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Main results of the Council

*The Council reached a political agreement on a draft directive amending the current legislation (directive 2001/18/EC) as regards the possibility for member states to restrict or prohibit the **cultivation of genetically modified organisms (GMOs)** in their territory. The aim of the proposal is to provide a sound legal basis in the related EU legal framework in order to allow member states to restrict or prohibit the cultivation, in all or part of their territory, of GMOs that have been authorised or are under authorisation at EU level.*

*The Council held a public policy debate on a Commission communication for a **2030 framework for climate and energy policy**. The aim of the debate was to help define elements for the final package. The presidency will report on the outcome of the ministerial discussion to the President of the European Council with a view to the European Council meeting of 26-27 June 2014, which will take stock of progress towards final agreement by October 2014.*

*Ministers also held a first public policy debate on two legislative proposals (directives on medium-size combustion plants and on national emission ceilings), which are part of the **Clear Air Programme for Europe**. The aim of the programme is to further reduce the impacts of harmful emissions from industry, transport, energy plants and agriculture on human health and the environment.*

*In addition, the Council adopted conclusions on **Convention on Biological Diversity (CBD)**, with a view to preparing for the three CBD related international meetings to be held in Pyeongchang (Republic of Korea) in September - October 2014.*

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 - Documents for which references are given in the text are available on the Council's Internet site (<http://www.consilium.europa.eu>).
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ITEMS DEBATED

Cultivation of genetically modified organisms

The Council reached a political agreement on a draft directive amending directive 2001/18/EC as regards the possibility for member states to restrict or prohibit the cultivation of genetically modified organisms (GMOs) in their territory.

The aim of the proposal, that came as a response to the request addressed to the Commission by 13 member states in June 2009, is to provide a sound legal basis in the related EU legal framework in order to allow member states to restrict or prohibit the cultivation, in all or part of their territory, of GMOs that have been authorised or are under authorisation at EU level.

On 3 March 2014, the exchange of views held by the Environment Council confirmed the willingness of member states to re-open discussions on this legislative proposal on the basis of the presidency compromise text. Since then, the Hellenic presidency has convened several meetings of the ad hoc working party on GMOs, which showed that a new revised proposal could gather broad support.

The text agreed today includes in particular the following elements:

- the link between the first (EU level application of EU level authorisation) and the second phase (national application in every member state where cultivation is planned);
- the member state's request for adjustment of the geographical scope will be channelled exclusively via the Commission and no timely response is considered as a tacit agreement;
- a non-exhaustive list of possible grounds that can be used by member states to restrict or prohibit the authorisations was introduced, including, notably, environmental reasons, socioeconomic reasons, land use and town planning, agricultural policy objectives and public policy issues etc.;
- amendments were made in order to establish the set of deadlines and responsibilities governing the decisions relating to the adjustment of the geographical scope of the authorisation, including an additional opting out option based on new objective circumstances;
- in the interests of clarity, a number of transitional measures that can be adopted after the entry into force of the present legal act were established, in particular, until up to 6 months after the entry into force of the directive, a member state may request via the Commission to adjust the geographical scope of a notification/application granted under this directive or regulation 1829/2003 before the date of entry into force of this directive;

- no later than four years after the entry into force of the directive, the Commission will present a report to the European Parliament and to the Council on the use of this directive and its effectiveness, including on environmental risk assessments.

The new directive has no impact on the assessment process for GMOs made by the European Food Safety Agency under Directive 2001/18 and Regulation 1829/2003.

The Commission presented the GMO cultivation proposal in July 2010 ([12371/10](#) + [ADD 1](#)) with the aim of providing for a legal basis to allow member states to restrict or prohibit the cultivation of GMOs in their territory on grounds other than health and environment considerations, which had already been addressed during the EU authorisation process for GMOs. The proposal has been examined during several presidencies. The European Parliament adopted, at first reading, a set of amendments to the Commission proposal in July 2011. The Environment Council of 9 March 2012 was not able to reach a political agreement as a blocking minority of delegations still had concerns regarding certain issues.

Political agreement is to be followed by the formal adoption by Council of its position at first reading. The Italian Presidency is expected to start negotiations (in second reading) with the newly elected European Parliament in early autumn 2014.

2030 framework for climate and energy

The Council held a public policy debate on a Commission communication for a 2030 framework for climate and energy policy.

