

COMMISSION OF THE EUROPEAN COMMUNITIES

COM(81) 809 final

Brussels, 15 January 1982

DRAFT

COUNCIL DECISION

on the conclusion of the Cooperation Agreement between the European Economic Community and the Kingdom of Sweden on a European research and development programme in the field of the recycling of urban and industrial waste

(submitted to the Council by the Commission)

COM(81) 809 final

COMMUNICATION FROM THE COMMISSION TO THE COUNCIL

Subject : Cooperation agreement on a European research and development programme in the field of the recycling of urban and industrial waste to be concluded between the EEC and Sweden.

By its decision 79/968/EEC of 12 November 1979, the Council adopted a multi-annual research and development programme (1979-1983) in the field of the recycling of urban and industrial waste (secondary raw materials).

Article 7 of this decision provides for a conclusion of Cooperation agreements between the Community and Third States, in particular, those taking part in European Cooperation in the field of scientific and technical research (COST), with a view to their association with this programme. The Commission has been, pursuant to this provision, authorized to negotiate effect.

As Sweden has expressed its desire to participate in this programme, the Commission entered into negotiations with this Third State. The negotiations are now completed and have culminated in the draft agreement annexed to the attached draft Council decision. This agreement lays down that:

- the financial contribution of Sweden to this programme will be 285,000 ECU for a period extending until 31 October 1983;
- the Advisory Committee for Programme Management for the Multi-annual Research and Development Programme on Urban and Industrial Waste Recycling referred to in Article 3 of the abovementioned decision will be enlarged to include Swedish representatives;
- as far as the shared cost research contracts are concerned, Community and Swedish persons or undertakings will be put on the same footing.

The Commission requests the Council to adopt the draft decision attached hereto.

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DRAFT COUNCIL DECISION

on the conclusion of the Cooperation Agreement between the European Economic Community and the Kingdom of Sweden on a European research and development programme in the field of the recycling of urban and industrial waste

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community,

Having regard to Council Decision 79/968/EEC of 12 November 1979 adopting a multiannual research and development programme (1979 to 1982) for the European Economic Community in the field of the recycling of urban and industrial waste (secondary raw materials)¹⁾, and in particular Article 7(1) thereof,

Having regard to the draft Decision submitted by the Commission,

Whereas, pursuant to Article 7 (2) of Decision 79/968/EEC the Commission has negotiated an Agreement with Sweden in order to associate that country with the programme,

Whereas this Agreement should be approved,

HAS DECIDED AS FOLLOWS:

Article 1

The Cooperation Agreement between the European Economic Community and the Kingdom of Sweden on a European research and development programme in the field of the recycling of urban and industrial waste is hereby approved on behalf of the Community.

The text of the Agreement is annexed to this Decision.

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¹⁾ OJ N° L 293 of 20.11.1979, p. 19.

Article 2

The President of the Council is hereby authorized to designate the persons empowered to sign the Agreement in order to bind the Community.

Done at Brussels,

For the Council

The President

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DRAFT COOPERATION AGREEMENT

between the European Economic Community and the Kingdom of Sweden on a European research and development programme in the field of recycling of urban and industrial waste

THE EUROPEAN ECONOMIC COMMUNITY, hereinafter referred to as "the Community"

and

THE GOVERNMENT OF THE KINGDOM OF SWEDEN, hereinafter referred to as "Sweden",

Whereas a European research programme in the field of urban and industrial waste is likely to contribute to a more economic use of natural resources as well as to a reduction on environmental pollution by helping to solve technical problems arising in waste management;

Whereas by its decision of 12 November 1979, the Council of the European Communities, hereinafter referred to as "the Council", adopted a multiannual (1979-1983) research and development programme in the field of recycling of urban and industrial waste (secondary raw materials), hereinafter referred to as "the Community programme";

Whereas by its decision of 27 May 1981 the Swedish Parliament adopted a third multiannual (1981-1984) energy research and development programme including the field of recycling of urban and industrial waste;

