



**COUNCIL OF
THE EUROPEAN UNION**



16164/06 (Presse 349)

PRESS RELEASE

2773rd Council Meeting

Environment

Brussels, 18 December 2006

President

Mr Jan-Erik ENESTAM
Minister for the Environment of Finland

P R E S S

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Main Results of the Council

*The Council unanimously adopted the **REACH** Regulation (registration, evaluation, authorisation and restriction of chemicals), the cornerstone of the new European chemicals policy which replaces around 40 legislative instruments currently in force.*

*It further adopted decisions establishing the **7th framework programme (FP7)** of the European Community (EC) **for research** and technological development for the period 2007 to 2013, and the FP7 for nuclear research activities (Euratom) for 2007 to 2011.*

*The Council also adopted a regulation on multiannual funding for the action of the **European Maritime Safety Agency** in the field of response to pollution caused by ships and amending regulation (EC) No 1406/2002.*

*Moreover, the Council reached political agreement on a draft directive establishing a framework for Community action in the field of **marine environmental policy**.*

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- Where declarations, conclusions or resolutions have been formally adopted by the Council, this is indicated in the heading for the item concerned and the text is placed between quotation marks.
 - The documents whose references are given in the text are available on the Council's Internet site <http://www.consilium.europa.eu>.
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PARTICIPANTS

The Governments of the Member States and the European Commission were represented as follows:

Belgium:

Mr Kris PEETERS

Flemish Minister for Public Works, Energy, the Environment and Nature

Czech Republic:

Mr Petr Jan KALAŠ

Minister for Environment

Denmark:

Ms Connie HEDEGAARD

Minister for Environment and for Nordic Cooperation

Germany:

Mr Sigmar GABRIEL

Federal Minister for the Environment, Nature Conservation and Reactor Safety

Estonia:

Mr Rein RANDVER

Minister for Environment

Greece:

Mr Stavros KALOGIANNIS

State Secretary for the Environment, Regional Planning and Public Works

Spain:

Ms Cristina NARBONA RUIZ

Mr José Luis MARTINEZ GUIJARRO

Minister for the Environment

Minister for the Environment and Rural Development of the Autonomous Community of Castilla-La Mancha

France:

Ms Nelly OLIN

Minister for Ecology and Sustainable Development

Ireland:

Mr Dick ROCHE

Minister for the Environment, Heritage and Local Government

Italy:

Mr Alfonso PECORARO SCANIO

Minister for the Environment and Protection of Natural Resources

Cyprus:

Mr Fotis FOTIOU

Minister for Agriculture, Natural Resources and Environment

Latvia:

Mr Raimonds VĒJONIS

Minister for the Environment

Lithuania:

Mr Aleksandras SPRUOGIS

Undersecretary, Ministry of Environment

Luxembourg:

Mr Lucien LUX

Minister for the Environment, Minister for Transport

Hungary:

Mr Miklós PERSÁNYI

Minister for the Environment and Water Management

Malta:

Mr George PULLICINO

Minister for Rural Affairs and the Environment

Netherlands:

Mr Pieter van GEEL

State Secretary for Housing, Spatial Planning and the Environment

Austria:

Mr Josef PRÖLL

Federal Minister for Agriculture, Forestry, the Environment and Water Management

Poland:

Mr Jan SZYSZKO

Minister for the Environment

Portugal:

Mr Humberto ROSA

State Secretary for the Environment

Slovenia:

Mr Janez PODOBNIK

Minister for the Environment and Town and Country
Planning**Slovakia:**

Mr Jaroslav JADUŠ

State Secretary for the Environment

Finland:

Mr Jan-Erik ENESTAM

Mr Stefan WALLIN

Minister for the Environment

State Secretary for the Environment

Sweden:

Ms Andreas CARLGREN

Minister for the Environment

United Kingdom:

Mr Ben BRADSHAW

Mr Ross FINNIE

Parliamentary Under-Secretary of State for Local
Environment, Marine and Animal Welfare
Minister for Environment and Rural Development
(Scottish Executive)**Commission:**

Mr Stavros DIMAS

Member

.....

The Governments of the Accessing States were represented as follows:

Bulgaria:

Mr Jordan DARDOV

Deputy Minister for the Environment and Water

Romania:

Ms Sulfina BARBU

Minister for the Environment

ITEMS DEBATED**MARINE STRATEGY DIRECTIVE**

The Council reached political agreement on a draft directive establishing a framework for community action in the field of marine environmental policy (*16976/06*).

The Italian delegation announced its intention to abstain at this stage of the negotiations.

The draft directive establishes a framework for the protection and preservation of the marine environment, the prevention of its deterioration and where practicable the restoration of that environment in areas where it has been adversely affected.

For that purpose Marine Strategies will be developed and implemented by the Member States, in a regional cooperation framework, with the aim of achieving or maintaining good environmental status in the marine environment by the year 2021 at the latest.

Good environmental status means that seas and oceans are ecologically diverse and dynamic, clean, healthy and productive, their use is at a sustainable level, safeguarding the potential for uses and activities by current and future generations.

Marine strategies will be regularly up-dated and made available to the public in accordance with Community legislation.

Legal basis proposed: Article 175 (1) of the Treaty – qualified majority required for a Council decision; codecision procedure with the European Parliament applicable. The European Parliament delivered its first reading opinion on 13 November 2006.

