

PRESS RELEASE

5329/90 (Presse 33)

1393rd Council meeting

- Environment -

Brussels, 22 and 23 March 1990

President: Mr Padraig FLYNN

Minister for the Environment
of Ireland

22/23.III.1990

vic/LG/at

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

Mr Leo BJOERNSKOV State Secretary for the Environment

Germany:

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

Greece:

Mr Constantin LIASKAS 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

22/23.III.1990

vic/LG/at

Italy:

Mr Enrico PIETROMARCHI Deputy Permanent Representative

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

Mr José MACARIO CORREIA State Secretary for the Environment

United Kingdom:

Mr Christopher PATTEN Minister for the Environment

o

o

o

Commission:

Mr Carlo RIPA DI MEANA Member

22/23.III.1990

vic/LG/bf

GENETICALLY MODIFIED ORGANISMS

After examining the Opinions of the European Parliament and the re-examined Commission proposal, and in the light of the positions which it had already adopted on the subject, the Council approved the substance of the proposals for Directives on:

- the contained use of genetically modified micro-organisms,
- the deliberate release to the environment of genetically modified organisms.

By way of reminder, the purpose of the first Directive is to adopt measures to control the contained use (e.g. in research and development) of genetically modified micro-organisms (GMMs). It makes provision for a system for notification of operations, the application of containment measures specific to the type of micro-organism and to the characteristics of the operation, as well as measures relating to accidents and waste management.

The purpose of the second proposal is to ensure the completely safe use (deliberate release) to the environment of genetically modified organisms (GMOs). It establishes a procedure for notification and case by case approval, for which the procedures differ depending on whether the organisms are being released for research and development purposes or in products which are to be placed on the market.

22/23.III.1990

vic/LG/bf

EUROPEAN ENVIRONMENT AGENCY

The Council resumed examination of the proposal for a Regulation on the establishment of the European Environment Agency and the European Environment Monitoring and Information Network, as amended by the Commission further to the Opinion which the European Parliament had just delivered.

The Council accepted the bulk of the amendments proposed by the Commission following the Opinion of the European Parliament and in particular the amendment whereby the functions of the Agency would be reviewed in two years.

The Council also agreed to the European Parliament appointing two leading scientists, particularly well qualified in the field of environmental protection, to the Management Board. These scientists would be selected on the basis of their potential personal contributions to the Agency's work.

The Council recalled that the seat of the Agency was a matter for a decision by the General Affairs Council.

The Council concluded by recording its agreement to the enacting terms of the Regulation and entrusted the Permanent Representatives Committee with the legal/linguistic finalization of the text so that it could be adopted as soon as possible.

The Council would decide on the entry into force of the Regulation once a decision on the seat had been taken.

AMENDMENTS TO THE DIRECTIVES ON WATER

The Council held a preliminary discussion on a proposal for a Directive amending Directives 80/778/EEC on drinking water, 76/160/EEC on bathing water, 75/440/EEC on surface water and 76/869/EEC on methods of measurement and frequencies of analysis of surface water.

The purpose of these proposed amendments is to facilitate:

- the adaptation to scientific and technical progress of the technical content of the Annexes to these Directives and
- implementation of these Directives by encouraging discussion between the Commission and the Member States.

The discussion enabled the Council to achieve significant progress. It accordingly instructed the Permanent Representatives Committee to resume its proceedings so that complete agreement could be reached at the Council meeting on 7 June 1990.

