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DRAFT MINUTES
COUNCIL OF THE EUROPEAN UNION
(Environment)
20 December 2021

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1. Adoption of the agenda

The Council adopted the agenda set out in 14926/21.

2. Approval of "A" items

a) Non-legislative list

14960/21

The Council adopted the "A" items listed in 14960/21 including COR and REV documents presented for adoption. Statements to these items are set out in the Addendum.

For the following items the documents should read as follows:

Economic and Financial Affairs

14. Regulation on Suspensions on certain agricultural and industrial products
Adoption
approved by Coreper, Part 1, on 15.12.2021

☐ 14531/21
14387/21
+ REV (pl)
UD

EU positions for international negotiations

18. Council Decision on the EU position to be taken in the Partnership Council under the EU UK TCA regarding extension of the derogation from the obligation to delete PNR data
Adoption
approved by Coreper, Part 2, on 08.12.2021

☐ 14432/21 + ADD 1
+ ADD 1 COR 1
+ COR 1 (el)
+ ADD 1 COR 2 (el)
14472/21
UK

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

14961/21

Justice and Home Affairs

1. **Directive on the resilience of critical entities**



14594/21

General approach

PROCIV

approved by Coreper, Part 2, on 08.12.2021

The Council agreed on a general approach on this Directive proposal. (Legal basis:

Article 114 TFEU)

Health

2. **Regulation amending Regulation (EU) 2017/746 on in vitro diagnostic medical devices (IVDR)**



14887/21

Adoption of the legislative act

PE-CONS 79/21

approved by Coreper, Part 1, on 15.12.2021

PHARM

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: Articles 114 and 168(4) TFEU)

Transport

3. **Directive amending Directive 2006/1/EC on the use of hired vehicles**



14832/21

Adoption of the Council's position at first reading and of the statement of the Council's reasons

13531/21 + ADD 1

approved by Coreper, Part 1, on 15.12.2021

TRANS

The Council adopted its position at first reading, with Slovakia abstaining and Austria voting against, in accordance with Article 294(5) of the Treaty on the Functioning of the European Union, and the statement of the Council's reasons. (Legal basis: Article 16(2) and Article 91(1) TFEU))

Youth

4. **Decision on a European Year of Youth 2022**

Adoption of the legislative act

approved by Coreper, Part 1, on 15.12.2021



15020/21

+ ADD 1 – 3

PE-CONS 81/21

JEUN

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: Articles 165(4) and 166(4) TFEU)

Statements to these items are set out in the Annex.

Legislative deliberations

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

3. **Fit for 55 package**



a) **Overview of progress**

Progress report

13977/21

The Council took note of the Presidency's progress report as contained in 13977/21.

b) Legislative proposals

14585/21

- i) Revision of Directive (EU) 2003/87/EC establishing a system for greenhouse gas emission allowance trading (ETS)
- ii) Revision of Regulation (EU) 2018/842 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 (ESR)
- iii) Revision of Regulation (EU) 2018/841 on greenhouse gas emissions and removals from land use, land use change and forestry (LULUCF)
- iv) Revision of Regulation (EU) 2019/631 setting CO₂ emission performance standards for new passenger cars and for new light commercial vehicles
- v) Regulation establishing a Social Climate Fund
Progress report
Policy debate

The Council held a policy debate on the Fit for 55 package on the basis of questions prepared by the Presidency as set out in 14585/21

4. Regulation concerning batteries and waste batteries, repealing Directive 2006/66/EC and amending Regulation (EU) No 2019/1020



14568/21

Progress report

The Council took note of the Presidency's progress report on the above-mentioned proposal, as contained in 14568/21.

Non-legislative activities

5. Communication on the EU Soil Strategy for 2030 - Reaping the benefits of healthy soils for people, food, nature and climate



14567/21

Exchange of views

The Council held an exchange of views on the above communication on the basis of questions prepared by the Presidency, as set out in 14567/21.

Any other business

6. a) **The Mobility package in the context of European Green Deal ambitions** [2] 14922/21
Information from the Lithuanian delegation, supported by the Bulgarian, Estonian, Cyprus, Latvian, Hungarian, Maltese, Polish and Romanian delegations
- The Council took note of the information provided by the Lithuanian delegation, supported by the Bulgarian, Estonian, Cyprus, Latvian, Hungarian, Maltese, Polish and Romanian delegations, as well as the intervention by other delegations and the Commission.
- b) **Reports on main recent international meetings** [2]
- i) **26th meeting of the Conference of the Parties to the UN Climate Change Conference (COP 26) (Glasgow, 31 October - 13 November 2021)** 14786/21
Information from the Presidency and the Commission
- The Council took note of the information provided by the Presidency and the Commission.
- c) **Third Clean Air Forum (Madrid, 18-19 November 2021)** [2] 14743/21
Information from the Spanish delegation
- The Council took note of the information provided by the Spanish delegation, as well as of the interventions of the Netherlands delegation and the Commission.
- d) **Current legislative proposals:** [1] [C]
(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)
- i) Proposal for a Regulation on minimizing the risk of deforestation and forest degradation associated with products placed on the EU market 14151/21 + ADD 1
- ii) Proposal for a Regulation on shipments of waste 14135/21 + ADD 1
Presentation by the Commission
- The Council took note of the presentations made by the Commission, as well as the intervention by delegations.

