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Environment

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President **Carole Dieschbourg**
Minister for the Environment of Luxembourg

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- 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.

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ITEMS DEBATED

Paris UN climate change conference

The Council adopted the following conclusions on the preparations for the 21th session of the Conference of the Parties (COP21) to the United Nations Framework Convention on Climate Change (UNFCCC) and the 11th session of the Meeting of the Parties to the Kyoto Protocol (CMP 11):

The Council of the European Union,

1. UNDERLINES the critical importance of the 2015 Paris Conference as a historic milestone for enhancing global collective action and accelerating the global transformation to a low-carbon and climate-resilient society.

Urgency and need for global action

2. NOTES with concern the findings contained in the Fifth Assessment Report of the Intergovernmental Panel on Climate Change (IPCC); UNDERLINES that global warming is unequivocal and that it is extremely likely that human influence has been the dominant cause of the observed warming since the mid-20th century.
3. STRESSES that, consistent with recent IPCC findings, in order to stay below 2°C, global greenhouse gas emissions need to peak by 2020 at the latest, be reduced by at least 50% by 2050 compared to 1990¹ and be near zero or below by 2100; in this context, WELCOMES the Leaders' declaration at the G7 Summit in June 2015 and EMPHASISES that all Parties should pursue transformative pathways towards a long-term vision of global and sustainable climate neutrality and climate resilience in the second half of this century; RECALLS the EU objective, in the context of necessary reductions according to the IPCC by developed countries as a group, to reduce emissions by 80-95% by 2050 compared to 1990.

¹ See for example [14790/09](#) (paragraph 7) and [14747/14](#) (paragraph 2).

Paris outcome

4. EMPHASISES the importance of agreeing at the Paris Conference: i) an ambitious and durable legally-binding agreement under the UNFCCC ("the Paris Agreement") applicable to all Parties and addressing in a balanced and cost-effective manner mitigation, adaptation, finance, technology development and transfer, capacity building and transparency of action and support and containing ambitious nationally determined mitigation commitments; ii) a comprehensive package of decisions to enable the implementation of the Paris Agreement and to outline interim arrangements before its entry into force; and iii) a decision on enhancing global pre-2020 mitigation ambition, supported by the Lima Paris Action Agenda.
5. UNDERLINES that the Paris outcome should send a strong signal on finance in order to support poor and vulnerable countries and enable the transition to resilient, low greenhouse gas economies.

Further process in 2015

6. NOTES the considerable amount of work still ahead in order to reach the Paris outcome; CONCERNED about the lack of substantial progress on the negotiating text up to now; ENCOURAGES the co-Chairs of the Ad hoc Working Group on the Durban Platform for Enhanced Action (ADP) to prepare a revised and concise negotiating text containing the main options, on the basis of the views expressed by Parties, with a view to a fruitful early ministerial engagement before the Paris Conference.

Intended Nationally Determined Contributions (INDCs)

7. WELCOMES the submission of INDCs so far; UNDERLINES that the EU and its Member States have submitted their INDC on 6 March 2015, which is a binding target of an at least 40% domestic reduction in greenhouse gas emissions by 2030 compared to 1990; URGES all Parties which have not yet done so to come forward with fair and ambitious INDCs as soon as possible in the coming few weeks; in this context, WELCOMES opportunities for facilitative exchanges of views on the level of the aggregate effort towards the below 2°C objective, including through the forthcoming UNFCCC synthesis report and the INDC Forum in Rabat, Morocco, on 12-13 October 2015.

Paris Agreement

8. NOTES the Commission communication "The Paris Protocol – a blueprint for tackling global climate change beyond 2020" as a contribution for articulating a vision by the EU and its Member States in view of the Paris Conference.

