



**COUNCIL OF  
THE EUROPEAN UNION**

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ADD 1**

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ENV 995**

**ADDENDUM to DRAFT MINUTES**

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Subject: **3139th** meeting of the Council of the European Union (**ENVIRONMENT**), held  
in Brussels on 19 December 2011

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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. Council Regulation temporarily suspending autonomous Common Customs Tariff duties on imports of certain industrial products into the Canary Islands**  
17977/11 POSEICAN 19 REGIO 146 INST 601 UD 351 OC 46  
+ REV 1 (fi)

The Council adopted the above Regulation (Legal basis: Article 349 of the TFEU).

- 2. Council Decision amending Decision 2002/546/EC as regards its period of application**  
17993/11 POSEICAN 20 REGIO 147 OC 47

The Council adopted the above Decision (Legal basis: Article 349 of the TFEU).

- 3. Council Decision amending Decision 2007/659/EC as regards its period of application and the annual quota benefiting from a reduced rate of excise duty**  
17995/11 POSEIDOM 20 REGIO 148 OC 48

The Council adopted the above Decision (Legal basis: Article 349 of the TFEU).

- 4. Proposals for a Council Directive and Regulation as regards the VAT treatment of insurance and financial services**
  - Presidency progress report  
18650/11 FISC 170

The Council took note of the progress report from the Presidency as set out in doc. 18650/11.

## AGENDA ITEMS

### **3. Proposal for a Directive of the European Parliament and of the Council on control of major-accident hazards involving dangerous substances**

- Progress report  
18257/10 ENV 892 IND 190 PROCIV 190 CODEC 1586  
18354/11 ENV 942 IND 173 PROCIV 167 CODEC 2368

The Council took note of the progress report, contained in document 18354/11, about ongoing work on the above-mentioned proposal. The Commission made a statement as set out hereafter.

#### **Statement by the Commission**

"The Commission notes that its position is not correctly recorded in the Presidency progress report and recalls its reservations on the debate so far on a number of issues listed under point V, in particular on the Commission's power to adopt delegated acts and the exclusion of correlation tables, which should be rather listed under point VI among the main outstanding issues."

### **4. Proposal for a Regulation of the European Parliament and of the Council concerning the export and import of hazardous chemicals (recast)**

- Progress report  
9896/11 ENV 344 WTO 202 MI 246 CODEC 777  
18371/11 ENV 946 WTO 478 MI 655 CODEC 2373

The Council took note of the progress report, contained in document 18371/11, about ongoing work on the above-mentioned proposal. The Commission made a statement as set out hereafter.

#### **Statement by the Commission**

"The Commission notes that the Presidency progress report does not correctly reflect its position as expressed in the discussions in Council bodies and recalls the importance of respecting the correct modalities for external representation of the Union as set out in the Treaty and as reflected on the basis of its original proposal and does not share the view that there is a joint responsibility for the participation of the Union in the Rotterdam Convention on Prior Informed Consent as referred to in the progress report from the Presidency."

**5. Proposal for a Directive of the European Parliament and of the Council amending Directive 1999/32/EC as regards the sulphur content of marine fuels**

- Progress report

12806/11 ENV 612 MAR 100 MI 360 CODEC 1197

18359/11 ENV 944 MAR 161 MI 654 CODEC 2370

The Council took note of the remarks made by delegations and of the intervention by the Commission, on the basis of the Presidency's progress report on the ongoing work on the above-mentioned proposal.

**NON LEGISLATIVE ACTIVITIES - ADOPTIONS**

*(in accordance with Article 9(1) of the Council's Rules of Procedure)*

**"A" ITEMS**

**14. Council Regulation amending Regulation (EU) No 7/2010 opening and providing for the management of autonomous tariff quotas of the Union for certain agricultural and industrial products**

18122/11 TDC 26 OC 79

The Council adopted the above Regulation (Legal basis: Article 31 of the TFEU).

**15. Council Regulation suspending the autonomous Common Customs Tariff duties on certain agricultural, fishery and industrial products and repealing Regulation (EC) No 1255/96**

18131/11 TDC 28

+ REV 1 (bg)

+ COR 1 (pl)

The Council adopted the above Regulation (Legal basis: Article 31 of the TFEU).

**Statement by the Council**

"The tariff suspension related to dried and sweetened cranberries shall be reviewed before the end of 2012. The Council requests the Commission to assess the methods to be followed in order to guarantee the proper use of the imported goods benefitted from the tariff suspension. In this regard, the Commission is invited to elaborate a questionnaire to be filled in by the national Customs Administration, in view of a discussion to be hold in the Economic Tariff Questions Group, during the second quarter of 2012. The Commission shall report the results of this discussion to the Working Party on Customs Union in September 2012 at the latest."

**22. Council Regulation (Euratom) laying down the rules for the participation of undertakings, research centres and universities in indirect actions under the Framework Programme of the European Atomic Energy Community and for the dissemination of research results (2012-2013)**

17506/11 RECH 391 ATO 143 COMPET 557

The Council adopted the above Regulation (Legal basis: Articles 7 and 10 of the TFEU).

**NON LEGISLATIVE ACTIVITIES - PUBLIC DEBATES**

*(in accordance with Article 8(2) of the Council's Rules of Procedure)*

**7. EU Biodiversity Strategy to 2020: towards implementation**

*(proposed by the Belgian delegation)*

- Adoption of Council conclusions

9658/11 ENV 327 AGRI 337 DEVGEN 131 PI 39 FORETS 39

PECHE 112 RECH 94 ONU 71

+ REV 1 (fr, de)

18374/11 ENV 947 AGRI 864 DEVGEN 338 PI 184 FORETS 86 PECHE 390

RECH 430 ONU 152 CADREFIN 188

The Council adopted the conclusions contained in document 18862/11.

The Commission made a statement as set out hereafter.

**Statement by the Commission**

"The Commission attaches high importance to the effective integration of biodiversity into the key sectoral policies. The EU Biodiversity Strategy to 2020 includes specific integration targets and actions, in particular in relation to agriculture, forests and fisheries. As stated by the Council over the past two years, further integrating and mainstreaming biodiversity into all relevant policies needs to be significantly strengthened, particularly considering the benefits that biodiversity and ecosystem services provides for a large number of sectors.

Maintaining and restoring agriculture and forest biodiversity is a precondition to attain our biodiversity objectives. Therefore, the Commission can only regret the absence of ambition of these conclusions on agriculture integration. More specifically, the Commission regrets the deletion of all concrete indications on the required way forward to strengthen the contribution of the Common Agriculture Policy to biodiversity objectives.

As highlighted in its proposals on the reform of the Common Agriculture Policy, the Commission reiterates the importance for biodiversity of maintaining permanent grasslands; of protecting and supporting Ecological Focus Areas; and of ensuring crop diversification; and emphasises in this context the importance of action at farm level. The Commission further underscores the importance of incorporating biodiversity elements – in particular in relation to Natura 2000, High Nature Value farming and the protection and restoration of wider biodiversity – into rural development, and of recognising the value of ecosystem services provided by farmers. These priorities will continue to guide the Commission's position in inter-institutional discussions on the reform of the Common Agriculture Policy."

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