



Council of the
European Union

137440/EU XXV. GP
Eingelangt am 21/03/17

Brussels, 21 March 2017
(OR. en)

6835/17
ADD 1

PV/CONS 10
ENV 214
CLIMA 50

DRAFT MINUTES

Subject: **3522nd** meeting of the Council of the European Union (**Environment**),
held in Brussels on 28 February 2017

PUBLIC DELIBERATION ITEMS¹

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LEGISLATIVE DELIBERATIONS

"B" ITEMS (6419/17 OJ CONS 10 ENV 147 CLIMA 41)

3. Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/87/EC to enhance cost-effective emission reductions and low-carbon investments [First reading] 3
6. Any other business 4
 - a) Current legislative proposal

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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)

3. Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/87/EC to enhance cost-effective emission reductions and low-carbon investments (First reading)

Interinstitutional file: 2015/0148 (COD)

= General approach

6307/17 CLIMA 37 ENV 134 ENER 44 TRANS 63 IND 38 COMPET 93 MI 131
ECOFIN 91 CODEC 212

11065/15 CLIMA 88 ENV 499 ENER 289 TRANS 241 IND 116
COMPET 370 MI 498 ECOFIN 621 CODEC 1059

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The Council reached agreement on a general approach to the above-mentioned proposal. The text as agreed following the discussion at Council was issued in 6841/17.

Croatia requested a statement to be recorded in the Council minutes as set out below.

Statement by Croatia

"The Republic of Croatia in principle supports the goals and objectives of the Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/87/EC to enhance cost-effective emission reductions and low-carbon investments, since we deem that this Proposal is of crucial importance for the EU climate policy, as well as for the successful implementation of the Paris Agreement.

However, the Republic of Croatia believes that the current text of the Directive 2003/87/EC, as well as the current Proposal for a Directive amending Directive 2003/87/EC puts Croatia into unequal position when it comes to the total quantity of allowances to be auctioned by each Member State.

Therefore, the Republic of Croatia considers it necessary to amend Article 10, paragraph 2, subparagraph 2 of the Directive 2003/87/EC, since the existing provision does not cover the calculation of Croatian part of the auctioning rights. The said provision stipulates which verified emissions should be used by the Member states which did not participate in the Community scheme in 2005. In this regard, the Republic of Croatia has put forward a proposal to delete the words "under the Community scheme" in Article 10, paragraph 2, subparagraph 2 of the Directive 2003/87/EC.

The above proposed amendment is required in order to avoid possible different interpretations regarding the application of the provisions of the Directive 2003/87/EC on the Republic of Croatia and accordingly, ensure consistent and uniform application of Article 10, paragraph 2, point (a) of the Directive in all Member States, including the Republic of Croatia."

6. Any other business

a) Current legislative proposal

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

- **Proposal for a Regulation of the European Parliament and of the Council amending Directive 2003/87/EC to continue current limitations of scope for aviation activities and to prepare to implement a global market-based measure from 2021 (First reading)**

Interinstitutional file: 2017/0017 (COD)

= Information from the Commission

The Commission presented its recent proposal concerning aviation within the EU ETS.

The Council took note of the information provided by the Commission.