Whereas the Community and Sweden expect to derive mutual benefit from a coordination of the research and development work which they carry out in the field of urban and industrial waste;

Whereas the Council agreed on certain modalities and procedures for cooperation within the framework of European cooperation in the field of scientific and technical research (COST) on 18 July, 1978,

HAVE AGREED AS FOLLOWS:

Article 1

The Community and Sweden, hereinafter referred to as the "Contracting Parties", shall cooperate for a period extending until 31 October 1983, in a European research and development programme in the field of the recycling of urban and industrial waste (indirect actions and coordinated activities) as described in Annexes A and B.

Article 2

The maximum financial contribution by the Contracting Parties to the implementation of this programme shall be 9,285,000 European Currency Units (ECU) to be shared as follows:

9 million ECU	from the Community for a four year period beginning on 1 November 1979;
285,000 ECU	from Sweden for the period referred to in Article 1. This amount is calculated by applying to the Community contribution the ratio between the Gross Domestic Product of Sweden and the Gross Domestic Product of the Community and of Sweden for 1979, and by taking into account the ratio between the duration of the agreement and the duration of the Community programme.

The European Currency Unit shall be that defined in the Financial Regulation in force applicable to the general budget of the European Communities and in the financial provisions adopted pursuant to that Regulation. The rules governing the financing of this Agreement are set out in Annex C.

Article 3

For Swedish persons and undertakings, the terms and conditions for the submission and evaluation of proposals, as well as for the granting and conclusion of shared-cost contracts, shall be the same as those applied for Community persons and undertakings.

Article 4

The Commission of the European Communities, hereinafter referred to as "the Commission", shall ensure the implementation of the indirect actions listed in Annex A and be responsible for the coordination of the activities listed in Annex B.

The Advisory Committee of the Community Programme, hereinafter referred to as "the Committee", shall be enlarged to include representatives appointed by Sweden in a number not exceeding three.

The terms of reference and the composition of the Committee are defined in accordance with the Council Resolution of 18 July, 1977, on advisory committees on research programme management, enclosed in Annex D.

Article 5

The programme shall be reviewed at the end of 1982; this review may result in a revision of the programme in accordance with the appropriate procedures after the Committee has been consulted.

Article 6

Information resulting from the execution of the indirect actions of the programme shall be disseminated in accordance with the Council Regulation of 17 September 1974, on dissemination of information relating to research programmes for the European Economic Community. For the purpose of this Regulation, the rights and obligations of Sweden and Swedish persons and undertakings shall be the same as those of Member States and persons and undertakings which pursue a research or production activity on the territory of a Member State.

Article 7

1. In accordance with a procedure laid down by the Commission after having consulted the Committee, Sweden and the Member States of the Community taking part in the coordinated activities (hereinafter referred to as "the participating States") and the Community shall regularly exchange all useful information resulting from the execution of the research covered by such activities. The participating States shall provide the Commission with all information relevant for coordination purposes. They shall also endeavour to provide the Commission with information on similar research planned or carried out by other bodies. Any information shall be treated as confidential if so requested by the participating State which provides it.

2. The Commission shall prepare annual progress reports on the basis of the information supplied and forward the same to the participating States.

3. At the end of the coordination period the Commission, after having consulted the Committee, shall forward to the participating States a comprehensive report on the execution and results of the coordinated activities. The Commission shall publish this report within six months after it has been sent to the participating States, except when any of them objects. In that case, the report shall be treated as confidential and shall be forwarded, after consultation with the Committee, solely to the institutions and undertakings whose research or production activities justify access to knowledge resulting from the performance of the research covered by the coordinated activities.

Article 8

The Contracting Parties shall consult with each other, if one of them so requests, on any problem arising out of the application of this Agreement.

Article 9

1. As soon as possible after signing this Agreement, each of the Contracting Parties shall notify the Secretary-General of the Council of the European Communities of the completion of the procedure necessary under its internal provisions for the implementation of this Agreement.

