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THE EUROPEAN UNION**



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3173rd Council meeting

Environment

Luxembourg, 11 June 2012

President **Mr Martin LIDEGAARD**
Minister for Climate, Energy and Building
Ms Ida AUKEN
Minister for the Environment
of Denmark

P R E S S

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Main results of the Council

Environment ministers adopted conclusions on setting the framework for a 7th EU Environment Action Programme (EAP) and on the preparation of two international meetings on Biodiversity and Biosafety to be held in Hyderabad, India, in October 2012.

Over lunch, ministers discussed on how to take climate finance forward between 2013 and 2020 ahead of COP 18 in Doha and beyond.

After lunch, Ministers held an orientation debate on the proposal for a decision on accounting rules and action plans on greenhouse gas emissions and removals resulting from activities related to land use, land use change and forestry (LULUCF).

Furthermore, the Council took note of information from the Presidency on the state of play of the roadmap for transition to a competitive low-carbon economy up to 2050.

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¹ Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks. Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>). Acts adopted with statements for the Council minutes which may be released to the public are indicated by an asterisk; these statements are available on the Council's Internet site or may be obtained from the Press Office.

PARTICIPANTS

Belgium:

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Minister with responsibility for the Environment, Energy, Water Policy, Urban Regeneration, Fire Prevention and Emergency Medical Aid, and Housing

Bulgaria:

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Minister for the Environment and Water

Czech Republic:

Mr Tomáš CHALUPA

Minister for the Environment

Denmark:

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Minister for the Environment

Mr Martin LIDEGAARD

Minister for Climate, Energy and Buildings

Germany:

Mr Peter ALTMAIER

Federal Minister for the Environment, Nature Conservation and Nuclear Safety

Estonia:

Ms Keit PENTUS

Minister for the Environment

Ireland:

Mr Phil HOGAN

Minister for Environment, Community and Local Government

Mr Jimmy DEENIHAN

Minster for Arts Heritage and the Gaeltacht

Greece:

Mr Andreas PAPASTAVROU

Deputy Permanent Representative

Spain:

Mr Miguel ARIAS CAÑETE

Minister for Agriculture, Food and the Environment

Mr Francisco Javier FERNÁNDEZ GONZÁLEZ

Minister for the Environment, Spatial Planning and Urbanism of the Government of Cantabria

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Ms Nicole BRICQ

Minister for Ecology, Energy and Sustainable Development

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Deputy Permanent Representative

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Minister for Housing, Minister with responsibility for Sustainable Development and Infrastructure

Mr Claude WISELER

Minister for Sustainable Development and Infrastructure

Hungary:

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Minister of State for Climate Change and Energy

Malta:

Mr Mario DE MARCO

Minister for Tourism, Culture and the Environment

Netherlands:

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Deputy Permanent Representative

Austria:

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Deputy Permanent Representative

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Minister for the Environment
Under-Secretary of State, Ministry of the Environment

Portugal:

Ms Assunção CRISTAS

Minister for Agriculture, Maritime Affairs, the
Environment and Regional Planning
State Secretary for the Environment and Regional
Planning

Mr Pedro AFONSO DE PAULO

Romania:

Mr Cristian BADESCU

Deputy Permanent Representative

Slovenia:

Ms Marjeta PETERLIN

State Secretary at the Ministry of Agriculture and the
Environment

Slovakia:

Mr Peter ZIGA

Minister for the Environment

Finland:

Mr Ville NIINISTÖ

Minister for the Environment

Sweden:

Ms Lena EK

Minister for the Environment

United Kingdom:

Ms Caroline SPELMAN

Secretary of State for Environment, Food and Rural
Affairs

Mr Stewart STEVENSON

Minister of Environment and climate Change (Scottish
Government)

.....

Commission:

Ms Connie HEDEGAARD

Member

Mr Janez POTOČNIK

Member

.....

