



## **ENVIRONMENT COUNCIL**

### **Brussels, 4 March 2016**

Chair: **Sharon Dijksma**, the Netherlands Minister for the Environment

European Commission representation: Commissioners **Karmenu Vella**, **Miguel Arias Cañete**, **Vytienis Andriukaitis** and **Carlos Moedas**

Starting time: 10:00

Ministers will discuss the follow-up to the UN climate change conference last year (COP 21) and in particular the **Paris Agreement**. The discussions will be based on a communication drafted by the Commission and on a document prepared by the Netherlands presidency. The presidency will summarise the debate in a letter to the President of the European Council. The discussion on climate change will be supplemented by a ministerial debate over lunch on issues related to the ratification of the Paris Agreement.

Following a recent court case regarding **endocrine disruptors** (chemicals that can interfere with the hormone system), the Council is expected to adopt a statement on this matter.

There will also be a policy debate on the EU action plan for the **circular economy**, part of a package which also includes four legislative proposals on waste. The aim of the package is to stimulate Europe's transition towards a circular economy, more sustainable and competitive than the current model. It introduces measures to cut resource use, reduce waste and boost recycling. The presidency will consider the input from this council to draft council conclusions, to be adopted at the next Environment Council on 20 June 2016.

Ministers will also address the contribution of environment and climate policies to growth and jobs, in an exchange of views on the **European Semester**.

Under 'Any other business', the Commission will brief the Council on the Minamata package concerning **mercury**, on the situation regarding the **real driving emission** tests (at the request of France), on **innovation deals**, on the EU action plan against **wildlife trafficking** and on the implementation of the **7th Environment Action Program** (requested by Belgium). The Austrian delegation will also brief the Council on the promotion of **environmentally friendly forms of energy**.

**Press conference:** +/- 18:00

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<http://tvnewsroom.consilium.europa.eu/event/environment-council-march-2016>

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<sup>1</sup> This note has been drawn up under the responsibility of the press office.

## Climate change: follow-up to the Paris Agreement

Ministers will hold a policy debate to **assess the results** of the UN climate change conference last year (**COP21**) and the **Paris Agreement**. They will particularly discuss the agreement in view of the EU's 2030 **climate and energy** framework and prepare the **next steps**. The debate will be based on a communication drafted by the Commission and on a document prepared by the presidency. The presidency will summarise the debate in a letter to the President of the European Council.

### The Paris Agreement

The Paris Agreement is a global, legally-binding instrument adopted by 195 countries on 12 December 2015 in Paris, during the last UN climate change conference, widely known as COP21. This agreement sets the framework for global action on climate change from 2020.

Its main elements are:

- It aims to keep the increase in global average temperature to **well below 2°C** above pre-industrial levels and pursue efforts to limit it to **1.5°C**.
- It also aims at increasing countries ability to deal with climate impacts (**adaptation**) and to recover from them (**loss and damage**).
- Countries shall submit comprehensive **national climate action plans** to reduce their emissions. These so-called nationally determined contributions (NDCs) are to be communicated **every five years**, to allow for a gradual increase of ambition.
- To ensure **transparency** and oversight, the parties to the agreement agree to report on their progress in implementing their targets.
- Developed countries commit to continue providing **climate finance** to assist developing countries, both to reduce emissions and to build resilience to climate change impacts, and other countries are encouraged to provide or continue to provide support too.

Each country was invited to publish ahead of the conference its intended nationally determined contribution (INDC), that is a document laying down their national climate pledge. After Paris, the focus moves towards the **implementation** of these INDCs and of the commitments made at COP 21, in the context of low-emission and climate resilient development.

Formal negotiations on the implementation of the Paris Agreement will start in May and will continue at COP22, to be held in Marakesh, Morocco, in November 2016.

[Paris Agreement](#)

### EU emissions reduction target

In its October 2014 conclusions, the European Council agreed on the 2030 climate and energy policy framework for the EU and endorsed a binding target of a reduction of **at least 40%** in greenhouse gas emissions **by 2030 compared to 1990**. The target is to be delivered **collectively** by the EU in the most cost-effective manner possible, with all member states participating in this effort, balancing considerations of fairness and solidarity. The conclusions also specify that the reduction shall amount to 43% in the **ETS sectors** and to 30% in **non-ETS sectors**, in both cases by 2030 compared to 2005. The European Council also agreed to revert to this issue after the Paris conference.

[European Council \(23 and 24 October 2014\) - Conclusions](#)

Based on these conclusions and maintaining the 40% reduction target, the EU submitted its **intended nationally determined contribution** to the UNFCCC in March 2015.

[EU's intended nationally determined contribution \(INDC\)](#)

## EU assessment of the Paris Agreement

In December 2015 the European Council welcomed the Paris Agreement and invited the Commission and the Council to **assess the results** of COP21 by March 2016, in particular in view of the 2030 climate and energy framework and to prepare the **next steps**.