2. This Agreement shall enter into force on the first day of the month following that in which the second of the contracting parties forwards this notification.

Prior to the entry into force of this Agreement, Sweden may take part in the work of the Committee.

3. For a period of six months following its entry into force, this Agreement shall be open for accession by other European States which took part in the Ministerial Conference held in Brussels on 22 and 23 November 1971. The instruments of accession shall be deposited with the General Secretariat of the European Communities.

A State which accedes to this Agreement shall become a Contracting Party within the meaning of Article 1 on the date on which the instrument of accession is deposited. It shall contribute to the implementation of the programme under the same conditions laid down in Article 2 concerning Sweden.

4. The Secretary-General of the Council of the European Communities shall notify each of the Contracting Parties of the lodging of the notifications referred to in paragraph 1, of the date of entry into force of this Agreement and of the deposit of the instruments of accession referred to in paragraph 3.

Article 10

This Agreement, drawn up in a single original in the Danish, Dutch, English, French, German, Greek and Italian languages, each text being equally authentic, shall be deposited in the archives of the General Secretariat of the Council, who shall transmit a certified copy to each of the Contracting Parties.

ANNEX A

RESEARCH AND DEVELOPMENT PROGRAMME

Research topics	Activities to be coordinated	Indirect Actions
RESEARCH AREA I		
Sorting of household waste		
1. Assessment of waste sorting projects	x	—
2. Methods for sampling and analysis of household waste	x	—
3. Evaluation of health hazards	x	—
4. Technology for the sorting of bulk waste	x	x
5. Materials recovery		
5.1. Paper	x	x
5.2. Plastics	x	x
5.3. Non-ferrous metals	x	—
6. Energy recovery	x	x
7. New collection and transport systems	x	—
RESEARCH AREA II		
Thermal treatment of waste		
1. Firing of waste derived fuel	See I.6.	See I.6.
2. Pyrolysis and gasification	x	x
3. Recovery of metal and glass from residue	x	x
RESEARCH AREA III		
Fermentation and hydrolysis		
1. Anaerobic digestion	x	x
2. Carbohydrate hydrolysis	x	x
3. Composting	x	—
RESEARCH AREA IV⁽¹⁾		
Recovery of rubber waste		
1. Retreading	x	—
2. Size reduction	x	—
3. Reclaiming and recycling of rubber powder	x	—
4. Pyrolysis	x	—

Allocation of resources for the guidance of the Commission and the Committee for the execution of the programme :

I	45 % — 50 %
II	15 % — 25 %
III	20 % — 40 %
IV ⁽¹⁾	5 % — 15 %

⁽¹⁾ The possibility of indirect actions in this area will be reviewed in the light of experience. If such actions are decided upon the minimum allocation for research area IV will need to be raised to 10 %

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ANNEX B

ACTIVITIES TO BE COORDINATED

PARTICIPATION OF THE MEMBER STATES AND SWEDEN PER RESEARCH TOPIC

Research topics	Allocation of activities to be coordinated								
	B/L	DK	D	F	IRL	I	NL	UK	S
RESEARCH AREA I									
Sorting of household waste									
1. Assessment of waste sorting projects	x		x		x	x	x	x	
2. Methods for sampling and analysis of household waste	x	x	x	x	x	x	x	x	x
3. Evaluation of health hazards			x		x	x		x	
4. Technology for the sorting of bulk waste	x	x	x			x	x		
4.1. Air classification				x		x			
4.2. Comminution-Liberation				x		x		x	
4.3. Novel separation techniques				x		x			
5. Materials recovery						x	x		x
5.1. Paper	x		x	x		x	x		x
5.2. Plastics	x	x	x	x		x	x		x
5.3. Non-ferrous metals	x		x	x		x	x		x
6. Energy recovery	x		x		x	x	x		x
7. New collection and transport systems			x			x	x		
RESEARCH AREA II									
Thermal treatment of waste									
1. Firing of waste derived fuel	x		x		x	x	x		x
2. Pyrolysis and gaseification	x		x			x	x	x	x
3. Recovery of metal and glass from residue	x		x	x		x	x		
RESEARCH AREA III									
Fermentation and hydrolysis									
1. Anaerobic digestion	x	x	x	x	x	x		x	
2. Carbohydrate hydrolysis	x	x	x		x	x		x	
3. Composting	x	x	x	x		x		x	
RESEARCH AREA IV									
Recovery of rubber waste									
1. Retreading		x	x	x		x	x		
2. Size reduction			x	x		x	x		
3. Reclaiming and recycling of rubber powder			x	x		x	x		
4. Pyrolysis	x		x			x	x		

