



Council of the
European Union

Brussels, 2 July 2015
(OR. en)

9933/15
ADD 1

PV/CONS 32
ENV 412

DRAFT MINUTES

Subject: **3395th** meeting of the Council of the European Union (**ENVIRONMENT**)
held in Luxembourg on 15 June 2015

PUBLIC DELIBERATION ITEMS¹

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LEGISLATIVE DELIBERATIONS

"A" ITEMS (doc. 9603/15 PTS A 46)

1. Draft position of the Council at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 515/97 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters [First reading] (LA) 3
2. Draft Regulation of the European Parliament and of the Council on the safeguard measures provided for in the Agreement between the European Economic Community and the Swiss Confederation (codification) [First reading] (LA)..... 3

"B" ITEMS (doc. 9581/15 OJ CONS 32 ENV 386)

4. Proposal for a Directive of the European Parliament and of the Council on the reduction of national emissions of certain atmospheric pollutants and amending Directive 2003/35/EC [First reading] 4
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 - (a) Current legislative proposal
 - Proposal for a Decision of the European Parliament and of the Council concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading scheme and amending Directive 2003/87/EC [First reading]

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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)

"A" ITEMS

- 1. Draft position of the Council at first reading with a view to the adoption of a Regulation of the European Parliament and of the Council amending Council Regulation (EC) No 515/97 on mutual assistance between the administrative authorities of the Member States and cooperation between the latter and the Commission to ensure the correct application of the law on customs and agricultural matters [First reading] (LA)**

= Adoption

- a) of the Council's position at first reading
- b) of the statement of the Council's reasons

9582/1/15 REV 1 CODEC 830 UD 138 AGRI 308 ENFOCUSTOM 50
8257/15 UD 93 AGRI 217 ENFOCUSTOM 33 CODEC 585

+ COR 1

+ ADD 1

+ REV 1 (lt)

+ REV 2 (el)

approved by Coreper, Part 1, on 10.06.2015

The Council approved its position at first reading, with the Spanish delegation abstaining and the German and Austrian delegations voting against, in accordance with Article 294(5) of the Treaty on the Functioning of the European Union. (Legal basis: Articles 33 and 325 of the TFEU)

- 2. Draft Regulation of the European Parliament and of the Council on the safeguard measures provided for in the Agreement between the European Economic Community and the Swiss Confederation (codification) [First reading] (LA)**

= Adoption of the legislative act

9577/15 CODEC 827 CODIF 71 ECO 68 INST 189 MI 371
PE-CONS 23/15 CODIF 48 ECO 44 INST 112 MI 233 CODEC 521

approved by Coreper, Part 2, on 12.06.2015

The Council approved the European Parliament's position at first reading and the proposed act has been adopted, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 207(2) of the TFEU).

"B" ITEMS

4. Proposal for a Directive of the European Parliament and of the Council on the reduction of national emissions of certain atmospheric pollutants and amending Directive 2003/35/EC [First reading]

Interinstitutional file: 2013/0443 (COD)

– Policy debate

18167/13 ENV 1235 ENER 600 IND 388 TRANS 693 ENT 356 SAN 555

PARLNAT 325 CODEC 3086

+ ADD 1

+ ADD 6

9247/15 ENV 346 ENER 203 IND 87 TRANS 177 ENT 96 SAN 157

PARLNAT 55 CODEC 777

The Council held a policy debate on the proposed Directive for the reduction of national emissions of certain atmospheric pollutants, which is part of the "Clean Air Programme for Europe". The Commission's proposal establishes emission reduction targets so as to reduce the number of premature death in 2030 by at least 50%. While Ministers could support this objective in principle, a majority of them called for more realistic and feasible commitments.

In particular, while some Member States, pointed to technical aspects and to the need to continue with assessing the impact of the proposal and the data discrepancies on specific sectors with respect to the Commission's analysis, other Member States clearly spelled out the difficulties in achieving the reduction in the emissions of specific pollutants and/or in specific sectors. For many Member States the emission reduction targets are not sufficiently realistic - especially with respect to dust and ammonia, and/or are too close to the "maximum reductions technically achievable" according to the cost/benefit analysis.

Among the possible solutions, Ministers mentioned the introduction of a flexibility mechanism to modify the targets in case of unforeseen developments in the long term linked to the economic situation (including the agricultural sector), or to the evolution in the energy mix (household heating/urban areas). Some considered that, for the time being, the 2030 objectives should only be indicative, with a possible review in 2020. Other Ministers, however, underlined the need to preserve binding targets and warned that too much flexibility could put at risk the goals of the Directive.

A majority of Member States welcomed the proposal to leave methane out of the scope of this Directive, as stated in the current Presidency compromise text. This responded to concerns about possible overlaps with commitments related to greenhouse gas emission reduction targets.

The Commission stated that methane should be kept in the scope of the proposal. It also confirmed that it would help in finding some solutions to the problems highlighted in the debate, as long as modifications would apply horizontally and without lowering the ambition level of the proposal. The Presidency supported the Commission on this last point, while recalling that targets should also be realistic and feasible. Written contributions to the debate can be found in doc. 9930/15.

6. Any other business

d) Current legislative proposal:

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

- **Proposal for a Decision of the European Parliament and of the Council concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading scheme and amending Directive 2003/87/EC**

[First reading]

Interinstitutional file: 2014/0011 (COD)

- Information from the Presidency

The Council took note of the information provided by the Presidency on the provisional agreement reached with the European Parliament.

The Polish delegation, disappointed with the agreement reached, announced a statement at the time of the formal adoption.