9. PROPOSES that the internationally legally-binding Paris Agreement:
- provide a long-term vision of the needed transformation towards low-emission and climate-resilient economies over the course of this century;
 - enable the participation of all Parties and engagement of non-state actors;
 - be in the form of a protocol in order to enshrine the strongest expression of political will and provide predictability and durability;
 - enter into force after ratification by a significant number of Parties representing a significant level of emissions so as to ensure that the Paris Agreement is truly global and effective.

Mitigation

10. PROPOSES that the Paris Agreement:
- set out a long-term global mitigation goal in line with the below 2°C objective;
 - contain fair, ambitious and quantifiable mitigation commitments by all Parties, consistent with the UNFCCC's principles applied in light of different national circumstances and evolving economic realities and capabilities;
 - provide that all Parties must have, maintain and implement such a mitigation commitment;
 - contain a dynamic five-yearly mitigation ambition mechanism in which all Parties should be required to either submit new or updated commitments, without falling behind previous levels of commitment, or resubmit the existing ones;
 - contain simplified procedures for the renewal and upward adjustment of mitigation commitments;
 - include a compliance regime which promotes timely and effective implementation;
 - provide flexibility for those countries with least capabilities.

Adaptation

11. PROPOSES that adaptation must be a central part of a balanced Paris Agreement that:
- commits all Parties to plan, prepare for and respond to the adverse impacts of climate change, to integrate adaptation into national development processes and to communicate experiences in order to achieve climate-resilient sustainable development;
 - calls on all Parties to strengthen monitoring, reporting, information-sharing and cooperation in order to increase effectiveness of adaptation actions;
 - contains an iterative and dynamic approach to continuously enhance the effectiveness of adaptation measures and their implementation;
 - contributes to assisting all countries, especially the poorest and particularly vulnerable ones, to achieve climate-resilient sustainable development;
 - underlines that both ambitious action on mitigation and adaptation, including efficient disaster risk reduction, are essential to manage and reduce the risk of adverse impacts of climate change, including addressing the risk of loss and damage.
12. RECALLS the submission by the EU and its Member States on "European Union undertakings in adaptation planning".

Use of markets

13. STRESSES that the Paris Agreement should allow for the international use of markets, subject to the application of robust common accounting rules which ensure that the environmental integrity and the integrity of the mitigation commitments are maintained and double counting is avoided; and provide for market mechanisms which promote scaled-up and cost-effective mitigation action entailing a net contribution to global mitigation efforts and contributing to sustainable development.

Finance

14. REAFFIRMS that the EU and its Member States have and remain committed to scaling up the mobilisation of climate finance in the context of meaningful mitigation actions and transparency of implementation, in order to contribute their share of the developed countries' goal to jointly mobilise USD 100 billion per year by 2020 from a wide variety of sources public and private, bilateral and multilateral, including alternative sources of finance; in this context, RECALLS its conclusions on climate finance of 7 November 2014; REITERATES its strong support for the Green Climate Fund and LOOKS FORWARD to early allocation of initial funding; UNDERLINES that the Paris Agreement's provisions on climate finance need to be dynamic and able to adapt to changing realities and needs by reflecting Parties' evolving capabilities and responsibilities; furthermore, REFERS to its forthcoming conclusions on climate finance.

Transparency and accountability

15. UNDERLINES that the Paris Agreement must provide for a robust common rules-based regime, including transparency and accountability rules applicable to all Parties, while recognising that their application will differ according to commitment types which reflect Parties' capabilities and national circumstances; STRESSES that this regime should provide for the use of common metrics, respect the most recent IPCC guidelines and build on experience gained under the UNFCCC.
16. HIGHLIGHTS that the Paris Agreement should provide for a transparent accounting and reporting framework for emissions and removals for the land-use sector for all Parties, which promote sustainable land management, building on existing relevant decisions under the UNFCCC.

Joint fulfilment

17. CONFIRMS that the EU and its Member States intend to fulfil their commitments jointly under the Paris Agreement; WELCOMES Norway's and Iceland's intention to participate in this joint fulfilment.

