

COUNCIL OF THE EUROPEAN COMMUNITIES
GENERAL SECRETARIAT

PRESS RELEASE

6715/90 (Presse 81)

1410th Council meeting

- Environment -

Luxembourg, 7 June 1990

President: Mr Padraig FLYNN

Minister for the Environment
of Ireland

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

Belgium:

Mrs Miet SMET State Secretary for the Environment

Denmark:

Mrs Lone DYBKJAER Minister for the Environment

Germany:

Mr Klaus TOEPFER Federal Minister for the Environment,
Nature Conservation and Reactor Safety

Mr Clemens STROETMANN State Secretary,
Federal Ministry of the Environment,
Nature Conservation and Reactor Safety

Greece:

Mr Stephanos MANOS Minister for the Environment,
Regional Planning and Public Works

Spain:

Mr Javier SAENZ COSCULLUELA Minister for Public Works
and Town Planning

France:

Mr Brice LALONDE State Secretary for the Environment

Ireland:

Mr Padraig FLYNN Minister for the Environment

Mrs Mary HARNEY Minister of State
at the Department of the Environment
with special responsibility for
the Office for the Protection
of the Environment

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Italy:

Mr Giorgio RUFFOLO

Minister for the Environment

Luxembourg:

Mr Alex BODRY

Minister for the Environment

Netherlands:

Mr J.G.M. ALDERS

Minister for Housing, Planning and
the Environment

Portugal:

Mr Fernando REAL

Minister for the Environment and
Natural Resources

United Kingdom:

Mr Christopher PATTEN

Secretary of State for the Environment

Mr David TRIPPIER

Minister of State,
Department of the Environment

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Commission:

Mr Carlo RIPA DI MEANA

Member

STRENGTHENING OF DIRECTIVE 75/422/EEC ON WASTE

The Council agreed on the substance of an amendment strengthening Directive 75/422/EEC on waste, which from now on will be considered a framework Directive.

The Directive falls within the broad lines of the Community's general strategy on waste, which is the subject of the Resolution adopted by the Council on 7 May 1990.

The main purposes of the new provisions are as follows:

- to establish an integrated and adequate network of disposal installations which should enable the Community as a whole to become self-sufficient in waste disposal, as well as limiting the risks inherent in waste transport by encouraging waste disposal in one of the appropriate installations closest to the production site;
- to enhance certain priorities, in particular the promotion of clean technologies and products that can be recycled and re-utilized;
- to give more precise definitions, particularly of the terms "waste" and "disposal", in order to ensure a greater degree of harmonization of waste management;
- to introduce a procedure for the adaptation to technical progress of the Annexes to the Directive.

DANGEROUS BATTERIES AND ACCUMULATORS

The Council reached agreement on the substance with a view to adopting a common position on the proposal for a Directive on batteries and accumulators containing certain dangerous substances.

The purpose of the Directive would be to encourage the recycling or controlled disposal of spent batteries containing dangerous substances. It is also intended to encourage the marketing of batteries with a low content in heavy-metals and other dangerous and/or polluting substances.

Its main provisions are as follows:

- a ban, subject to certain very limited exemptions, on alkaline manganese batteries containing more than 0,025% of mercury by weight;
- the marking of batteries and accumulators with indications on separate collection, where appropriate recycling, and heavy-metal content;
- that, except for certain very specific cases, batteries and accumulators may not be incorporated into appliances unless they can be readily removed, when spent, by the consumer;
- procedures for the adaptation of the Directive to technical progress.

CONTROL OF WATER QUALITY

The Council held another discussion on the proposal amending Directives 80/778 on drinking water, 76/160 on bathing water, 75/440 on surface water and 70/869 on methods of measurement and frequencies of analysis of surface water, the purpose of which is to establish a procedure for adapting the Directives to technical progress.

The Council instructed the Permanent Representatives Committee to continue its discussions on the matter with the aim of reaching agreement as soon as possible.