The Government of the Acceding State was represented as follows:

Croatia

Mr Hrvoje DOKOZA

Deputy Minister for Environmental and Nature Protection

ITEMS DEBATED

7TH EU ENVIRONMENT ACTION PROGRAMME (EAP)

The Council adopted conclusions ([11186/12](#)) setting the framework for a 7th EU Environment Action Programme (EAP), a successor to the current programme¹ which expires on 22 July 2012 .

The conclusions underline that the 7th EAP should set out the key elements of the future environment policy, which should be linked to the Europe 2020 Strategy and other relevant strategies, such as the EU Sustainable Development Strategy. They also call for an ambitious and compelling 2050 vision for an inclusive, green and competitive European economy, safeguarding the environment and health for present and future generations. The conclusions point towards two main elements of the 7th EAP namely 1) strengthening and better implementation of the existing environment policy and legislation and 2) the transition to a green economy.

The Commission has been for quite a long time reluctant to refer to a 7th EAP and argued that environmental concerns were already covered by the Europe 2020 Strategy and its flagship initiatives so there would be no real need for a dedicated programme in this area. The Council did not share this view and on a number of occasions invited the Commission to present such a proposal. On 10 October 2011 the Council adopted conclusions ([15384/11](#)) inviting the Commission to present a successor to 6th EAP in early 2012 that should *inter alia* address the challenges and objectives set out in paragraph 4 of the Council conclusions of 20 December 2010 on Improving environmental policy instruments ([5302/11](#)). In its resolution of 20 April 2012, the European Parliament also urged the Commission to present a proposal for a 7th EAP without delay.

At the Council meeting today, the Commission confirmed its intention to present a proposal for a 7th EAP before the end of this year, building on the Resource Efficiency Roadmap and the 2050 vision of the EU biodiversity strategy and taking into account the Low-Carbon Roadmap.

¹ OJ L 242 10.9.2002

BIOLOGICAL DIVERSITY AND BIOSAFETY

The Council adopted conclusions ([11189/12](#)) establishing the EU position and providing guidance for two international meetings on biological diversity and biosafety:

- the Eleventh meeting of the Conference of the Parties (COP 11) to the Convention on Biological Diversity (CBD) (Hyderabad, India, 8 to 19 October 2012). The conclusions allow the EU to have a solid negotiating position at the CBD COP 11 for three important topics on the agenda: the Strategic Plan for Biodiversity 2011-2020, resource mobilisation and marine biodiversity;
- the Sixth meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP 6) (Hyderabad, India, 1 to 5 October 2012). The chapter II of the conclusions summarises the EU's priorities for the upcoming COP-MOP 6. This meeting will be an important further step for the consolidation of activities under the Cartagena Protocol and its improved implementation.

For more information see this [background note](#).

LAND USE, LAND USE CHANGE AND FORESTRY (LULUCF)

The Council had an orientation debate on the proposal for a decision on accounting rules and action plans on greenhouse gas emissions and removals resulting from activities related to land use, land use change and forestry (LULUCF). ([7639/12](#) + [ADD 1](#), [ADD 2](#)) on the basis of two questions prepared by the Presidency ([10244/12](#)).

The aim of the proposal is to establish a harmonised legal framework for comprehensive and robust accounting rules for this sector, as a first step towards its inclusion in the EU's climate change commitments. Specifically it aims at increasing the visibility of mitigation efforts in agriculture, forestry and related industries, providing a basis for designing appropriate policy incentives e.g. in the Common Agricultural Policy, and levelling the playing field between member states.

The Commission proposes that member states should establish, for each accounting period, national action plans on measures to limit or reduce emissions and to maintain or increase removals from the LULUCF sector. The national action plans are aimed at stimulating the mitigation potential of the sector, increasing the visibility of measures taken and promoting best practice.

Ministers discussed two main issues: the proposed phased approach and its implications and the role and implementation of the proposed national action plans.

