

Cabinet Secretary for Environment, Climate Change and Land Reform
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Environment, Climate Change and Land Reform Committee
The Scottish Parliament
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Dear Graeme

ENVIRONMENT COUNCIL: 20 JUNE 2016

I am writing to provide you with a report on the outcomes of the EU Environment Council meeting which I attended in Luxembourg on 20 June 2016.

On climate policy, the Council discussed the Reform of the Emission Trading Scheme (ETS) and the Ratification of the Paris Agreement. Regarding the environment part of the agenda, the Circular Economy Package, National Emissions Ceilings Directive and Illegal Wildlife Trafficking were discussed. In addition there were a large number of AOB items on the agenda.

My participation in this Council provided an opportunity to further demonstrate Scotland's ambition on addressing climate change domestically and internationally, and reinforce key messages from Scotland's Circular Economy Strategy, Making Things Last.

Alongside the formal Council agenda, I met with Denis Naughton, the new Irish Minister for Communications, Climate Action and Environment; Lord Bourne, UK Parliamentary Under-Secretary for Department for Energy and Climate Change; and, Rory Stewart, UK Parliamentary Under Secretary of State for Environment, Food and Rural Affairs.

In bilaterals with the Irish Minister and Lord Bourne, I highlighted Scotland's recent success in meeting its ambitious 2020 emission reduction targets four years early, of our move towards more ambitious targets and of a need for greater ambition across the EU. I also discussed with Mr Naughton the Scottish Government's approach to encouraging community owned renewable energy and our intentions as regards to land reform in Scotland.

In my conversation with Mr Stewart we discussed the Uplands Border demonstrator project; the Scottish Government's intention to introduce a Circular Economy Bill; and, the progress Scotland has made in terms of Local Authorities signing up to the Household Recycling Charter.

I have attached a brief note summarising the main discussions that took place in the Council for the interest of the Committee. I am copying this letter to the Convener of the European and External Relations Committee for information.



Roseanna Cunningham

SUMMARY OF KEY OUTCOMES

EU Emissions Trading System (ETS)

The Dutch Presidency presented a progress report on the on-going negotiations to reform the EU ETS. The view expressed by the Commission was that carbon leakage rules are a priority and the EU should be wary of excessive burdens for national authorities and industry. Commissioner Canete also welcomed an open discussion with industry to develop good ideas on making the best use of Innovation and Modernisation Funds.

Ministers offered broad support for the progress achieved under the Dutch Presidency and their proposals for next steps. Some Member States highlighted the importance of ETS reform in relation to the Paris Agreement. A number of Member States supported raising ETS ambition in alignment with the Paris Agreement's 5-yearly review cycle and the policy debate saw many Ministers highlight specific aspects of the proposals of particular importance, with free allocations and carbon leakage featuring prominently. The key issues raised by the UK delegation included the need for a tiered approach, the need for a reduction in the number of free allowances and protection against carbon leakage.

Ratification of the Paris Agreement

The Commission presented their proposal for a Council Decision on EU ratification of the Paris Agreement, which they had published on 10 June. Ministers endorsed a Council Statement calling for ratification of the Paris Agreement by the EU and its Member States as soon as possible. The global legally-binding agreement on climate change was adopted in December 2015 in Paris. It will enter into force after ratification by 55 countries representing at least 55% of global greenhouse gas emissions.

Circular Economy

The Council adopted Conclusions in response to the Commission Communication on an EU Action Plan for the Circular Economy, published in November 2015. The Commission welcomed the Conclusions as a balanced and important step on the transition towards a more circular economy. The UK welcomed the conclusions.

Illegal Wildlife Trafficking

Council Conclusions were adopted in respect of the Commission Communication on an EU Action Plan against Wildlife Trafficking published in March 2015. A few Member States used this item as an opportunity to call on the Commission to bring forward the delayed Final Report on the Fitness Check of the Habitats and Birds Directives, the Commissioner said work on this file was on-going and the report would be published in the autumn.

National Emissions Ceilings Directive

The proposed National Emissions Ceilings Directive sets national emissions ceilings for Member States for certain air pollutants (not CO²) up to 2030. Setting out the state of play of Trilogue negotiations on this file, the Dutch Presidency reported their intention to continue negotiations with the European Parliament until the end of their Presidency with a view to reaching an agreement. Ministers expressed their views as to the key elements of a final compromise and the Dutch Presidency acknowledged these and the need to find a balance between ambition and feasibility.

ANY OTHER BUSINESS

NOx emissions by diesel

The Presidency reported on the recent discussion at the Transport Council. Ministers underlined the need to restore consumer confidence and increase transparency following the diesel emissions scandal. Ministers agreed on the need to take measures to ensure such a situation is not repeated.

Endocrine Disruptors

The Commission presented its recently adopted package on endocrine disruptors consisting of a Communication and draft Commission acts setting out scientific criteria in the context of EU legislation on plant protection products and biocidal products. Some ministers expressed strong concerns and asked the Commission to respect the precautionary principle, including in taking measures in respect of suspected endocrine disruptors in the absence of evidence.

Make It Work Initiative

The Dutch Presidency updated the Council on their “Make It Work” conference, an initiative which aims to improve EU regulation, and noted that the conclusion of this conference was that this initiative should be continued.

Slovakian Presidency Priorities

Minister Sólymos informed fellow Ministers of the key environment priorities for their Presidency – which will focus on a large number of files relating to climate change; in addition to biodiversity circular economy and the proposals for revised waste legislation; and, water, especially in the context of climate change.

Other AOBs

The Council also heard updates from the Commission on a range of international environment and climate meetings (including the 8th Environment for Europe Ministerial Conference and the aviation emissions negotiations under the International Civil Aviation Organisation). The Commission also presented their recently published Communication on their proposed Environmental Implementation Review.

The Dutch Presidency presented the outcome of the informal meeting of Environment and Transport Ministers, held in Amsterdam on the 14-15 April 2016; and the REACH Forward Conference on chemicals legislation the Dutch hosted ahead of the anticipated review of the EU REACH Regulation.

The next Environment Council will be held in Luxembourg on the 17 October 2016.