[European Council \(December 2015\) - Conclusions](#)

[European Commission communication assessing the implications of Paris Agreement](#)

## Ratification of the Paris Agreement

The Paris Agreement will be open for **signature** at the UN headquarters in New York from 22 April 2016 to 21 April 2017.

The agreement will **enter into force** 30 days after at least 55 countries accounting for at least 55% of the total global greenhouse gas emissions have **ratified the agreement**.

## EU policies on climate

The implementation of the EU's action on climate includes the legislative proposal to revise the EU **Emissions Trading System (ETS)**. This proposal, presented by the Commission in July 2015, is currently being considered by the Council and the European Parliament.

Proposals on the **Effort-Sharing Decision** (regarding sectors not covered by the ETS) and on the integration of the land use, land use change and forestry sector (**LULUCF**) will be presented by the Commission during the first semester of 2016. Other initiatives to implement the EU 2030 climate and energy framework are expected later in 2016 and in 2017.

[Timeline - A new global climate change agreement](#)

[Council website: International agreements on climate action](#)

[Council website: Tackling climate change in the EU](#)

## Endocrine disruptors

The Council is expected to issue a statement concerning a **recent ruling of the General Court** regarding endocrine disruptors (chemicals that can interfere with the hormone system). In this ruling the General Court considered that the **Commission has failed to specify in due time scientific criteria** for endocrine disruptors.

The statement aims at underscoring the importance of **urgent action** by the Commission to comply with the General Court's judgement and its legal obligations, in order to **prevent any further delay** in developing the criteria for endocrine disruptors.

### What are endocrine disruptors?

Endocrine disruptors are chemicals that can **interfere with the hormone system**. The hormone system regulates the body's development, growth, reproduction, metabolism, immunity and behaviour. There are serious **concerns about negative human health and environmental impacts** possibly caused by endocrine disruptors.

The EU has introduced specific legislative obligations aimed at phasing out endocrine disruptors in water, industrial chemicals, plant protection products and biocides. The European **Commission was required to present a proposal for science-based criteria** on endocrine disruptors by December 2013.

## The General Court ruling

In July 2014, Sweden asked the General Court for a ruling on the Commission's failure to specify criteria on endocrine-disruptors by the due date (December 2013) under the Biocidal Products Regulation. On 16 December 2015, the General Court stated that the **Commission had breached EU law**.

The Court explained that those criteria should be **based on science** related to the endocrine system only, independently of all other considerations, in particular economic ones. It found that the law did not require the impact analysis on the socio-economic costs and benefits of different options for such criteria that the Commission decided to conduct in July 2013. The ruling also states that even if the Commission had needed to carry out such an impact analysis that would not have exonerated it from complying with the deadline.

After the ruling, the Commission stated at the European Parliament plenary on 2 February 2016 that the **impact assessment** was a useful tool to guide decisions and that its work was well advanced. In response to the judgment of the Court, the Commission will present, **before the summer 2016**, new scientific criteria for endocrine disruptors.

[General Court press release on Case T-521/14 Sweden v Commission](#)

## Circular economy

Ministers will hold a policy debate on the **EU action plan** for the circular economy, part of a package which also includes four legislative proposals on waste. The aim of the package is to stimulate Europe's **transition towards a circular economy**, more sustainable and competitive than the current model. It introduces measures to cut resource use, reduce waste and boost recycling.

The **legislative proposals** on waste are currently being analysed at working party level. Regarding the **action plan**, the Netherlands presidency considers it important for the Council to give a response this semester. In this meeting, ministers are invited to consider whether the proposed **actions are sufficient, appropriate and necessary** to facilitate the transition to a circular economy, as well as to set some **priorities**.

The action plan was also discussed at the Competitiveness Council on 29 February 2016 from an economic perspective. On the basis of both debates, the presidency intends to adopt Council **conclusions** on the action plan in the Environment Council on 20 June 2016.

### What is the circular economy?

It is a proposed new model to replace the linear model of economic growth. It aims at reaching **sustainable growth** by maintaining the value of products, materials and resources in the economy for as long as possible and minimising the generation of waste.

Considering that many natural **resources are finite**, a new environmentally and economically sustainable way of using them is needed. As the **cost of raw materials** constitutes a significant part of production costs, there is room to improve competitiveness by making the best possible use of resources. In a circular economy EU businesses will be better protected against **scarcity** of resources and **volatile prices**.

The new model can create secure **jobs** in Europe and boost the EU's **competitiveness** by creating new business **opportunities**, promoting **innovations** that give a competitive advantage and fostering more **efficient** ways of production and consumption. At the same time, the transition will reduce the **environmental footprint** often associated with economic growth.

