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THE EUROPEAN UNION**



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Main results of the Council

*The Council held an exchange of views on the proposal for the amendment of **the waste shipment** regulation to give political guidance for further examination of the proposal in the Council preparatory bodies.*

*The Council adopted **conclusions** on the preparations for the 19th session of the Conference of the Parties to the UN Framework Convention on Climate Change, which will take place in Warsaw from 11 to 22 November 2013.*

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OTHER ITEMS APPROVED

none

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.

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Ms Connie HEDEGAARD

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ITEMS DEBATED

Shipment of waste

The Council held an exchange of views on the proposal for the amendment of the waste shipment regulation in order to give political guidance for further examination of the proposal in the Council preparatory bodies.

The ministers' discussion was based on two questions prepared by the presidency ([13873/13](#)): to consider the appropriateness of the scope of the proposal and to consider whether the proposal strikes the right balance between ensuring a minimum level playing field and allowing the necessary flexibility.

[Regulation \(EC\) 1013/2006](#) lays down requirements for shipment of waste within the EU and between the EU and third countries in order to protect human health and the environment. The regulation contains only a general description of inspection requirements, which has resulted in so-called "port hopping", i.e. exporters of illegal waste choosing to send their waste through countries with less stringent controls.

The Commission proposal ([12633/13](#)), presented in July 2013, therefore contains strengthened measures to ensure a more uniform implementation of the waste shipment regulation throughout the EU, through inspection planning requirements for waste shipments and the possibility for the national competent authority to require evidence from suspected illegal waste exporters in order to check the legality of waste shipments.

Ministers welcomed the proposal and recognised the need to improve measures to address illegal shipments of waste. While they broadly supported inspection planning, they also underlined the need to consider further the level of detail to be included in the plans in order to strike the right balance between the aim of the legislation, the national situations and the costs of implementation. Furthermore, the ministers expressed doubts about the publication of inspection plans since this could be an advantage to those involved in illegal shipments, to the detriment of the objectives of the legislation.

19th session of the Conference of the Parties to the UN Framework Convention on Climate Change

The Council adopted conclusions on the preparations for the 19th session of the Conference of the Parties to the UN Framework Convention on Climate Change (UNFCCC), which will take place in Warsaw from 11 to 22 November 2013.

The conclusions set out the main elements of the EU position in view of the Warsaw Climate Conference, focusing in particular on implementation of existing decisions and further progress on both tracks of the Durban Platform for Enhanced Action. This year's conference in Warsaw and next year's conference in Lima will be the last stages before reaching a global agreement in Paris in 2015.

The full text of the conclusions is as follows:

"The Council of the European Union,

Urgency

1. NOTES with concern the latest findings of Working Group I of the Intergovernmental Panel on Climate Change (IPCC); UNDERLINES that global warming is unequivocal and since the 1950s many of the observed changes are unprecedented over decades to millennia, that it is extremely likely that human influence has been the dominant cause of the observed warming since the mid-20th century, that continued emissions of greenhouse gases will cause further warming and changes in all components of the climate system, and that limiting climate change will require substantial and sustained reductions of greenhouse gas emissions; recent authoritative reports from the IPCC and other institutions demonstrate the devastating consequences of current emission trends if left unchecked.
2. In this context, REITERATES that global greenhouse gas emissions need to peak by 2020 at the latest and be reduced by at least 50% by 2050 compared to 1990 and continue to decline thereafter; STRESSES that all Parties need to contribute in order to keep these objectives within reach.

EU and Member States' action

3. UNDERLINES that the EU and its Member States' domestic emissions in 2011 were 18.3% below 1990 levels while GDP has grown by more than 40% over the same period.
4. STRESSES the determination by the EU and its Member States to complete the process of ratification of the Doha amendment to the Kyoto Protocol as soon as possible; LOOKS FORWARD to the forthcoming proposal by the European Commission for the ratification of this amendment; UNDERLINES that the EU and its Member States' 2020 commitments under the second commitment period are already being implemented as of 1 January 2013.
5. AFFIRMS that the EU and its Members States have 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, REFERS to the submission on this issue by the EU and its Member States to the UNFCCC of 2 September 2013 as well as to its forthcoming conclusions on climate finance.