Member states generally welcomed the Commission's proposal and its phased approach. Concerning the timing and conditions for the second step (i.e. the formal inclusion of the sector in the EU's greenhouse emission reduction commitment) there were different views around the table. For some delegations, this step should be taken as soon as possible, whereas for some others it is linked to new or revised emission reduction commitments. The Presidency concluded that this complex issue needs to be explored both in more depth and taking account of the wider context of the EU climate policy.

Overall, it was considered as very important to ensure consistency of the proposal with decisions taken in the context of the UNFCCC.

As regards the national action plans, Ministers generally agreed on the importance to stimulate the mitigation potential of the LULUCF sector and to increase the visibility of the mitigation efforts by farmers, forest owners and all other actors concerned. Furthermore, many delegations pointed out that the sector should not be considered in isolation but in an integrated way and by making use of synergies with existing policies at EU and national level. Several ministers stressed the need to avoid creating unnecessary administrative burden or duplication of work and to take due account of national circumstances and competencies at each level. Many delegations were of the view that member states themselves are best placed to decide on the appropriate measures.

The orientations resulting from this debate will be taken into account with a view to further discussions and progress on this file.

ROADMAP TO A LOW-CARBON ECONOMY IN 2050

The Council took note of information from the Presidency on the state of play concerning the Commission's communication "A roadmap for the transition to a competitive low-carbon economy" ([7505/11](#)), which aims at establishing a sustainable and cost-effective trajectory to 2050. The roadmap is one of the key components of the Resource Efficient Europe Flagship Initiative, under the Europe 2020 strategy.

The roadmap has been debated during the Hungarian and the Danish Presidency and twice the Council very nearly came to an agreement on conclusions. The Presidency conclusions in March, supported by 26 delegations, considered that the Council should keep these issues under regular review and to return to them as soon as possible in the light of on-going and forthcoming work.

ANY OTHER BUSINESS

Preparation of the Rio+20 UN Conference on Sustainable Development

The Council took note of the information provided by the Presidency and the Commission concerning the preparation of the Rio+20 Conference on Sustainable Development, to be held in Rio de Janeiro from 20 to 22 June.

The Rio + 20 Conference will mark the 20th anniversary of the 1992 United Nations Conference on Environment and Development (UNCED), also held in Rio de Janeiro, and the 10th anniversary of the 2002 World Summit on Sustainable Development, in Johannesburg. It will focus on two themes: (a) a green economy in the context of sustainable development poverty eradication; and (b) the institutional framework for sustainable development.

Current legislative proposals

The Council was informed by the Presidency about the state of play of two legislative proposals:

- the proposal for a regulation on the establishment of a Programme for the Environment and Climate Action (LIFE) for the period 2014-2020. The aim of the proposal is to increase the efficiency of the current LIFE + in order to adapt it to the new challenges ahead and to the achievement of Europe 2020 objectives and targets. The Council had an orientation debate on the proposal on 9 March 2012 and the Presidency prepared a first draft compromise on this basis. Negotiations are still ongoing in the preparatory bodies. According to the Presidency note ([10788/12](#)) the main outstanding issue under discussion is the geographical balance and national allocations.
- the proposal for a directive on environmental quality standards in the field of water policy (priority substances). This proposal concerns the review of the list of priority substances (PS) in the field of water policy, i.e. the chemicals identified among those presenting a significant risk to or via the aquatic environment at EU level which are listed in Annex X to the Water Framework Directive (WFD)¹. The revision takes place following the review of priority substances required by both the WFD and the Environmental Quality Standards Directive (EQSD)². Discussions in the Council preparatory bodies are ongoing. The main outstanding issues concern the list of Priority Substances (PS) and Priority Hazardous Substances (PHS), the measures laid down in the WFD related to ubiquitous, persistent, bioaccumulative and toxic substances (u-PBT) and the new watch-list mechanism ([10741/12](#)).

