

# Last formal Environment Council gives green light to Belgian priorities

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The last formal European Environment Council in Brussels has completed a very busy agenda today under the presidency of Joke Schauvliege, the Flemish Minister for Environment, Nature and Culture. "All the priorities of the Belgian EU Presidency regarding Environment have been discussed. I am pleased about the results, especially since the Council has reached an agreement here in Brussels today about the use of biocidal products and the emission standards for light commercial vehicles", says Minister Joke Schauvliege.

From the outset, the Belgian EU Presidency put forward four priorities:

- sustainable materials management
- climate
- biodiversity
- better regulation.

An agreement could also be reached about a number of other issues.

### Sustainable materials management

Minister Schauvliege has been able to put this theme on the European agenda with the Informal Council in Ghent. According to Minister Schauvliege, "The Council has made a strong contribution in terms of content. The concept of **sustainable materials management** may facilitate the transformation to a resource efficient Europe, as envisaged in the Europe 2020 Strategy." The Council endorses a broad interpretation of 'resource efficiency' (including energy and non-energy resources, biotic and abiotic materials, water, air, soil, living organisms, ecosystems and biodiversity). Efficiency is not just seen as an economic concept, as an increase in productivity, but also as the management of limited availability and a reduction of the environmental impact of resources use.

The conclusions also propose concrete actions to make the materials use more sustainable throughout the life cycle, among other things through the design of products, the use of LCA methods (Life Cycle Analysis), more cooperation between actors, etc. The Commission is called on to develop a common methodology for the quantitative analysis of the environmental impact of products throughout their life cycle, and to consider an extension of the scope of the Ecodesign Directive. The Council also encourages the Commission to continue to work on the development of a set of indicators on materials use and the related impact, in order to propose quantifiable and measurable targets for resource efficiency on the basis of these indicators.

Two legislative dossiers were discussed under the Belgian Presidency which were linked to this theme:

- The proposal of Directive on **waste electrical and electronic equipment (WEEE)**: today, a report was presented on the progress of the Council discussions. There are still some items of discussion, including the scope and the separate collection target. This discussion will now continue under the Hungarian EU Presidency. Flanders, for instance, had already started the collection of WEEE even before this became compulsory under EU legislation. Flanders more than meets the targets of the EU Directive: in 2009, this figure was 10,67 kg WEEE/inhabitant/year, whereas the Directive requires 4 kg/inhabitant/year.

- **The restriction of hazardous substances in electrical and electronic equipment (RoHS)** (e.g. lead, mercury, cadmium). In November, an agreement in first reading was reached with the EP. Since its entry into effect (July 2006), the Directive seemed to be unclear for companies. Moreover, there was no possibility to include any new substances. The most important changes to the Directive are an 'open scope' and an elaborated methodology so as to allow new substances to be added to the list of prohibited substances.

### Biodiversity

The **Nagoya Conference on Biodiversity** has yielded very concrete results for the three components which the EU regarded as one package: a protocol on Access and Benefits Sharing has been approved; an ambitious and realistic Strategic Plan 2011-2020 with some twenty operational targets and five strategic targets has been agreed, and agreements have been reached on financing. In addition, the link between biodiversity and climate change was reinforced and agreements were made on a better protection of marine areas and the demarcation of 17% terrestrial and 10% marine areas.

Today, the Council adopted conclusions to continue to build on these international results and the actions to be taken at European and Member State level. A crucial element is the integration of biodiversity into other relevant areas. "Together with the Council, I am looking forward to the Commission's Communication on the post-2010 Biodiversity Action Plan to further work on this", says Minister Schauvliege.

### Environmental Policy Instruments

The Council also adopted conclusions about the fourth priority: **improvement environmental policy instruments**. The Belgian Presidency launched this discussion at an important evaluation moment for the European environmental policy. The 6th Environment Action Plan will be evaluated shortly. In these conclusions the Council also sends a message about the desired content of a possible 7th Environment Action Plan.

The conclusions also elaborate on other policy instruments that can be applied more efficiently or can themselves be improved, such as the need for better and common environmental information (systems) (*SEIS, GDP and beyond, environmental impact analyses*), the use of market-based instruments, a better implementation of environmental regulations, an adequate funding of the environmental policy and the importance of ecological innovation.

On the occasion of the 25th anniversary of the EIA Directive, the Belgian EU Presidency, together with the Commission, gathered experts from all over the EU in November. At this gathering, Minister Schauvliege argued in favour of an EIA process which is both effective and efficient, and of customisation. Flexibility is the key word because projects differ according to type, scale and the environment in which they will be carried out. European regulation should allow for customisation in the future.

### Biocidal products

Today, the Council also reached a political agreement on the Regulation concerning the placing on the market and use of biocidal products. This Regulation replaces the existing 1998 Directive and governs the approval of active substances and the authorisation of biocidal products that are placed on the market within the EU.

Minister Joke Schauvliege: "According to me, this theme has not been given the political attention it deserves. Yet, we use biocidal products pretty often in our daily lives as disinfectants,

preservatives or pesticides to destroy, deter, render harmless or control harmful organisms. A properly working licensing system for these products is of vital importance. The legislation aims to strike a balance between promoting a strengthening of the internal market for these products and protecting public health and the environment." The choices made by the Council should result in usable methods for articles, treated with biocidal products, and the financial contributions. The possibility for Member States to better protect the environment is extended by:

- the extension of the criteria, on the basis of which hazardous active substances can be excluded;
- the extended possibility of national derogations, both for the procedures of mutual recognition and the EU authorisation.

The Council has today also reached an **agreement on the emission standards for light commercial vehicles**. The compromise that has been arrived at is 147 g CO<sub>2</sub>/km. The sector itself put 160 g/km forward as maximum achievable target. The new standard will be introduced over a four-year period, from 2014 to 2017. The excess emissions premium will be 95 €/g, by analogy with the premium mechanism from the Regulation for passenger cars. Flemish Minister Joke Schauvliege: "Thanks to this agreement in first reading, we can continue to work on the internal European efforts to reduce greenhouse gas emissions."

Finally, a progress report has also been presented this morning on the progress of the discussions concerning the proposal for modification of Directive 2001/18/EC on the possibility for Member States to limit or prohibit the cultivation of **GMOs** on their territory. The discussions have revealed that a lot of Member States still have fundamental questions about the Commission's proposal.

### Climate

This afternoon, the Council will also evaluate the outcome of the **Cancún climate Conference**. "We have succeeded in concluding important partial agreements (transparency, adaptation, technology, deforestation, the Green Climate Fund), which lay the foundations for a global and comprehensive outcome, as envisaged in our Council conclusions of 14 October. Moreover, the outcome of Cancún also implements immediate and concrete actions in the field. I am also pleased about the fact that, just like in Nagoya, the EU has taken action and sent a clear message as one single united body. The EU has built bridges and has received explicit recognition for this by other partners."

At intra-European level, the Belgian EU Presidency has delivered a report of its own, stating a number of arguments with regard to the debate on a more severe emission reduction target (-20% -30%). The report also draws attention to the importance of the target in the long term (2050), the optimal emission reduction path and an impact analysis for each sector. Additional information is required from the Commission about the impact per sector and for each Member State, in order to reach a decision in this matter.