Warsaw deliverables

6. IS DETERMINED to work towards a balanced package of decisions in Warsaw, including on enhancing the implementation of previous decisions as well as advancing work under the Durban Platform for Enhanced Action by closing as quickly as possible the gap in the pre-2020 level of mitigation ambition and by preparing the ground for adopting by 2015 at the latest an ambitious single global legally-binding agreement applicable to all.

Implementation

7. WELCOMES that more than 90 Parties representing around 80% of global emissions have made 2020 mitigation pledges; in order to enhance transparency, comparability of efforts and effective implementation; EMPHASISES the need for a multilaterally agreed common robust monitoring, reporting and verification framework and accounting rules which ensure environmental integrity and avoid double-counting; REITERATES the importance of improving existing market-based mechanisms and agreeing modalities and procedures for the new market-based mechanism to support greater mitigation ambition; LOOKS FORWARD to the swift and timely establishment of the framework for various approaches in order to contribute to building a foundation for the post-2020 context; furthermore, REITERATES the importance of agreeing the necessary modalities and procedures for REDD+ to support the scaling up of action in this sector.

8. REITERATES its call on all Parties to fully implement the UNFCCC and Kyoto Protocol decisions adopted thus far as well as the mitigation actions put forward, by taking domestic action on adaptation and mitigation, including through the development of low-emission development strategies/plans.
9. UNDERLINES that adaptation and mitigation are closely linked and are both essential to ensure that the unavoidable impacts of climate change remain manageable.

Adaptation and loss and damage

10. UNDERLINES the key role of adaptation by all Parties in addressing the adverse impacts of climate change; WELCOMES the extensive work undertaken and progress made in national adaptation planning in identifying, monitoring and implementing adaptation actions; IS DETERMINED to further strengthen international action on adaptation and work with other Parties to identify concrete areas for action for the 2015 agreement.
11. WELCOMES the work by the Adaptation Committee and LOOKS FORWARD to the first session of the Adaptation Forum; REITERATES its commitment to continue constructive discussions on approaches to address loss and damage at the Warsaw Conference.

Pre-2020 mitigation ambition

12. STRESSES that a significant gap remains to be bridged between the collective level of mitigation ambition up to 2020 and the global emissions trajectory in line with the objective of staying below 2°C; in this context, UNDERLINES that enhancing global pre-2020 mitigation ambition will contribute to an ambitious 2015 international agreement and will deliver significant benefits in terms of sustainable development, economic growth, energy security and health benefits; EMPHASISES the need for ministerial engagement on this issue at the Warsaw Conference.
13. Strongly ENCOURAGES Parties which have not yet done so to come forward with their mitigation pledges by the Warsaw Conference; CALLS on all Parties to implement fully and without delay their mitigation commitments and actions put forward so far; CALLS on all Parties to consider in 2014 how they could enhance their mitigation efforts with a view to closing the ambition gap as soon as possible; in this context, EMPHASISES the importance of clarifying existing pledges of both developed and developing countries and SUPPORTS the continuation of the process to further clarify mitigation pledges in the Subsidiary Bodies.