¹ [Directive 2000/60/EC](#)

² [Directive 2008/105/EC](#)

Emissions trading in the aviation sector

The Council took note of oral information provided by the Commission on the state of play of the inclusion of the aviation activities in the EU Emissions Trading Scheme.

Work programme of the incoming Presidency

The Minister of Cyprus informed the Council about the priorities in the area of environment for the forthcoming Cyprus EU Presidency.

The Presidency will put particular emphasis on water resource management and on adaptation to climate change. It will also facilitate the process for the preparation of the Water Blueprint and the adoption of Council conclusions.

In other areas, the Cyprus Presidency will work towards first reading or political agreements on monitoring and reporting greenhouse gas emissions; emissions and removals from land use, land use change and forestry (LULUCF); priority substances in water; and others.

Regardless of the outcomes of RIO+20, Cyprus considers that sustainable development should be at the forefront of national, regional and global priorities. Thus, they will work to ensure an effective follow-up with the adoption of conclusions.

OTHER ITEMS APPROVED

ENVIRONMENT

International Management of Chemicals - Council conclusions

The Council adopted conclusions ([10765/12](#)) in preparation for two international negotiations on the management of chemicals:

- the international conference on chemicals management (Nairobi, Kenya, 17-21 September 2012).
- the intergovernmental negotiating committee on mercury (Punta del Este, Uruguay, 27 June -2 July 2012).

The conclusions are aimed at defining the EU position and provide guidance for these international negotiations on the management of chemicals.

For more information see this [background note](#).

GMO cultivation

The Council took note of the presidency's progress report (*10883/1/12 REV 1*) on a proposal for a regulation amending directive 2001/18/EC as regards the possibility for the member states to restrict or prohibit the cultivation of Genetically Modified Organisms (GMOs) in their territory.

The aim of the proposal is to provide for a legal basis in the related EU legal framework in order to authorise member states to restrict or prohibit the cultivation, in all or part of their territory, of GMOs that have been authorised at EU level.

The Danish presidency submitted to the Council in March 2012 a compromise text. Although a large number of member states could accept the presidency proposal, it was not yet possible to reach agreement in the Council ([7478/12](#)).

The report notes that since the March Environment Council meeting the presidency has held informal consultations with delegations in order to examine how a change in delegations' position could be achieved. Despite the fact that significant progress has been made, the presidency concludes that a political agreement on the GMO dossier is not possible.

FISHERIES

Multiannual recovery plan for bluefin tuna - Adoption

The Council adopted an amendment to regulation 302/2009 concerning a multiannual recovery plan for bluefin tuna in the eastern Atlantic and Mediterranean following a first reading agreement with the European Parliament ([16/12](#)).

At its Annual Meeting in 2010, the International Commission for the Conservation of Atlantic Tunas (ICCAT) adopted a recommendation amending the recovery plan for bluefin tuna in the Eastern Atlantic and Mediterranean.

In order to rebuild the stock, the ICCAT recovery plan was modified to provide for a further reduction of the total allowable catch (TAC) to strengthen measures to reduce the fishing capacity and to reinforce the control measures, particularly as regards the transfer and the caging operations for tuna kept in farms.

The Community has been a party to ICCAT since 1997 and the recommendations become binding on contracting parties which do not object to them. The EU has a responsibility to apply recommendations adopted.

The purpose of this regulation is to transpose into EU law the ICCAT recommendation modifying the recovery plan for bluefin tuna in the Eastern Atlantic and Mediterranean.

BUDGETS

Surplus of the budget year 2011

The Council adopted its position on the draft amending budget No 3 to the EU budget for 2012, accepting the budgeting of a surplus from 2011 of EUR 1.50 billion. This surplus results from an over-registering in revenue (EUR 671.3 million), an under-spending of payments (EUR 728.3 million) and a positive balance of monetary exchange (EUR 97.4 million). The member states' contributions to the EU budget will diminish accordingly.