FINANCING RULES

Article I

These provisions lay down the financial rules referred to in Article 2 of the Agreement on the European research and development programme in the field of the recycling of urban and industrial waste.

Article 2

At the beginning of each financial year, the Commission shall send to Sweden a call for funds corresponding to its share of the annual costs under the Agreement, calculated in proportion to the maximum amounts laid down in Article 2 of the Agreement.

This contribution shall be expressed both in ECU and the currency of the State concerned, the value of the ECU being defined in the Financial Regulation applicable to the general budget of the European Communities and determined on the date of the call for funds.

The total contributions shall cover the travel and subsistence costs of the delegates to the Committee, in addition to the implementation costs proper.

Sweden shall pay its annual contribution to the implementation costs under the Agreement at the beginning of each year, and by 31 March at the latest. Any delay in the payment of the annual contribution shall give rise to the payment of interest by Sweden - at a rate equal to the highest discount rate ruling in the participating States on the due date. The rate shall be increased by 0.25 of a percentage point for each month of delay. The increased rate shall be applied to the entire period of delay. However, such interest shall be chargeable only if payment is effected more than three months after the issue of a call for funds by the Commission.

Article 3

The funds paid by Sweden shall be credited to the relevant programme as budget receipts allocated to a heading in the statement of revenue of the Budget of the Commission.

Article 4

The provisional timetable for the implementation costs referred to in Article 2 of the Agreement is annexed.

Article 5

The Financial Regulation in force applicable to the general budget of the European Communities shall apply to the management of the appropriations.

Article 6

At the end of each financial year, a statement of appropriations for the programme action project shall be prepared and transmitted to Sweden for information.

FINANCIAL DATA

1. BUDGET CHAPTER : 7359.4

2. TITLE OF THE BUDGET HEADING :

Sub-programme V : Recycling of urban and industrial waste

3. LEGAL BASIS :

- Implementation of Article 235 of the Treaty establishing the European Economic Communities
- Council Decision on 12.11.79 O.J. L 293
- Cooperation agreement Council Decision on

4. DESCRIPTION, OBJECTIVES AND JUSTIFICATION OF ACTION

4.1 Description

Implementation of a research programme on recycling of urban and industrial waste (formerly called "secondary raw materials" carried out by means of shared-cost contracts concluded with research bodies in the Member States and Sweden and relating to:

- a) separation of urban waste
- b) thermal treatment of waste
- c) fermentation/hydrolysis (agricultural and industrial waste)
- d) recovery of materials from waste rubber

4.2 Objectives

R & D aimed at:

- improving technological knowledge in the field of recovery and recycling
- encouraging savings of materials by stepping up recycling

4.3 Justification

Recycling of urban and industrial wastes at European level will help to conserve scarce resources and help a better use of energy and its linked economic benefits.

In addition to the coordination of on-going research in the Member States and Sweden, it proves necessary to supplement it by an indirect action by means of cost-sharing research contracts.

5. Total financial incidence of Action in ECU

5.0 Incidence on expenditure

5.0.0 Total cost during the term envisaged	1979-1983	1984-1985 (*)
- on Community budget :	9.000.000	p.m.
- by national administrations :	7.541.000	p.m.
- by Sweden :	285.000	-
Total :	16.826.000	p.m.