22/23.III.1990

vic/LG/tb

WASTE POLICY - COUNCIL RESOLUTION

The Council adopted the following Resolution:

"THE COUNCIL,

Having regard to the Commission communication on a Community strategy for waste management;

Having regard to the existing Community Directives in the field of waste management, in particular Directives 75/442/EEC on waste, 78/319/EEC on hazardous waste, 84/631/EEC on transfrontier shipment of hazardous waste, and to its Resolution of 21 December 1988 on transboundary movements of hazardous waste to third countries;

Whereas in the interest of environmental protection there is a need for a comprehensive waste policy in the Community which deals with all waste regardless of whether it is to be recycled, reused or disposed of;

Whereas economic growth may lead to the production of more waste; whereas the amount of waste produced in the Community is in fact steadily increasing;

Whereas the production of waste should, where possible, be prevented or reduced at source, particularly by the use of clean or low waste technologies and products;

Whereas waste that cannot be recycled or reused has to be disposed of in the most environmentally safe manner;

22/23.III.1990

vic/LG/tb

Whereas it is important for the Community as a whole to become self-sufficient in waste disposal and it is desirable for Member States individually to aim at such self-sufficiency; ⁽¹⁾

Whereas co-operation within the Community for the establishment and implementation of waste-disposal plans can be environmentally beneficial and more cost-effective;

Whereas movements of waste should be reduced to the minimum necessary for environmentally safe disposal and should be subject to proper controls,

1. WELCOMES AND SUPPORTS the Commission's communication; CONSIDERS that measures for the prevention of waste at source, the recycling and reuse of waste and the safe and adequate disposal of waste are essential and complementary components of an efficient waste-management system, and that harmonization of measures at Community level should be encouraged and rendered consistent with the development of the internal market taking into account the special economic characteristics of waste;
2. WELCOMES the efforts undertaken in different international fora, notably OECD and UNEP, to improve waste management and to ensure the disposal of waste in the safest possible conditions;

(1) It is noted that self-sufficiency in waste disposal does not apply to recycling.

22/23.III.1990

vic/LG/tb

3. URGES the Commission and the Member States to further promote the development of clean technologies and clean products so as to minimize the production of waste; NOTES the Commission's intention to put forward proposals for the continuation and the strengthening on a permanent basis of action by the Community on the environment (ACE) in the field of clean technologies and to promote the development of codes of good practice, INVITES the Commission and the Member States to intensify the exchange of information on clean technologies in the framework of appropriate instruments such as ACE and NETT;

4. CONSIDERS that products placed on the market should be designed so as to make the smallest possible contribution, by their manufacture, use or final disposal, to increasing the amount or harmfulness of waste and pollution hazards; INVITES therefore the Commission to come forward as soon as possible with proposals for ecological criteria for products, taking into account best available technology not entailing excessive cost and including as appropriate the use of recycable, reusable or biodegradable materials, and for a supplementary Community-wide eco-labelling system covering the environmental impact during the life cycle of the product;

5. RECOGNIZES the need for Community-wide data on the volume and type of waste produced in the Community, the availability of approved disposal facilities and the methods of treatment and final disposal and CONSIDERS that in the future the European Environment Agency could make an important contribution in this regard;

22/23.III.1990

vic/LG/tb

6. CONSIDERS that, where the production of waste is unavoidable, recycling and reuse of waste should be encouraged provided that such recycling or reuse is carried out in environmentally acceptable conditions, SUPPORTS the Commission's intention to continue and strengthen its action for the promotion of recycling and reuse technologies, particularly within the ACE programme; INVITES the Commission to bring forward as soon as possible specific proposal on packaging; CONSIDERS that additional measures may be necessary including, where appropriate, the development of collection and treatment systems; STRESSES that all measures for promotion of recycling or reuse must be accompanied by adequate environmental control measures including normative legislation and codes of good practice;
7. UNDERLINES that there is a short and medium-term priority to ensure an adequate infrastructure for waste disposal; CONSIDERS that an adequate and integrated network of disposal facilities, meeting Community standards and taking into account best available technologies not entailing excessive cost, should be developed in the Community on a regional or zonal level; CONSIDERS that such an infrastructure will facilitate the disposal of waste in one of the nearest suitable facilities, making use of the most appropriate methods and technologies to guarantee a high level of protection for the environment and public health; CONSIDERS that efficient waste collection and monitoring systems are an important part of this infrastructure; RECOGNIZES that in view of the responsibilities of Member States under Directives 75/442/EEC and 78/319/EEC in relation to waste management planning, the building-up of such

