



**COUNCIL OF
THE EUROPEAN UNION**



16585/08 (Presse 355)

PRESS RELEASE

2912th Council Meeting

Environment

Brussels, 4 December 2008

President

Mr Jean-Louis BORLOO

Ministre d'État, Minister for Ecology, Energy, Sustainable
Development and Town and Country Planning of France

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Main results of the Council

*The Council adopted conclusions on **genetically modified organisms**.*

*Ministers discussed the **climate/energy legislative package** during the informal lunch.*

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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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PARTICIPANTS

The governments of the Member States and the European Commission were represented as follows:

Belgium:

Ms Evelyne HUYTEBROECK

Minister of the Brussels Capital Regional Government,
with responsibility for the Environment, Energy and Water
Policy

Bulgaria:

Mr Chavdar GEORGIEV

Deputy Minister for the Environment and Water

Czech Republic:

Mr Martin BURSÍK

Deputy Prime Minister, Minister for the Environment

Denmark:

Mr Troels Lund POULSEN

Minister for the Environment

Ms Connie HEDEGAARD

Minister for Climate and Energy

Germany:

Mr Matthias MACHNIG

State Secretary for the Environment, Nature Conservation
and Reactor Safety

Estonia:

Mr Jaanus TAMKIVI

Minister for the Environment

Ireland:

Mr John GORMLEY

Minister for the Environment, Heritage and Local
Government

Greece:

Mr Stavros KALOGIANNIS

State Secretary for the Environment, Regional Planning
and Public Works

Spain:

Ms Elena ESPINOSA MANGANA

Minister for the Environment and the Rural and Marine
Environment

Ms Francisco Martin GALLEGO

Minister for the Environment of the Autonomous
Community of Cantabria

France:

Mr Jean-Louis BORLOO

Ministre d'État, Minister for Ecology, Energy, Sustainable
Development and Town and Country Planning

Ms Nathalie KOSCIUSKO-MORIZET

Minister of State to the Minister for Ecology, Energy,
Sustainable Development and Town and Country
Planning, with responsibility for Ecology

Italy:

Ms Stefania PRESTIGIACOMO

Minister for the Environment and Protection of Land and
Sea

Cyprus:

Mr Michalis POLYNIKI CHARALAMBIDES

Minister for Agriculture, Natural Resources and
Environment

Latvia:

Mr Raimonds VÉJONIS

Minister for the Environment

Lithuania:

Mr Artūras PAULAUSKAS

Minister for the Environment

Luxembourg:

Mr Lucien LUX

Minister for the Environment, Minister for Transport

Hungary:

Mr Lajos OLÁH

State Secretary, Ministry of the Environment and Water
Management

Malta:

Mr George PULLICINO

Minister for Resources and Rural Affairs

Netherlands:

Ms Jacqueline CRAMER

Minister for Housing, Spatial Planning and the Environment

Austria:

Mr Nikolaus BERLAKOVICH

Federal Minister for Agriculture, Forestry, the Environment and Water Management

Poland:

Mr Stanislaw GAWŁOWSKI

State Secretary, Ministry of the Environment

Portugal:

Mr Francisco NUNES CORREIA

Minister for the Environment, Regional Planning and Regional Development

Romania:

Mr Silviu STOICA

State Secretary, Ministry of the Environment and Sustainable Development

Slovenia:

Mr Karl Viktor ERJAVEC

Minister for the Environment

Slovakia:

Mr Ján CHRIBET

Minister for the Environment

Finland:

Ms Paula LEHTOMÄKI

Minister for the Environment

Sweden:

Mr Andreas CARLGREN

Minister for the Environment

United Kingdom:Mr Ed MILIBAND
Lord HUNT of Kings HeathMinister for Energy and Climate Change
Minister of State for the Environment, Food and Rural Affairs and Minister of State for Energy and Climate Change**Commission:**

Mr Stavros DIMAS

Member

ITEMS DEBATED**GLOBAL MERCURY CHALLENGES - Council conclusions**

The Council adopted the following conclusions:

"THE COUNCIL OF THE EUROPEAN UNION:

1. REITERATES that mercury is recognised as being persistent, toxic, bioaccumulative and having long-range transport properties; AFFIRMS its commitment to the overall objective of protecting human health and the environment from the release of mercury and its compounds by minimising and, where feasible, ultimately eliminating global anthropogenic mercury releases to air, water and land.
2. RECALLS that the Council conclusions of 24 June 2005 regarded it as essential to continue and intensify international efforts to reduce mercury emissions and exposure on a global scale with a view to achieving a global phase-out of primary production, preventing surpluses from re-entering the market, as well as phasing out its use and trade, taking into account the availability of alternatives.
3. UNDERLINES the progress made in implementing the Community Strategy Concerning Mercury since 2005, in particular the adoption of legislative acts exclusively dedicated to mercury: the 2007 Directive relating to restrictions on the marketing of certain measuring devices containing mercury and the Regulation on the banning of exports from the European Union and the safe storage of mercury as from March 2011, which was adopted this year. Under this Regulation, metallic mercury has to be safely stored within the EU in facilities guaranteeing a high level of safety.

4. SUPPORTS UNEP GC Decisions 22/4, 23/9 and 24/3 and confirms that further long-term international action is required to reduce risks to human health and the environment caused by mercury.
5. WELCOMES the work of the UNEP Ad hoc Open-Ended Working Group in reviewing and assessing options for enhanced voluntary measures and new or existing international legal instruments; and ENDORSES the outcome of the Working Group, which proposes a comprehensive framework for addressing the global challenges posed by mercury.
6. CONSIDERS that a multilateral environmental agreement is the most appropriate instrument which would, *inter alia*, demonstrate widespread ownership of the overall objective, cover long-term political commitments and actions that need to be tackled in multiple ways to ensure successful implementation involving governments, regional economic integration organisations, intergovernmental and non-governmental organisations and other stakeholders; provide legislative authority; flexibly cover all phases of the mercury life cycle from production and uses to releases (intentional and unintentional), stockpiles and wastes; create a level playing field for all stakeholders and thereby establish incentives for environmentally friendly solutions; enable countries to implement trade-related measures on mercury in a transparent multilaterally agreed, non-discriminatory way; finally, experience with past MEAs shows that MEAs provide long-lasting financial and technical support to developing countries based on a commonly agreed approach.
7. CONSIDERS that a new mercury instrument should be included in the cooperation and coordination process between the Basel Convention on the Transboundary Movement of Hazardous Wastes and their Disposal, the Stockholm Convention on Persistent Organic Pollutants (POPs) and the Rotterdam Convention on the Prior Informed Consent Procedure for Certain Hazardous Chemicals and Pesticides in International Trade (PIC), in order to contribute to long-lasting synergies in the chemicals and waste cluster.

8. AGREES that the European Community and its Member States should strive for a substantive decision at the UNEP GC 25 launching the expeditious development of a free-standing, global multilateral environmental agreement that covers mercury.
9. AGREES that, in the process leading to such a multilateral environmental agreement, a mechanism should be elaborated that would allow the agreement to cover additional substances, such as for instance inorganic substances, once they have been recognised as being of global concern.
10. EMPHASISES that such a comprehensive multilateral environmental agreement should consider the whole life cycle of mercury and include a broad range of elements representing specific commitments and actions to accomplish the overall objective. AFFIRMS its support for a multilateral environmental agreement structure that could include actions to:
 - reduce the supply of mercury;
 - reduce the demand for mercury in products and processes;
 - reduce international trade in mercury;
 - reduce atmospheric emissions of mercury;
 - achieve environmentally sound management of mercury-containing wastes;
 - find environmentally sound storage solutions for mercury;
 - address remediation of existing contaminated sites;
 - increase knowledge.

11. CONSIDERS that such a multilateral environmental agreement would contain different degrees of obligation with regard to the specific actions to address the global challenges posed by mercury.
12. ACKNOWLEDGES that legal obligations require capacity-building, technical and financial assistance to be successfully implemented by all Parties, and CONSIDERS that the Global Environment Facility (GEF) should be used to finance capacity-building and projects relating to mercury, subject to GEF's mandate.
13. UNDERSTANDS the specific challenges and needs of countries, such as the importance of meeting their growing energy needs, the challenge in medium and long-term environmentally sound storage of mercury, and the importance of knowledge and information gathering in the implementation of a multilateral environmental agreement.
14. WELCOMES the work undertaken and URGES the strengthening of the UNEP Mercury Programme and the Global Mercury Partnership as means for immediate action and ways to usefully complement, prepare for or contribute to the implementation of a multilateral environmental agreement."

