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"I/A" ITEM NOTE

From: General Secretariat of the Council

To: Permanent Representatives Committee/Council

Subject: Proposal for a Decision of the European Parliament and of the Council on a General Union Environment Action Programme to 2020 "Living well, within the limits of our planet" (**first reading**)

- Adoption of the legislative act (**LA + S**)
= Statements

Statement by Malta, the United Kingdom, Slovenia and Cyprus

‘In the spirit of compromise, Malta, the United Kingdom, Slovenia and Cyprus can accept the position of the European Parliament at first reading adopted on 24 October 2013 on the proposal on a General Union Environment Action Programme to 2020 “Living well, within the limits of our planet”, insofar as it reflects the outcome of the informal trilogue on 19 June 2013, which was subsequently endorsed by Coreper on 26 June 2013.

However, Malta, the United Kingdom, Slovenia and Cyprus are still concerned with respect to references to the setting of targets on land use found in paragraphs 25 and 28(vi) of the Annex. The setting of key objectives for land use is already being discussed in the context of the Territorial Cohesion and Urban Development portfolios. Malta, the United Kingdom Slovenia and Cyprus believe that the application of such targets should remain the prerogative of Member States in view of the specificities and diversities of territories.’

Statement by Germany

From the 2010 Council Conclusions onwards, Germany was among those Member States urging the European Commission to come up with a 7th Environmental Action programme (7th EAP). Germany was also among those delegations which also proposed different improvements to the text and showed a maximum of flexibility throughout. However, Germany is among those Member States which maintain the view that the proposed Directive of the European Parliament and of the Council establishing a Framework for the Protection of Soil and amending Directive 2004/35/EC as put forward by the European Commission in 2006 does not represent a proportionate, adequate and forward-looking instrument for soil protection at an EU level.

National or regional approaches aimed at soil protection vary widely due to highly differentiated patterns of agriculture, forestry and land use. Albeit to varying degrees across the EU, progress has already been made to ensure soil protection, including contaminated site identification and the development of monitoring systems. Emphasis should be placed on strengthening these efforts by sharing best practise examples and further development of guidelines, taking full account of regional differences and the principle of subsidiarity.

Statement by France, Malta, the Netherlands, Austria and the United Kingdom

France, Malta, the Netherlands, Austria and the United Kingdom are among those delegations which support the outcome of the informal trilogues regarding a 7th Environmental Action programme (7th EAP). France, Malta, the Netherlands, Austria and the United Kingdom were also among those delegations which also proposed different improvements to the text and showed a maximum of flexibility throughout the negotiations. It is in the spirit of a compromise that we are able to support the wording of the proposed 7th EAP with regard to a Soil Framework Directive. However, France, Malta, the Netherlands, Austria and the United Kingdom are among those delegations which also maintain the view that the proposed Directive of the European Parliament and of the Council establishing a Framework for the Protection of Soil and amending Directive 2004/35/EC as put forward by the European Commission in 2006 does not represent a proportionate, adequate and forward-looking instrument for soil protection at EU level.

National or regional approaches aimed at soil protection vary widely due to highly differentiated patterns of agriculture, forestry and land use. Albeit to varying degrees across the EU, progress has already been made to ensure soil protection, including contaminated site identification and the development of monitoring systems. Emphasis should be placed on strengthening these efforts by sharing best practice examples and further development of guidelines, taking full account of regional differences and the principles of subsidiarity and proportionality.

Statement by the Czech Republic, Hungary and Poland

The Czech Republic, Hungary and Poland are not in a position to align themselves with the wording of paragraph 33 of the Annex of the Decision of the European Parliament and of the Council on a General Union Environment Action Programme to 2020 relating to the EU climate and energy framework beyond 2020, which states that “*the EU needs to provide a clear legally-binding framework and target(s) to make the medium- and long-term investments needed in emissions reduction, energy efficiency and renewable energy. Hence the Union needs to consider policy options to make the transition to a low-carbon economy in a gradual, cost-effective way, taking into account the indicative milestones set out in the Low-Carbon Economy Roadmap to 2050, which should serve as the basis for further work. The Green Paper on a 2030 framework for climate and energy policies¹ represents an important step in this regard.*”

According to the Czech Republic, Hungary and Poland this formulation is not consistent with paragraph 4 of the Conclusions of the European Council of 22 May 2013, according to which the European Council has reserved the right to discuss and decide on the different policy options. The conclusions clearly state that “*the European Council will discuss policy options relating to a predictable climate and energy policy framework post-2020 in March 2014, after the Commission comes forward with more concrete proposals*“

The Czech Republic, Hungary and Poland recognise the importance of the General Union Environment Action Programme to 2020, however none of the priority objectives set out in the programme should prejudice the outcome of on-going and future negotiations on the energy and climate policy of the EU.

¹ *COM(2013)0169.*

Statement by the United Kingdom

“The priority objectives set out in the present general action programme are without prejudice to future negotiations of the measures necessary to implement those objectives. Any new measures or modifications to existing legal frameworks should be considered within the appropriate Council formation and adopted under the relevant Treaty provisions.”