22/23.III.1990

vic/LG/mm

a network is primarily a matter for Member States, as necessary in collaboration with other Member States and with the Commission:

8. CONSIDERS that both the quantity and the toxicity of waste for landfill should be reduced where appropriate and to this end pre-treatment processes should be encouraged; NOTES that, provided it is subject to adequate standards, incineration can be a useful means of reducing the volume of waste and of recovering energy; INVITES the Commission to complete its proposals on incinerators for industrial waste, as a matter of urgency; to consider additional standards for municipal waste incinerators; and to propose criteria and standards for disposal by landfill, including post-closure supervision;
9. CONSIDERS that it is desirable, from the point of view of prevention, recycling and reuse as well as final disposal, to establish action programmes for particular types of waste and therefore INVITES the Commission to establish proposals for action at Community level;
10. CONSIDERS that, in evaluating the different prevention, recycling and disposal options, the full economic, social and environmental implications should be taken into account and that the principle of the polluter pays should be fully applied;
11. CONSIDERS that movements of waste should be minimized and that the prevention of waste at source and the establishment of an adequate disposal network as envisaged under paragraph 7 will play a vital role in this respect; UNDERLINES that movements of waste must be subject to proper controls; INVITES the Commission to submit proposals for consideration by Council

22/23.III.1990

vic/LG/mm

in June 1990 for the modification of Directive 84/631/EEC notably in the light of the need to implement as soon as possible the Basel Convention and the provisions of the 4th ACP-EEC Convention banning the export of waste to ACP countries; (1)

12. RECALLS its Resolution of 13 September 1989 on the reduction of technological and natural hazards, in particular insofar as it relates to transport, and NOTES the Commission's intention to continue its actions in the appropriate fora with a view to improving conditions of transport of waste;
13. CONSIDERS that action for rehabilitation of waste-disposal sites, including those already undertaken under the ACE programme and in the R&D field (STEP programme), should be continued and further developed;
14. CONSIDERS that financial and economic measures can play a useful role in implementing effective waste-management policies; NOTES that the Community's regional development policy can contribute to establishing optimal waste management policies;

(1) In this respect the Council underlines the desirability of operating a complete ban on exports of dangerous waste to ACP countries, in anticipation of the entry into force of the Lomé IV Convention, provided that the Commission agrees to the non-application of Directive 84/631/EEC in this respect.

22/23.III.1990

vic/LG/mm

15. UNDERTAKES, in the light of the present Resolution, to accelerate work upon the different proposals relating to waste management currently before it and in particular aims to reach agreement upon the proposals for the modification of Directives 75/442/EEC on waste and 78/319/EEC on hazardous waste by June 1990 and December 1990 respectively;
16. INVITES the Commission to report to the Council on the progress made in the areas covered by this Resolution by the end of 1992."

22/23.III.1990

vic/LG/bf

FREEDOM OF ACCESS TO INFORMATION

The Council recorded its agreement to a Directive on the freedom of access to information on the environment.

The purpose of the proposal 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 as provided in the Directive, public authorities will permit access to information on the environment to any natural or legal person at his request and without his having to prove an interest.

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 or likely to so affect them, and on activities or measures designed to protect them, including administrative measures and environmental management programmes.

Save as provided in the specific provisions laid down in the Directive, any person who considers that his request for information has been unreasonably refused or ignored, or has been inadequately answered by a public authority, will be able to seek a judicial or administrative review of the decision in accordance with the relevant national legal system.

22/23.III.1990

vic/LG/bf

POLLUTION OF WATER BY NITRATES

The Council conducted a further exchange of views on a proposal for a Directive concerning the protection of fresh, coastal and marine waters against pollution by nitrates from diffuse sources. The discussion was directed in particular at the scope of the Directive.

The Council instructed the Permanent Representatives Committee to continue work so that it would be in a position to adopt the Directive at its meeting in June.

