



Brussels, 11 March 2010

**BACKGROUND<sup>1</sup>**  
**ENVIRONMENT COUNCIL**  
**Brussels, 15 March 2010**

*The Council will start at 10.00, chaired by Ms. **Elena Espinosa Mangana**, Spanish Minister for the Environment and Marine and Rural Affairs.*

*The Council will first adopt conclusions on **biodiversity** setting a vision on biodiversity protection in the EU for 2050 and new headline target for 2020. Then it will hear a progress report on the draft directive on **soil protection**.*

*The Council will afterwards exchange views on the renewed **EU 2020 strategy for growth and job**.*

*Over lunch, ministers will discuss key elements of the negotiations for an international agreement to combat **climate change** and will exchange views on the recent Commission communication. Ministers will then be briefed about preparations for the 16th conference of the parties to the UN Framework Convention on Climate Change by COP16 president, Mexican secretary of the environment **Juan Rafael Elvira Quesada**.*

*After lunch, the Council will adopt conclusions on the follow-up to the **Copenhagen climate conference**.*

*Finally, the Council will discuss the proposed regulation establishing **CO<sub>2</sub> emissions standards for light vans**.*

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**Press conferences:** +/- 13.00 and +/- 18.30

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<sup>1</sup> This note has been drawn up under the sole responsibility of the Press Office.

## Biodiversity

In the international year of biodiversity 2010, the Council will set a new EU headline target for the protection of biodiversity by 2020 and define its vision for protecting biodiversity until 2050. The Council will adopt conclusions on this topic, which will also outline the EU position concerning biodiversity protection at global level and will complete the EU position on the negotiations of the future international regime on access to genetic resources and benefit sharing.

Global biodiversity remains under severe threat, with losses occurring at 100 to 1000 times the normal rate, says the Commission ([5614/10](#)). Studies estimate that, if nothing were done to protect biodiversity, the annual loss of ecosystem services could amount to around EUR 50bn and by 2050 the accumulated welfare loss to 7% of annual consumption<sup>2</sup>.

The EU set itself the objective of halting the loss of biodiversity by 2010 at the Göteborg European Council 2001. Yet it is increasingly clear that this target will not be met, despite an extension of the Natura 2000 network of protected areas and major investments in biodiversity, according to the Commission in its mid-term assessment of the EU Biodiversity Action Plan ([17473/08](#)).

The Council will acknowledge in its conclusions that lack of appropriate instruments, incomplete implementation of nature protection laws and insufficient integration of biodiversity considerations into other policies, together with knowledge gaps are among the reasons for not reaching the objective. At the same time, it will call for renewed efforts to preserve biodiversity and for the means to meet the targets.

The United Nations Convention on Biological Diversity (CBD) was signed by 150 government leaders at the 1992 Rio Earth Summit and ratified by the EU in 1993. At the 2002 Johannesburg world summit, it called for a significant reduction in the current rate of biodiversity loss by 2010. As the deadline for halting the rate of biodiversity loss has arrived, discussions on the review of the convention are under way. Such a revision could be concluded at the 10th conference of the parties to the CBD in Nagoya, Japan, from 18 to 29 October 2010.

## Soil protection

The presidency will brief the Council, in public deliberation, on progress concerning the draft directive on the protection of soil ([7100/10](#)).

To date, soil has not been subject to a specific protection policy at EU level. The draft directive would establish a common strategy for the protection of soil, based on the principles of

- integration of soil concerns into other sectoral policies,
- prevention of threats to soil and mitigation of their effects,
- preservation of soil functions through the identification of action programmes and priority areas,
- identification and remediation of contaminated sites,
- awareness raising, reporting and exchange of information.

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<sup>2</sup> [The Economics of Ecosystems and Biodiversity study 2008](#), p 35

Soil is a non-renewable resource and, at the same time, a system which performs functions and delivers services essential to human needs and the survival of ecosystems. Human activity, such as inappropriate agricultural and forestry practices, industrial activities, tourism or urban development, damage the capacity of soil to continue to perform in full its crucial functions. In its 2002 communication on soil protection ([8344/02](#)), the Commission identified eight threats to soils: erosion, organic matter decline, contamination, salination, compaction, soil biodiversity loss, sealing, landslides and flooding.

While the European Parliament delivered its opinion at first reading in November 2007 ([14979/07](#)), the Council has not yet completed its first reading of this dossier. Several delegations continue to question the added value of the draft directive in relation to existing legislation and are concerned about subsidiarity, proportionality and cost-effectiveness. The act could thus not yet be adopted.

### **New European strategy for jobs and growth**

The Council will exchange views on the environmental aspects of a new EU 2020 strategy for growth and jobs, following a presentation of the Commission proposal ([7110/10](#)).

Ministers have been asked to comment on two questions:

- *How can environmental policies maximise opportunities to speed up reforms towards a safe and sustainable low-carbon and resource-efficient economy, to underpin growth and job creation, and to give an additional impetus towards more sustainable development?*
- *What should the Environment Council's role be in the new strategy, including in relation to synergies and complementarity with other relevant cross-cutting EU objectives and strategies?*

The proposed EU 2020 strategy sets smart, sustainable and inclusive growth as its three priorities. As one of its five headline targets, the Commission has suggested implementing the already existing EU objectives in the area of climate change and energy, i.e. a 20% reduction in greenhouse gases compared with 1990 levels, a 20% improvement in energy efficiency and an increase in the share of renewable energy in final energy consumption to 20%, all by 2020. Other headline targets concern investment in research and development, poverty alleviation, tertiary education levels and employment rates.

