

ANNEX

**Thematic Strategy on the prevention and recycling of waste
- draft Council conclusions -**

The Council:

1. WELCOMES the Commission's Communication on a Thematic Strategy on the prevention and recycling of waste with its objective of contributing to waste prevention and an efficient, environmentally sound and sustainable management of waste and resources with a view to protecting resources and reducing the overall negative impact of resource use;
2. HIGHLIGHTS the close linkage between the Thematic Strategy and other related Strategies, especially the Thematic Strategy on Resources, the Strategy for Sustainable Development, and the Integrated Product Policy;
3. CONCURS with the Commission that the results of the review of the Strategy shall feed into the final evaluation of the Sixth Environment Action Programme;

Objectives of the EU policy on waste

4. STRESSES the substantial aim for waste management of achieving a high level of protection of the environment and human health;
5. STRESSES that account be taken of all environmental impacts irrespective of when or where they will occur, including impacts that occur outside the European Union, considering also socio-economic impacts;

6. UNDERLINES the importance of the general principles of waste management, such as the precautionary principle and the polluter pays principle, the principle of waste generator's responsibility and, for specific waste flows, the principle of producer responsibility, as well as further principles of waste management, such as the principles of proximity and self-sufficiency where they apply;
7. EMPHASISES the key importance of the waste hierarchy
 - prevention
 - re-use
 - recycling
 - other recovery operations, for example recovery operations with energy recovery
 - disposalas a general rule of waste management;
8. WELCOMES life-cycle thinking as a useful concept to evaluate the environmental and human health impacts of waste and of the use of natural resources, stresses that this concept can be used to minimise these impacts and to deviate from the waste hierarchy and CALLS on the Commission to provide general guidance on life-cycle thinking in the context of waste policy;
9. AGREES with the Commission's aim to prevent the generation of waste as far as possible;
10. SUPPORTS the EU's long-term vision of becoming a "European recycling society", with positive effects not only for the sustainable use of natural resources, but also for the economy and employment and emphasises the importance of taking specific measures to increase re-use and recycling while ensuring a high level of human health and environmental protection in all Member States;

11. ASKS the Commission to give particular consideration, in the context of the final evaluation of the Sixth Environment Action Programme, to the need for realistic long, medium and short term targets and measures to achieve the overall vision of the EU of becoming a "recycling society";
12. RECOGNISES the objective of the Strategy of minimizing as far as possible the amount of waste for disposal and its environmental impact, while acknowledging that land-filling remains an acceptable option for waste streams that can not be recovered in a sustainable way and providing that land-filling is done in such way that negative impacts on the environment and human health are avoided;
13. TAKES into consideration that a higher degree of recovery must not lead to an increased diffuse dispersion of pollutants;

Actions

14. HIGHLIGHTS that measures and initiatives based on the strategy on waste must be sustainable and must make a substantial contribution to an eco-efficient use of resources;
15. SUPPORTS the improvement of the knowledge base and the beneficial use of data, especially on the impacts of resource use, waste generation and waste management, and calls on the Commission to consider appropriate simplification measures in order to avoid duplication and overlapping of reports and information to be submitted;

a) Legislative measures

16. RECOGNISES that emphasis should be placed on the full implementation of the EC waste legislation;

17. SUPPORTS the Commission's approach to modernizing the existing legal framework by clarifying, simplifying and streamlining the EU waste law with the aim of better regulation, including the promotion of synergies with existing EU law, and stresses the importance of maintaining a high level of protection of human health and the environment;
18. CALLS on the Commission to ensure that its major proposals are fully assessed in terms of their economic, social and environmental costs and benefits and their impact on levels of waste recycling and recovery activities in the EU;
19. ACKNOWLEDGES the Commission proposal for the revision of directive 2006/12/EC on waste and takes note of the Commission's intention to draw up and present proposals for the amendment of the other directives and measures in the field of waste management based on the topics listed in the strategy, but highlights the fact that stability of rules is important for all stakeholders;
20. CALLS ON the Commission to clarify and harmonize corresponding definitions in future proposals of waste management legislation with the definitions contained in the revised directive on waste, as appropriate, in order to ensure that they are practicable and provide the greater certainty and clarity essential for the competent authorities and stakeholders;
21. EMPHASISES the importance of using the comitology procedure in waste legislation only for decisions of a technical and scientific nature, concerning non essential elements of a basic instrument, and stresses that this procedure needs a clear mandate in the particular legislation;

22. CONSIDERS that the new regulation on shipments of waste implements legal obligations from the UN Basel Convention and OECD Decisions, supports the prevention of eco-dumping and sham recovery and underlines that an objective of regulating shipments of waste is to enhance the re-use and recycling of wastes with a high level of environmental and human health protection;

b) Prevention

23. CALLS ON the Commission to come forward with concrete measures on prevention of waste in the fields of product policy, chemicals policy and eco-design to minimize both the generation of waste and the presence of hazardous substances in waste, and thereby to foster the safe and environmentally sound treatment of waste, and emphasises the importance of promoting products and technologies causing less harmful environmental effects and products more suitable for re-use and recycling;

24. REQUESTS the Commission to work towards considering reinforcing the waste prevention aspects of BREF documents according to the IPPC-Directive and to include relevant guidance in these documents;

25. CALLS ON the Commission to develop guidelines for waste prevention, including indicators, taking into account the different economic conditions and developments of Member States;

26. STRESSES the role of education and information activities in the waste prevention field especially to promote sustainable production and consumption as well as the importance of green public procurement, and calls on the Commission to ensure that any legislative barriers to green public procurement are removed;

c) Recycling

27. UNDERLINES the importance of achieving common minimum standards for recovery and recycling where justified at EU level whilst noting that individual Member States can maintain or establish higher standards for recycling with regard to the achievement of a high level of environmental and human health protection;

28. RECOGNISES the need for closer EU cooperation in case of trans-boundary waste management problems;

29. WELCOMES the emphasis on increased levels for recycling for creating a level playing field throughout the European Union for managing waste in the most appropriate way to increase environmental and human health protection and highlights that the production of high-quality compost, particularly compost derived from separately collected bio-waste, constitutes an important component in this field and acknowledges the importance of measures on bio-waste;

30. EMPHASISES the importance of promoting source separation of waste and the important role that the recycling legislation, collection and recycling targets and producer responsibility for specific waste streams continue to play in improving waste management in the Community and increasing the recycling rate of certain waste streams;

31. HIGHLIGHTS that a material-based approach is complementary to the product-based approach and calls on the Commission to carry out an analysis of the long-term feasibility and viability of a material-based approach to waste recycling, including its implications for producer responsibility;

d) Economic instruments

32. EMPHASISES that economic instruments can play a crucial role in waste prevention and management and stresses that individual Member States can decide on the use of such instruments;

33. CONSIDERS that external costs which arise from waste management will to a greater extent be included in prices of waste management activities for the purpose of reflecting the polluter pays principle.

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