HALTING THE LOSS OF BIODIVERSITY - Council conclusions

The Council adopted the following conclusions:

"RECALLING the objective established by the European Council in Gothenburg in 2001 to halt the loss of biodiversity by 2010 within the EU, reaffirmed in the Lisbon Strategy relaunched in March 2005 and in the renewed EU Sustainable Development Strategy of June 2006; ALSO RECALLING the global target to significantly reduce the rate of biodiversity loss by 2010;

BUILDING UPON the European Community Biodiversity Strategy adopted 1998 and its four Action Plans adopted 2001 and RECALLING the outcome of the eighth meeting of the Conference of the Parties (COP 8) to the Convention on Biological Diversity (CBD) and of the third meeting of the Parties (MOP 3) to the Cartagena Protocol on Biosafety to the CBD;

UNDERLINING the intrinsic value of biodiversity and its essential role in sustaining life and livelihoods, economic and social development and human well-being and REAFFIRMING the importance of biodiversity for the achievement of environmental, economic and social goals globally and in the EU, as well as for the achievement of the Millennium Development Goals;

STRESSING the importance of promoting a better understanding of biodiversity worldwide; CONSIDERING that the CBD is essentially a Convention supporting all life on earth;

DEEPLY CONCERNED by the continuing decline in biodiversity and ecosystem services in the EU and at global level; UNDERLINING the urgent need for intensified and coordinated efforts to halt this trend, in particular in the light of the short time remaining to meet the 2010 commitments;

THE COUNCIL:

1. WELCOMES the Commission Communication Halting the Loss of Biodiversity by 2010 – and Beyond: sustaining ecosystem services for human well-being defining key policy areas and setting out priority objectives for 2007-2013;
2. SUPPORTS the ten priority objectives contained in the Communication and ENDORSES the general approach of strengthening integration of biodiversity and ecosystem services into relevant horizontal and sectoral policies;
3. WELCOMES *the EU Action Plan to 2010 and Beyond* further defining targets and actions and LOOKS FORWARD TO its further consideration, while INVITING the Commission and the Member States to proceed urgently with the implementation of the Action Plan as appropriate;

4. EMPHASISES the importance of strengthened cooperation and coordination between the Commission and the Member States in the further refinement and implementation of the EU Action Plan and CALLS UPON the Commission to further develop appropriate processes and effective structures for this purpose;
5. INVITES the Commission to start a process, involving stakeholders, for the development of a long-term EU vision for biodiversity, as a frame for further policy development;
6. RECOGNIZES the important ongoing work for the conservation and sustainable use of biodiversity both at Community and Member State level *inter alia* in creating the Natura 2000 network; REAFFIRMS the commitment to halt the loss of biodiversity by 2010 and URGES the Commission and the Member States to accelerate efforts to this end;

Biodiversity in the EU

7. URGES the Commission and the Member States to strengthen efforts to finalize the Natura 2000 network both on land and at sea, and to ensure effective management and adequate financing of the network;
8. CALLS UPON the Commission and the Member States to assess and strengthen, where necessary, the coherence, connectivity and resilience of the Natura 2000 network as well as the resilience of the ecosystems therein; STRESSES the importance of land-use planning and UNDERLINES the responsibility of the Member States in regional and local planning in this context;
9. RECOGNIZES the importance of the high biodiversity of the outermost regions and of efforts for its conservation and sustainable use;
10. EMPHASISES the importance of best available scientific knowledge as a basis for safeguarding the EU's most important habitats and species and CALLS UPON the Commission to initiate a scientific review of species, and of habitats as a second step, listed in the annexes of the Habitats Directive, building, *inter alia*, on the analysis of the Member States' reports under the Habitats Directive and in the light of progress made by 2010;
11. URGES the Commission and the Member States to further strengthen the integration of biodiversity and ecosystem services considerations and targets into policies and programmes in all relevant sectors;
12. URGES the Commission and the Member States to use the opportunities provided for in agricultural, rural development, forest and fisheries policies to support the biodiversity target, both within protected areas and in the wider countryside and marine environment;

13. EMPHASISES the need to strengthen efforts to protect marine biodiversity to reach the 2010 target; UNDERLINES the importance of developing and implementing marine strategies with the aim of achieving or maintaining good environmental status in the marine environment; CALLS UPON the Member States to further reduce pollution and nutrient load from agricultural and other diffuse sources as well as from urban, industrial and other point sources; STRESSES the importance of the timely and effective implementation of the Water Framework Directive and the Integrated Coastal Zone Management Recommendation;
14. UNDERLINES the role of forests for conservation and sustainable use of biodiversity and URGES the Commission and the Member States to pursue efforts to implement the EU Forest Action Plan;
15. UNDERLINES the important role of soils for biodiversity protection, climate change mitigation and the fight against desertification;
16. RECOGNIZES the need to strengthen measures to ensure conservation, and availability for use, of genetic diversity in agriculture, in particular in situ and on-farm conservation;
17. CALLS UPON the Commission and the Member States to reinforce the compatibility of regional and territorial development with biodiversity objectives, *inter alia* by increasing synergies and by optimizing positive outcomes for biodiversity, and by preventing, minimizing or mitigating any possible negative impact on biodiversity of projects supported by cohesion and structural funds; URGES the Commission and the Member States to ensure the adequate treatment of biodiversity concerns in Strategic Environmental Assessments and Environmental Impact Assessments;
18. CALLS UPON the Commission to assess gaps in the current legal, policy and economic framework for the prevention of introduction and for the control and eradication of invasive alien species; INVITES the Commission, in cooperation with the Member States, to prepare an EU strategy and an effective early warning system, taking into account biogeographic regions, on the basis of the CBD Guiding Principles on Invasive Alien Species, taking into account the Bern Convention European Strategy on Invasive Alien Species and recognizing the efforts made by relevant Conventions and Organisations such as the IPPC and the EPPO;
19. EMPHASISES the importance of fully implementing the EU legislative framework on Genetically Modified Organisms, notably its provisions for environmental risk assessment, monitoring plans and identification systems; RECOGNIZES the importance of practical improvements to the way it is implemented in order to improve its scientific consistency and transparency, bearing in mind the recommendations presented by the Commission at the meeting of the Environment Council of 27 June 2006;