WATER POLLUTION BY CERTAIN DANGEROUS SUBSTANCES

The Council reached agreement on an amendment to Annex II of Directive 86/280 with regard to fixing limit values and quality objectives for dichloroethane (EDC), trichloroethylene (TRI), perchloroethylene (PER) and trichlorobenzene (TCB). The purpose of the amendment is to limit or eliminate water pollution by these four substances.

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PROTECTION OF THE OZONE LAYER

The Council approved an additional negotiating brief for a substantial reinforcement of the Montreal Protocol on limiting the production and consumption of products which deplete the ozone layer. The purpose of the brief is also to encourage the accession of as many third countries as possible and to contribute to the efficient application of the Protocol.

The second Conference of the Parties to the Protocol will be held in London from 20 to 29 June 1990. The adjustments and amendments to the Protocol are to be finalized by the contracting parties at that meeting.

GREENHOUSE EFFECT - COUNCIL CONCLUSIONS

The Council discussed climate change. It re-examined its previous position as set out in the Resolution of 21 June 1989, and took note of the progress made since then, both at the Noordwijk Conference in November 1989 and at the Bergen Conference in May 1990.

The Council recalled that in its Resolution of 21 June 1989 it had asked the Commission to submit proposals for concrete action by the end of 1990 at the latest. Due to the urgency of the problem and in preparation for the Second World Climate Conference to be held in November 1990, the Council urged the Commission to press ahead with its work, taking into account the above principles, so as to enable the Council to re-examine the matter at its next meeting in October.

POLLUTION BY NITRATES

The Council resumed its examination of the proposal for a Council Directive concerning the protection of fresh, coastal and marine waters against pollution caused by nitrates from diffuse sources.

The purpose of the proposal is in particular to combat the deterioration of drinking water and the eutrophication of inland and coastal waters.

The Council concentrated especially on a number of key elements, in particular the scope and criteria for defining "vulnerable zones".

After noting that differences still remained, the Council instructed the Permanent Representatives Committee to expedite its work, so as to enable it to make progress on this important issue.

MUNICIPAL WASTE WATER

The Council was informed of the stage reached in discussions on the proposal for a Directive concerning municipal waste water treatment, which forms part of a consistent overall policy for combating nitrate and phosphate pollution ⁽¹⁾.

The purpose of the proposal is to limit pollution from municipal waste water discharges. To this end, the proposal lays down minimum requirements for the treatment of municipal waste waters and of industrial waste waters of a similar nature, as well as for the disposal of sludge, differentiated according to the characteristics of receiving waters and to the size of the municipality concerned. The proposal stipulates that Member States must establish national programmes for the implementation of the Directive. Lastly, it lays down other important provisions on informing the public and the training of qualified staff.

The Council instructed the Permanent Representatives Committee to continue its proceedings on the matter in order to enable it to resume its discussion as soon as possible.

(1) See also the item on "Pollution by nitrates" in this release.

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PROTECTION OF HABITATS

The Council held an exchange of views on the proposal for a Directive on the protection of natural and semi-natural habitats and of wild fauna and flora, on which the Opinions of the European Parliament and the Economic and Social Committee are pending.

This important proposal is designed to establish a coherent Community policy on wildlife protection, taking as its starting point existing Community legislation and relevant international agreements.

The Commission stated that a revised version of Annex V of the proposal containing the criteria for classifying special protection areas would be forwarded as soon as possible.

The Council also welcomed the Commission's submission of a proposal for a Regulation on action by the Community relating to nature conservation (ACNAT), which will replace the 1989 Regulation on action by the Community relating to the environment, which expires on 30 July 1991.

The Council instructed the Permanent Representatives Committee to resume its examination of the two proposals in the light of opinions expressed by the delegations in order to reach overall agreement, if possible, by the end of 1990.

POLLUTION BY MOTOR VEHICLES

The Council was informed of progress made on the proposed amendment to Directive 70/220 on measures to be taken against air pollution by emissions from motor vehicles, on which the European Parliament's Opinion is expected very shortly.

