

Cabinet Secretary for Environment, Climate Change and Land Reform  
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Graeme Dey MSP  
Convener  
Environment, Climate Change and Land Reform Committee  
The Scottish Parliament  
EDINBURGH  
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18 October 2016

Dear Graeme,

**ENVIRONMENT COUNCIL: 30 SEPTEMBER 2016**

I am writing to provide you with a report on the outcomes of the extraordinary EU Environment Council meeting which I attended in Brussels on 30 September 2016. The meeting, which was called at short notice, was entirely focused on international climate change matters, in particular EU ratification of the Paris Agreement.

I have attached a brief note summarising the main discussions that took place in the Council for the interest of the Committee. As you may be aware, subsequent to this meeting the EU and seven EU Member States ratified the Paris agreement on 5 October and it will now come into force on 4 November. I am copying this letter to the Convener of the European and External Relations Committee for information.

Yours



**ROSEANNA CUNNINGHAM**

## **ENVIRONMENT COUNCIL REPORT: 30 SEPTEMBER 2016**

### **SUMMARY OF KEY OUTCOMES**

#### **Ratification of the Paris Agreement**

With 68 countries accounting for 48% of global greenhouse emissions having ratified the Paris Agreement before the meeting, with India and Canada likely to follow very soon, the principle aim of this extraordinary Council meeting was to expedite the process towards EU ratification of the Paris Agreement. With EU ratification increasing the likelihood that the Paris Agreement would come into force early and ensure the EU would participate in the first meeting of parties to the agreement, there was a real sense of urgency that Environment ministers must agree to EU ratification.

I met Mr Hurd, the UK Minister of State for Climate Change and Industry in advance of the Council meeting, and I made clear Scottish support for urgent ratification by the EU and UK of the Paris Agreement. In Council, Minister Hurd expressed UK's full support for EU ratification and strongly welcomed that the Paris Agreement would enter into force earlier than expected. He also set out that the Prime Minister had announced the start of the UK's domestic ratification process, with a view to completing it by the end of the year.

The Council began with the Slovakian Presidency instigating round table interventions by focusing on its draft Joint Statement of the Council, Member States and Commission on the accelerated process and a draft Council Decision which would act as the EU's instrument of ratification. While the text of the Council Decision was welcomed by all delegations, coming to an agreement on the accompanying Statement was a much harder task.

Given the expedited process entailed a legally unorthodox approach to ratifying a mixed competence international agreement, the need for written assurance that this would not set a legal precedent was a key aspect of discussions. With differing opinions on other aspects of the content of the Statement, the Presidency needed to utilise the full scope of its diplomatic tact before successfully obtaining the required unanimous support from Ministers.

Following this agreement, the Presidency advised that it would now seek the consent of the European Parliament on the Council Decision on EU ratification, where it was expected that the Parliament will vote in favour on the 4th October. Pending this consent, the Presidency also outlined that a written procedure would adopt the final version of the Decision, allowing for the Presidency and Commission to hopefully deposit the instrument at the UN before the 7th October.

#### **Council Conclusions – preparations for Marrakesh Conference of Parties COP22**

This additional agenda Item was one which saw the Presidency present draft Conclusions on the EU mandate for COP 22. The Council adopted these conclusions for the Marrakesh conference which will focus on action and implementation.

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