To structure the debate, the presidency proposed that the ministers focus on two issues ([10180/14](#)): the role of various economic sectors in cutting emissions and the investment needed for the implementation of the framework. The aim of the debate was to make progress on specific issues in order to help define elements for the final package.

The presidency will report on the outcome of the ministerial discussion to the President of the European Council with a view to the European Council meeting of 26-27 June 2014. The aim of the June European Council is to take stock of progress as regards final agreement by October 2014.

Since its publication in January 2014, the proposal for a 2030 climate and energy framework has been examined at all levels and in various different fora: the March Environment Council, the March European Council ([7/1/14 REV 1](#), paragraph 18) and the informal ministerial meeting held in Athens in May.

The Commission communication ([5644/1/14 REV 1](#)), presented on 22 January, suggests a framework for future EU energy and climate policies and is intended to launch a process to reach a shared understanding on how to develop these policies in future.

The main elements of the proposed framework include:

- a greenhouse gas emissions reduction target of 40% below 1990 levels, to be achieved only through domestic measures (without the use of international credits);
- a renewable energy target of at least 27% of energy consumption, with flexibility for member states to set national objectives;
- energy efficiency as a key component of the 2030 framework: a review of the energy efficiency directive will be concluded later in 2014.

The Commission also sets out a new governance system based on national plans for competitive, secure and sustainable energy, which will be drawn up by member states. In addition, it proposes a set of indicators intended to assess progress over time and to provide a factual basis for a potential policy response.

Clean Air Programme for Europe

Ministers held a first public policy debate on two legislative proposals (directives on medium-size combustion plants and on national emission ceilings), which are part of the Clear Air Programme for Europe.

The objective of the debate was to give ministers the opportunity to express their initial views and concerns on these proposals. The Hellenic presidency proposed to focus the debate on the main political issues, in particular on matters related to the scope such as flexibility and exemptions ([10112/14](#)).

As regards medium size combustion plants, there was much support for the proposal which will be crucial to achieve compliance with air quality standards. However, several delegations requested added flexibilities for specific situations and expressed concerns for small medium size combustion plants and the emission limit values proposed.

As regards national emission ceilings, while many delegations supported the stepwise approach and the coverage of all economic sectors, concerns were expressed on the level of ambition. Several delegations noted that further examination of the impacts of the proposed emission ceilings should be carried out, especially on the agricultural sector.

The Commission presented its clear air programme in December 2013. The package includes an update of existing legislation and imposes further limits on harmful emissions from industry, traffic, energy plants and agriculture. The aim is to reduce the impact of emissions on human health and the environment. The Programme was presented to the Council in March 2014.

Medium size combustion plants

Medium combustion plants are used for a wide variety of applications (including electricity generation, domestic/residential heating and cooling and providing heat/steam for industrial processes, etc.). They are an important source of emissions of sulphur dioxide, nitrogen oxides and particulate matter. The approximate number of medium combustion plants in the EU is 142,986.

The draft directive ([18170/13](#)) is designed to tackle air pollution at source as described in the 7th Environment Action Programme. It establishes emission limit values for medium size combustion plants, with a rated input equal to or greater than 1MW and less than 50 MW and, it distinguishes between new and existing plants as regards the date of implementation. Emission limit values for sulphur dioxide, nitrogen oxides and particulate matter are set depending on the different types of plants and fuels used. Certain combustion plants are exempted from the scope of the proposal, on the basis of their technical characteristics, their annual operating time or their use in particular activities.

National emission ceilings

The draft directive ([18167/13](#)) repeals and replaces the current EU regime on the annual capping of national emissions of air pollutants, as provided for in Directive 2001/81/EC. The aim is to integrate the EU's international commitments for 2020 under the Gothenburg Protocol as amended in 2012. It also sets out new reduction commitments for the period up to 2030. The objectives for national emissions of sulphur dioxide (SO₂), nitrogen oxides (NO_x), non-methane volatile organic compounds (NMVOC) and ammonia (NH₃) are maintained up to 2019. New reductions for all these pollutants and for particulate matter (PM_{2,5}) are set for the period 2020-2030 and reduction for methane (CH₄) are set for the period from 2030.

Convention on Biological Diversity

The Council adopted conclusions on the Convention on Biological Diversity (CBD) with a view to preparing for the three CBD related international meetings to be held in Pyeongchang (Republic of Korea) in September - October 2014. The full text of the conclusions can be found [here](#).