The EU and global biodiversity

20. RECALLS the renewed EU SDS and its objective of including sustainable development concerns, including the objective of halting biodiversity loss by 2010, in all EU external policies, *inter alia* by making sustainable development an objective of multilateral and bilateral development cooperation; URGES the Commission and the Member States to improve at global level the consistency of EU actions that have an impact on biodiversity;
21. STRONGLY SUPPORTS the strengthening of international governance for biodiversity; STRESSES the importance of effective implementation of the CBD and REITERATES the need for mutual supportiveness between Multilateral Environmental Agreements and enhanced cooperation among biodiversity-related conventions and processes as well as the need for strengthening synergies and, as appropriate, consistency between them at all levels;
22. WELCOMES the outcome of the eighth meeting of the Conference of the Parties to the CBD (COP 8); EMPHASISES the importance of strengthening the implementation of national biodiversity strategies and action plans and of supporting capacity building to this end; STRESSES the importance of making further progress on the thematic programmes of work and cross-cutting issues, including the full implementation of the Programme of Work on protected areas in line with the agreed schedule, and of completing the work in the ad hoc Open-ended Working Group on ABS on an international regime on access to genetic resources and benefit-sharing at the earliest possible time before COP 10; URGES the Commission and the Member States to play an active and constructive role in these processes and CALLS UPON the Commission and the Member States to ensure the implementation of the CBD Bonn Guidelines and other ABS-related agreements;
23. EMPHASISES the importance of the full implementation of the Cartagena Protocol on Biosafety and of the MOP 3 decision on documentation requirements for transboundary movements of GMOs;
24. REITERATES the support for a process of elaborating an implementation agreement on the protection of marine biodiversity in areas beyond national jurisdiction under the UN Convention on the Law of the Sea; REGARDS this as an important contribution to achieving, *inter alia*, the objective agreed in the Johannesburg Plan of Implementation of establishing representative networks of marine protected areas by the year 2012; CONFIRMS the CBD's role in providing scientific and technical advice for the establishment of protected areas in the high seas; RECOGNIZES the importance of urgent action on tackling destructive fishing practices in contributing to the achievement of the 2010 target; EMPHASISES the importance of the EU taking a leading role in these processes;

25. CALLS UPON the Member States and the Commission to start timely preparations on key issues for the ninth meeting of the Conference of the Parties to the CBD (COP 9) which will be held in May 2008 in Bonn, Germany;
26. REITERATES the commitment outlined in the 2005 "European Consensus on Development" to the eradication of poverty in the context of sustainable development, including the pursuit of the MDGs, as the primary and overarching objective of EU development cooperation; RECALLS that the Community will support the efforts undertaken by its partner countries to incorporate environment into development and help to increase their capacity to implement Multilateral Environmental Agreements, including stronger support to the implementation of the CBD as a means to halt biodiversity loss and promote biosafety and sustainable management of biodiversity; RECALLS that a strengthened approach will be applied in all Community activities to mainstream environment as a cross-cutting issue;
27. WELCOMES the Message from Paris "*Integrating biodiversity into European development cooperation*" of 19-21 September 2006 which emphasises that biodiversity plays a crucial role in the fight against poverty and is a core development issue;
28. CALLS UPON the Commission to support the partner countries and regions to integrate biodiversity in their development strategies, and based on needs prioritised by partner countries and regions, to enhance funding for, and to improve the mainstreaming of, biodiversity considerations in its external assistance programmes, *inter alia* by preparing Country and Regional Environment Profiles with specific attention to the maintenance of biodiversity and ecosystem services and taking them into account when drawing up Country and Regional Strategy Papers in conjunction with partner countries and regions, and in consultation with Member States;
29. CALLS UPON the Member States to enhance funding, as appropriate according to the needs prioritised by partner countries and regions, for biodiversity and to improve the mainstreaming of biodiversity considerations in their development cooperation programmes;
30. In this context, WELCOMES the last replenishment of the Global Environmental Facility (GEF) that with the strong support by Member States reached the target of EUR 2.46 billion for GEF4 (2006 –2010). Further, REAFFIRMS the important role of the GEF as a key financial mechanism of the CBD in support of developing countries' efforts to meet the objectives of the Convention;
31. URGES the Commission and the Member States to identify the major impacts of trade on biodiversity and to adopt appropriate measures to prevent or mitigate negative impacts, as well as to encourage positive trade practices; INVITES the Commission to prepare Sustainability Impact Assessments in this context;

