



**COUNCIL OF
THE EUROPEAN UNION**



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PRESS RELEASE

3194th Council meeting

Environment

Luxembourg, 25 October 2012

President

Mr. Sofoclis ALETRARIS

Minister for Agriculture, Natural Resources and Environment
of Cyprus

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Main results of the Council

*The Council held a policy debate on the proposal for a regulation on **ship recycling**.*

The Council adopted conclusions on :

- *the follow-up to the **Rio+20** United Nations Conference on Sustainable Development, which was held in Rio de Janeiro in June 2012.*
- *the preparation for the 18th session of the United Nations Framework Convention on Climate Change (UNFCCC) and the 8th session of the meeting of the Parties to the Kyoto Protocol, which will take place in **Doha** (Qatar), from 26 November to 7 December 2012.*

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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.

PARTICIPANTS

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Minister for Agriculture, Food and the Environment

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Ms Delphine BATHO

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State Secretary for the Environment and Regional
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Mr Pedro AFONSO DE PAULO

Romania:

Ms Rovana PLUMB

Minister for the Environment and Forestry

Slovenia:

Mr Franc BOGOVIČ

Minister for Agriculture and the Environment

Slovakia:

Mr Peter ŽIGA

Minister for the Environment

Finland:

Ms Katariina POSKIPARTA

State Secretary

Sweden:

Ms Lena EK

Minister for the Environment

United Kingdom:

Lord de MAULEY

Parliamentary Under-Secretary of State for Resource
Management, the Local Environment and Environmental
Science
Secretary of State for Energy and Climate Change
Minister of Environment and climate Change (Scottish
Government)

Mr Edward DAVEY

Mr Paul WHEELHOUSE

Commission:

Ms Connie HEDEGAARD

Member

Mr Janez POTOČNIK

Member

The Government of the Acceding State was represented as follows:

Croatia

Mr Mihael ZMAJLOVIĆ

Minister for Environmental and Nature Protection

ITEMS DEBATED

Ship recycling

The Council held a policy debate on the proposal for a regulation on ship recycling ([8151/12](#)), which is aimed reducing significantly the negative impacts linked to the recycling of EU-flagged ships, especially in South Asia, without creating unnecessary economic burdens. The proposed regulation will facilitate the early implementation of the requirements of the Hong Kong Convention for the Safe and Environmentally Sound Recycling of Ships, which was adopted in May 2009 under the International Maritime Organization but which has not yet entered into force.

On the basis of a set of questions prepared by the Presidency ([14540/12](#)), ministers were asked to discuss in particular the effectiveness and enforceability of the proposed regulation, and its relation to the competitiveness of EU flags; the possibility to introduce or not requirements above and beyond the Hong Kong Convention and the detailed provisions on penalties, access to justice and enforcement contained in the proposal.

Many ministers generally welcomed the proposed regulation as a tool to promote the timely implementation of the Hong Kong Convention. Some of them, however, expressed serious concerns as to the appropriateness of regional measures in the current situation, where the Convention is not yet in force, and the possible consequences for the European fleet. Additionally, it was underlined that work has to continue on legally sound and enforceable solutions for some of the thorny issues raised in this complex proposal.

In relation to the second question, most ministers emphasized the need for the draft regulation to be consistent with the Hong Kong Convention and in particular for clear rules on the future review of the Regulation, once the Convention enters into force.

Finally, many ministers pointed out that they consider it inappropriate to include specific provisions on access to justice in the draft regulation as these are already covered by existing EU legislation or to specify measures on penalties, which are best left to member states.

The Commission noted the different views expressed and the Presidency indicated that it will prepare a progress report on this matter.

Rio + 20

After a debate, the Council adopted conclusions on the outcome and follow-up to the United Nations Conference on Sustainable Development (Rio+20) ([15477/12](#)), which was held in Rio de Janeiro in June 2012, looking at work to be done both at global and EU level.

