



Council of the
European Union

Brussels, 19 October 2021
(OR. en)

12674/21
PV CONS 28
ENV 737
CLIMA 294

DRAFT MINUTES
COUNCIL OF THE EUROPEAN UNION
(Environment)
6 October 2021

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1. Adoption of the agenda

The Council adopted the agenda set out in 12209/21.

2. Approval of "A" items

a) Non-legislative list

12281/21

The Council adopted the "A" items listed in 12281/21 including COR and REV documents presented for adoption.

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

12282/21

Environment

Regulation amending Aarhus Regulation (EC) No 1367/2006



12390/21 + ADD 1

Adoption of the legislative act

PE CONS 63/21

approved by Coreper, Part 1, on 1.10.2021

ENV

The Council approved the European Parliament's position at first reading and the proposed act has been adopted, with Sweden abstaining, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 192(1) TFEU). A statement to this item is set out in the Annex.

Non-legislative activities

3. Conclusions on the preparations for the United Nations Framework Convention on Climate Change (UNFCCC) meetings (Glasgow, 31 October-12 November 2021)
Approval

12306/21

Legislative deliberations

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

4. **Fit for 55 package** 11840/21
- a) **Revision of Directive (EU) 2003/87/EC establishing a system for greenhouse gas emission allowance trading (ETS)** 10875/21 + ADD 1
- b) **Revision of Regulation (EU) 2018/842 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 (ESR)** 10867/21 + ADD 1
- c) **Revision of Regulation (EU) 2018/841 on greenhouse gas emissions and removals from land use, land use change and forestry (LULUCF)** 10857/21 + ADD 1
- d) **Revision of Regulation (EU) 2019/631 setting CO2 emission performance standards for new passenger cars and for new light commercial vehicles** 10906/21 + ADD 1
- e) **Regulation establishing a Social Climate Fund** 10920/21 + COR 1
Exchange of views + ADD 1
+ ADD 1 COR 1

The Council held an exchange of views on the Fit for 55 package on the basis of questions prepared by the Presidency as set out in 11840/21.

Non-legislative activities

5. **Communication on the New EU Forest Strategy for 2030** 11842/21
Exchange of views 10914/21 + ADD 1

The Council held an exchange of views on the Communication on the New EU Forest Strategy for 2030 on the basis of questions prepared by the Presidency as set out in 11842/21.

Any other business

6. a) **Rising energy prices in Europe** [2]
- i) **EU ETS hedging mechanism to address high energy prices** 12313/21
Information from the Greek delegation
- ii) **Energy and electricity markets** 12326/21
Information from the Spanish delegation
- iii) **High electricity and gas prices** 12327/21
Information from the Polish delegation

The Council took note of the information provided by the Greek, Spanish and Polish delegations, as well as the interventions by other delegations and the Commission.

- b) **Report on the implementation of Regulation (EU) No 528/2012 concerning biocidal products** [2] 12170/21
9582/21
Information from the Commission

The Council took note of the information provided by the Commission, as well as the interventions by other delegations.

- c) **The need for a coordinated action against PFAS** [2] 12150/21
Information from the Belgian delegation




The Council took note of the information provided by the Belgian delegation, as well as the interventions by other delegations and the Commission.

d) **Report on the Ministerial Conference on Marine Litter and Plastic Pollution at Geneva, co-convened by Ecuador, Germany, Ghana and Vietnam with support of the UNEP Secretariat**

 12362/21

Information from the German delegation, supported by the Portuguese and Swedish delegations

The Council took note of the information provided by the German delegation, supported by the Portuguese and Swedish delegations, as well as the interventions by other delegations.

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-  First reading
 -  Item based on a Commission proposal
 -  Public debate proposed by the Presidency (Article 8(2) of the Council's Rules of Procedure)
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Statements to the legislative "A" items set out in doc. 12282/21

Ad "A" item 1:

Regulation amending Aarhus Regulation (EC) No 1367/2006
Adoption of the legislative act

JOINT STATEMENT BY LUXEMBOURG, AUSTRIA AND DENMARK

“In a spirit of compromise, Luxembourg, Austria and Denmark can accept the agreement on the proposal for a Regulation of the European Parliament and of the Council amending Regulation (EC) No 1367/2006.

However, Luxembourg, Austria and Denmark regret that the issue of State aids was not addressed in this file and that important provisions were introduced at the trilogue phase without proper assessment or analysis.

Luxembourg, Austria and Denmark recall that the Aarhus Convention is an emblematic instrument for environmental democracy.

The European Union and its Member States must continue to show a high level of ambition in this respect, including in the light of pending compliance cases.”