32. CALLS UPON the Commission to continue efforts to promote integration of biodiversity in the WTO Doha negotiations, and to enhance mutual supportiveness between multilateral trade agreements and biodiversity-related Multilateral Environmental Agreements, as well as bilateral and regional agreements;
33. REITERATES the importance of strengthening efforts to combat illegal logging of timber and associated trade within the framework of the EU FLEGT Action Plan, the St. Petersburg Ministerial Declaration (ENA-FLEG) and other regional FLEG processes; and WELCOMES the consideration by the Commission of developing possible additional options to combat illegal logging;
34. URGES the Commission to explore options for further ensuring that imports of wild fauna and flora, including wild birds, to the European Union are fully supportive of biodiversity objectives and do not pose a risk for their survival in the wild; WELCOMES the process initiated by the Commission to assess the effectiveness, including the consideration of a possible review, of the wildlife trade regulations; UNDERLINES the importance of the effective implementation of the CITES Convention and the EC implementing legislation; STRESSES the need for capacity-building to facilitate the implementation of policies for the conservation and sustainable use of wildlife in developing countries and effective implementation of the CITES Convention in these countries, ensuring complementarity of assistance provided;
35. CALLS UPON the Member States to reinforce efforts to combat illegal trade in CITES-listed species and CALLS UPON Member States and the Commission to strengthen a coordinated response and actions for the enforcement of CITES;

Biodiversity and climate change

36. STRONGLY SUPPORTS the importance of reducing greenhouse gas emissions in order to minimise climate change impacts on biodiversity and ecosystem services; UNDERLINES the positive contribution of biodiversity in combating climate change;
37. EMPHASISES the need to prevent and minimise adverse impacts on, and to maximise opportunities for the enhancement of biodiversity and ecosystem services which might arise from climate change adaptation and mitigation measures; EXPRESSES its commitment to exploring options for synergetic approaches that reduce emissions and enhance biodiversity, including through avoiding deforestation;
38. STRESSES the importance of strengthening the resilience of EU biodiversity to climate change and INVITES the Commission to develop with the Member States a comprehensive programme of priority actions, taking into account long-term cost-effectiveness, to support biodiversity adaptation to climate change in the EU;

39. UNDERLINES, in this respect, the need for an assessment of habitats and species in the EU most at risk from climate change;

The knowledge base

40. UNDERLINES the critical need to strengthen the understanding of biodiversity and ecosystem services, *inter alia*, by substantially strengthening, under the 7th Framework Programme for research and under national research programmes, the European Research Area for biodiversity;
41. EMPHASISES the importance of allocating adequate and targeted financial resources to biodiversity research and dissemination of its results under the 7th Framework Programme;
42. RECOGNIZES the work done by the European Platform for Biodiversity Research Strategy to identify and promote policy-relevant research and STRESSES the importance of transforming knowledge into appropriate actions;
43. ENCOURAGES the Commission and Member States to consider options, including building on existing instruments, for strengthening research-based advice on biodiversity and ecosystem services to policy makers, taking into account the ongoing consultative process to assess the need, scope and possible forms of an international mechanism of scientific expertise on biodiversity;

Supporting measures

44. STRESSES the need for broadening the finance basis for biodiversity and ecosystem services; URGES Member States to make best possible use of available co-financing instruments, in accordance with the objectives of these instruments;
45. INVITES the Commission and the Member States to use a wide range of economic instruments, voluntary agreements, incentives and market-based approaches to enhance the conservation and sustainable use of biodiversity as well as the maintenance and recovery of ecosystem services. Further progress is also needed on the elimination of environmentally harmful subsidies;
46. EMPHASISES the need for considering adequate funding of biodiversity, and in particular, the Natura 2000 network, in the 2008-2009 review of the Financial Perspectives;
47. STRESSES the need to continue to update and implement National Biodiversity Strategies and Action Plans and UNDERLINES the need to enhance coordination and complementarity between Member State and Community level biodiversity strategies and action plans;

48. STRESSES the need for partnerships and strategic alliances with, *inter alia*, the private sector; ENCOURAGES the development of biodiversity and business partnerships; RECOGNIZES the important work done by the Countdown 2010 Initiative;
49. UNDERLINES the importance of the active involvement of European citizens in biodiversity conservation and the need for more effective communication to this end; CALLS UPON the Commission and the Member States to develop, finance and implement communication, education, awareness and participation strategies, taking into account different national circumstances and needs;
50. INVITES the Commission to submit to the Council and the Parliament mid-term and final reports on progress towards the targets of the Communication and the Action Plan;
51. URGES the Commission to streamline biodiversity reporting and to make full use of Member States' reports under existing reporting obligations to avoid unnecessary new reporting; STRESSES the need to align the reporting and evaluation of the Action Plan with the review of other EU policies, programmes and budgets to enable more effective integration of biodiversity concerns and commitments in these;
52. LOOKS FORWARD to the early finalisation of appropriate biodiversity indicators to assess achievement of the 2010 target as developed in the context of the SEBI 2010 project and will consider endorsement of biodiversity indicators; also LOOKS FORWARD to the finalisation, endorsement and use of a biodiversity indicator in the structural indicator set and in the list of Sustainable Development Indicators."