## Circular economy package: legislative proposals

In December 2015 the European Commission presented a new circular economy package. It includes **four proposals** to revise waste legislation, as well as an action plan.

The four legislative proposals together **amend six pieces** of waste legislation:

- Waste framework directive
- Packaging waste directive
- Landfill directive
- Directive on electrical and electronic waste
- Directive on end-of-life vehicles
- Directive on batteries and accumulators and waste batteries and accumulators

The amendments seek to harmonize the EU legislative framework on waste. The **key elements** of the proposals are:

- a common EU target for recycling 65% of municipal waste by 2030
- a common EU target for recycling 75% of packaging waste by 2030
- a binding landfill target to reduce landfill to a maximum of 10% of all waste by 2030
- a ban on landfilling of separately collected waste
- the promotion of economic instruments to discourage landfilling
- simplified and improved definitions and harmonised calculation methods for recycling rates
- concrete measures to promote re-use and stimulate industrial symbiosis, turning one industry's by-product into another industry's raw material
- support for recovery and recycling schemes
- support for recovery and recycling

## Circular economy package: the action plan

The action plan complements these proposals by setting out **measures to "close the loop"** of the circular economy. It therefore intends to tackle **all phases in the lifecycle of a product**: from production and consumption to waste management and the market for secondary raw materials.

Key **actions** included in the plan are:

- actions to reduce food waste including a common measurement methodology, improved date marking, and tools to meet the global Sustainable Development Goal to halve food waste by 2030
- development of quality standards for secondary raw materials to increase the confidence of operators in the single market
- measures in the Ecodesign working plan for 2015-2017 to promote reparability, durability and recyclability of products, in addition to energy efficiency
- a revised regulation on fertilisers, to facilitate the recognition of organic and waste-based fertilisers in the single market and support the role of bio-nutrients
- a strategy on plastics in the circular economy, addressing issues of recyclability, biodegradability, the presence of hazardous substances in plastics, and the Sustainable Development Goals target for significantly reducing marine litter
- a series of actions on water reuse including a legislative proposal on minimum requirements for the reuse of wastewater

The action plan includes a timeline for the actions proposed and a plan for a monitoring framework for the circular economy.

[Closing the loop - An EU action plan for the Circular Economy](#)

[\(Annex\) Closing the loop - An EU action plan for the Circular Economy](#)

[Presidency note on the action plan for circular economy](#)

## European Semester

Ministers will have an exchange of views on the European Semester, the Annual Growth Survey 2016 and the **contribution of environment and climate policies to growth and jobs**.

Specifically, the Netherlands Presidency proposes that ministers reflect on:

- how to integrate the **2030 Agenda** on sustainable development and the transition towards a **circular and low carbon economy** into EU and national macroeconomic policy
- how to **track progress**, including the consideration of the upcoming Commission initiative on next steps for a sustainable European future

### 2016 Annual Growth Survey

The Commission presented the 2016 Annual Growth Survey (AGS) on 26 November 2015. In summary, the economic and social priorities of the 2015 Annual Growth Survey remain valid, but policy efforts need to be strengthened to set the recovery on a sustainable path, unlock investment, strengthen the adjustment capacity of EU Member States, foster productivity and accelerate the process of convergence. With this in mind, the Commission proposes to focus efforts on the three priorities for 2016: re-launching investment, pursuing structural reforms to modernise the economies and responsible fiscal policies. Furthermore, it states that member states action is needed to improve efficiency in the use of resources and bring forward a **circular economy**.

[Presidency note for the exchange of views on the European Semester](#)

[Annual Growth Survey 2016](#)

## **Any other business**

### **Energy transition - Promoting environmentally friendly forms of energy in the EU**

Ministers will be briefed by the Austrian delegation on the promotion of a long-term system change towards safe, environmentally friendly and sustainable energy production, leading to a future EU protocol.

[Information note from the Austrian delegation](#)

### **Implementation of the 7th Environment Action Programme**

At the request of the Belgian delegation, the Commission will brief the ministers on the implementation of the 7th Environment Action Programme.

[Note from the Belgian delegation](#)

[7th Environment Action Programme](#)

### **Minamata package on mercury**

The Commission will present to the Council the Minamata package on mercury, which includes a proposal for a regulation and for a Council decision.

[Proposal for a Regulation of the European Parliament and of the Council on mercury](#)

[Proposal for a Council Decision on the conclusion of the Minamata Convention on Mercury](#)

### **Real driving emissions (RDE)**

At the request of the French delegation, the Commission will inform the ministers of the state of play regarding the real driving emissions tests.

[Note from the French delegation](#)

### **EU action plan against wildlife trafficking**

The Commission will brief the ministers on the EU action plan against wildlife trafficking.

[EU action plan against wildlife trafficking](#)

### **Innovation deals**

The Commission will brief the Council on innovation deals.

[Information note from the Commission](#)

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