It will be remembered that the purpose of this proposal for a Directive is to consolidate the Community rules on emissions of air pollutants by private vehicles, in accordance with the guidelines laid down by the Council.

That objective is to be attained principally by:

- aligning the limit values for gaseous emissions from vehicles with large and medium-sized engine capacities on the stricter emission standards and the implementation dates laid down by the Council last July for vehicles with small engine capacities;
- implementing, in accordance with Article 4 of Directive 88/436/EEC on the restriction of particulate pollutant emissions from diesel engines, a second stage for a further reduction in the limit values for such emissions;
- basing these limit values for emissions of air pollutants on an improved European test procedure which includes an extra-urban test cycle.

These measures are supplemented by rules on the evaporation of fuels used by vehicles and the durability of the anti-pollution devices with which they are fitted.

The Council, after recording the importance it attached to the rapid adoption of the Directive, asked the European Parliament to adopt its Opinion by the urgent procedure, so as to be able to take a decision at its next meeting in October.

GERMAN UNIFICATION

The German delegation reported on the environmental problems arising, and the solutions envisaged, in the context of the process of German unification.

FREEDOM OF ACCESS TO INFORMATION ON THE ENVIRONMENT

The Council, following the agreement in principle reached at the meeting on 22 and 23 March 1990, formally adopted the Directive on the freedom of access to information on the environment.

It will be remembered that the purpose of the Directive is to ensure freedom of access to, and dissemination of, information on the environment held by public authorities, and to set out the basic conditions under which such information should be made available.

Save for certain exceptions laid down in the Directive itself, public authorities will be required to make information on the environment available to any natural or legal person at his request and without his having to prove an interest, but where appropriate Member States may ask for payment of a reasonable fee.

For the purposes of the Directive, "information relating to the environment" means any available information in written, visual, aural or data base form on the state of water, air, soil, fauna, flora, land and natural sites, and on activities (including those which give rise to nuisances such as noise) or measures adversely affecting these natural resources or likely to so affect them, and on activities or measures designed to protect them, including administrative measures and environmental management programmes.

Moreover, the Directive gives any person who considers that his request for information has been unreasonably refused or ignored, or has been inadequately answered by a public authority, the right to seek a judicial or administrative review of the decision in accordance with the relevant national legal system.

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MISCELLANEOUS DECISIONS

Agriculture

The Council adopted Decisions:

- on the alignment of Portuguese prices for butter and beef and veal on the common prices (1990/1991 marketing year). In accordance with this Decision, Portugal will fix the intervention price of butter at a minimum level equivalent to ECU 265,83 per 100 kg, and that of beef and veal from R3 quality male animals at a minimum level equivalent to ECU 332,71 per 100 kg;
- on the alignment of Portuguese prices for certain fruit and vegetables on the common prices (1990/1991 marketing year). This applies to the following products: apples, pears, apricots, table grapes, lemons, oranges, tomatoes, aubergines and cauliflowers, for which Portugal will fix the basic price and the buying-in price at the lowest level of Portuguese prices for the 1990/1991 marketing year.

Fisheries

The Council adopted the Decision on the conclusion of an Agreement in the form of an exchange of letters concerning the temporary extension from 1 March 1990 to 31 March 1990 of the Protocol to the Agreement between the Government of the Republic of Senegal and the European Economic Community on fishing off the coast of Senegal.

Bruxelles, le 7 Juin 1990

NOTE BIO(90) 170 AUX BUREAUX NATIONAUX
CC. AUX MEMBRES DU SERVICE DU PORTE-PAROLE

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CONSEIL ENVIRONNEMENT DU 7 JUIN 1990 A LUXEMBOURG

Les positions des différentes délégations se sont rapprochées, mais un accord formel n'a pas encore pu être obtenu sur les sujets discutés au Conseil Environnement dans la matinée du 7 Juin.