CLIMATE CHANGE - Council conclusions

The Council adopted the following conclusions on the follow-up to the 12th conference of the parties (COP 12) to the UN framework convention on climate change (UNFCCC) in conjunction with the 2nd session of the conference of the parties serving as the meeting of the parties to the Kyoto protocol (COP/MOP 2), which took place in Nairobi, from 6 to 17 November 2006:

"The Council of the European Union,

1. WELCOMES the outcome of the twelfth Conference of the Parties (COP 12) to the United Nations Framework Convention on Climate Change ("the Convention") in conjunction with the second session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (COP/MOP 2); IS ENCOURAGED by *inter alia*:

- the adoption of the Nairobi programme of work on impacts, vulnerability and adaptation to climate change,
- the agreement on the principles and modalities for the operation and governance of the Adaptation Fund,
- the agreement on the work programme for the completion of the mandate of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol,
- the decision that the second review of the Kyoto Protocol pursuant to Article 9 shall take place at COP/MOP 4 in 2008 and shall be prepared by COP/MOP 3 in 2007,
- the progress in advancing the Dialogue on long-term cooperative action to address climate change by enhancing implementation of the Convention, with a view to a fruitful outcome at COP 13 in 2007,
- the agreement to hold a workshop on the proposal of the Russian Federation on voluntary commitments;

also WELCOMES initiatives, such as the Nairobi Framework presented by the UN Secretary-General and the Global Energy Efficiency and Renewable Energy Fund (GEEREF) established by the Commission, both of which were supported by several Member States, and RECOGNIZES that these and other existing initiatives can strengthen regional distribution and capacity building in the context of the Clean Development Mechanism (CDM) as well as promote the development and transfer of environmentally sound technologies and know-how;

2. CONCERNED that, despite this progress, action to address climate change must continue with even greater momentum; UNDERLINES that the effects of climate change may have major implications for national and world security in the form of problems such as growing intensity and frequency of natural disasters, water scarcity and drought, famine and land degradation which increase the risk of national and international conflicts, including an increase in environmental refugees; LOOKS FORWARD to the Fourth Assessment Report of the Intergovernmental Panel on Climate Change, providing comprehensive and up-to-date information about climate change, its causes, impacts and possible response measures based on the latest scientific, technical and socio-economic literature;
3. STRESSES the latest economic analyses, in particular the report of Sir Nicholas Stern on the economics of climate change, which shows that climate change is a serious threat, that the benefits of strong, early global action on climate change considerably outweigh the costs of inaction, that globally tackling climate change is a pro-growth strategy for the longer term and that it can be done in a way that does not constrain the sustainable growth of any Parties and that the earlier effective action is taken, the less costly it will be; IS CONVINCED that integration of climate change aspects into sectoral decision-making through instruments such as carbon pricing provides incentives to low greenhouse-gas-emitting technology development, deployment and diffusion, promotes proactive adaptation and least-cost mitigation and results in important co-benefits, in relation to energy security, air pollution and sustainable development;
4. WELCOMES the Commission Communication on the Directive on the European Union Emissions Trading Scheme (EU ETS) "Building a global carbon market"; EMPHASISES its commitment to developing a strong global carbon market by linking the EU ETS with other emission trading schemes at national or regional level; LOOKS FORWARD to further work on the review of the EU ETS under the European Climate Change Programme and the submission by the Commission of a legislative proposal resulting from this review in the second half of 2007; STRESSES that the amended directive is to take effect at the start of the third trading period in 2013; LOOKS FORWARD to the imminent submission of the Commission proposal on the inclusion of aviation in the EU ETS; RECALLS that a continued recognition of the credits from the project-based mechanisms, the Clean Development Mechanism and Joint Implementation, is already foreseen in the EU ETS; RECOGNISES the contribution of the project-based mechanisms and the EU ETS to achieving emission reductions in a cost-effective manner; CALLS UPON the European Investment Bank and other European financial institutions, as well as Regional Development Banks and International Finance Institutions to explore innovative mechanisms to support the continuation of project-based mechanisms generating emission reduction credits beyond 2012;

5. RECALLING the European Council's conclusions on emissions reduction pathways for the group of developed countries in the order of 15-30% by 2020 compared to the baseline envisaged in the Kyoto Protocol and RECALLING that there should be no gap between the first and the second commitment periods, STRESSES the need to significantly accelerate international negotiations on a post-2012 agreement in 2007 with a view to their completion by the end of 2009 at the latest; in this context, LOOKS FORWARD to the Commission's further analysis of costs and benefits of emission reduction strategies; also LOOKS FORWARD to the 2007 Spring European Council considering options for a global post-2012 agreement consistent with the EU's objective of a maximum global temperature increase of 2°C above pre-industrial levels, defining the EU's potential contribution to such an agreement and outlining EU strategies for making the technology transition to a low greenhouse-gas-emitting economy over the next couple of decades and for integrating climate change concerns in other policy areas, in particular energy security and innovation;

DECIDES to prepare for this at its session in February 2007 and, in this context, URGES other Parties to come forward with their ideas; BEARING also in mind the need for strengthening coherence between the EU's internal and external energy and climate change policies, WELCOMES the Action Plan on Energy Efficiency and the forthcoming submission of proposals by the Commission regarding a Renewable Energy Roadmap;

6. WELCOMES the recognition in Nairobi of the need for a shared vision of the challenge set by the ultimate objective of the Convention, and in this context IS ENCOURAGED by the growing awareness among many parties that overall global mean surface temperature increase should not exceed 2°C above pre-industrial levels and that, based inter alia on the scenarios of the Intergovernmental Panel on Climate Change Third Assessment Report, global greenhouse gas emissions need to peak within two decades, followed by substantial reductions in the order of at least 15% and perhaps by as much as 50% by 2050 compared to 1990 levels in order to stabilise their concentrations in the atmosphere; RECOGNIZES that any regime will need to address adaptation as well as mitigation and take into account the role of technology, ensure the widest possible cooperation by all countries and their participation in an effective and appropriate international response, be acceptable to all Parties and encourage early moves towards a low greenhouse-gas-emitting economy; STRESSES that the proposals for a post-2012 agreement should reflect and give effect to the principle of common but differentiated responsibilities and respective capabilities and be transparent and flexible so as to allow countries to tailor their responses to their specific circumstances and development goals and maximise cost-efficiency."