POLLUTION BY MOTOR VEHICLES

The Council held an initial policy debate on a new proposal to amend Directive 70/220/EEC on the approximation of the laws of the Member States relating to measures to be taken against air pollution by emissions from motor vehicles.

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;

22/23.III.1990

vic/LG/bf

- by 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;
- by 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.

After noting a generally favourable reception to the proposal, the Council instructed the Permanent Representatives Committee to study the matter in order to be able to take a decision at the earliest opportunity, give the importance of combating automobile pollution and the industry's need to have stable test procedures and standards adopted.

22/23.III.1990

vic/LG/bf

OZONE

The Council took note of an oral progress report given by Mr RIPA DI MEANA, Member of the Commission, on the negotiations for the revision of the Montreal Protocol on substances that deplete the ozone layer.

The Council agreed that, at its meeting on 7 June 1990, it would adopt the position to be adopted by the Community at the London Conference convened for June under the auspices of the UNEP (United Nations Environment Programme).

CLIMATE CHANGE

The Council conducted a wide-ranging exchange of views on climate change, a subject on which it had just received a Commission communication. This communication summarized progress made since the June 1989 Council Resolution and referred to work in the framework of the Intergovernmental Panel on Climatic Change.

After stating the importance which they attributed to this matter, delegations stressed the need for close co-ordination of Member States' positions, particularly in view of the Second World Climate Conference to be held in Geneva from 29 October to 9 November 1990.

The Council accordingly called upon the Commission to continue work and submit appropriate proposals.

22/23.III.1990
vic/LG/tb

MISCELLANEOUS DECISIONS

Post-Chernobyl arrangements

After examining the present post-Chernobyl arrangements in the Community, the Council adopted a new Regulation on the conditions governing imports of agricultural products originating in third countries following the accident at the Chernobyl nuclear power-station.

That Regulation, which is applicable from 1 April 1990 and which will not be valid beyond 31 March 1995, replaces the current Community post-Chernobyl rules (Regulation EEC No 3955/87).

The general aim of the new Regulation is to ensure uniform post-Chernobyl protection throughout the Community. It contains the same basic features as the previous Regulation and provides for the same maximum permitted accumulated radioactivity levels in terms of caesium 134 and 137, that is to say:

- 370 Bq/kg for milk and certain milk products and for foodstuffs intended for infants; and
- 600 Bq/kg for all other agricultural products concerned.

However, the new Regulation contains one essential difference compared with the previous rules:

To allow for the fact that the risk of radioactive contamination of the products in question has decreased, the Council agreed to introduce a procedure making it possible to draw up and where necessary adapt a list of products fit for human consumption which are excluded from the scope of the Regulation. This procedure, which confers the relevant decision-making powers on the Commission - in the

22/23.III.1990

vic/LG/tb

management committee - is identical to that laid down for the adoption of implementing measures and for adapting the list of products unfit for human consumption which are excluded, as in the past, from the scope of the post-Chernobyl arrangements.

In this connection, the Council also noted a Commission statement pointing out, among other things, that the Member States had undertaken, on 12 May 1986, not to apply to agricultural and processed products for human consumption originating in other Member States maximum permitted levels which were more stringent than those applied to such products originating in third countries. In addition, the Commission drew attention to the Member States' undertaking not to apply to such products originating in other Member States maximum permitted levels which were more stringent than those applied to domestic products.

Other Decisions on environmental matters

The Council adopted Decisions:

- concluding the Convention on Co-operation on the Management of Water Resources in the Danube Basin;
- amending Decision 85/338/EEC in order to provide for the continuation for two years of the Commission work programme concerning an experimental project for gathering, co-ordinating and ensuring the consistency of information on the state of the environment and natural resources in the Community (CORINE). The sum considered necessary to implement this extended programme was ECU 6,5 million.

Fisheries policy

The Council adopted the Regulation supplementing Regulation No 4047/89 fixing, for fish stocks in the Skagerrak and Kattegat, the total allowable catches for 1990 and conditions under which they may be fished.