The conclusions will allow the EU to have a solid negotiating position at the 12th meeting of the Conference of the Parties (COP 12) to the CBD that will take place in Pyeongchang from 6 to 17 October 2014. Key topics to be discussed are, for instance, the Strategic Plan for Biodiversity 2011-2020, resource mobilisation and marine and coastal biodiversity.

The conclusions also summarise the EU's priorities for the seventh meeting of the Conference of the Parties serving as the meeting of the Parties to the Cartagena Protocol on Biosafety (COP-MOP 7), which will be held from 29 September to 3 October 2014. The meeting will be an important step for the consolidation of activities under the Cartagena Protocol and its improved implementation.

If the Nagoya Protocol on Access and Benefit Sharing enters into force by July, the first meeting of the Conference of the Parties serving as the meeting of the Parties to the Nagoya Protocol (COP-MOP 1) will take place from 6 to 17 October 2014. With the conclusions, the EU will be ready to engage in this field and share its experience with the implementation of this new international agreement.

In the conclusions the Council confirms, for instance, that the EU and its member states are strongly committed to the implementation of the Convention on Biological Diversity (CBD) and its related Protocols as well as the implementation of the decisions adopted by their governing bodies, in particular the Strategic Plan for Biodiversity 2011-2020 and its Aichi Targets. In addition, the Council calls for the objectives of the CBD and those of the Strategic Plan and its Aichi Targets to be reflected, as appropriate, in the Sustainable Development Goals targets and indicators. The Council stresses the need for the post-2015 framework to support the conservation and sustainable use of biodiversity and to tackle the causes of biodiversity loss.

OTHER BUSINESS

– ***CO2 emissions from maritime transport***

The presidency briefed the Council on the state of play of a draft regulation setting up a system to monitor, report and verify CO2 emissions from maritime transport ([10275/14](#)).

After the exchange of views on the proposal at the Environment Council in December 2013, the work on the proposal continued at a working party level. The Hellenic presidency achieved a significant progress on this proposal in relation to its most technical aspects. However, more work is still needed on a number of broader political issues.

The Commission presented its legislative proposal ([11851/13](#)) in July 2013. Its purpose is to ensure that greenhouse gas emissions from ships are monitored and reported as the first step of a staged approach to reducing 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 all ships above 5000 gross tons, which account for around 55% of the ships calling into Union ports and represent around 90% of the related emissions.

The EU system for monitoring, reporting and verifying those emissions could then serve as an example for the creation and implementation of a global system in the context of the International Maritime Organisation.

The European Parliament adopted its position at first reading in April 2014.

– ***Doha amendment to the Kyoto Protocol***

The presidency briefed the Council on the state of play of the draft decision on the conclusion of the Doha amendment to the Kyoto Protocol.

At the Doha Climate Change Conference in December 2012, the 192 Parties to the Kyoto Protocol to the United Nations Framework Convention on Climate Change adopted an amendment to the Protocol. This "Doha Amendment" extends the Kyoto Protocol from 2013 to 2020 and sets a date of 2015 for the developments of a successor document to be implemented from 2020. The Doha amendment will enter into force once three quarters of the 192 Parties have ratified it. Ratification of the Doha Agreement by the EU and its member states is necessary to help to ensure its formal entry into force as an international agreement. In November 2013, the Commission made proposals for a legislative package to allow this ratification and its technical implementation. According to the Commission, a timely ratification in early 2015 would enhance the credibility of the EU and its member states in the UN climate negotiations.

– ***Plastic carrier bags***

The presidency briefed the Council on the state of play of the proposal for a directive to reduce the consumption of lightweight plastic carrier bags ([10142/14](#)).

Since the presentation of the proposal in the December 2013 Environment Council, the proposal was examined in the Working Party on Environment at several occasions.

The European Parliament, in its opinion voted in April 2014, called for the adoption of ambitious reduction targets, putting a price on plastic bags and banning the use of dangerous chemicals in their production line.

The main changes to the proposal introduced by the presidency so far, reflect in particular some of the European Parliament's concerns while respecting the need for a flexible approach to take account of the variable and specific situations in member states.

The Commission's proposal ([15845/13](#)) proposal is a response to the discussion which took place at the Environment Council in March 2011, when the Commission was invited to analyse possible action against plastic bag consumption. Its objective is to limit negative impacts of plastic carrier bags' littering on the environment, to encourage waste prevention and a more efficient use of resources, while limiting negative socio-economic impacts.