Subsequently, delegations had the opportunity to exchange views about the strategy for reaching a post-2012 agreement and about its possible shape. They were invited to provide guidance for the Spring European Council.

Discussions focused in particular on the following topics:

- the EU leadership role in 2007 and beyond;
- the kind of opening that the EU should make now on its possible role in a future agreement; the way in which the global context of the EU's commitments should be taken into account;
- general elements on which the EU should focus when developing options for a post 2012 arrangement.

At the end of the debate, the President attempted to sum-up the delegations interventions as follows:

- There is agreement that the EU needs to show strong leadership in order to prevent the international negotiations from stalling and to accelerate them in order to reach agreement on a global post-2012 regime by 2009 at the latest.
- In this context, the EU looks forward to the Energy Strategy and the Climate Change Communication package, to be presented by the Commission on 10 January.
- On the basis of these documents, the EU will need to determine its position to move forward the international negotiations. It is to be hoped that on the basis of our work and our renewed commitment, the EU will be able to reinvigorate the international negotiations in order to achieve as soon as possible the much needed global agreement.

GENETICALLY MODIFIED ORGANISMS (GMOs)

The Council adopted, by qualified majority¹, two decisions rejecting two proposals from the Commission (13764/06 and 13767/06), requesting Austria to repeal the temporary precautionary measures concerning the use and sale on its territory of two genetically modified types of maize.

On 24 June 2005, the Environment Council, acting by qualified majority, rejected the Commission proposals to repeal the Austrian safeguard measures prohibiting the use and sale of the genetically modified maize varieties MON 810 and T25.

The Commission consequently re-consulted the European Food Safety Authority (EFSA), which concluded, in its opinion of 29 March 2006, that there was no reason to believe that the continued placing on the market of these products was likely to cause any adverse effects for human and animal health or the environment.

Therefore in October 2006, the Commission re-submitted its proposals to repealing the Austrian safeguard measures on the grounds that there are no scientific elements to justify their maintenance which are against the principle of free movement of authorised products.

At the present session of the Council, these proposals gathered the opposition of a qualified majority of Member States.

The Council justified its decisions on the grounds that:

- Maize lines MON 810 and T25 had been approved according to Directive 90/220/EC, which has since been replaced by Directive 2001/18/EC, which contains harmonized environmental risk assessment criteria for GMOs and that these two products have not yet undergone a procedure of re-approval and re-assessment in accordance with the new Directive;
- where the conditions set out in the relevant legislation apply, a Member State may restrict the use and/or sale of a GMO in accordance with Article 23 of Directive 2001/18/EC (safeguard clause);
- the different agricultural structures and regional ecological characteristics in the European Union need to be taken into account in a more systematic manner in the environmental risk assessment of GMOs.

¹ UK, NL, CZ and SE voting against.

OTHER BUSINESS

- (a) Proposal for a Directive on waste
 – Progress report from the Presidency (*16238/06*)

The Danish, Belgian and Czech delegations expressed their first impressions on the proposal.

- (b) Thematic strategy on the sustainable use of pesticides
 - Proposal for a Directive establishing a framework for Community action to achieve a sustainable use of pesticides
 - Proposal for a Regulation concerning the placing of plant protection products on the market
 = Information from the Presidency (*15945/06 and 16242/06*)

The Commission as well as the Swedish, Greek, Danish and the Cypriot delegations mentioned a number of concerns to be dealt with during the future work.

- (c) Proposal for a Directive on environmental quality standards in the field of water policy
 - Information from the Presidency (*16162/06*)

- (d) External relations – report from the Presidency/Commission on the results of EU-Third country meetings
 - EU-US High-Level Dialogue on Climate Change, Clean Energy and Sustainable Development (Helsinki, 24-25 October 2006) (*16734/06*)
 - EU-Ukraine Summit (Helsinki, 27 October 2006)
 - Euro-Mediterranean Ministerial Conference on the Environment (Cairo, 20 November 2006)
 - EU-Russia Summit (Helsinki, 24 November 2006)
 - Northern Dimension Summit (Helsinki, 24 November 2006) (*16733/06*)

- (e) Communication from the Commission: Building a global carbon market
 - Information from the Commission (*15585/06*)

- (f) Eighth Conference of the Parties to the Basel Convention on the Control of Transboundary Movements of Hazardous Wastes and Their Disposal (Nairobi, 27 November to 1 December 2006) (*16754/06*)
 - Information from the Presidency/Commission

- (g) Information from the Commission on European action on water scarcity and drought (*16709/06*)
 - Intervention by the Portuguese and Spanish delegations, supported by the Cypriot delegation
- (h) The need for a gradual substitution of phosphate in detergents (*16503/06*)
 - Intervention by the Swedish delegation, supported by the Italian delegation
- (i) Foreseeable impact of the Community mercury strategy on the Almadén Region (*16651/06*)
 - Intervention by the Spanish delegation, supported by the Slovenian delegation
- (j) Conference on the Environment (Paris, 2-3 February 2007)
 - Intervention by the French delegation
- (k) United Nations General Assembly Resolution on Sustainable Fisheries (*16500/06*)
 - Intervention by the United Kingdom delegation, supported by the Spanish delegation
- (l) Water Directors' Declaration on the Water Framework Directive and Agriculture agreed at the Informal Meeting of Water Directors of the European Union, Candidate and EFTA Countries (Inari, 30 November to 1 December 2006) (*16650/06*)
 - Information from the Presidency

OTHER ITEMS APPROVED

ENVIRONMENT

Århus Convention – GMOs

The Council adopted a decision on the conclusion, on behalf of the European Community, of an amendment to the Convention on access to information, public participation in decision making and access to justice in environmental matters (Århus Convention), to impose more specific obligations concerning public participation in decision-making on genetically modified organisms (13589/06).