5.0.1 Multiannual schedule

Commitment

	1979-81	1982	1983	1984	1985	Total
Staff	-	245.000	264.000	p.m.	p.m.	-
Manag.	-	245.000	264.000	p.m.	p.m.	-
Contracts	-	1.548.000	943.000	p.m.	p.m.	-
TOTAL	5.776.000	2.038.000	1.471.000	p.m.	p.m.	9.285.000

Payment

	1979-81	1982	1983	1984	1985	1986	Total
Staff	-	245.000	264.000	p.m.	p.m.	-	-
Manag.	-	245.000	264.000	p.m.	p.m.	-	-
Contracts	-	1.348.000	2.472.000	1.521.000	p.m.	p.m.	-
TOTAL	2.926.000	1.838.000	3.000.000	1.521.000	p.m.	p.m.	9.285.000

(*)- 1984-85 Additional funding, if needed, to be transferred from heading 359.5

5.0.2 Evaluation method

(included multiannual provisions)

a) Staff expenditure

The needs are estimated to be 5 staff for this programme.

- 2 Category A staff
- 1 Category B staff
- 2 Category C staff

In addition to staff number estimates, the calculations also take account of the rates of salary increases of Commission staff used to estimate the appropriations entered in the 1982 budget; the estimated overall increases in the general Community price index used in drawing up the triennial estimates, i.e. 7,7 % per annum.

b) Administrative and/or technical expenditure

This expenditure specifically covers the cost of missions and the organization of meetings. It has been estimated on the basis of average requirements.

c) Expenditure on contracts

This expenditure covers the financial participation of the Community in research carried out under cost-shared contracts (studies, research etc.) to be concluded with research institutions in the Member States and Sweden specialized in the field. Since the specific nature of the various topics and the qualifications of the contracting parties are likely to vary, it has not been possible to devise a uniform method of calculation. Consequently, the estimate of requirements is a hypothetical one based on the number of contracts to be negotiated and on average financial participation by the Community approximating to 50 % of total costs. At all events, the Advisory Committee on Programme Management will be consulted over the allocation of the appropriations.

6. FINANCIAL IMPLICATION IN RESPECT OF APPROPRIATIONS FOR STAFF AND

CURRENT ADMINISTRATIVE EXPENDITURE :

(see point 5 above)

7. FINANCING OF EXPENDITURE :

7.4 The requisite appropriations to cover the Community's participation in this project are to be entered under future budgets.

8. IMPLICATIONS IN RESPECT OF REVENUE :

- Community taxes on officials' salaries
- Officials' contributions to the pension scheme
- Contribution from non-Member States

9. TYPE OF MONITORING TO BE APPLIED :

- Administrative checks by the DG for Financial Control with regard to the implementation of the budget and to ensure that the expenditure has been incurred in a regular and proper manner plus checks carried out by the Contracts Service of DG XII.
- Scientific checks : ACPM ;
Competent officials from DG XII.

I

(Information)

COUNCIL

COUNCIL RESOLUTION

of 18 July 1977

on advisory committees on research programme management

THE COUNCIL OF THE EUROPEAN COMMUNITIES,
HEREBY ADOPTS THIS RESOLUTION:

1. Advisory Committees on Programme Management shall be set up or, where appropriate, retained in the following areas:

A. DIRECT ACTION⁽¹⁾:

- reactor safety,
- plutonium fuels and actinide research,
- measurements, standards and reference techniques (METRE) — nuclear,
- operation and utilization of the HFR reactor,
- high-temperature materials,
- informatics,
- fissile material control.

B. INDIRECT ACTION⁽¹⁾:

- plutonium recycling in light-water reactors,
- energy conservation,
- geothermal energy,
- systems analysis: development of models,
- biology: health protection (radiation protection).

C. DIRECT⁽²⁾ AND INDIRECT⁽¹⁾ ACTION:

- solar energy,
- production and utilization of hydrogen,
- environment and resources,
- reference materials and methods,
- management and storage of radioactive waste,
- fusion and plasma physics.