- e) **Implementation of the EU Biodiversity Strategy for 2030** 15051/21
Information from the Commission
The Council took note of the information provided by the Commission, as well as the intervention by delegations.
- b) **(continuation) Reports on main recent international meetings** 15043/21
- ii) 15th meeting of the Conference of the Parties to the Convention on Biological Diversity (CBD COP 15.1) (Kunming (hybrid), 11 - 15 October 2021)
- iii) Aarhus Convention and PRTR Protocol: 14909/21
- a) Seventh session of the Meeting of the Parties to the Aarhus Convention (MoP 7)
- b) Joint High-level Segment under the Meetings of the Parties to the Aarhus Convention and its Protocol on PRTRs
- c) Fourth session of the Meeting of the Parties to the Protocol on PRTRs (MoPP 4) (Geneva (hybrid), 18 - 22 October 2021)
- iv) 22nd Meeting of the Contracting Parties to the Barcelona Convention and its Protocols (Antalya, 7 - 10 December 2021) 15046/21
Information from the Presidency and the Commission
The Council took note of the information provided by the Presidency and the Commission, as well as the intervention by other delegations.
- f) **Informal Meeting of Ministers responsible for Urban Matters – the role of European cities in the green transition and in achieving objectives of the Green Deal (virtual, 26 November 2021)** 14968/21 + COR 1
Information from the Presidency
The Council took note of the information provided by the Presidency.

g) Workshop on the reform of REACH (Authorisation and Restriction) (Brdo, 9 November 2021)

 15003/21

Information from the Presidency

The Council took note of the information provided by the Presidency, as well as the intervention by other delegations.

h) Regulation of plants obtained by new genomic techniques – need for coordinated action

 14714/1/21 REV 1

Information from the Austrian delegation, supported by the Cyprus, Luxembourg and Hungarian delegations

The Council took note of the information provided by the Austrian delegation, supported by the Cyprus, Luxembourg and Hungarian delegations, as well as the intervention by other delegations.

i) Work programme of the incoming Presidency

Information from the French delegation



First reading



Public debate proposed by the Presidency (Article 8(2) of the Council's Rules of Procedure)



Item based on a Commission proposal

Statements to the legislative "A" items set out in doc. 14961/21

Ad "A" item 4:

Decision on a European Year of Youth 2022

Adoption of the legislative act

JOINT STATEMENT BY THE EUROPEAN PARLIAMENT AND BY THE COUNCIL

“The European Parliament and the Council agree that the minimum operational budget for the implementation of the European Year of Youth (2022) shall be set at EUR 8 million. Of that amount, EUR 3 million will come from the annual budget for 2022 of the European Solidarity Corps and EUR 5 million will come from the annual budget for 2022 of the Erasmus+ programme.

Furthermore, the co-legislators are committed to leaving a lasting legacy of the European Year, beyond 2022. Without prejudice to the powers of the budgetary authority, in accordance with Article 314 TFEU, any additional funding beyond 2022 should be identified within the MFF 2021-2027.”

STATEMENT BY THE COMMISSION

“The Commission takes note of the agreement of the co-legislators to introduce a minimum operational budget of EUR 8 million for the implementation of the European Year of Youth (2022), without prejudice to the possibility of complementary contributions from other relevant Union programmes and instruments in addition to this amount of EUR 8 million.

In addition, the Commission will carry out a mapping exercise throughout the Year and will regularly update it outlining the possible and actual contributions by EU programmes and instruments to the implementation of the European Year of Youth and reporting on the activities. The progress in the deployment of contributions by the Union programmes will be regularly presented to the European Parliament and the Council. These contributions should be considered as complementary and above the minimum operational budget of EUR 8 million.”

STATEMENT BY HUNGARY

“Hungary states that equality between women and men is enshrined in the Treaties of the European Union as a fundamental value. Hungary ensures equality between women and men within the framework of the Hungarian national legal system in accordance with internationally binding human rights instruments and within the framework of fundamental values and principles of the European Union. For these reasons, Hungary interprets the concept ‘gender equality’ as a reference to ‘equality between women and men’ in the Draft Decision (EU)2021/... of the European Parliament and of the Council on a European Year of Youth (2022).

Furthermore Hungary declares that the Commission’s Communication on EU strategy on the rights of the child (hereinafter referred to as “Strategy”), mentioned in this Decision, should be interpreted with due regard to national competences and the specific circumstances in each Member State.”

STATEMENT BY POLAND

“The Republic of Poland understands ‘gender equality’ as referring to equality between women and men as established in Articles 2 and 3 TEU.

In addition, the Republic of Poland understands ‘gender’ as ‘sex’ in accordance with Article 10, Article 19(1) and Article 157(2) and (4) TFEU.”