The Commission's proposal aims in particular at reducing the consumption of plastic carrier bags with a thickness of below 50 microns (0.05 millimeters), as these are less frequently reused than thicker ones. According to the Commission, in 2010, over 8 billion plastic carrier bags were discarded as litter in the European Union. They accumulate in the environment, in particular in the form of marine litter. Once discarded, plastic carrier bags can last for hundreds of years before being totally degraded.

– ***International meetings and events***

The Council was briefed by the presidency and the Commission on international meetings and events that have taken place during the Hellenic presidency.

The briefing covered, amongst other issues, the third Meeting of the Open-ended Ad Hoc Intergovernmental Committee for the Nagoya Protocol on Access and Benefit Sharing (Pyeongchang, 24-28 February), first preparatory meeting of the UN Environment Assembly (Nairobi, 24-28 March) and the sixth Meeting of the Parties to the Espoo Convention in conjunction with the Second meeting of the Parties to the Strategic Environmental Assessment Protocol (Geneva, 2-5 June).

– ***Endocrine disruptors***

The French delegation, supported by the Austrian, Belgium, Danish, Polish and Swedish delegations, drew attention of the Council to the risks posed by endocrine disruptors ([10247/14](#)). The French delegation outlined its new national strategy on this topic.

As indicated in the French delegation's note, certain everyday products and articles, such as detergents, plastics, cosmetics, textiles and paints, contain substances with endocrine-disrupting properties. Endocrine disruptors include many chemicals that can interfere with hormonal regulation in living creatures and affect reproduction, growth, development and behaviour, *etc.* Given the now-documented effects on human health and the environment, action must be taken to prevent risks and limit exposure, in particular of vulnerable individuals such as pregnant women and young children.

The French government strategy's objective is to reduce exposure of individuals and the environment to endocrine disruptors, making use of all available means of action: scientific research, application and monitoring, substance expertise, substance regulation and alternatives, training and dissemination of information.

– ***Highly fluorinated substances***

The Swedish delegation briefed the Council on the potential environment and health risks linked to the use of certain perfluorinated chemicals and called on the Commission to develop an action plan for highly fluorinated substances (PFASs) ([10274/14](#)).

As indicated in the Swedish delegation's note, poly- and perfluorinated alkylated substances include hundreds of chemicals and have become widespread in our society through their use in a large number of consumer products (e.g. textiles, kitchenware, shoes, floor wax and fire extinguishing agents). All perfluorinated substances are extremely persistent in the environment and some are bioaccumulative and toxic.

The Commission noted that knowledge on this issue is incomplete and that in order to avoid substituting one PFAS with another equally harmful, the coherent and coordinated approach is needed. The Commission has already taken steps by asking the European Chemical Agency to develop risk based grouping of such substances.

– *Work programme of the incoming presidency*

The Italian delegation presented the incoming presidency's work programme for the environment sector.

The Italian presidency will focus in particular on the following legislative proposals: draft directive on the cultivation of the genetically modified organisms, draft regulation on CO₂ emissions from maritime transport, draft decision on the conclusion of the Doha amendment to the Kyoto Protocol, draft decision on market stability reserve for the EU ETS, draft directive to reduce consumption of plastic carrier bags and medium size combustion plants proposal under the Clear Air Package.

The informal ministers' meeting will take place on 16 and 17 July 2014 in Milan and the Environment Council will take place on 28 October 2014 in Luxembourg.

OTHER ITEMS APPROVED

GENERAL AFFAIRS

Tax reductions for spirits locally produced in Madeira and the Azores

The Council adopted a decision authorising Portugal to apply a reduced rate of excise duty in the autonomous region of Madeira on locally produced and consumed rum and liqueurs and in the Azores on locally produced and consumed liqueurs and eaux-de-vie ([9257/14](#)).

The measure is designed to avoid endangering the development of the two outermost regions which are faced with high prices for raw materials and smaller output from the processing of sugar cane due to the topography, climate, soil and artisanal production. The decision applies from 1 July 2014 to 31 December 2020.

Tax exemptions and reductions on products from French overseas departments

The Council adopted a decision authorising France to apply for further six months, until 31 December 2014, exemptions or reductions to dock dues tax on certain products that are produced locally in the French overseas departments ([9261/14](#)).