22/23.III.1990

vic/LG/tb

The Council also adopted the Decision authorizing the Portuguese Republic to extend until 8 April 1991 the agreement on mutual fishery relations with the Republic of South Africa.

Customs union

The Council adopted Regulations temporarily suspending the autonomous Common Customs Tariff duties on:

- a chemical product (copolymer of maleic anhydride with styrene, etc.);
- a number of agricultural and fishery products.

Relations with the Mediterranean countries

The Council adopted Regulations opening and administering Community tariff quotas for:

- cut flowers and flower buds, fresh, originating in Cyprus, Israel, Jordan or Morocco (1990-1991);
- certain wines having a registered designation of origin and originating in Morocco (1990-1991);
- apricot pulp originating in Turkey (1990-1991).

Appointments

The Council appointed members and alternate members of the Advisory Committee on Medical Training.

DISK 2 PAGE 441
MESSAGE # 795
RCV LN 1

03/22 0457
64215EURCOM UW

21877 COMEU B
21877 COMEU B

DE : C.C.E. BRUXELLES - GPP46 - G.P.P.
A : C.E. WASHINGTON - WASHINGTON
REF: 11:04 22-03-90 000039027 - 000039051

DUPLICATA POSSIBLE

/TELEXDA
BRUXELLES. LE 22 MARS 1990
NOTE BIO(90) 77 AUX BUREAUX NATIONAUX
CC. AUX MEMBRES DU SERVICE DU PORTE-PAROLE

PREPARATION DU CONSEIL ENVIRONNEMENT DU 22 MARS 1990

LE CONSEIL ENVIRONNEMENT DU 22 MARS POURRAIT DONNER FORMELLEMENT LE FEU VERT A LA CREATION DE L'AGENCE EUROPEENNE DE L'ENVIRONNEMENT. LE PARLEMENT AYANT EMIS SON AVIS LE 14 MARS (VOIR BIO(90) 39 SUITE 4), LES MINISTRES EXAMINERONT LES AMENDEMENTS PROPOSES. LA COMMISSION SOUTIEN LES AMENDEMENTS DU PE ET ELLE SERAIT PRETE A PLAIDER EN FAVEUR D'UNE CLAUSE DE REVISION DES TACHES DE L'AGENCE DANS UN DELAI DE DEUX ANS, MAIS ELLE N'ACCEPTERAIT PAS DE CEDER CES COMPETENCES EN MATIERE DE CONTROLE DE L'APPLICATION DU DROIT COMMUNAUTAIRE AU NOUVEL ORGANISME. LE PE A DEMANDE EGALEMENT UNE CONCERTATION PREALABLE AVEC LE CONSEIL AU SUJET DE L'AGENCE, MEME SI CELLE-CI NE CONSTITUE PAS UNE CONDITION, DONC LE NON RESPECT EMPECHERAIT LE CONSEIL DE STATUER.

UNE DES TACHES DE L'AGENCE SERAIT DE DIFFUSER LES DONNEES DISPONIBLES A UN NOMBRE ELARGI D'UTILISATEURS. L'INFORMATION DU PUBLIC CONSTITUE DONC UN OBJECTIF IMPORTANT. LE MEME OBJECTIF PRIORITAIRE VISE AUSSI LA PROPOSITION DE DIRECTIVE SUR LA LIBERTE D'ACCES A L'INFORMATION EN MATIERE D'ENVIRONNEMENT (VOIR AUSSI P-120 DU 19.10.1988), QUI A POUR BUT DE GARANTIR CETTE LIBERTE ET DE PRECISER LES CONDITIONS DANS LESQUELLES LES ADMINISTRATIONS PUBLIQUES ET AUTRES ORGANISMES DETENTEURS DE CETTE INFORMATION DOIVENT LA METTRE A LA DISPOSITION DU PUBLIC LE PLUS LARGE POSSIBLE. LES ELEMENTS PRINCIPAUX DE LA PROPOSITION SONT : LA DEFINITION DE L'INFORMATION ENVIRONNEMENTALE, DES DONNEES DETENUES PAR LES AUTORITES ET DES AUTORITES PUBLIQUES: L'ACCES A TOUTE PERSONNE PHYSIQUE OU MORALE SANS OBLIGATION DE FAIRE VALOIR UN INTERET : LES EXCEPTIONS A LA LIBRE MISE A DISPOSITION (SECRET

483

H.D.	
D.M.D.	
INFO.	TO
TRADE	ALL
AGRI.	
LEGAL	
FIN & DEV.	
SCI & ENE.	
SUP. AG.	
ADM.	
C.P.	

