



CROATIAN PARLIAMENT
European Affairs Committee

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Zagreb, 6 October 2014

**Reasoned opinion of the European Affairs Committee
of the Croatian Parliament**

**on the 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
COM (2014) 397**

The European Affairs Committee, by virtue of the powers vested in it pursuant to the Act on the Co-operation between the Croatian Parliament and the Government of the Republic of Croatia in European Affairs and the Standing Orders of the Croatian Parliament, held on 2 October 2014 a joint meeting with the Environment and Nature Conservation Committee, during which the **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 COM (2014) 397** was discussed.

In line with the powers vested in national parliaments by virtue of the Treaty on the Functioning of the European Union, in particular Protocol (No. 2) on the application of the principles of subsidiarity and proportionality, the members of the committees discussed the Proposal for a Directive from the point of view of compliance with the subsidiarity principle as defined in Article 5(3) of the Treaty on the European Union.

After the discussion and having given due consideration to the conclusion of the Environment and Nature Conservation Committee of 3 October 2014, pursuant to Article 158(5) of the Standing Orders of the Croatian Parliament the European Affairs Committee adopted the following

REASONED OPINION

the 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
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does not comply with the principle of subsidiarity.

EXPLANATORY MEMORANDUM

Based on the objective of the Union policy referring to environment set forth in Article 191 of the Treaty on the Functioning of the European Union that the economic and social development of the Union as a whole and the balanced development of its regions should be taken into account in preparing the Union's policy on environment, the European Affairs Committee believes that the Proposal of the European Commission does not contribute to a balanced development of the waste management systems in the Member States.

Due to significant differences in terms of managing various kinds and classes of waste in the Member States, the Committee considers that further setting of more ambitious targets, without a differentiated and flexible approach, i.e. equally for all Member States, , in terms of deadlines and quantitative limits on waste flows, will generate additional disparities between the Member States as regards economic and social development, which is contrary to the Union's objectives.

In view of the above, the Committee for European Affairs underlines that the existing legal regulations of waste management at European Union level is sufficient and that the policy priority should be to ensure that Member States meet the current targets.

The European Affairs Committee particularly stresses that with regard to the implementation of the *acquis* in the waste management sector Croatia has a specific position in view of the moment of accession to the European Union and the transitional periods provided for in the Accession Treaty. Also, Croatia has invested significant efforts in fulfilling its obligations, which is the reason why the measures taken and financial assets invested so far as well as the available time for absorbing European Union funds in relation to other Member States must be taken into account.

In conclusion, bearing in mind the economic, but also the geographic differences between Member States, the Committee considers that the matter of setting additional targets in the field of waste management system should be within the competence of the Member States themselves, depending on their economic possibilities, because Member States, acting within the scope of their own regulations, can contribute in a satisfactory manner to the achievement of the objectives of European circular economy, and at the same time contribute to greater democratic legitimacy of the European Union by bringing the European decision-making process closer to citizens.

CHAIRMAN OF THE COMMITTEE
Daniel Mondekar