The additional period allows the Commission to complete its analysis of a French request for applying differentiated taxation similar to the current system until 31 December 2020. The tax exemptions and reductions are designed to help the French overseas department to compensate their national handicaps which increase their production costs.

Tax exemptions and reductions for local products of the Canary Islands

The Council adopted a decision authorising Spain to apply until 31 December 2020 exemptions or reductions to the tax known as "Arbitrio sobre las Importaciones y Entregas de Mercancias en las Islas Canarias" (AIEM) for products produced locally in the Canary Islands ([9260/14](#)).

This measure is aimed at offsetting the natural handicaps of the Canary Islands, such as the high dependence of their economy on the services sector, their isolation and a result of this higher production costs, as well as the small size of the market.

COMMON SECURITY AND DEFENCE POLICY

EULEX Kosovo

The Council extended the EU rule of law mission in Kosovo (EULEX KOSOVO) until 14 June 2016 and approved the mission's budget for the transitional period from 15 June until 14 October 2014, which amounts to € 34 million.

JUSTICE AND HOME AFFAIRS

Eurojust annual report - *Conclusions*

The Council adopted conclusions on the Eurojust Annual Report 2013.

The text is set out in document [8942/2/14 REV 2](#).

EUROPEAN ECONOMIC AREA

Amendment to protocol 31 to the EEA agreement (civil protection mechanism)

The Council adopted a decision on the position to be adopted, on behalf of the EU, in the EEA joint committee concerning an amendment to protocol 31 to the EEA agreement.

The amendment is necessary so that decision No 1313/2013/EU on a Union civil protection mechanism can be included in the EEA agreement ([8970/14](#)).

Amendment to protocol 30 to the EEA agreement

The Council adopted a decision on the position to be adopted, on behalf of the EU, in the EEA joint committee concerning an amendment to protocol 30 to the EEA agreement.

The amendment concerns specific provisions on the organization of cooperation in the field of statistics ([9184/14](#)).

DEVELOPMENT COOPERATION

Relations with ACP states

The Council approved the annotated agenda for the 39th ACP-EU Council of Ministers, which will take place in Nairobi (Kenya) on 19-20 June 2014. Migration, the post-2015 framework, EU support to ACP private sector development and trade cooperation are among the issues to be discussed.

FISHERIES

Position of the EU in several international fisheries management commissions

The Council adopted decisions on the positions to be adopted, on behalf of the EU:

- for the **Conservation and Management of Highly Migratory Fish Stocks in the Western and Central Pacific Fisheries Commission (WCPFC)**. The WCPFC is responsible for the adoption of measures designed to ensure the long-term conservation and sustainable use of highly migratory fish stocks (including tuna and tuna-like fishes) in the convention area and to safeguard the marine eco-systems in which these resources occur.
- in the **Commission for the Conservation of Southern Bluefin Tuna (CCSBT)**. The EU has been a Cooperating Non-Member of the CCSBT since 2006 but is bound to implement its decisions. The CCSBT may, on the basis of scientific evidence, make decisions designed to maintain the populations of southern bluefin tuna at levels which will ensure the long-term sustainability of those stocks. Southern bluefin tuna are large, fast swimming, pelagic fish found throughout the southern hemisphere mainly in waters between 30 and 50 degrees south.
- in the **Inter-American Tropical Tuna Commission (IATTC)**. The IATTC is an international commission responsible for the adoption of measures designed to ensure the long-term conservation and sustainable use of tuna and other marine resources in the eastern Pacific Ocean.
- in the **South East Atlantic Fisheries Organisation (SEAFO)**. The SEAFO Commission is a regional fisheries management organisation responsible for the adoption of conservation and management measures designed to ensure the long-term conservation and sustainable use of the fishery resources in the SEAFO convention area and to safeguard the marine eco-systems in which these resources occur.

Measures decided in those bodies may become binding upon the EU.

Partnership between EU and Mozambique - Negotiations for a renewal of the protocol

The Council adopted a decision authorising the Commission to open negotiations on behalf of the EU for a renewal of the protocol to the fisheries partnership agreement (FPA) with Mozambique.

The current protocol should apply until January 2015. The new protocol between the EU and Mozambique should be in line with the Council conclusions of 19 March 2012 on the Commission communication of 13 July 2011 on the external dimension of the Common Fisheries Policy (CFP) as well as Regulation No 1380/2013 on the CFP¹.

¹ [OJ L 354/2013, p. 22.](#)