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Eingelangt am 20/07/11

**COUNCIL OF  
THE EUROPEAN UNION**

**Brussels, 4 May 2011**

**7730/11  
ADD 1**

**PV CONS 15  
ENV 199**

**ADDENDUM to DRAFT MINUTES**

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Subject: **3075th** meeting of the Council of the European Union (**ENVIRONMENT**), held  
in Brussels on 14 March 2011

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## PUBLIC DELIBERATION ITEMS<sup>1</sup>

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<sup>1</sup> Deliberations on Union legislative acts (Article 16(8) of the Treaty on European Union), other deliberations open to the public and public debates (Article 8 of the Council's Rules of Procedure).

## **LEGISLATIVE DELIBERATIONS**

*(public deliberation in accordance with Article 16(8) of the Treaty on European Union)*

### **"A" ITEMS**

- 1. Regulation of the European Parliament and of the Council amending Council Regulation (EC) n° 377/2004 on the creation of an immigration liaison officers network**  
PE-CONS 68/10 FRONT 169 CIREFI 11 COMIX 844 CODEC 1579

The Council approved the amendment set out in the European Parliament's position at first reading and adopted the proposed act amended accordingly, with the Irish and the United Kingdom delegations abstaining, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 79(2)(c) and Article 74 of the TFEU).

#### **Declaration by the United Kingdom**

"To the extent that the Regulation develops provisions of the Schengen acquis in which the United Kingdom participates, the United Kingdom is taking part in accordance with Article 5(1) of Protocol No. 19 on the Schengen acquis integrated into the framework of the European Union, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and Article 8(2) of Council Decision 2000/365/EC of 29 May 2000, concerning the request of the United Kingdom of Great Britain and Northern Ireland to take part in some of the provisions of the Schengen acquis.

To the extent that the Regulation develops provisions of the Schengen acquis in which the United Kingdom does not participate, the United Kingdom is not taking part.

To the extent that the Regulation does not develop provisions of the Schengen acquis, the United Kingdom is taking part in accordance with Protocol No.21 on the position of the United Kingdom and Ireland in respect of the area of Freedom, Security and Justice, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, having notified by letter of 6 October 2009 to the President of the Council under Article 3(1) thereof its wish to take part in the adoption and application of this Regulation to the extent that it does not develop provisions of the Schengen acquis."

#### **Declaration by Ireland**

"To the extent that the Regulation develops provisions of the Schengen acquis in which Ireland participates, Ireland is taking part in accordance with Protocol No. 19 on the Schengen acquis integrated into the framework of the European Union, annexed to the Treaty on European Union and to the Treaty on the Functioning of the European Union, and Article 6(2) of Council Decision 2002/192/EC of February 2002, concerning the request by Ireland to take part in some of the provisions of the Schengen acquis.

To the extent that the Regulation develops provisions of the Schengen acquis in which Ireland does not participate, Ireland is not taking part.

To the extent that the Regulation does not develop the provisions of the Schengen acquis, Ireland reserves the right, subject to Parliamentary approval as required by the Constitution of Ireland, to exercise the option provided for in Article 4 of Protocol 21 on the Position of the United Kingdom and Ireland in respect of the area of Freedom, Security and Justice annexed to the Treaty on the European Union and the Treaty on the Functioning of the European Union."

### AGENDA ITEMS

#### **3. Proposal for a Directive of the European Parliament and of the Council on waste electrical and electronic equipment (WEEE) - (recast)**

(Legal basis proposed by the Commission: Article 192(1) of the TFEU)

- Political agreement  
17367/08 ENV 1022 MI 554 CODEC 1863  
7042/11 ENV 142 MI 98 CODEC 311  
+ ADD 1

The Council reached unanimously a political agreement on the Proposal on the basis of a Presidency compromise. Italy declared its intention to abstain at the time of formal adoption. The Commission declared it could not support the political agreement. The text, set out in 7851/11, will be adopted by the Council at a further meeting after legal/linguistic finalization and will be transmitted to the European Parliament for its second reading during the second half of 2011.

#### **4. Proposal for a Regulation of the European Parliament and of the Council amending Directive 2001/18/EC as regards the possibility for the Member States to restrict or prohibit the cultivation of GMOs in their territory**

- Exchange of views  
12371/10 ENV 499 AGRILEG 100 AGRI 271 MI 254 DENLEG 71  
CODEC 714 ADD 1  
7123/11 ENV 153 AGRILEG 26 AGRI 178 MI 103 DENLEG 35 CODEC 323

Based on a Presidency Note (doc. 7123/11), the Council exchanged views on possible justifications that would allow Member States to restrict the cultivation of authorised genetically modified organisms (GMOs) in their territory, following the indicative list of such grounds provided by the Commission (doc. 16826/10 ADD1).

The views continued to be divergent: a number of delegations felt that this list was a good basis for further work, while some other delegations were concerned about its legal compatibility with WTO and internal market rules.

Following the request of several delegations, the Council Legal Service indicated that it was ready to contribute to the assessment to be conducted at Working Party level, orally and in writing, if it will be asked to do so.

**NON LEGISLATIVE ACTIVITIES - PUBLIC DEBATES**  
*(in accordance with Article 8(2) of the Council's Rules of Procedure)*

**9. Contribution to the EU Semester**

- Exchange of views

(Public debate pursuant to Article 8(2) CRP [proposed by the Presidency])

18066/10 ECOFIN 866 COMPET 443 SOC 858 ENV 878 EDUC 235 RECH 426

ENER 372

+ REV 1 (fr)

+ ADD 1

+ ADD 2

+ ADD 3

6611/1/11 ENV 101 ECOFIN 75 COMPET 43 SOC 134 EDUC 33 RECH 29

ENER 27 REV 1

The Council had an exchange of views on the basis of Presidency questions related to the Europe 2020 objectives. During the debate delegations welcomed the opportunity to contribute to the promotion of a sustainable, resource efficient and competitive economy in line with the objectives of the Europe 2020 Strategy. In general they highlighted the role of National Reforms Programmes, implementation of the climate and energy package, an integrated approach, the sectoral and regional differentiation and voiced support for phasing out of environmentally harmful subsidies.

The Commission was invited to come up with an ambitious Roadmap for Resource Efficient Europe as soon as possible.

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