

Ministear airson na h-Àrainneachd agus Atharrachadh Aimsir
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Dear Rob

I am writing to update the Committee on the Environment Council which I attended on 3 March.

Council debated the Commission's proposals for a Framework for Climate and Energy Policy to 2030 with Scotland supporting the UK's call for early agreement on ambitious targets. Unfortunately, political consensus on this matter was not reached at the March European Council and it now seems unlikely that EU targets for 2030 on emission reductions and renewable energy will be settled before October this year.

An exchange of views on a Regulation to allow Member States to restrict or prohibit the cultivation of GMOs in their territory culminated in Member States giving the green light to restart discussions on the proposal, based on the Presidency's compromise text.

Member States also discussed the Greening of the European Semester. Under AOB, information was given by the Commission on the Kyoto Protocol, Clean Air, Wildlife Trafficking and Shale Gas and from the Czech delegation on Large Combustion Plants.

In addition to the formal Council business I was also able to have bilateral discussions with other Ministers. I met with the Latvian Minister for Environmental Protection and Regional Development, Einārs Cilinskis. We discussed Latvia's plans for their Presidency of the Council of the European Union, from January to June 2015. I also had the opportunity to again spend time with the Welsh Government's Minister for Natural Resources and Food, Alun Davies who is keen to visit Scotland soon. In preparation for Council business I also had discussions with both of the UK Secretaries of State attending, Ed Davey and Owen Paterson.

Detail

2030 Climate and Energy Framework

1. Member States set out their positions on the Commission's proposals for the 2030 climate and energy framework. The majority of Member States endorsed a greenhouse gas target of 40%, although there were calls for the door to remain open to a 50% target in the context of an ambitious agreement and drawing on international credits. There was support among a number of countries for binding targets on renewables and energy efficiency in addition to the greenhouse gas target for an EU-wide target of 30%, or higher, of gross final energy consumption. The UK clarified that it gave conditional support to a binding EU renewables target of 27%. A number of Member states welcomed the Commission's proposal for reform of the Emissions Trading System, with this potentially being preceded by cancellation of allowances.
2. A minority of other Member States expressed common positions in favour of a single binding greenhouse gas target, but not specifying the level, with no new binding targets for renewable energy or energy efficiency and calling (along with others) for a comprehensive discussion on burden sharing for the greenhouse gas target to take place before an agreement on targets could be reached.
3. The Presidency noted that a balance needed to be struck between environmental demands, competitiveness and security of supply, requiring an integrated approach to policy implementation. It was clear that the greenhouse gas target was commonly regarded as being the centrepiece of the framework, with many Member States supporting the flexible approach in the Commission's proposal, although further questions remained on allocation of efforts between Member States.

Regulation to allow Member States to restrict or prohibit the cultivation of GMOs in their territory

4. Following a recent difficult discussion on the authorisation of Maize 1507 for cultivation in the EU, the Presidency tabled a new compromise text on the proposal to allow Member States to restrict or prohibit cultivation of GMOs on all or part of their territory. Supported by the Commission, this aimed to kick-start negotiations on this proposal, which had been stalled for several years by a blocking minority.
5. The overwhelming majority of Member States spoke out in favour of re-opening technical discussions on this proposal on the basis of the Presidency compromise. They stressed that the EU risked falling behind the rest of the world in terms of utilising GMOs but recognised the need to ensure there is legally-sound flexibility for countries or regions to opt-out of cultivating GM crops if they so wished. Despite agreeing to do so the UK failed to refer to the importance of regions (as well as Member States) having the right to take their own approach to GMO. I have since raised this with Owen Paterson to ensure that this does not happen in the future
6. The Council conclusions reflected the delegations' positive view of reopening discussions on the basis of their compromise proposal and that they expected a final compromise to be reached before the end of 2014.

Greening of the European Semester

7. The Presidency noted they intended an open discussion with the aim of allowing Environment Ministers to contribute to the Annual Growth Survey and more specifically the Spring European Council. The Commission noted the potential positive impact of environment policies on the economy was increasingly understood, but said there was some way to go.
8. The Commission noted the concerns raised by some Member States on discussing tax in the environment fora. They underlined that while decisions on taxation were for Finance Ministers, Environment Ministers were entitled to feed into discussions on green taxation. They further agreed that the focus of the semester should be growth and jobs.
9. A majority of the Member States supported greening the semester including the shift to 'green taxation', and strengthening the role of Environment Ministers. The promotion of growth and resource efficiency and mainstreaming greening across EU policies is likely to be a priority issue on the EU agenda for the second half of 2014. A number of Member States advocated greater focus on resource efficiency and the need for indicators and targets. One Member State underlined the costs of inaction referencing the recent floods in France and the UK. Some pointed to the lack of access to finance as a barrier to the uptake of green technology. This also had a disproportionate impact on innovative SMEs. Some noted that the EU could go further including incorporating recommendations on biodiversity and water efficiency as part of country level recommendations.
10. The Commission informed ministers that they aimed to publish a review of the waste package before the end of the Greek Presidency. The package would include more ambitious recycling targets. The Commission also urged Environment Ministers to feed into the drafting of their country's respective national reform programmes which was now underway.

AOB

State of Play of the Kyoto Protocol's second commitment period ratification – information from the Commission

11. The Commission emphasised the urgency of agreeing the ratification of the second commitment period before the Paris COP in 2015, asking Ministers to ensure that their experts were engaging constructively. Among the reactions of Member States were the concerns that agreeing the amendment to the Monitoring Mechanism Regulation under this mandate of the European Parliament risked making mistakes, due to lack of due consideration, as well as that the ratification instruments should ensure that there was no possibility of increasing the emissions target or costs for Member States.

Clean Air Programme for Europe – information from the Commission

12. The Commission presented its air quality package, adopted in December 2013. The Commission argued that the package represented a balanced approach to dealing with air quality which represented the main cause of early mortality in Europe's urban areas and a major economic damage including €15bn from lost workdays and €4bn healthcare costs. Reactions from Member States varied and an orientation debate is planned for the June Environment Council.

EU Approach against Wildlife Trafficking – information from the Commission

13. The Commission introduced its new communication on tackling wildlife trafficking. It noted that illegal wildlife trade was a multi-billion Euro business rivalling trade in guns and drugs and seriously undermined the ability of countries to pull themselves out of poverty.

Shale Gas – information from the Commission

14. The Commission presented guidelines for ensuring that the extraction and exploitation of shale gas would be done a way which commanded the support and confidence of all stakeholders. While some Member States were disappointed that the Commission did not opt for regulation, the UK and others stressed that the current legislative framework was adequate and questioned the implication that the Commission would bring forward legislation in 18 months' time. The Commission countered that legislation was not a foregone conclusion but that the clause was included to ensure the Commission could take action if Member States failed to fulfil their promises.

Review of the Best Available Techniques reference document for Large Combustion Plants

15. A number of Member States supported a request for the establishment of a sub-group to deal with key problems in the review of the large combustion plant Best Available Techniques Reference Document (BREF). The Commission was less supportive of the idea.

Lunchtime Discussion – Soils

16. Over lunch ministers discussed the fate of the current Soil Framework Directive and the possible future direction of policies on the protection of soil as articulated in the 7th Environment Action Plan. The UK and a majority of Member States supported the withdrawal of the current directive with a clear preference for non-binding measures. The Commission hinted at a preference for a flexible legislative proposal setting out the high level ambition without being prescriptive on which measures Member States could take to achieve the objectives.

I am copying this letter to Christina McKelvie, Convener European and External Relations Committee for information.

Kindest regards



PAUL WHEELHOUSE