These conclusions constitute the first official position by the Council on the assessment of the outcome of the Rio+20 Conference. They are also aimed at sending a political message that reaffirms the commitment of the EU and its member states to the Rio+20 follow-up process and provides guidance on a number of issues that are going to be discussed in the coming months.

The Council will continue to be closely involved and engaged in all the matters discussed during the meeting and in the follow-up and implementation of the Rio +20 outcome. The contribution and participation of civil society, private and public stakeholders, and of other EU institutions, including the European Economic and Social Committee and the Committee of the Regions, are recognised as highly valuable for future discussions.

Doha

The Council adopted conclusions ([15455/12](#)) in preparation for the 18th session of the United Nations Framework Convention on Climate Change (UNFCCC) and the 8th session of the meeting of the Parties to the Kyoto Protocol, which will take place in Doha (Qatar), from 26 November to 7 December 2012.

These conclusions set out the main elements of the EU position and assess progress made regarding the so-called "Durban package", which includes 3 negotiating strands:

- the Durban Platform track, agreed at the Durban Conference last year, which should result by 2015 in a global post-2020 agreement;
- the Kyoto Protocol track that should result in the adoption of a second commitment period;
- the (UNFCCC) Convention track which should resolve the outstanding issues.

The main elements of the EU position relate to the need to maintain the balance of the Durban package by advancing all its elements at the Doha Conference:

- Making significant progress on both work streams of the Durban Platform for Enhanced Action (a process with an agreed timeline to develop a protocol, another legal instrument or an agreed outcome with legal force under the Convention applicable to all Parties and another process to increase the level of global mitigation ambition in the period up to 2020)
- Finalising the outstanding issues in order to adopt a second commitment period under the Kyoto Protocol
- Closing the Convention track with meaningful outcomes on *inter alia* a new market-based mechanism and accounting

Any other business

- Nagoya Protocol on Access and Benefit Sharing of Genetic Resources (ABS)

The Council took note of information by the Commission on the proposal for a regulation on Access to Genetic Resources and the Fair and Equitable Sharing of Benefits Arising from their Utilization in the Union presented by the European Commission ([15383/12](#)).

The Commission adopted this proposal on 4 October 2012 ([14641/12](#)). The proposed regulation would oblige users of genetic resources to check that genetic resources and associated traditional knowledge have been accessed in accordance with the applicable legal requirements in the country of origin ("due diligence"), and that the benefits are fairly and equitably shared.

The regulation should be directly correlated with the entry into force of the Nagoya Protocol in order to ensure equal conditions at the Union and global levels in activities related to access and benefit sharing of genetic resources.

- Importance of EU legislation for meeting environmental objectives - the example of air quality

The Council took note of the information provided by the Belgian delegation concerning the role that the EU legislation plays in attaining environmental objectives, with particular regard to the example of air quality, which has a deep impact on our health and environment ([14811/12](#)).

- Need for consistent Union legislation on hazardous substances in textiles

The Council took note of the information given by the Swedish delegation regarding the benefits that could derive from EU work on common rules on the use of hazardous substances in the textile industry ([14905/12](#)).

- Guidelines for the mutual acceptance of low emission zones vignettes and the exchange of best practices

The Council took note of the information given by the Czech delegation concerning the benefits that would derive from a system of mutual recognition and exchange of best practices in the area of low emission vignettes within the EU, and inviting the Commission to consider non-binding guidelines on this ([14965/12](#)).

– ETS/aviation

The Council took note of oral information provided by the Commission regarding the latest update on the state of play on the inclusion of aviation activities in the EU/ETS, in particular within ICAO, as well as possible bilateral discussion with third countries.

– Timing of auctions of greenhouse gas allowances ("Backloading") – state of play

The Council took note of information provided by the Commission clarifying its expected comitology proposal concerning an amendment to Commission regulation 1031/2010 (the "Auctioning Regulation") and of the "backloading" option that the Commission is considering to put forward.

OTHER ITEMS APPROVED