On the basis of the various contributions of all Council configurations, the General Affairs Council on 22 March will prepare a consolidated overview. The European Council on 25/26 March will then hold a first discussion of the strategy.

A first strategy for growth and jobs in Europe ("Lisbon strategy") was launched in 2000, and updated in 2005, in response to globalisation and demographic challenges. More information can be found on: <http://ec.europa.eu/eu2020/>

## **Climate change - follow-up to the Copenhagen climate conference**

The Council will adopt conclusions on the follow-up to the Copenhagen climate conference (7-19 December 2009). These consider the outcome of the conference and outline the EU's view regarding the way forward. Together with the work of other Council formations, they provide input into the debate about the EU strategy in the international climate negotiations that is to take place at the Spring European Council on 25/26 March.

In its conclusions, the Council is set to ask the Commission to present an analysis of the outcomes of the Copenhagen conference<sup>3</sup>, a study of the comparability of emission reduction offers by other parties to the UN Framework Convention on Climate Change (UNFCCC) and an impact assessment of the EU's conditional move to a 30% emissions reduction target.

Over lunch, ministers will in addition debate key elements of the international negotiations on the road to a new international climate agreement and exchange views on the recent Commission communication "International climate policy post-Copenhagen: Acting now to reinvigorate global action on climate change". Ministers will then be briefed about preparations for the 16th conference of the parties to the UNFCCC by COP16 president, Mexican secretary of the environment Juan Rafael Elvira Quesada.

In a letter dated 28 January, the EU and its member states expressed their willingness to be associated with the Copenhagen Accord. At the same time, the EU also submitted its 2020 greenhouse gas emissions reduction targets: the EU already has legislation in place that ensures by 2020 a 20% cut in such emissions compared with 1990 levels. It maintains its conditional offer of a 30% reduction, provided there are comparable reductions by other developed countries and appropriate contributions by developing countries.

Even if the Copenhagen Accord falls short of the EU's ambitious objective of securing a legally binding agreement that ensures that the average global temperature increase remains below 2° C above pre-industrial levels, the EU considers it a first step towards a more ambitious agreement and remains fully committed to continuing to negotiate with other parties in order to conclude a legally binding agreement for the period after 2012 as soon as possible.

Further UN negotiations are scheduled to take place from 9 to 11 April and from 31 May to 11 June in Bonn, with a view to the 16th conference of the parties to the UNFCCC from 29 November to 10 December in Cancún, Mexico.

## **CO<sub>2</sub> emissions of light vans**

The Council will debate for the first time the proposed regulation setting CO<sub>2</sub> emissions standards for light commercial vehicles, in public deliberation.

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<sup>3</sup> As requested by the December 2008 European Council, see [17271/1/08 REVI](#), para 23.

Ministers have been asked to intervene on the following questions:

*Taking into account that the regulation setting emission performance standards for new light commercial vehicles is of the utmost importance in the context of CO<sub>2</sub> emissions reduction in the sectors not covered by the EU emissions trading scheme:*

- Do you agree with the proposed long-term target of 135g CO<sub>2</sub>/km to be met in 2020 and which is subject to a review that will confirm its viability?*
- Do you consider that the flexibility mechanisms included in this proposal are appropriate to ensure a balance between the need to reduce CO<sub>2</sub> emissions and the feasibility of the objectives of this legislation?*
- Is the level of penalties in this proposal adequate to ensure the dissuasive objective of this regulation, maintaining the necessary level of ambition?*

Proposed in November 2009, the draft act ([15317/09](#)) complements and ensures consistency with the regulation setting CO<sub>2</sub> emissions standards for new passenger cars ([443/2009](#)). The new text would introduce a limit of 175g CO<sub>2</sub>/km for the average CO<sub>2</sub> emissions from new light vans registered in the EU, to be met in 2014. This target would apply to a small van of average mass while specific targets for individual vehicles vary according to their weight.

In order to give planning certainty to industry, a long-term target for CO<sub>2</sub> emissions of light commercial vehicles in 2020 has been included, set at 135g CO<sub>2</sub>/km. The modalities for reaching this objective are to be discussed in a revision of the regulation by 1 January 2013.

In addition, the draft regulation provides for flexibility mechanisms: Like in the regulation on CO<sub>2</sub> emissions for cars, the target will be phased in from 2014. In the first years, the following share of each manufacturer's fleet would be taken into account for assessing compliance:

- 75% in 2014
- 80% in 2015
- 100% from 2016 onwards.

In order to give incentives for investment in new technologies, from 2014 producers would have to pay a penalty if their fleet fails to meet the objective. Similarly to the legislation on CO<sub>2</sub> emissions from cars, the premium would depend on how much they exceed the target.

Between 2014 and 2018, non-compliance would be punished exponentially in that the premium per gram is set to rise with the distance from the target. It would amount to EUR 5 for the first gram per kilometre that the fleet exceeds the objective, EUR 15 for the second and EUR 25 for the third. For each subsequent gram of excess it would stay at EUR 120. From 2019, the penalty would amount to EUR 120 for each gram over the target.

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