1998	

Additional information

Source	Document	Date
European Commission	EUR-Lex	

Final act

Regulation 1999/1420
OJ L 166 01.07.1999, p. 0006 Summary

Waste: common rules to apply to shipments to non OECD countries

1995/0029(SYN) - 17/07/1997 - Text adopted by Parliament, 1st reading/single reading

In adopting the report by Mr Ivar VIRGIN (PPE,S), the European Parliament stated its view that the Community must respect the desire expressed by non-OECD countries not to receive 'Green List' waste (regarded as non-hazardous and intended for recycling) and consequently that the exports concerned should be banned. As regards those countries which had not yet replied to the notes sent by the Commission, Parliament considered that their attitude should be interpreted as meaning that they had no interest in importing such waste. The waste could not, therefore, be exported to these countries. Parliament also considered that, in the case of countries which had replied that they did not wish to receive some or all of the waste listed in

Annex II or countries which had not replied, the possibility existed that they might change their attitude or that they might reply in the future. A mechanism must therefore exist within a commitology procedure to change the Regulation. As regards the legal basis, Parliament called for the proposal to be based on Articles 113 and 130s(1) of the EC Treaty rather than only on Article 113.

Waste: common rules to apply to shipments to non OECD countries

1995/0029(SYN) - 29/04/1999 - Final act

PURPOSE: to introduce, at Community level, a system permitting the regulation of trade in certain types of waste from the Community, defining appropriate common rules and procedures regarding their export. COMMUNITY MEASURE: Council Regulation 1420/1999/EC laying down common rules and procedures applicable to the transfer of certain types of wastes to certain countries that are not members of the OECD. CONTENT: the Regulation lays down the procedures to be applied with respect to non-OECD member countries which either have indicated that they do not wish to receive for processing certain types of wastes that are on the 'green list' of Regulation 259/93/EEC, or have not responded to the Commission's notes regarding transfers of wastes on the 'green list' for processing. ENTRY INTO FORCE: 01/10/1999.

Waste: common rules to apply to shipments to non OECD countries

1995/0029(SYN) - 08/02/1995 - Legislative proposal

OBJECTIVE: to establish common rules and procedures to apply to shipments to certain non-OECD countries of certain types of waste. CONTENT: the Commission proposes that the Council adopt this proposal for a regulation establishing common rules and procedures to apply to: a) countries which do not wish to accept shipments of "green list" waste from the Community for processing: a number of countries have indicated that they do not wish to accept some or all of the waste on the "green list" in Annex II to Regulation (EEC) No 259/93. The Commission proposal consists of applying the "red list" procedure to shipments of this waste to the countries in question, once it has been revised. In all events, the "red list" procedure will have the same practical effect as a ban on exports while maintaining a degree of flexibility; b) countries which have not replied to the Commission's notes: Regulation (EEC) No 259/93 establishes the general principle whereby exports of waste on the "green list" for the purpose of processing are considered as normal commercial operations unless the country of destination wishes otherwise. Consequently, countries which have not replied to the notes sent to them by the Commission on the subject should continue to be treated in accordance with this general principle, to which a system of automatic prior export licences could be added. The proposal also defines a simplified amendment procedure which would allow the Commission to decide, in consultation with the relevant committee, to amend the control procedure applicable to one or more countries covered by it.

Waste: common rules to apply to shipments to non OECD countries

1995/0029(SYN) - 09/02/1999 - Text adopted by Parliament, 2nd reading

At second reading under cooperation procedure, the decision on common position 48/98/EC adopted by the Council with a view to adopting a Council Regulation establishing common rules and procedures to apply to shipments to certain non-OECD countries of certain types of waste was approved by the European Parliament. This recommendation by Ivar Virgin (PPE,SE) amends the common position in the following areas: - requiring the Commission to regularly provide the countries covered with information on changes to Annexes A and B; - deletion of all reference to Annex C (the Green List, as set out by the Basel Convention) and of the Annex itself; - requiring the Commission to cooperate with the country concerned when determining which of the control procedures shall apply; - specifying that periodic review of the proposed directive should occur for the first time no later than nine months after publication instead of by 31/12/98; - requiring any new proposals in the light of such a review to be made to the European Parliament as well as to the Council; - requiring the Commission, in accordance with Article 18 of Directive 75/442/EEC, to review and amend the proposed regulation as soon as possible to bring it into line with Regulation 259/93/EEC (and particularly Annex V), as modified by Regulation 120/97 /EC.

Waste: common rules to apply to shipments to non OECD countries

1995/0029(SYN) - 14/10/1998 - Commission communication on Council's position

The Commission can accept the common position as the proposal initially presented by the Commission and amended by the Council has been clarified. The stumbling block however is still the legal base (Articles 113 and 130s of the EC Treaty), while the Commission proposes Article 113 alone. The Commission would also have found it preferable to keep the 'red list' procedure rather than, as proposed by the Council, move to the procedure set out in Article 15 of Regulation 259/93/EEC which provides for longer delays in replying to a notification. Similarly, the Commission considers that the inclusion of a new annex in the waste legislation is not desirable and could prove confusing.

Waste: common rules to apply to shipments to non OECD countries

1995/0029(SYN) - 04/06/1998 - Council position

The Council's common position is based to a very large extent on the modified proposal while confirming that Articles 113 and 130s of the EC Treaty together form the appropriate legal basis for the proposal for a regulation. The main changes to the text of the proposal are as follows: - the so-called 'red' list (Annex IV of Regulation 259/93) procedure proposed by the Commission appears to be needlessly cumbersome and the Council prefers to retain the more flexible procedure laid down in Article 15 of Regulation 259/93; - the Council has drawn up a list (new Annex C) of the wastes which may not be exported to ACP countries under Article 39 of the ACP-EC Convention; - a clear distinction has been made between: a) amendments of

control procedures resulting from a change of position of a country of destination or from a change of circumstances affecting this country and review of Annexes A, B and C, in accordance with the (comitology) procedure laid down in Article 18 of Directive 75/442/EEC; b) periodic review of the control procedure established by this Regulation, which may lead to new proposals to the Council; - the date of entry into force of this Regulation has been postponed (from 20 to 90 days following its publication in the Official Journal of the Communities); - annexes A and B may need to be further updated in view of future changes in the positions of countries of destination.

Waste: common rules to apply to shipments to non OECD countries

1995/0029(SYN) - 13/04/1999 - Modified legislative proposal

The Commission's re-examined proposal integrates a certain number of amendments approved by the European Parliament in its second reading, in particular that requiring that the Commission keeps the countries covered by the Regulation regularly informed of any changes made to Annexes A and B. The Commission accepts the amendment concerning the change of deadline applicable to the regular re-examination. However, it did not support the proposal seeking that the Parliament in the framework of the re-examination process should be consulted, because it continues to favour Article 113 as the sole legal base.