Other issues

18. STRESSES the importance of human rights, gender equality, a gender-sensitive approach, a just transition of the work force, decent jobs, education and awareness raising as well as ensuring food security in the context of climate action.

Implementation of the Paris Agreement

19. PROPOSES the adoption of a comprehensive package of substantive decisions, in addition to a technical work programme, at the Paris Conference to further develop rules, modalities and procedures on *inter alia* transparency and accountability of mitigation commitments, including for the land-use sector, and on the international use of markets, to be completed by 2017, in order to enable the implementation of the Paris Agreement.

Enhancing global pre-2020 ambition

20. REITERATES that the EU and its Member States are already applying the Doha amendment to the Kyoto Protocol; STRESSES the determination of the EU and its Member States to complete the process of ratification of the Doha amendment in the third quarter of 2015; and INVITES other Parties to do likewise in order to ensure its prompt entry into force; in this context, UNDERLINES the need for adopting at the Paris Conference the implementation rules for the second commitment period of the Kyoto Protocol as agreed in Warsaw and Lima.
21. STRESSES that all Parties need to act in order to close the pre-2020 mitigation gap; RECALLS the progress made under the ADP in identifying opportunities to enhance pre-2020 mitigation ambition in areas of high mitigation potential, in particular energy efficiency, renewable energy, REDD+, short-lived climate pollutants, upstream methane emissions, HFCs, export credits and fossil fuel subsidy reform; UNDERLINES the importance of multilateral cooperation, in particular through the Lima Paris Action Agenda, aimed at identifying and accelerating actions in these areas; in this context, STRESSES the importance of involvement of and cooperation with non-State actors; UNDERLINES the importance to continue and intensify work on enhancing pre-2020 mitigation ambition beyond the Paris Conference, and to ensure continuity in the political attention for high mitigation potential options by linking the technical examination of mitigation options with regular high-level events building on the Lima Paris Action Agenda.

22. EMPHASISES that the examination of opportunities with high mitigation potential continues to be relevant beyond 2020 and can serve as an input to the process to raise global ambition under the Paris Agreement over time.
23. RECOGNISES the need to foster the continuing implementation of existing decisions under the UNFCCC; in this context, WELCOMES the completion of the REDD+ negotiations.

Other processes

24. While noting that the Paris Agreement should address emissions across all sectors subject to regular review and that emissions accounting and reporting should remain under the UNFCCC, UNDERLINES that IMO, ICAO, and the Montreal Protocol should regulate as soon as possible in an effective manner and in line with the below 2°C objective greenhouse gas emissions from international shipping and aviation and the production and consumption of HFCs respectively.
25. WELCOMES the outcome of the Addis Ababa Conference that strengthens the framework to finance sustainable development and the means of implementation for the universal 2030 agenda for sustainable development; LOOKS FORWARD to the upcoming UN Summit that will adopt the agenda “Transforming our world: The 2030 agenda for sustainable development” in order to address the universal challenge of poverty eradication and sustainable development and that confirms the importance of tackling climate change as a key element in confronting that challenge.

Any other business

Cycling as a mode of transport

The Council took note of the information provided by the presidency about its statement in favour of cycling as a mode of transport, which will be discussed by transport ministers in Luxembourg at their meeting on 7 October 2015 ([11944/15](#)).

OTHER ITEMS APPROVED

ENVIRONMENT

Greenhouse gas emissions: creation of a market stability reserve

The Council approved the decision on the creation of a market stability reserve (MSR) for the EU greenhouse gas emission trading scheme (EU ETS). This new reserve aims to tackle structural supply-demand imbalances in the EU ETS.

Press release - [Greenhouse gas emissions: creation of a market stability reserve approved](#)
[Decision concerning the establishment and operation of a market stability reserve for the EU ETS](#)

JUSTICE AND HOME AFFAIRS

Council of Europe - prevention of terrorism

The Council adopted decisions on the signing, on behalf of the European Union, of the Council of Europe Convention on the Prevention of Terrorism (CETS No.196) ([11217/15](#)) and of its Additional Protocol ([11218/15](#)).