INTEGRATED POLLUTION PREVENTION AND CONTROL

The Presidency briefed the Council on progress regarding the Directive on integrated pollution prevention and control, which in December 2007 the Commission had proposed recasting ([5088/08](#)). The Presidency's report is set out in [16164/08](#).

Although delegations welcomed the Commission's proposal as a simplification of existing legislation, it still raises many questions, in particular concerning large combustion plants. Proceedings will continue under the Czech Presidency.

SUSTAINABLE CONSUMPTION AND PRODUCTION AND SUSTAINABLE INDUSTRIAL POLICY ACTION PLAN - *Council conclusions*

After discussing priority measures to be taken as part of the action plan, the compatibility of lifestyles in the EU with sustainable development and the possibility of carbon content display on products, the Council adopted conclusions on this subject. These are given in [16914/08](#).

LEGISLATIVE PACKAGE ON CLIMATE CHANGE

Environment ministers discussed the package at their informal lunch¹.

In view of the interinstitutional negotiations and preparation for the European Council on 11 and 12 December, they were determined to resolve the last remaining questions in order rapidly to reach an ambitious, balanced agreement in solidarity on the whole package, so that the EU can retain its leading role in combating climate change internationally.

ADDRESSING THE CHALLENGES OF DEFORESTATION AND FOREST DEGRADATION TO TACKLE CLIMATE CHANGE AND BIODIVERSITY LOSS - Council conclusions

The Council adopted the conclusions set out in [16852/08](#).

GENETICALLY MODIFIED ORGANISMS (GMOs) - Council conclusions

The Council adopted the conclusions set out in [16882/08](#).

¹ This series of measures contains the following proposals:

- a Directive amending Directive 2003/87/EC to improve and extend the greenhouse gas emission allowance trading system ("review of the EU ETS") ([5862/08](#));
- a Decision on the effort to be made by the Member States of the EU to reduce their emissions of greenhouse gases in order to comply with the commitments of the Community on reduction of such emissions by 2020 ("effort sharing outside the emissions trading system") ([5849/08](#));
- a Directive on the promotion of the use of energy from renewable sources ("Directive on sources of renewable energy") ([5421/08](#));
- a Directive on the geological storage of carbon dioxide ("Directive on the capture and storage of CO₂") ([5835/08](#)).

OTHER BUSINESS

The Council took note of information on the following items:

Ship dismantling

The Commission presented a background note ([16689/08](#)) based on its communication entitled "An EU strategy for better ship dismantling" ([16220/08](#)).

Biowaste management

The Commission briefed delegations on its green paper on biowaste management in the European Union ([16817/08](#)).

Invasive species

The Commission presented a background note on its communication entitled "Towards an EU Strategy on invasive species" ([16814/08](#)).

The European Union and the Arctic region

The Commission presented a background note ([16679/08](#)) on its communication concerning the European Union and the Arctic region ([16299/08](#)). The Presidency welcomed the outcome of a conference on the subject held in Monaco on 8 and 9 November.

Implementing European Community Environmental Law

The Commission provided a background note ([16690/08](#)) on its communication on implementing European Community Environmental Law ([16222/08](#)), presenting it to the Council.

Waste: the fall in demand for recyclate materials

The Irish delegation spoke on the basis of its note on the fall in demand for recyclate materials ([16340/08](#)). The intervention was supported by some delegations. In the note, Ireland argues that European recycling targets could be threatened by the recent fall in demand for recyclate materials.

Euro-Mediterranean Conference of Ministers for Water

The Presidency briefed the Council on preparations for the Conference of Ministers for Water from the countries of the Mediterranean rim, scheduled for 22 December 2008 in Jordan ([16808/08](#)).