La directive-cadre sur les déchets pourraient faire l'objet d'un accord lors de la réunion de l'après-midi et après que les travaux d'un groupe d'experts qui est en train d'examiner les points ouverts soient terminés.

Les seuls problèmes qui subsistent sont la base juridique (Art. 100A proposé par la Commission et soutenu par FR et BEL ou l'Art. 100S qui trouve l'appui des autres délégations) et la nécessité ou pas d'établir une procédure d'autorisation (non seulement d'un enregistrement) pour les entreprises assurant à titre professionnel la collecte, le transport ou le courtage des déchets. Il faut rappeler qu'une telle autorisation est déjà prévue pour les transporteurs de déchets dangereux.

Le groupe d'experts a également été chargé de l'examen de la Directive "Piles et Accumulateurs" ainsi que de l'ajout de certaines substances à la liste des substances dangereuses contenues dans la Directive 86/260.

Les Ministres ont aussi discuté de la position communautaire lors de la prochaine Conférence de Londres pour la réunion du Protocole de Montréal sur la réduction des CFC. Une large majorité des Etats membres pourrait accepter la proposition de la Commission (élimination totale d'ici 1997). France, Royaume-Uni, Espagne et Portugal soutiennent la date de l'an 2000 proposée dans le compromis de la Présidence. Il faut préciser que ce qui serait fixé en vue de la Conférence de Londres ne préjuge pas la décision qui sera prise par le Conseil en ce qui concerne la date d'élimination pour les Etats membres de la Communauté, et qui pourrait être avancée lors de l'examen de la proposition de la Commission y afférente.

Autres points ouverts : le mécanisme financier qu'il faudra créer pour couvrir les ressources supplémentaires qui seraient accordées aux PVD afin de les aider à mettre en oeuvre le Protocole.

(Texte dicté par téléphone depuis Luxembourg)

Amitiés,

C. STATHOPOULOS

Bruxelles, le 8 Juin 1990

NOTE BIO(90)170 (suite 1 et fin) AUX BUREAUX NATIONAUX
CC. AUX MEMBRES DU SERVICE DU PORTE-PAROLE

CONSEIL ENVIRONNEMENT DU 7 JUIN 1990

La réunion du Conseil Environnement qui s'est terminée vers une heure du matin, le 8 Juin, a abouti à des résultats concrets.

Le Conseil a pu se mettre d'accord sur la position que la Communauté défendra lors de la Conférence de Londres pour la révision du Protocole de Montréal sur la protection de la couche d'ozone. Il a adopté la directive relative aux déchets, ainsi que celle concernant les piles et accumulateurs contenant des matières dangereuses. Le Conseil a également ajouté certaines nouvelles substances à l'Annexe de la directive 86/280/CEE concernant les valeurs limites pour les rejets de certaines substances dangereuses.

Par contre, aucun progrès n'a pu être réalisé en ce qui concerne la proposition d'une directive pour limiter la pollution par les nitrates, le traitement des eaux urbaines et résiduelles et les émissions polluantes des voitures, sujets qui ont été renvoyés au COREPER. Enfin, aucun accord n'a pu être obtenu au sujet d'une résolution pour une éventuelle stabilisation et réduction des émissions CO₂.

Sur les "émissions de voitures" le Conseil a décidé d'engager la procédure d'urgence pour l'avis du PE.

PROTECTION DE LA COUCHE D'OZONE

Au terme de longues et laborieuses discussions le Conseil a adopté des conclusions dans lesquelles :

- Il réitère la nécessité pour la Communauté de jouer un rôle de leader dans les négociations finales à Londres fin juin;
- il accueille favorablement la proposition de la Commission visant à amender le règlement communautaire qui transpose le Protocole de Montréal;
- il réaffirme l'engagement d'éliminer la production et la consommation de substances nuisibles à la couche d'ozone le plus tôt possible, certains Etats membres s'étant déjà engagés à le faire dès 1995-1997;
- il fixe les objectifs quantitatifs qui devront servir de base de négociation à la Commission pour la réduction supplémentaire des substances déjà réglementées (CFC et halons) et pour les nouvelles substances à réglementer (élimination totale pour 1997 et au plus tard avant 2000);
- il précise qu'un soutien pourra être accordé par la Communauté, sous la forme d'une aide financière additionnelle et de ressources techniques, pour aider les pays en développement à participer au Protocole de Montréal sans être exagérément pénalisés.