14. REAFFIRMS that, in accordance with the findings of the IPCC in its Fourth Assessment Report and more recent studies, developed countries as a group should reduce their greenhouse gas emissions by 25 to 40% below 1990 levels by 2020 while developing countries as a group should achieve a substantial deviation below the currently predicted emissions growth rate, in the order of 15 to 30% by 2020; REAFFIRMS its conditional offer to move to a 30% reduction by 2020 compared to 1990, as part of a global and comprehensive agreement for the period beyond 2012 and provided that other developed countries commit themselves to comparable emission reductions and that more advanced developing countries contribute adequately according to their responsibilities and respective capabilities.
15. CALLS for further international cooperation on enhancing pre-2020 mitigation ambition; NOTES the substantial mitigation opportunities through *inter alia* increased action on energy efficiency, renewable energy, fluorinated greenhouse gases, short-lived climate pollutants, land use, including REDD+, fossil fuel subsidy reform and aviation and maritime emissions; RECOGNISES that a variety of options, complementing actions within the context of the UNFCCC, can contribute to closing the ambition gap, including by associating directly key players such as local government, business and civil society; INVITES all Parties to use the UNFCCC as a forum to promote visibility and transparency, as well as voluntarily report on the contribution of international cooperative initiatives to the effective implementation of the Convention.
16. URGES Parties to the UNFCCC to call upon the Parties to the Montreal Protocol on Substances that Deplete the Ozone Layer to take action to phase down the production and consumption of HFCs and NOTES that the UNFCCC should continue to play its role in accounting for the climate benefits of an HFC phase down and should include HFCs in setting future emission reduction targets.
17. REAFFIRMS its October 2009 conclusions with regard to the need to agree on global emission reduction targets for international aviation and maritime transport, consistent with the objective of staying below 2°C; URGES Parties to continue to work through the International Civil Aviation Organisation (ICAO) and the International Maritime Organisation (IMO) to develop without delay a global policy framework in a manner that ensures a level playing field and that does not lead to competitive distortions or carbon leakage, in accordance with the principles and customary practices of ICAO and IMO; STRESSES the need of taking into account national budgetary rules and the principles and provisions of the UNFCCC in the use of potential revenues; WELCOMES the agreement at the 38th session of the ICAO General Assembly to develop a global market-based scheme by 2016 for implementation by 2020 and EMPHASISES the importance of existing market-based measures in the period up to 2020.

2015 agreement

18. STRESSES the need to make urgent progress on the design, scope and structure of the 2015 agreement; UNDERLINES that the principles of the Convention should be the foundation of an inclusive, rules-based and equitable climate regime; STRESSES that the 2015 agreement should ensure the participation of all Parties under the Convention and include commitments from all Parties; STRESSES that responsibilities and capabilities are differentiated but evolve over time and that the agreement should reflect those evolving realities by including a spectrum of commitments in a dynamic way; CALLS on the Warsaw Conference to capture the progress made so far and plan the work that needs to be done in 2014 with a view to considering elements for a draft negotiating text at the Lima Conference at the end of 2014 in order to make the text available well before May 2015.
19. CALLS on the Warsaw Conference to agree a process for all Parties to formulate ambitious mitigation commitments for the 2015 agreement, including: a timetable to prepare their proposed commitments in 2014; the provision of the necessary up front information in order to ensure proposed commitments are transparent, quantifiable, verifiable, comparable and ambitious; as well as a process to assess proposed commitments before the conclusion of the 2015 agreement so as to ensure that the collective level of ambition is informed by science and consistent with the below 2°C objective.
20. STRESSES that the ambition and fairness of Parties' proposed commitments should be assessed in light of their contribution to the below 2°C objective; such assessment should use the information which Parties have used in formulating their commitments, including balanced and objective indicators, be facilitative and transparent, and take into account the need for countries to maximise benefits in terms of sustainable development and be guided by considerations of evolving capability and responsibility.
21. RECOGNISES that many Parties will for the first time put forward an international legally-binding commitment and ACKNOWLEDGES the need for capacity building as appropriate in this respect.
22. UNDERLINES the need for the 2015 agreement to include provisions to enable a regular review, including an increase in the level of ambition of Parties' commitments, and to ensure robust common accounting rules and reporting and verification requirements, *inter alia* to ensure environmental integrity, enable the tracking of progress towards the below 2°C objective as well as to ensure transparency of action and a proper functioning of the market-based mechanisms, including avoiding double-counting.

23. ENCOURAGES all Parties to start the domestic processes immediately in order to propose commitments as soon as possible; in this context, REAFFIRMS 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; WELCOMES the Commission Green Paper "A 2030 framework for climate and energy policies" and NOTES that the European Council will return to this issue in March 2014, after the Commission comes forward with more concrete proposals, to discuss policy options in that regard, bearing in mind the objectives set for the Paris Conference in 2015.
24. WELCOMES the UN Secretary General's announcement to host a Leaders' Summit in September 2014 as an opportunity to take stock of progress and generate further high-level momentum towards a comprehensive and ambitious outcome in 2015.

Post-2015 agenda

25. In the context of the Rio+20 follow-up and the review of the Millennium Development Goals, RECOGNISES that managing climate change represents a central challenge for sustainable development; STRESSES that the overarching post-2015 agenda should reinforce the international community's commitment to poverty eradication and sustainable development and should also be consistent with and supportive of international commitments, goals and targets, including on climate change.