D'ETAT. RESPECT DES PERSONNES PRIVEES, ETC. ...) ET LES VOIES DE RECOURS EN CAS DE REFUS DES AUTORITES DE COMMUNIQUER UNE INFORMATION.

L'OPPOSITION ENTRE CEUX QUI JUGENT UNE SOLUTION DE COMPROMIS DE LA PRESIDENCE IRLANDAISE QUI ASSOUPLE LES MODALITES D'APPLICATION DE LA DIRECTIVE TROP MINIMALISTE (D, DK, F ET NL) ET CEUX QUI SOUHAITENT IMPOSER DES RESTRICTIONS AU LIBRE ACCES DES CITOYENS A L'INFORMATION ENVIRONNEMENTALE (B, ESP, PORT, UK) S'EST CONFIRME LORS DES DERNIERES REUNIONS DU COREPER. DE NOUVELLES DEMANDES SPECIFIQUES SE SONT AJOUTEES PAR CERTAINES DELEGATIONS A UNE LISTE DEJA LONGUE.

AUTRE POINT DE L'ORDRE DU JOUR LA POLITIQUE COMMUNAUTAIRE EN MATIERE DE DECHETS. LE CONSEIL DEVRAIT APPROUVER UNE RESOLUTION QUI REPREND LES GRANDS PRINCIPES ENONCES DANS LA COMMUNICATION DE LA COMMISSION SUR LA STRATEGIE COMMUNAUTAIRE EN MATIERE DE GESTION DES DECHETS : LA PREVENTION A LA SOURCE DE LA FORMATION DE DECHETS GRACE A DES TECHNOLOGIES ET A DES PRODUITS PROPRES, L'INCITATION AU RECYCLAGE ET A LA REUTILISATION DES DECHETS, LEUR ELIMINATION SANS DANGER, LA REDUCTION DE LEURS MOUVEMENTS (VOIR AUSSI P-52 DU 13.9.1989).

- 2 -

LA DIRECTIVE CONCERNANT LA POLLUTION PAR LES NITRATES PAR CONTRE NE SEMBLE PAS ETRE MURE POUR ADOPTION (VOIR AUSSI P-152 DU 21.12.1989). BIEN QUE TOUTES LES DELEGATIONS RECONNAISSENT L'IMPORTANCE DU PROBLEME ET LA NECESSITE DE PRENDRE RAPIDEMENT DES MESURES, DES DIVERGENCES DE VUE IMPORTANTES SUBSISTENT SUR LE CHAMP D'APPLICATION DE LA DIRECTIVE, LE TYPE DE MESURES A ADOPTER ET COMMENT LES APPLIQUER : LA PRESIDENCE A DONC JUGE PREMATURE DE SOUMETTRE UN TEXTE DE COMPROMIS AUX MINISTRES ET PREPARERA UN DOCUMENT DE TRAVAIL POSANT UNIQUEMENT LES GRANDES QUESTIONS POLITIQUES A REGLER PREALABLEMENT.

LE PE AYANT RENDU SON AVIS LORS DE SA DERNIERE SESSION, LE CONSEIL POURRAIT AUSSI APPROUVER LES DEUX DIRECTIVES 'BIOTECHNOLOGIE' (UTILISATION CONFINEE ET DISSEMINATION VOLONTAIRE D'ORGANISMES GENETIQUEMENT MODIFIES).

