mon position, which will be forwarded to the European Parliament for a second reading.

The proposal aims to prevent emissions affecting the air, soil, surface waters and underground waters and their harmful effects on human health and the environment as a result of the incineration and/or co-incineration of waste.

The draft Directive applies to waste not covered by Directive 94/67/EC, such as non-hazardous waste, non-municipal waste (tyres, purification sludge, medical waste), as well as certain types of dangerous waste not covered by present legislation (used oil and solvents). It applies tougher rules than those in the Directive on municipal waste incineration do which is to be cancelled by the new Directive. It excludes certain types of waste, such as biomass (non-processed farm and forestry waste), which comes within the scope of the Directive on large combustion plants, along with experimental installations.

The draft Directive also makes a clear distinction between incineration and co-incineration facilities and defines the procedure for granting operating permits.

Eco-Label

Ministers arrived at a political agreement with a view to a common position on the proposal for a Regulation amending the European ecological label scheme created in 1992. Some environmental groups expressed disquiet over the text, as they feel that the Council is giving industry an unduly powerful role in the process.

Environmental Impact

A policy debate was held on the proposal for a directive concerning assessment of the impact of certain programmes and plans on the environment.

The proposal stipulates that every land-use programme or plan presented by local authorities should be subject to an appraisal of its likely environmental consequences. This requirement covers projects in the transport and energy sectors, the management of waste and water resources, industrial sites, telecommunications and tourism.

Ministers also adopted their common position on the proposal for a Regulation to extend the scope of the voluntary environmental management and eco-audit system (EMAS).

The Regulation, which until now has applied only to firms in the industrial sector, extends the scope for participation in the scheme to all companies and organisations having an impact on the environment. It also provides for the introduction of a new logo, improving public visibility of the good environmental performance of enterprises that voluntarily submit to an assessment of their activities. Once formalised, the common position will be passed on to the European Parliament for a second reading.

Nuclear Waste

In adopting a set of Conclusions on the management, transport and disposal of spent nuclear fuel Ministers outlined the need for effective and independent monitoring in this field. They stressed not only the need for enhanced cooperation between Member States, but also between industries in the nuclear sector and the public authorities. They called on the Commission to submit its proposal for a new EU action plan on radioactive waste, taking account of the Community’s powers in this area.

The Council insisted on the need to develop further a common Community approach to the identification, classification, storage and eventual clearance from regulatory control of those quantities of declared radioactive materials which exhibit very low levels of residual radioactivity and may even be totally free of man-induced radioactivity: Without prejudice to the possibility for Member States to develop this in specific situations, in line with the provisions of Council Directive 96/29/Euratom, laying down basic safety standards for the protection of the health of workers and the general public against the dangers arising from ionising radiation.

Ministers stressed the importance of ensuring transparency, on the level of governments, regulators, operators and the public, of waste management operations throughout the Community with the view to a better understanding of the technical, social, environmental an ethical issues involved. (MJ)

EU/Japan

High-Level Talks

Representatives of the Commission and the Government of Japan have met for high-level consultations on the environment in the context of a dialogue established in 1997 on the basis of an exchange of letters.

This eighth session allowed the two parties not only to review bilateral cooperation but also to assess key issues at the heart of international negotiations, notably the environment and trade, forests, biosafety and climate change.

Discussions on trade and the environment focused on preparations for the Seattle Ministerial session of the World Trade Organisation in November and the conclusions of the G-8 Summit.
Both parties observed that better integration of environmental criteria across the range of topics in the field of international trade would be essential if progress towards sustainable development is to be maintained. The Europeans and Japanese also agreed that particular attention should be given to the unresolved issues of precedence between trade-related articles in Multilateral Environmental Agreements (MEAs) and the provisions of the WTO. It was decided to encourage experts to develop bilateral contacts on this issue in anticipation of the Seattle session.

On forests, the two parties recognised the need, following the fourth meeting of the Intergovernmental Forum on Forests, for a more rational global approach on forestry issues, and the importance of promoting sustainable forest practices worldwide.

Regarding the biosafety protocol, the Japanese were thanked for their support for the EU position at the Cartagena meeting in February (see Environmental Policy and Law, Vol. 29 at pages 84 and 138). The two delegations agreed to continue working “in the same direction” to press for a final agreement at the earliest opportunity.

Concerning chemicals, the two parties considered emissions of dioxins and endocrine disrupters, agreeing to collaborate more closely on these issues and to develop a regular dialogue with a view to sharing research results.

On climate change, Europe and Japan reaffirmed their commitment to achieving the targets set in Kyoto concerning the UN Framework Convention on Climate Change (UNFCCC). Both sides recognised similar key problem areas in the process, i.e., the participation of developing countries, the ratification of the Kyoto Protocol (notably by the United States), and the implementation of domestic policies and measures that will result in the achievement of the respective targets within the specified period.

Regarding proposals to introduce a ceiling on the use of flexible mechanisms, the Commission indicated that such a proposal must be considered and negotiated by all parties. However, the EU delegation also argued that without some such ceiling, the achievement of real global emission reductions would be in jeopardy.

The two parties agreed to maintain regular contact in the run-up to the Bonn Ministerial session (COP5) at the end of the year. Japan, which will chair G-8 meetings during the year 2000, stressed its wish to ensure that the G-8 Environment Session from 7–9 April 2000, makes a constructive contribution to the general debate on climate change.

The two delegations stressed their determination to pursue work within the UN Commission on Sustainable Development with a view to implementing Agenda 21. Similarly, in respect of the United Nations Environment Programme (UNEP), the two parties agreed to maintain and develop bilateral contacts and to support action by UN bodies to achieve Rio + 10 targets by 2002.

Contacts are to be initiated between the European Environment Agency and the Environment Agency of Japan in order to develop a mutually beneficial relationship based on exchanges of information and data. To this end, it was decided that contact points should be established.

The discussions were co-chaired by James Currie, Director General of DGXI (Environment) and Ambassador Koike, responsible for global economic and environmental affairs.

Making its Environmental Laws Work

by Federico M. Ruanova*

Since the enactment of its General Law of Ecological Balance and Environmental Protection in 1988, Mexico has made great strides in developing the required legal framework to protect its natural resources and the environment. From 1988 to the present, the government has enacted federal regulations dealing with air pollution, water quality, environmental impact assessment and hazardous waste handling and disposal. During the same period, more than 100 technical standards on air and water quality, noise emission limits, soil pollution and hazardous substance management have also been enacted.

All of this puts Mexico at the forefront of developing countries that have, in a relatively short period of time, managed to put together the necessary legal system to ensure a future for generations to come.