FOREIGN AFFAIRS

Relocation of the International Cocoa Organisation headquarters

The Council adopted the EU position supporting the possible relocation of the International Cocoa Organisation (ICCO) from London to Abidjan, provided certain conditions are met.

COMMON SECURITY AND DEFENCE POLICY

EU crisis management military exercise

The Council approved the exercise specifications for the EU crisis management military exercise in 2016 (MILEX 2016). The exercise will be conducted in May 2016.

CONSUMER PROTECTION

Travel packages

The Council adopted, by qualified majority, its position in first reading on a [directive](#) that will modernise the Package Travel Directive. It also approved a [statement of the Council's reasons](#).

The [Austrian, Belgian, Estonian, Irish, Maltese, Netherlands and Slovak delegations](#) voted against.

The directive seeks to adapt to travel market developments in order to meet the needs of consumers and businesses in the digital era.

Current rules for package travel are difficult to apply in the digital age where consumers are increasingly booking customised packages online, either from one trader or several traders who are commercially linked.

The European Parliament is expected to confirm the Council's position in a second-reading vote at an upcoming plenary session.

The Council's first-reading position follows a political agreement reached by the Council on [28 May 2015](#), which formally endorsed a Council-Parliament provisional agreement of 5 May.

EMPLOYMENT

Seafarers

The Council adopted a directive ([PE-CONS 33/15](#)) increasing protection of seafarers' labour rights.

The new piece of legislation gives seafarers the same rights with regard to information and consultation as those enjoyed by workers on shore while taking into account the particular nature of the shipping sector. It is based on a joint position reached by the social partners in the maritime sector (for further information see [press release](#)).

BUDGETS

Draft amending budget no 6 for 2015 - Revised forecast of own resources

The Council adopted its position accepting draft amending budget no 6 for 2015.

Draft amending budget no 6 for 2015 covers:

- a revision of the forecast of own resources (traditional own resources, VAT and GNI-based own resources), the budgeting of the UK corrections and its financing; this results in a change in the distribution between member states of their own resources contributions to the EU budget
- the creation of two new budget items related to trust funds managed by the Commission
- an amendment of the establishment plan for the office of the body of European regulators for electronic communications (BEREC)

Draft amending budget no 6/2015 does not entail any additional EU expenditure in 2015.

The European Parliament has yet to vote on this draft amending budget. If the Parliament accepts the Council's position the draft amending budget will be adopted. If the Parliament adopts amendments, a three-week conciliation period will start.

TRANSPORT

Convention concerning international carriage by rail - EU position*

The Council adopted a decision establishing the position to be taken on behalf of the EU at the 12th OTIF (Intergovernmental Organisation for International Carriage by Rail) General Assembly, which is due to take place on 29 and 30 September 2015.

The position relates to certain amendments to the Convention concerning international carriage by rail (COTIF) and to its appendices.

[Council decision establishing the EU position at the 12th OTIF General Assembly](#)

[Statement by Germany](#)

[Statement by United Kingdom](#)

TRADE POLICY

International trade rules - Exercise of the EU's rights

The Council adopted a regulation codifying EU procedures for ensuring the exercise of the EU's rights under WTO rules and other international trade rules ([11395/15](#) + [PE-CONS 15/15](#)).

The text codifies regulation 3286/94, superseding the various acts incorporated in it. Adoption follows an agreement with the European Parliament, which approved the text at first reading on 7 July 2015.

WTO - Services - Least-developed countries

The Council approved the position to be taken by the EU within the WTO's Council for Trade in Services as concerns the approval of preferential treatment for services and service suppliers notified by least-developed countries ([11838/1/15 REV 1](#) + [11213/15](#)).