EN CE QUI CONCERNE LES EMISSIONS POLLUANTES DES VOITURES DE MOYENNE ET GRANDE CYLINDREE

INCOMPLETE MSG

DURATION 735 SECS LISTED 1447 ???04-21-00

PAGE 459 IS NEXT

DISK 2 PAGE 468
 MESSAGE # 797
 RCV LN 1

03/22 0949
 64215EURCOM UW

21877 COMEU B
 21877 COMEU B

H.D.	
D.F.D.	
INFO.	
TRADE	10
AGEL	
LEGAL	ALV
FIN & DEV.	
AI & INTL.	
SUP. AG.	
ADM.	
C.F.	

DE : C.C.E. BRUXELLES - GPP46 - G.P.P.
 A : C.E. WASHINGTON - WASHINGTON
 REF: 15:55 22-03-90 000046103 - 000046127

/TELEXDA

BRUXELLES. LE 22 MARS 1990
 NOTE BIO(90)77 (SUITE 1) AUX BUREAUX NATIONAUX
 CC. AUX MEMBRES DU SERVICE DU PORTE-PAROLE

 CONSEIL ENVIRONNEMENT DU 22 MARS 1990

LA DISCUSSION SUR L'AGENCE EUROPEENNE DE L'ENVIRONNEMENT A DOMINE LES TRAVAUX DU CONSEIL DANS LA MATINEE DU 22 MARS. LES MINISTRES ONT ABOUTI A UN ACCORD SUR TOUS LES POINTS A L'EXCEPTION DES QUESTIONS DES LANGUES DE TRAVAIL ET DU SIEGE DE L'AGENCE QUI SERONT ABORDEES LORS DU DEJEUNER. EN CE QUI CONCERNE PLUS PARTICULIEREMENT LES AMENDEMENTS PROPOSES PAR LE PARLEMENT, LE CONSEIL A SUIVI LA COMMISSION. IL A APPROUVE DONC TOUTS CES AMENDEMENTS ET LA CLAUSE DE REVISION DES COMPETENCES DE L'AGENCE DANS UN DELAI DE DEUX ANS, TELLE QU'ELLE A ETE FORMULEE PAR LE COMMISSAIRE CARLO RIPA DI MEANA. CETTE CLAUSE PREVOIT UNE EVENTUELLE EXTENSION DES ACTIVITES DE L'AGENCE QUI POURRAIT DANS UNE DEUXIEME PHASE 'S'ASSOCIER AU CONTROLE DE L'APPLICATION DE LA LEGISLATION COMMUNAUTAIRE EN MATIERE D'ENVIRONNEMENT' (ET NON PAS 'SE VOIR ATTRIBUER DES POUVOIRS D'INSPECTION' COMME LE SOUHAITAIT LE PARLEMENT).

QUANT A LA PROCEDURE DE CONCERTATION DEMANDEE PAR LE PARLEMENT, LE CONSEIL CONSIDERAIT D'ABORD QU'UNE TELLE PROCEDURE N'ETAIT PAS JURIDIQUEMENT POSSIBLE. LE COMMISSAIRE A POURTANT REMARQUE QUE MEME S'IL N'Y AVAIT PAS OBLIGATION JURIDIQUE UNE PROCEDURE DE CONCERTATION AD HOC SEMBLAIT ETRE OPPORTUNE PARCE QUE LE PARLEMENT S'ETAIT MONTRE TRES COOPERATIF ET QU'IL ETAIT L'AUTORITE BUDGETAIRE. LE CONSEIL A ACCEPTE CETTE SUGGESTION ET LA PRESIDENCE S'EST ENGAGEE A ORGANISER CETTE CONCERTATION AD HOC. LE CONSEIL A APPROUVE, AVANT LA SUSPENSION DE SES TRAVAUX, LES DEUX DIRECTIVES SUR LES ORGANISMES GENETIQUEMENT MODIFIES (VOIR LA-DESSUS AUSSI LA NOTE IP(90)250).