Climate diplomacy

26. RECALLS the conclusions of the (Foreign Affairs) Council of 24 June 2013 that the abovementioned challenges call for a more pro-active and targeted EU climate diplomacy agenda; RECOGNISES the need to raise the profile of the climate challenge in political dialogues, intensifying outreach and cooperation activities with a wide range of countries and stakeholders, across government - including cities - as well as within business and civil society."

CO2 emissions from cars

The Council examined the final compromise text of a draft regulation amending regulation 443/2009 to define the modalities for reaching the 2020 target to reduce CO2 emissions from new passenger cars. The text was negotiated in informal trilogues with the European Parliament last June.

The Council confirmed its willingness to reach, at the earliest opportunity, a first reading agreement with the European Parliament on this file, and maintain a high level of ambition.

The Council agreed to support the presidency in seeking, together with the Commission, further contacts with the European Parliament in order to explore the possibility of finding some limited flexibility, while maintaining the overall balance of the compromise agreed in June and reach a solution satisfactory to all.

The Commission presented its proposal in July 2012 ([12733/12](#)).

Any other business

International meetings and events

The presidency and the Commission provided the Council with a brief update on the main international meetings that have taken place recently.

The briefing included in particular: the outcome of the 11th session of the Conference of the Parties to the UN Convention to Combat Desertification (Windhoek, Namibia, 16-27 September 2013), the 20th and final session of the UN Commission on Sustainable Development, which marked the end of that body (New York, 20 September 2013), the first meeting of the High Level Political Forum (New York, 24 September 2013), the Special Event on the Millennium Development Goals (New York, 25 September 2013) and the Diplomatic Conference for the Minamata Convention on Mercury (Kumamoto, 9-11 October 2013).

Budapest Water Summit

The Council took note of the information provided by the Hungarian delegation on the Budapest Water Summit which took place from 8 to 11 October 2013 ([14560/13](#)). The Summit was announced at the Rio+20 Summit in June 2012. Its aim was to contribute to the post-2015 discussion in order to facilitate consensus building amongst stakeholders on sustainable development goals for water and sanitation.

For more information see the Summit [website](#).

Montreal Protocol

Use of industrial gas credits under the effort sharing decision

The Council took note of the information provided by the Danish delegation on the political declaration concerning the use of industrial gas credits under the effort sharing decision ([14314/13](#)). In June 2011, eighteen member states including Denmark agreed on a political declaration on their intentions not to use the HFC and adipic-acid N₂O credits for national compliance under the effort sharing decision for the period 2013-2020 ([11785/11](#)). Denmark invited these member states to reconfirm their commitment and other member states to join this political declaration.

Facilitating a global HFC phase-down agreement

The Commission briefed the Council on recent substantial international developments addressing highly climate-warming hydrofluorocarbons (HFCs) and presented a view on facilitating a global HFC phase-down agreement ([14311/13](#)). HFCs are used as replacements for ozone depleting substances (prohibited by the [Montreal Protocol](#)) in equipment such as fridges, large refrigeration systems, air conditioners, foams and other applications.

Greenhouse gas emissions from maritime transport

The Commission informed ministers of its proposal for the monitoring, reporting and verification (MRV) of carbon dioxide emissions from international maritime transport, which is currently examined by the Council working party on the environment ([14587/13](#)).

The purpose of the legislative proposal ([11851/13](#)) is to ensure that greenhouse gas emissions from ships are monitored and reported as first step of a staged approach to reduce these emissions.

The proposed measure focuses on CO₂ emissions, which represent about 98% of the greenhouse gas emissions caused by the shipping sector. It would apply to large ships above 5000 Gross Tons (GT), which account for around 55% of the ships calling into Union ports and represent around 90% of the related emissions.

The EU MRV system should then serve as an example for the creation and implementation of a global MRV in the context of the International Maritime Organisation.

Aviation emissions - ICAO 38th Assembly

The Council took note of the information provided by the Commission on the outcome of the 38th ICAO General Assembly which was held in Montreal from 24 September to 4 October 2013 ([14586/13](#)).

OTHER ITEMS APPROVED