INTERNAL MARKET

Construction products

The Council decided not to oppose the entry into force of improved conditions proposed by the Commission on the systems to assess and verify constancy of performance of ventilation ducts and pipes for air ventilation ([10731/15](#)), wastewater engineering products ([10543/15](#)) and geosynthetics products ([10541/15](#)), as well as on the classification of the reaction to the fire performance of construction products ([10588/15](#)).

Regulation [305/2011](#) lays down harmonised conditions for the marketing of construction products.

The Commission may adopt delegated acts on certain aspects of this regulation for the purposes of achieving its objectives, in particular to avoid restrictions on making construction products available on the EU market.

FOOD LAW

Food additives - Health claims on foods - Maximum levels for contaminants in foods

The Council decided not to oppose the adoption of the six following Commission regulations:

- a regulation authorising the use of erythritol (E 968) as a flavour enhancer in flavoured drinks up to a maximum level of 1.6% ([11325/15](#))
- a regulation refusing to authorise certain health claims made on foods and referring to children's development and health ([10815/15](#))
- a regulation refusing to authorise a health claim made on foods, other than those referring to the reduction of disease risk and to children's development and health ([10851/15](#))
- a regulation amending the EU rules on the procedure for authorising recycling processes of plastic material intended to come into contact with foods; the objective is to bring the rules in line with the current comitology rules ([10816/15](#))
- a regulation amending regulation 1881/2006 as regards maximum levels of ergot sclerotia in certain unprocessed cereals and the provisions on monitoring and reporting ([10817/15](#))
- a regulation mending regulation 1881/2006 as regards maximum levels for polycyclic aromatic hydrocarbons in cocoa fibre, banana chips, food supplements, dried herbs and dried spices ([10949/15](#)).

The Commission regulations are subject to the so-called regulatory procedure with scrutiny. This means that now that the Council has given its consent, the Commission may adopt them, unless the European Parliament objects.

AGRICULTURE

Feed hygiene - Dioxin testing of oils

The Council decided not to oppose the adoption of the Commission regulation amending annex II to regulation 183/2005 as regards the dioxin testing of oils, fats and products derived thereof ([10927/15](#)).

This text provides several technical adjustments to the dioxin testing of oils as set out by regulation 183/2005 laying down general rules on feed hygiene, as well as conditions and arrangements to ensure that processing conditions to minimise and control potential hazards are respected.

This Commission regulation is subject to the regulatory procedure with scrutiny. This means that now that the Council has given its consent, the Commission may adopt the regulation, unless the European Parliament objects.

Pesticides - Maximum residue levels

The Council decided not to oppose the adoption of three Commission regulations amending annexes III, IV and V to regulation 396/2005¹ as regards:

- maximum residue levels for capric acid, paraffin oil (CAS 64742-46-7), paraffin oil (CAS 72623-86-0), paraffin oil (CAS 8042-47-5), paraffin oil (CAS 97862-82-3), lime sulphur and urea in or on certain products (amendment of annex IV) ([10916/15](#));
- maximum residue levels for guazatine in or on certain products (amendment of annexes III and V) ([11378/15](#));

Regulation 396/2005 establishes the maximum quantities of pesticide residues permitted in products of animal or vegetable origin intended for human or animal consumption. These maximum residue levels (MRLs) include, on the one hand, MRLs which are specific to particular foodstuffs intended for human or animal consumption and, on the other, a general limit which applies where no specific MRL has been set. MRL applications are communicated to the European Food Safety Authority (EFSA) which issues a scientific opinion on each intended new MRL. Based on EFSA's opinion, the Commission proposes a regulation such as those listed above to establish a new MRL or to amend or remove an existing MRL and modifying the annexes of regulation 396/2005 accordingly.

These Commission regulations are subject to the regulatory procedure with scrutiny. This means that now that the Council has given its consent, the Commission may adopt the regulations, unless the European Parliament objects.

¹ OJ L 070, 16.3.2005, p. 1.