The non-nuclear part of the (direct action) programme 'Measurements, standards and reference techniques (METRE)' has been entrusted to the Advisory Committee on Programme Management for Reference Materials and Methods (indirect action).

The programme for the management of nuclear materials and radioactive waste (direct action) has been entrusted to the Advisory Committee on Programme Management for the Management and Storage of Radioactive Waste (indirect action).

⁽¹⁾ Programme adopted by Decision 77/488/EEC, Euratom (OJ No L 200, 8. 8. 1977).

⁽²⁾ Programmes adopted by Decisions:

- 74/642/Euratom (OJ No L 349, 28. 12. 1974, p. 61),
- 75/406/Euratom (OJ No L 178, 9. 7. 1975, p. 28),
- 75/510/EEC (OJ No L 231, 2. 9. 1975, p. 1),
- 76/309/Euratom (OJ No L 74, 20. 3. 1976, p. 32),
- 76/310/EEC (OJ No L 74, 20. 3. 1976, p. 34),
- 76/311/EEC (OJ No L 74, 20. 3. 1976, p. 36),
- 76/345/Euratom (OJ No L 90, 3. 4. 1976, p. 12),
- 77/54/EEC (OJ No L 10, 13. 1. 1977, p. 28).

The programme on thermonuclear fusion technology (direct action) has been entrusted to the Liaison Group for indirect action on fusion and plasma physics. The Joint Research Centre is a member of this group which, while continuing to carry out the tasks entrusted to it by other means, is subject to the provisions of this resolution.

The part of the programme on environment and resources (direct action) concerning renewable resources has been entrusted to the Standing Committee on Agricultural Research (SCAR) ⁽¹⁾.

2. Without prejudice to the Commission's responsibility in the implementation of these programmes, it shall be the task of each committee to contribute, in its advisory capacity, to the best possible implementation of the programme for which it is responsible (in particular the detailed definition of projects) and to assess the results and ensure better liaison ⁽²⁾ between the implementation of the programmes at Community level and the corresponding research and development work being carried out in the Member States.
3. The direct action committees may be consulted by the General Advisory Committee (GAC), established by Commission Decision 71/577/Euratom ⁽³⁾, on draft proposals for reviewing programmes in progress and on draft proposals for future research programmes.
4. The indirect action committees shall be consulted on draft proposals for reviewing programmes in progress and on draft proposals for future research programmes as well as on the choice of 'project leaders' and the selection of the laboratories to which the work is to be entrusted.
5. Committees in fields where direct action and indirect action co-exist shall ensure that both actions form a coherent whole.
6. Each committee shall deliver opinions prepared by the secretariat and submitted for the committee's approval. Any member of a committee may request that his views be recorded in these opinions. Opinions shall be forwarded to the Commission, a copy being sent to the Council.
7. Each committee shall consist of not more than:
 - (a) three officials appointed by the Commission (Commission delegation);
 - (b) three experts appointed, by applying whatever criteria it deems appropriate, by each of the governments of the Member States taking part in the programme under consideration (Member States' delegations); the absence of any government's experts shall not deprive a committee meeting of its validity.

In exceptional circumstances derogations may be made from these provisions following agreement among the delegations.
8. Each committee shall appoint its chairman for a period of one year on a proposal from the Commission delegation.
9. Secretariat services for the committees shall be provided by Commission officials placed for this purpose at the disposal of the committee under the authority of the chairman of each committee.
10. Each committee shall meet in principle three times a year.
11. This resolution cancels and replaces the Council resolutions of 30 June 1969, 22 July 1972, 19 November 1973, 10 December 1973, 17 December 1974, 26 June 1975 and 22 August 1975 respectively establishing Advisory Committees on Programme Management.

⁽¹⁾ OJ No L 200, 8. 8. 1977.

⁽²⁾ The concept of 'liaison' refers solely to implementation of Community programmes and not to the co-ordination of national programmes.

⁽³⁾ OJ No L 16, 20. 1. 1971, p. 14.