



Council of the  
European Union

Brussels, 17 December 2014  
(OR. en)

17012/14

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**Interinstitutional File:  
2014/0201 (COD)**

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**ENV 1004  
COMPET 681  
SAN 491  
MI 1011  
IND 384  
CONSUM 284  
ENT 302  
CODEC 2536**

**NOTE**

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From: General Secretariat of the Council  
To: Delegations

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Subject: Proposal for a Directive of the European Parliament and of the Council amending Directives 2008/98/EC on waste, 94/62/EC on packaging and packaging waste, 1999/31/EC on the landfill of waste, 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic equipment

- Information from the Presidency on the state of play

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Delegations will find in Annex an information note from the Presidency on the above subject, which will be dealt with under "Any other business" at the Environment Council meeting on 17 December 2014.

**Proposal for a Directive of the European Parliament and of the Council amending Directives 2008/98/EC on waste, 94/62/EC on packaging and packaging waste, 1999/31/EC on the landfill of waste, 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/719/EU on waste electrical and electronic equipment**

**- Information from the Presidency on the state of play -**

**Background**

Improving the resource efficiency of the European Union is an essential component of the Europe 2020 Strategy for sustainable, smart and inclusive growth. In its Communication "Roadmap to a Resource-Efficient Europe" <sup>1</sup>, the Commission proposed a framework for action and its key elements were taken up by the General Union Environment Action Programme to 2020 'Living well, within the limits of our planet' <sup>2</sup> (7th EAP). One of the priority objectives of the 7th EAP is to "turn the Union into a resource-efficient, green and competitive low-carbon economy".

In this context, the Commission adopted the Circular Economy Package which was submitted to the Council and the European Parliament on 3 July 2014. This package comprises of:

- A Commission Communication on "Towards a circular economy: A Zero waste programme for Europe" <sup>3</sup>,
- A Commission proposal for a Directive <sup>4</sup> amending six waste-related Directives and its accompanying Impact Assessment, and
- A Commission Communication on Resource Efficiency Opportunities in the Building Sector <sup>5</sup>.

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<sup>1</sup> 14632/11.

<sup>2</sup> OJ L 354, 28.12.2013 p. 171 - 200.

<sup>3</sup> 11592/1/14 REV 1 + ADD 1 + ADD 1 REV 1 (en).

<sup>4</sup> 11598/14 + ADD 1: Proposal for a Directive amending Directives 2008/98/EC on waste, 94/62/EC on packaging and packaging waste, 1999/31/EC on the landfill of waste, 2000/53/EC on end-of-life vehicles, 2006/66/EC on batteries and accumulators and waste batteries and accumulators, and 2012/19/EU on waste electrical and electronic equipment.

<sup>5</sup> 11609/14.

## State of play within Council

The Package, including the Impact Assessment accompanying the legislative proposal, was presented to the Working Party on the Environment (WPE) on 10 July. The WPE examined, in more detail, the Impact Assessment and the legislative proposal on 1, 10 and 30 September and 7 October.

The Council (Environment) held an orientation debate on 28 October. This debate was held on the basis of questions <sup>6</sup> prepared by the Presidency to steer future work on this proposal. In general, delegations supported the overall objective of moving towards a circular economy but most delegations questioned the proposed level of ambition which required further deliberations. Furthermore, at the same meeting, the Council adopted Conclusions on Greening of the European Semester and the Europe 2020 Strategy <sup>7</sup> where the importance of moving towards a resource-efficient circular economy was recognised.

The WPE resumed its work in light of the outcome of the orientation debate and met on 13 and 27 November and on 12 December in order to examine possible options on a number of core issues with a view to make progress. In particular, discussions looked at, amongst others, the definitions, targets and calculation method, end of waste criteria, by-products, permitting requirements, electronic registry and reporting. At the last WPE meeting on 12 December, in the light of the Commission's review of pending legislative proposals, the Presidency announced the intention of adding an AOB point in the agenda of the Environment Council to present the progress made in relation to the legislative proposal. Twenty-three delegations supported the intention of the Presidency and, while stating the need for further discussions on different aspects of the Directive, underlined the importance of this legislative proposal, inter alia, for further streamlining and improving the current EU waste legislative framework.

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<sup>6</sup> 14060/1/14 REV 1.

<sup>7</sup> 14731/14.

On 16 December, the Commission published a Communication on the Commission work programme for 2015 where it announced its intention to withdraw the waste proposal and to replace it “by new, more ambitious proposal by end of 2015 to promote circular economy”. In the work programme the Commission also states that it awaits the views of the European Parliament and the Council on the proposals, before proceeding with the withdrawals. The importance of the current waste legislative proposal in relation to circular economy and its relevance for the positive impacts on economic growth and jobs creation has been underlined by a large majority of delegations in the course of the discussions so far.

In light of the above, there is a need for clarification on how the Commission intends to proceed, how the work done in the last six months will be preserved and how the views already expressed by the Council will be taken into account by the Commission in its final decisions on the withdrawals.