JUSTICE AND HOME AFFAIRS

Europol - cooperation agreements with third countries

The Council authorised the Director of Europol to conclude draft agreements between Europol and Albania, Bosnia and Herzegovina, the Former Yugoslav Republic of Macedonia and Moldova.

The purpose of the agreements is to enhance the cooperation of the Member States, acting through Europol, and both countries in preventing, detecting, suppressing, and investigating serious forms of international crime, in particular through the exchange of strategic and technical information (excluding the transmission of personal data).

Exchange of information and intelligence

The Council adopted a Framework Decision for simplifying the exchange of information and intelligence between law enforcement authorities of the Member States (9827/06).

TRADE POLICY

Agreement with Brazil - EU enlargement

The Council adopted decisions approving the conclusion of an agreement with Brazil, under the GATT, on the modification of tariff concessions in agreed schedules of the ten Member States that joined the EU in May 2004 (15650/06).

The Council also adopted a regulation on implementation of the agreement as regards amendments to regulation No 2658/87 on the tariff and statistical nomenclature and on the EU's common customs tariff (15651/06).

Anti-dumping - Japan - Television camera systems

The Council adopted a regulation amending the regulation No 2042/2000 imposing a definitive anti-dumping duty on imports of television camera systems originating in Japan (15695/06).

DEVELOPMENT COOPERATION

European Development Fund - Contributions for 2007

The Council adopted a Decision laying down the schedule of calls for contribution from the Member States to the 9th European Development Fund for the financial year 2007 (15904/06).

The Council also adopted a decision fixing the financial contribution for the first instalment at EUR 1.570 billion (15870/06).

INTERNAL MARKET

New chemicals legislation - REACH

The Council unanimously adopted today the REACH Regulation (registration, evaluation, authorisation and restriction of chemicals), the cornerstone of the new European chemicals policy (15315/06) which replaces around 40 legislative instruments currently in force.

In the framework of the codecision procedure, negotiations between the Council and the European Parliament took place over the last three months in order to reach an agreement in second reading so that this important piece of legislation could enter into force on 1 June 2007.

The compromise package was agreed upon in the informal trilogue on 30 November 2006 and was adopted by the Plenary of the European Parliament on 13 December 2006.

See press release 16889/06

RESEARCH

EU research framework programmes for 2007-2013*

The Council adopted decisions establishing the 7th framework programme (FP7) of the European Community (EC) for research and technological development for the period 2007 to 2013, and the FP7 for nuclear research activities (Euratom) for 2007 to 2011 (*3666/06 and 13802/06*).

The Council also adopted a regulation laying down the rules for the participation of undertakings, research centres and universities in actions under FP7-EC and for the dissemination of research results (*3668/06*).

This new legislative package will apply as from 1 January 2007, on schedule to guarantee continuity with the current FP6, which expires at the end of 2006.

FP7 is aimed at helping to put into effect one of the EU's main goals of increasing the potential for economic growth and of strengthening European competitiveness by investing in knowledge, innovation and human capital.

Statements by the Commission and by individual delegations can be found in documents : *16292/1/06 ADD1, 16292/06 ADD2 and 16364/06*.

(for more details see press release 16887/06).

Cooperation agreements with Israel and Switzerland

The Council adopted a decisions authorising the Commission to negotiate the renewal of agreements on scientific and technical cooperation with Israel and with Switzerland.

ENERGY

Energy Star agreement

The Council adopted a Decision on the conclusion of the Agreement between the United States of America and the European Community on the coordination of energy-efficiency labelling programmes for office equipment (*15516/06*).

The agreement will renew the already existing agreement which is now expiring after having been in place for five years. It has *inter alia* been agreed among parties to integrate the new computer specifications recently approved by the Energy Star Board into the bilateral agreement with a view to bringing the agreement in line with the latest technological developments in the field of energy efficiency.

The proposal for a Regulation implementing the agreement at Community level will be adopted later together with the European Parliament.

TRANSPORT

European Maritime Safety Agency - EU financial contribution for 2007-2013

The Council adopted a regulation on multiannual funding for the action of the European Maritime Safety Agency in the field of response to pollution caused by ships and amending regulation (EC) 1406/2002 (*PE-CONS 3631/06*). The German delegation voted against.

The financial envelope allocated for the action of the agency for the period 2007-2013 amounts to EUR 154 million.

The regulation lays down the detailed arrangements for the EU financial contribution to the budget of the agency for the implementation of the tasks assigned to it in the field of response to pollution caused by ships.

