COUNCIL DECISION

of 24 June 1988

concerning a supplement, in respect of mercury originating in sectors other than the chlor-alkali electrolysis industry, to Annex IV to the Convention for the Protection of the Rhine against Chemical Pollution

(88/382/EEC)

THE COUNCIL OF THE EUROPEAN COMMUNITIES,

Having regard to the Treaty establishing the European Economic Community, and in particular Article 130 S thereof,

Having regard to the proposal from the Commission,

Having regard to the opinion of the European Parliament (1),

Having regard to the opinion of the Economic and Social Committee (2),

Whereas, by Decision 77/586/EEC (3), the Community concluded the Convention for the Protection of the Rhine against Chemical Pollution, hereinafter referred to as the 'Chemical Convention', and the Additional Agreement to the Agreement signed in Berne on 29 April 1963 concerning the International Commission for the protection of the Rhine against Pollution, hereinafter referred to as the 'International Commission';

Whereas, under Article 5 of the Convention, the International Commission proposes limit values for the discharge of certain substances into the surface waters of the Rhine basin by way of amendments to Annex IV to the Chemical Convention; whereas, under Article 14 of the Chemical Convention, unanimous acceptance by the Contracting Parties to the Convention is necessary for those amendments to enter into force;

Whereas, in the form of a proposal designed to supplement Annex IV to the Chemical Convention, the International Commission has established limit values for mercury discharged by industries other than the chlor-alkali electrolysis industry;

Whereas Directive 84/156/EEC (4) lays down limit values for mercury discharges by sectors other than the chlor-alkali electrolysis industry into the aquatic environment of the Community; whereas these limit values are identical to those set out in the proposal of the International Commission;

Whereas Article 4 of that Directive requires Member States to draw up specific programmes for reduction of mercury discharges by multiple sources which are not industrial plants; whereas there are no such provisions in the proposal of the International Commission;

Whereas it is desirable that the Community, as a Contracting Party to the Convention, adopt, the abovementioned proposal,

HAS DECIDED AS FOLLOWS:

Article 1

The proposal by the International Commission for the Protection of the Rhine against Pollution, intended to supplement, in respect of mercury originating in sectors other than the chlor-alkali electrolysis industry, Annex IV to the Convention for the Protection of the Rhine against Chemical Pollution, is hereby adopted on behalf of the European Economic Community.

The text of the proposal is attached to this Decision.

Article 2

This Decision shall be applicable without prejudice to the specific provisions in other Community rules, particularly Article 4 of Directive 84/156/EEC.

Article 3

The President of the Council shall notify the Government of the Swiss Confederation, in accordance with the procedures laid down by the Chemical Convention, of the adoption of the proposal referred to in Article 1.

Done at Luxembourg, 24 June 1988.

For the Council

The President

M. BANGEMANN

(1) Opinion delivered on 15 June 1988 (not yet published in the Official Journal).
(2) OJ No C 105, 21. 4. 1987, p. 17.
(3) OJ No L 240, 19. 9. 1977, p. 35.
(4) OJ No L 74, 17. 3. 1984, p. 49.