AMITIES.
 C. STATHOPOULOS

Bruxelles, le 23 mars 1990

NOTE BIO(90) 77 (suite 2 et fin) AUX BUREAUX NATIONAUX
CC. AUX MEMBRES DU SERVICE DU PORTE-PAROLE

CONSEIL ENVIRONNEMENT

L'Accord sur l'Agence Européenne de l'Environnement est définitif; il n'entrera pourtant en vigueur qu'au moment où le Conseil décidera du siège de l'Agence. Cette décision sera prise au sein du Conseil Affaires Générales. Entretemps, la Présidence organisera une concertation ad hoc avec le Parlement. Voici en quelques mots le contenu de l'accord intervenu au Conseil et pour lequel le Commissaire Carlo RIPA di MEANA a exprimé sa satisfaction.

Le Conseil a pu aussi adopter le projet de résolution sur la politique en matière de déchets. Deux amendements ont été apportés; le premier précise que l'autosuffisance de chaque Etat membre en matière d'élimination de déchets, qui constitue un élément important de la stratégie communautaire, ne s'applique pas en cas de recyclage; le deuxième exprime l'engagement politique du Conseil d'anticiper l'application des dispositions de la nouvelle Convention de Lomé, en pratiquant une interdiction totale des déchets dangereux vers les pays ACP.

Après de longues et laborieuses négociations qui se sont poursuivies jusque tard dans la nuit, les Ministres se sont mis d'accord sur la directive concernant la liberté de l'information en matière d'environnement. Les amendements y apportés ne diluent en rien les éléments de la proposition de la Commission. La délégation allemande a marqué son accord ad referendum.

Le Conseil a renvoyé, comme prévu, la proposition de la directive "nitrates" au COREPER. Le bref débat qui a eu lieu n'a même pas permis un échange de vues exhaustif sur les principaux problèmes en suspens: le champ d'application de la directive (catégorie d'eaux couvertes, zones vulnérables) et les actions à entreprendre (limite à l'épandage d'effluants d'élevages et mesures supplémentaires).

Un tour de table sur les émissions de voitures de moyenne et grande cylindrée a permis aux délégations de s'exprimer pour la première fois sur les propositions de la Commission de décembre dernier. L'accueil a été favorable. Les valeurs limites ainsi que le principe d'une harmonisation totale proposées par la Commission ont reçu l'appui d'une large majorité des Etats membres.

En ce qui concerne la procédure d'essai, certaines délégations insistent sur l'abolition de la procédure optionnelle, prévue actuellement par la directive 88/76 et ceci dès l'entrée en vigueur de la nouvelle procédure européenne améliorée. D'autres proposent de la maintenir à titre permanent (N.B. La Commission propose une courte période de transition avant l'abolition de la possibilité de recourir aussi à l'essais "américain"). Au sujet des incitations fiscales plusieurs Etats membres ont souligné la nécessité de respecter les conditions proposées par la Commission (Art. 3 de la nouvelle proposition).

La Commission a fait aussi rapport au Conseil de l'état des négociations pour la révision du Protocole de Montréal relatif à des substances qui appauvrissent la couche d'ozone. Le Commissaire à l'environnement a souligné que la décision de la Communauté d'éliminer d'ici la fin du siècle les CFC et les halons donne le bon exemple aux autres pays du monde. Certains pays en voie de développement (comme la Chine, l'Inde, le Brésil et le groupe des 77) demandent pourtant une assistance financière qui leur permettrait de supporter les coûts de la restructuration industrielle nécessaire. L'idée d'un plan triennal (1991-1993) doté d'un budget de 250 Mio \$ est en discussion actuellement entre les parties contractantes du protocole de Montréal.

Enfin, la Commission a présenté au Conseil son rapport sur le changement climatique. La discussion qui a suivi a montré que si les Etats membres restent attentifs à ce problème, certains d'entre eux jugent prématuré un engagement trop précis en matière de réduction des émissions de CO2 surtout dans la mesure où les grands partenaires industriels de la Communauté (USA, Japon) n'y semblent pas favorables pour l'instant.

Amitiés,

C. STATHOPOULOS.

