



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 14 June 2012

**7488/12
ADD 1**

**PV CONS 13
ENV 197**

ADDENDUM to DRAFT MINUTES

Subject: **3152nd** meeting of the Council of the European Union (**ENVIRONMENT**),
held in Brussels on 9 March 2012

PUBLIC DELIBERATION ITEMS¹

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¹ 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)

6. 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

(Legal basis proposed by the Commission: Article 114 of the TFEU)

- Political agreement

12371/10 ENV 499 AGRILEG 100 AGRI 271 MI 254 DENLEG 71
CODEC 714 ADD 1

7153/12 ENV 166 AGRILEG 28 AGRI 121 MI 141 DENLEG 23 CODEC 537

The Council focused its debate on a compromise proposal drawn up by the Presidency (doc. 7153/12) in the light of discussions held by COREPER on 29 February 2012.

Although a large number of delegations and the Commission supported the Presidency's text, the Council was not able to reach a political agreement, as a blocking minority opposed to the related text. One delegation indicated that it would be able to vote in favour of the compromise text in June.

Delegations opposing the proposal reiterated doubts already raised in previous discussions, notably non compatibility with WTO and internal market rules, lack of legal certainty for national restrictive measures and the threat to the scientific credibility of the Risk Assessment carried out at EU level by the European Food Safety Authority (EFSA).

The Presidency will examine if there is room for a qualified majority at the "Environment" Council in June 2012. In such a case, the Council will be called upon to find a political agreement.

7. Proposal for a Regulation of the European Parliament and of the Council on the establishment of a Programme for the Environment and Climate Action (LIFE)

- Orientation debate

18627/11 ENV 976 ENER 410 CADREFIN 207 CODEC 2445

+ REV 1 (el)

6820/12 ENV 140 ENER 68 CADREFIN 108 CODEC 465

The Council held an orientation debate on the abovementioned proposal on the basis of two questions prepared by the Presidency. The Ministers discussed two key issues: geographical balance and simplification, including co-financing rates.

Most Member States believed that the concept of "geographical balance" was relevant for the distribution of Integrated Projects, although many Member States would prefer the concept to be clarified further and specific criteria for the implementation of "geographical balance" to be included in the regulation. Several Member States considered that the merit and quality should remain the first criterion for distribution of projects, in particular of "traditional projects". However, some Member States requested geographical balance to apply to all types of projects while others preferred to keep national allocations, as in the existing LIFE+ Regulation.

Most Member States were in favour of a simplification of procedures, however not at the cost of VAT and permanent staff costs being made ineligible for funding. In fact, many Member States would like to maintain VAT and permanent staff cost as eligible costs even if that would entail a decrease in co-financing rates, although some ministers expressed concern that this would lead to a decrease in proposals for projects.

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