



Basic information	
2006/0080(CNS) CNS - Consultation procedure Decision	Procedure completed
Hazardous substances: Rotterdam convention on international trade of hazardous chemicals and pesticides, legal basis Subject 3.70.13 Dangerous substances, toxic and radioactive wastes (storage, transport)	

Key players				
European Parliament	Committee responsible		Rapporteur	Appointed
	ENVI Environment, Climate and Food Safety		BLOKLAND Johannes (IND /DEM)	14/06/2006
	Committee for opinion		Rapporteur for opinion	Appointed
	INTA International Trade		The committee decided not to give an opinion.	
Council of the European Union	Council configuration		Meetings	Date
	Competitiveness (Internal Market, Industry, Research and Space)		2751	2006-09-25
European Commission	Commission DG		Commissioner	
	Environment		DIMAS Stavros	

Key events			
Date	Event	Reference	Summary
30/05/2006	Legislative proposal published	COM(2006)0250 	Summary
15/06/2006	Committee referral announced in Parliament		
06/07/2006	Vote in committee		Summary
10/07/2006	Committee report tabled for plenary, 1st reading/single reading	A6-0239/2006	
05/09/2006	Decision by Parliament	T6-0330/2006	Summary
05/09/2006	Results of vote in Parliament		
25/09/2006	Act adopted by Council after consultation of Parliament		
25/09/2006	End of procedure in Parliament		

28/10/2006	Final act published in Official Journal		
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Technical information

Procedure reference	2006/0080(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	Legislation
Legislative instrument	Decision
Legal basis	EC Treaty (after Amsterdam) EC 133 EC Treaty (after Amsterdam) EC 300-p2/3-a1 EC Treaty (after Amsterdam) EC 175-p1
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/6/37341

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE374.451	19/06/2006	
Committee report tabled for plenary, 1st reading/single reading		A6-0239/2006	10/07/2006	
Text adopted by Parliament, 1st reading/single reading		T6-0330/2006	05/09/2006	Summary

European Commission

Document type	Reference	Date	Summary
Legislative proposal	COM(2006)0250 	30/05/2006	Summary

Additional information

Source	Document	Date
National parliaments	IPEX	
European Commission	EUR-Lex	

Final act

Decision 2006/0730 OJ L 299 28.10.2006, p. 0023-0025	Summary
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Hazardous substances: Rotterdam convention on international trade of hazardous chemicals and pesticides, legal basis

PURPOSE : to conclude, on behalf of the European Community, the Rotterdam Convention on the Prior Informed Consent Procedure for certain hazardous chemicals and pesticides in international trade

PROPOSED ACT : Council Decision.

CONTENT : the European Commission proposes that the Rotterdam Convention signed by the Community on 11 September 1998 under the auspices of the Food and Agriculture Organisation (FAO) and the United Nations Environment Programme (UNEP), should be approved on behalf of the Community.

It should be recalled that Council Decision 2003/106/EC of 19 December 2002 on the approval, on behalf of the European Community, of the Convention, of the Rotterdam Convention authorised the President of the Council to designate the person or persons empowered to deposit the instrument of approval on behalf of the Community with the Secretary-General of the United Nations. The instrument of approval, together with the declaration of competence was lodged with the depositary on 20 December 2002. The Rotterdam Convention entered into force on 24 February 2004.

In its judgment of 10 January 2006 in case C-94/03 (Commission v. Council), the Court of Justice of the EC annulled Decision 2003/106/EC as it was based solely on Article 175(1), in conjunction with Article 300 of the Treaty, ruling that both Articles 133 and 175(1), in conjunction with the relevant provisions of Article 300, were the appropriate legal basis.

The annulment of Council Decision 2003/106/EC does not affect the original Community ratification of the Convention and the EC remains a Party in accordance with the Vienna Convention on the Law of Treaties. However it is necessary to adopt a new Council Decision with the above-mentioned dual legal base together with an amended declaration of competence to be delivered to the UN depositary reflecting the change in the legal base. To avoid any legal vacuum, it is proposed that the new decision should have retroactive effect back to the date of adoption of the previous Council Decision.

As regards the required change to the legal base of the Council Regulation implementing the Convention's provisions, this, as well other amendments will be included in a separate proposal that the Commission will be putting forward.

Hazardous substances: Rotterdam convention on international trade of hazardous chemicals and pesticides, legal basis

2006/0080(CNS) - 05/09/2006 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted a resolution drafted by Johannes **BLOKLAND** (IND/DEM, NL) and approved the conclusion of the Convention.

Hazardous substances: Rotterdam convention on international trade of hazardous chemicals and pesticides, legal basis

2006/0080(CNS) - 25/09/2006 - Final act

PURPOSE: to conclude the Rotterdam Convention on the Prior Informed Consent Procedure for certain hazardous chemicals and pesticides in international trade.

LEGISLATIVE ACT: Council Decision 2006/730/EC on the conclusion, on behalf of the European Community, of the Rotterdam Convention on the Prior Informed Consent Procedure for certain hazardous chemicals and pesticides in international trade.

CONTENT: Council Decision 2003/106/EC of 19 December 2002 on the approval of the Rotterdam Convention authorised the President of the Council to designate the person or persons empowered to deposit the instrument of approval on behalf of the Community with the Secretary-General of the United Nations. The instrument of approval, together with the declaration of competence was lodged with the depositary on 20 December 2002. The Rotterdam Convention entered into force on 24 February 2004.

In its judgment of 10 January 2006 in case C-94/03 (Commission v. Council), the Court of Justice of the EC annulled Decision 2003/106/EC as it was based solely on Article 175(1), in conjunction with Article 300 of the Treaty, and ruled that both Articles 133 and 175(1), in conjunction with the relevant provisions of Article 300, were the appropriate legal basis.

The annulment of Council Decision 2003/106/EC does not affect the original Community ratification of the Convention and the EC remains a Party in accordance with the Vienna Convention on the Law of Treaties. However it is necessary to adopt a new Council Decision with the above-mentioned dual legal base together with an amended declaration of competence to be delivered to the UN depositary reflecting the change in the legal base. To ensure legal certainty and to avoid a legal void, this Decision will take effect from the date at which Decision 2003/106/EC was adopted, and will have retroactive effect.

This Decision shall take effect from 19 December 2002.