EU-Africa climate meeting

The Presidency reported on the outcome of the meeting in Algiers on 20 November 2008.

Global Monitoring for Environment and Security

The Presidency briefed the Council on the GMES programme, which concerns global environment and security monitoring ([16810/08](#)). The conclusions adopted by the Council on 2 December on the subject are set out in *16722/08*.

OTHER ITEMS APPROVED

ENVIRONMENT

Mediterranean - Convention on the protection of coastal zones

The Council adopted a Decision authorising the signing of a Protocol on Integrated Coastal Zone Management in the Mediterranean (Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean) ([15311/08](#)).

The purpose of the Protocol, which is part of the Convention for the Protection of the Marine Environment and the Coastal Region of the Mediterranean (also known as the Barcelona Convention), is to provide a framework to encourage a concerted approach bringing in public and private operators including civil society and economic operators, with a view to mitigating environmental pressure and the degradation of resources being suffered by some Mediterranean coastal areas.

The Protocol covers a range of measures that will have to take account in their implementation of the cross-border nature of most environmental problems.

As a signatory party to the Barcelona Convention the EU is obliged to promote the integrated management of the coastal zones, taking into account the protection of areas of ecological and landscape interest and the rational use of natural resources. National authorities however remain responsible for the design and implementation of certain detailed measures laid down in the Protocol, such as the establishment of zones where construction is not allowed.

In the EU, the main instrument promoting Integrated Coastal Zone Management is the Recommendation of the European Parliament and of the Council concerning the implementation of Integrated Coastal Zone Management in Europe (*Official Journal L 148, 6.6.2002*). The Recommendation encourages the implementation by the Member States of integrated coastal zone management in the context of existing conventions with neighbouring countries, including non-Member States, bordering the same regional sea.

Integrated Coastal Zone Management is one component of the EU Integrated Maritime Policy as endorsed by the European Council in December 2007.

ECONOMIC AND FINANCIAL AFFAIRS

International financial reporting standards

The Council decided not to oppose the adoption by the Commission of a Decision on the use by third countries' issuers of securities of certain third countries' national accounting standards and international financial reporting standards to prepare their consolidated financial statements. Under this legislative act, certain national and international standards are considered equivalent to international financial reporting standards as regards annual and half-yearly consolidated financial statements.

Financial information in prospectuses and advertisements

The Council decided not to oppose the adoption by the Commission of a Regulation amending the existing Community provisions regarding certain historical financial information contained in prospectuses and advertisements.

FISHERIES

Black Sea - Turbot

The Council adopted a Regulation with a view to authorising, for 2008, the exceeding of the annual quota for turbot catches in the Black Sea by up to 10 %, in the light of the current situation of the turbot stock, which justifies this. The excess will be deducted from the 2009 quota ([16508/08](#)).

The Regulation follows up the political agreement concluded at the Fisheries Council on 27 October 2008 on fishing opportunities in the Black Sea for 2009.

The agreement provides for a total allowable catch (TAC) in 2009 of 100 tonnes for turbot (*Psetta maxima*), divided equally between Bulgaria and Romania.

STATISTICS

Job vacancies in the EU

The Council decided not to oppose the adoption by the Commission of an implementing Regulation on quarterly statistics on Community job vacancies.

The new legislative act establishes the definition of a job vacancy, the reference dates for data collection and data transmission specifications, and establishes a framework for a series of feasibility studies to be carried out by Member States.

TRANSPARENCY

Public access to documents

The Council adopted:

- the response to confirmatory application 18/c/01/08 made by Mr Mark JOHNSTON; the Swedish delegation having voted against ([14814/08](#));
- the response to confirmatory application 19/c/01/08 made by Mr Ante WESSELS ([15476/08](#));
- the response to confirmatory application 20/c/01/08 ([15705/08](#)); and
- the response to confirmatory application 21/c/02/08 made by Mr Oliver REMIEN ([15717/08](#)).

APPOINTMENT

European Economic and Social Committee

The Council adopted a Decision appointing as a member for the remainder of the current term of office, i.e. until 25 January 2010, Mr Juan Antonio MORALES RODRÍGUEZ, replacing Ms María Dolores ALARCÓN MARTÍNEZ.