La discussion sur le mécanisme financier en faveur des pays en voie de développement a été particulièrement difficile, un pays (ESP) contestant la compétence de la Communauté en la matière, d'autres (comme NL, IT, DK) étant prêt à envisager même une taxe sur les CFC.

DIRECTIVE-CADRE "DECHETS"

Le Conseil a décidé à l'unanimité de changer la base juridique proposée par la Commission (Article 100A : majorité qualifiée) en lui substituant l'article 130 S (unanimité). M. RIPA di MEANA a réservé les droits de la Commission à cet égard et a attiré l'attention du Conseil sur les prérogatives du Parlement européen. En ce qui concerne le fond, le Conseil s'est mis d'accord sur les trois éléments essentiels suivants :

- confirmation de la nécessité pour la Communauté de devenir autosuffisante en matière d'élimination de déchets et invitation aux Etats membres de faire de même au niveau national, compte tenu des particularités géographiques et des besoins spécifiques pour des déchets très spécialisés (la Belgique a fait acter au procès-verbal une déclaration interprétative indiquant que l'objectif d'autosuffisance individuelle des Etats membres ne doit pas faire obstacle à la coopération entre eux);
- confirmation du principe de l'élimination des déchets dans une des installations appropriées les plus proches;
- une liste des déchets couverts par la directive devra être établie par la Commission assistée du comité de réglementation instituée par la directive le plus rapidement possible.

La directive entrera en vigueur deux ans après son adoption (environ en Juin 1992).

ELIMINATION DES PILES ET ACCUMULATEURS

Le Conseil est parvenu à arrêter une position commune sur la base des éléments essentiels suivants : interdiction de mise sur le marché à partir du 1er janvier 1993 des piles alcalines au manganèse contenant 0,025 % de mercure, avec une dérogation -demandée notamment par FR et UK- pour les piles à haute performance utilisées dans certains secteurs très spécialisés (aéronautique, armée), et l'exclusion de certaines catégories d'appareils dont les piles font partie intégrante. En ce qui concerne la base juridique, le Conseil s'est prononcé à l'unanimité en faveur de l'article 100 A proposé par la Commission.

REJETS DE SUBSTANCES DANGEREUSES DANS LE MILIEU AQUATIQUE

Le Conseil a dégagé un accord sur l'inclusion de quatre nouvelles substances dans la liste des produits dangereux dont les rejets dans l'eau doivent être contrôlés (UK et ESP ayant levé leur opposition compte tenu de l'évolution des travaux sur les substances dangereuses). Il s'agit des substances suivantes :

- dichloroéthane (EDC)
- trichloroéthylène (TRI)
- perchloroéthylène (PER)
- trichlorobenzène (TCB)

LUTTE CONTRE L'EFFET DE SERRE

Le Conseil n'a pas pu aboutir à des conclusions de substance sur l'effet de serre. Il est apparu, au cours du déjeuner, que les ministres ESP et UK n'étaient pas en mesure de souscrire au projet de résolution élaboré par la Présidence contenant notamment le principe de la stabilisation aux niveaux actuels des émissions de CO2 dans la Communauté d'ici l'an 2000 (et de la réduction de ces émissions par la suite). Le ministre ESP a insisté sur la nécessité de définir l'objectif global de la Communauté en même temps que les contributions différenciées des Etats membres en fonction de leurs besoins énergétiques et de leur niveau de développement. Le ministre UK a insisté sur le fait qu'il fallait pouvoir respecter les engagements contractés avant de s'engager sur le plan international.


Apttés,
C. STATHOPOULOS

