



**COUNCIL OF
THE EUROPEAN UNION**

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from: Working Party on Structural Measures
to: Permanent Representatives Committee (part II) / Council

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Subject: Draft Council conclusions on Special Report No 20/2012 by the European Court of Auditors "Is structural measures funding for municipal waste management infrastructure projects effective in helping Member States achieve EU waste policy objectives?"

1. On 4 February 2013, the General Secretariat of the Council received Special Report No 20/2012 by the European Court of Auditors "Is structural measures funding for municipal waste management infrastructure projects effective in helping Member States achieve EU waste policy objectives?", adopted by the Court of Auditors at its meeting on 24 October 2012.

2. Pursuant to the rules laid down in the Council conclusions on improving the examination of special reports drawn up by the Court of Auditors¹, the Permanent Representatives Committee (Part II) at its meeting on 14 February 2013 instructed the Working Party on Structural Measures to examine this report according to the rules laid down in the abovementioned conclusions.
 3. The Working Party on Structural Measures has examined the Special Report and an agreement on draft Council conclusions was reached on 8 May 2013.
 4. The Permanent Representatives Committee is therefore invited to recommend to the Council to adopt, as an "A" item, these draft Council conclusions as set out in the Annex.
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¹ Doc. 7515/00 FIN 127 + COR 1.

Draft Council conclusions on Special Report No 20/2012

by the European Court of Auditors

"Is structural measures funding for municipal waste management infrastructure projects effective in helping Member States achieve EU waste policy objectives?"

THE COUNCIL OF THE EUROPEAN UNION,

- (1) RECALLING the commitment of the European Union to the environmentally sound management of waste and to the development of sustainable resource management, and the requirement that the management of waste should be conducted in accordance with the priority order of the waste hierarchy according to the Waste Framework Directive, and in particular, noting that the first priority should be prevention in moving to a sustainable approach to management of waste within the Union;
- (2) RECALLING the responsibility of Member States to implement the Waste Framework Directive and, in particular, to adopt appropriate waste management plans and waste prevention programmes, and to make steady progress towards the 2020 recycling targets;
- (3) NOTING the progress made in the development of a European recycling society, 40% of treated municipal waste recycled or composted within the EU in 2011, up from 27% in 2001;
- (4) RECALLING the Commission's aim to strengthen the effectiveness of cohesion spending by focussing on results and by tying cohesion policy more systematically to the Europe 2020 objectives;

- (5) RECALLING the objective of the Waste Framework Directive to enable the Community as a whole to become self-sufficient in waste disposal and in the recovery of mixed municipal waste collected from private households and to enable the Member States to move towards that aim individually;
- (6) NOTING the importance of structural measures funding in supporting the provision of infrastructure to support the objective of such self-sufficiency;
- (7) RECALLING the objective of the Waste Framework Directive to facilitate or improve the potential for high quality recycling, waste should be separately collected if technically, environmentally and economically practicable, before undergoing recycling operations that deliver the best overall environmental outcome;
- (8) RECALLING the minimum technical requirements of Article 23 1. (f) of the Waste Framework Directive and of Article 7 (g) of the Landfill Directive that permits authorising waste treatment operations and landfill operations, respectively shall specify the closure and after-care provisions as may be necessary;
- (9) RECALLING the reporting requirements imposed upon Member States through Article 37 of the Waste Framework Directive;
- (10) RECALLING the obligations imposed upon the Commission in Articles 9 and 11 of the Waste Framework Directive in relation to the setting of prevention and decoupling objectives; the review of the recycling targets; and the establishment of methodologies for the measurement and verification of reuse, recycling and recovery performance;
- (11) NOTES the Court's recommendation that Member States should focus on waste management infrastructures treating waste previously segregated at source and ensure that landfills treat waste before disposal and possess a sufficient financial security to cover closure and aftercare costs;

- (12) NOTES the Court's recommendation that Member States should set up reliable waste management databases, both to monitor their progress towards the achievement of EU waste policy objectives and to underpin their reporting to the Commission, and that the Commission should assess the data received from Member States for reliability;
- (13) NOTES the Court's recommendation that the Commission, the Parliament and the Council should consider linking EU financial support to the achievement of EU waste policy objectives;
- (14) NOTES the Court's recommendation that Member States should pay greater attention to public participation and adherence, focus on separate collection implementation including biodegradable waste when cost effective and implement a landfill tax as well as incentives via tariff to encourage waste prevention and recycling;
- (15) NOTES the Court's recommendation the Commission should improve the EU waste regulatory framework and EU guidelines. In particular, the Commission should propose waste prevention targets, clarify the concept of treatment before disposal, consider the opportunity to develop with Member States EU quality standards for compost and provide appropriate guidance and disseminate best practices in relation to the methodology to be used to estimate closure and after-care costs of landfills;
- (16) ENCOURAGES the Commission and Member States to continue and improve management and control systems in the current programming period with a view to optimising the implementation in the next programming period, starting in 2014; and
- (17) ENCOURAGES the Court to continue its thorough examination of programmes and projects financed under the cohesion policy and to contribute with its recommendations to designing this policy to become even more efficient and result-oriented in the next programming period, starting in 2014.