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RULES OF PROCEDURE

FOR THE MEETINGS OF THE CORRESPONDENTS HELD PURSUANT TO ARTICLE 57 OF REGULATION (EC) NO 1013/2006 ON SHIPMENTS OF WASTE

THE MEETING OF THE CORRESPONDENTS ESTABLISHED PURSUANT TO
ARTICLE 57 OF REGULATION (EC) NO 1013/2006 ON SHIPMENTS OF WASTE,

Having regard to Regulation (EC) No 1013/2006 of the European Parliament and of the
Council of 14 June 2006 on shipments of waste¹, and in particular Articles 54 and 57 thereof,

Having regard to the standard rules of procedure, published by the Commission on 31 January
2001²

HAS ADOPTED THE FOLLOWING RULES OF PROCEDURE:

Article 1

Convening a meeting

- (1) A meeting of the correspondents shall be convened periodically by the Commission, either on its own initiative, or at the request of Member States as deemed appropriate in view of the urgency and complexity of open issues.
- (2) The Commission undertakes to announce the date and draft agenda of a future meeting at least two months in advance. A shorter period may apply exceptionally in cases of urgency.
- (3) The Commission will attempt to resolve issues via written correspondence where appropriate and practicable. The response period must not be less than two weeks. A shorter period may apply exceptionally in cases of urgency.

Article 2

Agenda and invitation

- (1) The Commission shall send a draft agenda to the correspondents at least eleven weeks before a meeting. This draft agenda shall make a distinction between:
 - (a) the points where it is proposed that relevant stakeholders may be present, and

¹ OJ L 190, 12.7.2006, p.1.

² OJ C 38, 6.02.2001, p.3.

- (b) the points reserved for discussion without the presence of stakeholders. Representatives from EEA countries and IMPEL-TFS may be present in these discussions.
- (2) Within two weeks following the submission of the draft agenda, the Member States shall indicate whether they agree with the draft agenda and with the presence of relevant stakeholders being present for the agenda points as proposed. Not responding within this period will signal tacit agreement.
- (3) If there is any disagreement with regard to the draft agenda, the Commission shall attempt to resolve the issue with the Member States.
- (4) The Commission shall publish on its EUROPA website the meeting agenda as indicated under points (2) and (3) at least eight weeks before a meeting.
- (5) The Commission shall submit the meeting agenda with an invitation letter to the Member States, representatives from EEA countries and IMPEL-TFS at least four weeks before the meeting. The Permanent Representations shall also receive a copy of this correspondence.
- (6) The Commission shall submit the meeting agenda, with only the points where stakeholders are present, together with an invitation letter to participating stakeholders agreed upon in Article 3(7) no later than four weeks before the meeting.
- (7) All participants of the meeting shall follow registration instructions as indicated in their invitation letter.
- (8) Agenda and invitations shall be submitted via electronic mail.

Article 3

Invitation of stakeholders and experts

- (1) Stakeholders shall be considered to be invited to meetings in line with their ability to contribute specific expertise to the discussion.
- (2) Invited stakeholders shall normally represent wide groups of relevant organisations or a wide area of interest. Other stakeholders such as individual companies may be invited exceptionally, if their presence is deemed particularly useful for a successful meeting.
- (3) The Commission may, in consultation with the Member States, identify stakeholders representing wide groups of relevant organisations or a wide area of interest which may normally be invited to meetings.
- (4) For each meeting, the Commission and Member States shall no later than two weeks from the date of publication of the meeting agenda as indicated in Article 2(3) propose

those stakeholders they deem particularly relevant for the meeting. The number of these stakeholders shall be kept within manageable limits¹.

- (5) For a period of two weeks from the date of publication of the meeting agenda as indicated in Article 2(3), interested stakeholders may express their interest to be invited, if they can demonstrate that they are particularly well positioned to substantiate the discussion. The Commission shall propose to Member States which of these stakeholders should be invited.
- (6) The Commission may propose to invite experts to talk on particular matters, at the request of a Member State, or on its own initiative.
- (7) All Member States and the Commission must agree on the participating stakeholders and any proposed experts. Any agreement among Member States and the Commission on this issue shall be reached at the latest normally four weeks before a meeting.

Article 4

Documentation to be sent for the meeting

- (1) Relevant documentation pertaining to the points of discussion at the meeting shall, as a general rule, be distributed to the correspondents, EEA and IMPEL-TFS no later than two weeks before the date of the meeting. In exceptional cases, where documents first become available at a later time, these may be sent no later than two days before the date of the meeting.
- (2) Relevant documentation pertaining to the points of discussion where stakeholders are present shall be distributed to the stakeholders invited in compliance with Article 2(6) no later than two weeks before the date of the meeting. In exceptional cases, where documents become available at a later time, these may be sent no later than two days before the date of the meeting.
- (3) If any stakeholder requests a copy of a Commission document pertaining to a point of discussion where stakeholders may not be present, the Commission shall consider the request in accordance with Regulation (EC) no^o 1049/2001. Where the request regards a document originating from a Member State, the Commission shall seek to obtain permission from this Member State before forwarding the document.

Article 5

Report of the meeting

- (1) The Commission shall draw up a meeting report for each of the two sections of a meeting, i.e., the section including and the section excluding the participation of stakeholders.
- (2) No later than two weeks after the meeting, the Commission shall send the relevant draft meeting reports to the participants of both sections for comments. Member States

¹ As a benchmark, the number 10 may be considered.

shall receive a draft report of the entire meeting, while participating stakeholders shall receive only the part corresponding to the section where they have participated in.

- (3) The meeting participants shall send any comments they may have to the Commission within two weeks following submission of the relevant draft meeting report.
- (4) The Commission shall distribute amended versions of the relevant meeting report to the participants for comments within two weeks. Not responding within this period will signal tacit agreement.
- (5) If there is any disagreement with regard to a proposed amendment, the Commission shall attempt to resolve the issue with the Member States through written correspondence. If the disagreement persists, this shall be indicated in the report.
- (6) Once adopted, the Commission shall publish the entire meeting report on the EUROPA website.

Article 6

Attendance list

At each meeting, the Commission shall draw up an attendance list specifying the authorities to which the persons designated by the Member States to represent them belong as well as all other participants.

Article 7

Correspondence

- (1) Correspondence relating to the meeting shall be addressed to the Commission. Correspondents of the Member States wishing to distribute documents shall do so independently without requesting the Commission to distribute them on their behalf.
- (2) Changes of e-mail addresses and correspondents' names shall be sent simultaneously by e-mail to all correspondents, including the Commission.

Article 8

Transparency

- (1) The Commission may publish on its EUROPA website information and documents pertaining to the discussions of the meetings of the correspondents that may be of interest to stakeholders. The meeting report as indicated in Article 5(6) shall not mention the individual position of Member States in the discussions of the meetings.
- (2) The principles and conditions concerning public access to documents shall be the same as those defined in Regulation (EC) n° 1049/2001⁽¹⁾. It is for the Commission to take a

¹ OJ L 145 of 31.5.2001 p.43.

decision on requests for access to documents. If the request is addressed to a Member State, that Member State shall apply Article 5 of the aforementioned Regulation.

Article 9

Modification

Upon proposal by a Member State or the Commission, these rules of procedure may be modified, if all Member States and the Commission are in agreement that this is appropriate.

Adopted in Brussels on 1 February 2010