The EU financial contribution is aimed at financing actions related in particular to:

- information and the assembling, analysing and disseminating of best practices, techniques and innovations, such as instruments for monitoring tank-emptying, in the field of responding to pollution caused by ships;
- cooperation and coordination and the provision to the Member States and the Commission of technical and scientific assistance in the framework of the activities of the relevant regional agreements;
- operational assistance and supporting, on request, with additional means, such as stand-by anti-pollution ships and equipment, Member States' pollution response actions in the event of accidental or deliberate pollution caused by ships.

Technical requirements for inland waterway vessels

The Council adopted a directive amending Directive 2006/87/EC laying down technical requirements for inland waterway vessels and repealing Council Directive 82/714/EEC, to align it with new comitology rules adopted by the Council in July 2006¹ (*PE-CONS 3674/06*).

The Council adopted a directive laying down technical requirements for inland waterway vessels in October 2006 (*see press release 13989/06, p. 30*).

SOCIAL POLICY

Social security coordination

The Council adopted a regulation amending Regulation (EEC) No 1408/71 on the application of social security schemes to employed persons, to self-employed persons and to members of their families moving within the Community and Regulation (EEC) No 574/72 laying down the procedure for implementing Regulation (EEC) No 1408/71 (miscellaneous amendments 2005), accepting all the amendments suggested by the European Parliament at first reading (*PE-CONS 3669/06*).

These regular amendments are intended to update Regulation (EEC) No 1408/71, its annexes and its implementing regulation to reflect changes in the legal situation at national level as well as new case law of the European Community Court of Justice, thus ensuring proper Community coordination of national social security schemes.

INTELLECTUAL PROPERTY

International registration of industrial designs*

The Council adopted a decision approving the accession of the European Community to the Geneva Act of the Hague Agreement concerning the international registration of industrial designs, and a regulation in order to give effect to the accession (*14710/06, 14712/06 and 15683/06 ADD1*).

The 1999 Geneva Act allows designers to obtain design protection in a number of countries through a single international registration.

¹ Council Decision 2006/512/EC (OJ L 200, 22.7.2006, p. 11)

EDUCATION

Agreement with Canada - Cooperation in the field of higher education

The Council adopted a decision approving the agreement between the EU and Canada establishing a framework for cooperation in the fields of higher education, training and youth (*16151/06*).

It is aimed at:

- promoting mutual understanding between the peoples of the EU and Canada including broader knowledge of their languages, cultures and institutions;
- improving the quality of human resources in both the EU and Canada, by facilitating the acquisition of skills required to meet the challenges of the global knowledge-based economy.

The agreement is concluded for a period of eight years and may be extended or amended by mutual agreement in writing.

The agreement was signed in Helsinki on 5 December 2006.

Key competences for lifelong learning

The Council adopted a recommendation on key competences for lifelong learning, accepting all the amendments suggested by the European Parliament at first reading (*PE-CONS 3650/06*).

A European framework of basic skills to be provided through lifelong learning was originally requested in the Lisbon conclusions in 2000. The recommendation is one of the concrete outcomes of the 'Education and Training 2010' work programme and aims to encourage and facilitate national reforms by providing, for the first time at the European level, a framework of key competences that every European citizen should have in order to prosper in a knowledge-based society.

The Recommendation calls for Member States to ensure that all young people are given the possibility to develop the package of 8 key competences by the end of initial education and training and that specific attention is paid to disadvantaged learners. The key competences include communication in the mother tongue, communication in foreign languages, mathematical competence and basic competences in science and technology, digital competence, learning to learn, social and civic competences, sense of initiative and entrepreneurship, cultural awareness and expression.

European Charter for mobility

The Council adopted a recommendation on transnational mobility within the Community for education and training purposes: European Charter for mobility, accepting all the amendments suggested by the European Parliament at first reading (*PE-CONS 3649/06*).

The European Charter for mobility focuses on the quality aspects of mobility. It should help exchanges, facilitate the recognition of periods dedicated to education or training, the recognition of titles and qualifications, and establish mutual trust so as to improve cooperation between the authorities, organisations and all the relevant stakeholders in mobility.

The Charter offers guidance for mobility undertaken by individual young people or adults, for the purposes of formal and non-formal learning and for their personal and professional development. It has been designed as a basic reference document, which takes account of national situations and respects Member States' competences. Its scope and content may be adapted to suit the duration of the mobility and the particularities of the various educational, training and youth activities as well as the needs of the participants. Although primarily addressing mobility for learning purposes, it is felt that this guidance could also be useful for other types of mobility, such as mobility for work.

Member States are recommended to use it as a means of enhancing the personal and professional development of their citizens.

DECISIONS TAKEN BY WRITTEN PROCEDURE

EU budget - Financial regulation

The Council, following a successful conciliation with the European Parliament, adopted a regulation amending regulation 1605/2002 (the "financial regulation") on the rules applicable to management of the EU's general budget (*14144/06*).

The new rules will apply at the latest from 1 May 2007, together with revised detailed rules for implementation of the financial regulation ("implementing rules").

The main objectives of the revised financial regulation are:

- to improve efficiency and transparency in operation of the rules, in particular as regards clarification of their interpretation and application;
- simplification of procedural and documentation requirements for contracts and grants, especially for those of low value, and ensuring that requirements are proportionate to the costs and risks involved,
- simplification of requirements for the prior verification of grants, and for financial and legal guarantees, ensuring that requirements, and the administrative burdens they place on beneficiaries, are proportionate to the costs and risks involved;
- clarification and streamlining of the rules governing methods of management.

The financial regulation is subject to review every three years, or whenever it proves necessary to do so.
