

COMMISSION OF THE EUROPEAN COMMUNITIES

SEC (89) 1659 final

Brussels, 5 October 1989

Communication from the Commission to the Council
on the adoption of measures relating to the
reduction of discharges of certain substances
under the Convention for the protection
of the Mediterranean Sea against pollution

(The Barcelona Convention)

COMMUNICATION FROM THE COMMISSION TO THE COUNCIL

1. The Community concluded the Convention for the protection of the Mediterranean Sea against pollution (77/686/EEC)⁽¹⁾ on 25 July 1977.
The Member States concerned (Spain, France, Greece and Italy) ratified the Convention in 1978, 1978 and 1979 respectively.
 2. The Convention and the four Protocols to it (on dumping, cases of emergency, pollution from land-based sources, and specially protected areas) are agreements within the framework of the United Nations Environment Programme and constitute joint action by the coastal States of the Mediterranean Sea to prevent, reduce and combat pollution, and to protect and improve the marine environment of that Sea.
 3. Articles 5 and 6 of the Protocol on the protection of the Mediterranean Sea against pollution from land-based sources to the Convention lay down in particular :
 - that the Contracting Parties shall undertake to eliminate pollution from land-based sources of the Protocol area by the substances listed in Annex I and drastically reduce pollution due to the substances and sources listed in Annex II to the Protocol.
- Article 14(2) of the Protocol provides, furthermore, that meetings of the Parties to it shall have the purpose in particular of reviewing and amending any annex to the Protocol where necessary (sub-paragraph (b)) and drawing up and adopting programmes and measures in accordance with Articles 5, 6 and 15 (sub-paragraph (c)).
4. Recommendations for restrictions on discharges of organohalogen compounds (DDT) and waste lubricating oils using organostannic compounds, to provide a basis for the adoption of appropriate legal and/or administrative measures, will be submitted for adoption to the Sixth Meeting of Contracting Parties to the Convention for the protection of the Mediterranean Sea against pollution, which will be held at Athens on 3-8 October 1988.
 5. The Commission is of the opinion that the negotiating brief must also include programmes for the reduction of, and appropriate measures in respect of, certain other substances (zinc, copper, lead, nickel, chromium, selenium and arsenic), because discussions on this subject have already begun.

(1) OJ L 240, 19.09.1977.

6. The Community already has directives on the subject. As regards the substances included in the preceding paragraph the Commission is of the opinion that it is for the Contracting Parties to draw up reduction programmes laying down, among other things, standards for discharge subject to authorization.
7. The Council is consequently requested to approve the following :
 - The Community, represented by the Commission, will participate in the negotiations concerning the adoption of measures relating to discharges of organohalogen compounds and waste lubricating oils using organostannic compounds, and of reduction programmes and appropriate measures in respect of these substances.
 - The Commission will express the Community's position in consultation with the Member States and in accordance with the attached negotiating brief.

ANNEX I

Negotiating brief

The Commission will ensure that decisions on recommendations under the Convention for the protection of the Mediterranean Sea against pollution are not incompatible with existing Community rules.

ANNEX II

The Community has the following directives :

- 76/464/EEC on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community⁽¹⁾; the following substances are included in Annex II to this Directive : zinc, copper, lead, nickel, chromium, cadmium and arsenic;
- 74/439/EEC on the disposal of waste oils⁽²⁾;
- 87/101/EEC amending Directive 74/439/EEC on the disposal of waste oils⁽³⁾;
- 86/280/EEC on limit values and quality objectives for discharges of certain dangerous substances included in List I in the Annex to Directive 76/464/EEC⁽⁴⁾;
- Common position adopted by the Council on 3 May 1989 with a view to the adoption of a Council Directive amending for the eighth time Directive 76/769/EEC on the approximation of the laws, regulations and administrative provisions of the Member States relating to restrictions on the marketing and use of certain dangerous substances and preparations⁽⁵⁾. Paragraph 21 relates to organostannic compounds.

The Commission has sent to the Council :

- in 1983, a communication on arsenic in the framework of Directive 76/464/EEC⁽⁶⁾;
- a proposal for a Directive on water quality objectives for chromium⁽⁷⁾ modified in 1988 to include concentration limits for chromium in water⁽⁸⁾.

(1) OJ L 129, 18.05.1976.

(2) OJ L 164, 25.07.1976.

(3) OJ L 42, 12.02.1987.

(4) OJ L 181, 04.07.1986.

(5) Council Doc. 6053/89, 18.04.1989.

(6) COM(83)306, 02.06.1983.

(7) OJ C 351, 31.12.1985.

(8) COM(88)29 final, 29.01.1988.