

PRESS RELEASE

11421/81 (Presse 158)

742nd Council meeting

- Environment -

Brussels, 3 December 1981

President: Mr Tom KING
Minister for Local Government
and Environment Services of the
United Kingdom

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

Belgium:

Mr Luc DHOORE
Minister for Social Security
and Health

Denmark:

Mr Erik HOLST
Minister for the Environment

Germany:

Mr Gerhart Rudolf BAUM
Federal Minister for the Interior

Mr Andreas VON SCHOELER
State Secretary,
Federal Minister for the Interior

Greece:

Mr A. TRITSIS
Minister for Regional Development
and the Environment

France:

Mr Michel CREPEAU
Minister for the Environment

Ireland:

Mr Donald CREED
Minister of State,
Ministry of the Environment

Italy:

Mr Giancarlo TESINI
Minister for Scientific Research

Luxembourg:

Mr Josy BARTHEL
Minister for the Environment

Netherlands:

Mrs S. LAMBERS-HACKEBARD
State Secretary,
Ministry of Health and
Environment Protection

Mr H. van der BROEK
State Secretary for
Foreign Affairs

United Kingdom:

Mr Tom KING
Minister for Local Government
and Environment Services

Mr Giles SHAW
Under-Secretary of State,
Ministry of the Environment

Mr H.A. de BOER
State Secretary for Cultural
Affairs, Recreation and
Social Work

Commission:

Mr Karl-Heinz NARJES
Member

RECIPROCAL EXCHANGE OF INFORMATION FROM NETWORKS AND INDIVIDUAL STATIONS MEASURING AIR POLLUTION WITHIN THE MEMBER STATES

While awaiting the Opinions of the European Parliament and the Economic and Social Committee the Council expressed a favourable opinion on the proposal for a Decision on the reciprocal exchange of information from networks and individual stations measuring pollution within the Member States. The Council said it would act on the proposal for a Decision once it had received the Opinions of the European Parliament and the Economic and Social Committee.

MAJOR ACCIDENT HAZARDS OF CERTAIN INDUSTRIAL ACTIVITIES

The Council examined the latest problems relating to the Directive on the major accident hazards of certain industrial activities (¹), known as the SEVESO Directive.

After a detailed discussion covering in particular procedures for information and consultation between the Member States with regard to transboundary hazards, the Council reached final agreement on the draft Directive.

After legal and linguistic finalization of the text, the Council will adopt the directive at a forthcoming meeting.

(¹) See press release 7400/81 (Presse 77) of 11 June 1981.

IMPLEMENTATION IN THE COMMUNITY OF THE CONVENTIONS ON INTERNATIONAL TRADE IN ENDANGERED SPECIES OF WILD FAUNA AND FLORA (WASHINGTON CONVENTION)

The Council examined the Commission proposal for a Regulation on the accession of the Community to the Washington Convention, which was drawn up in 1973 as part of the United Nations Programme on the Environment and which is intended to protect endangered species of wild fauna and flora.

The discussions enabled the Council to reach a wide measure of agreement. It accordingly asked the Permanent Representatives Committee to continue discussing the remaining problems with the aim of reaching agreement on the entire dossier.

AIR QUALITY STANDARDS FOR LEAD

The Council resumed its discussions on a system of regular measuring by sampling stations to ensure that air quality standards for lead are observed. The Council was able to resolve certain substantive questions. It accordingly instructed the Permanent Representatives Committee to complete the discussions so that the Directive could be adopted at a forthcoming meeting.

MERCURY DISCHARGES

The Council resumed its discussions on the proposal for a Directive on the limit values and quality objectives applicable to discharges of mercury by the chlor-alkali electrolysis industry. The discussions covered in particular the arrangements to be laid down for new plants. After resolving this problem and the other outstanding questions, the Council approved the text of the Directive. The Council instructed the Permanent Representatives Committee to finalize the text.

Adoption of this Directive will help to combat pollution of the aquatic environment by mercury from the chlor-alkali electrolysis industry and will also enable considerable progress to be made towards applying basic Council Directive 76/464/EEC of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community. The Directive on mercury discharges is in fact the first implementing Directive of the basic Directive. Its adoption should simplify work on the proposals for Directives submitted to the Council covering discharges of aldrin, dieldrin and endrin and discharges of cadmium.

THIRD EUROPEAN COMMUNITY ACTION PROGRAMME ON THE ENVIRONMENT
(1982-1986)

The Council held a wide-ranging discussion on the third action programme on the environment proposed by the Commission. This discussion enabled the members of the Council to state their views on the various aspects of the draft programme. The Council said it would act on the proposal for a Decision once it had received the Opinions of the European Parliament and the Economic and Social Committee, during the Belgian presidency.

CHLOROFLUOROCARBONS IN THE ENVIRONMENT

The Council discussed the Commission proposal for a Decision on the consolidation of precautionary measures concerning chloro-fluorocarbons in the environment. It will be remembered that on 26 March 1980 the Council adopted a decision providing for a 30% reduction from 1976 levels of use of fluorocarbons in aerosols.

After a policy debate which enabled each delegation to state its views on the subject, the Council said it would act on this proposal for a Decision once it had received the Opinion of the European Parliament, during the Belgian presidency.

EXHAUST GASES EMITTED BY MOTOR VEHICLES

The Commission representative and a number of delegations made statements to the Council on the reduction of exhaust gases emitted by motor vehicles. The Council decided to return to this matter at its next meeting.

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The Commission representative also made two statements to the Council on:

- progress in the proceedings of the Regional Ministerial Conference in Paris on safety at sea (progress as regards information on oil tankers);
- the situation regarding ratification by the Member States of the Convention on Long-range Transboundary Air Pollution.

MISCELLANEOUS DECISIONS

Other decisions: Environment

- Re-use of waste paper and use of recycled paper

The Council adopted in the official languages of the Communities a Recommendation designed to promote the use of recycled paper and board and in particular to:

- encourage the use of recycled and recyclable paper and board, especially in Community Institutions and national administrations, public bodies and those national official services which can set an example;
- encourage, where feasible, the use of recycled paper and board containing a high percentage of mixed waste paper;
- re-examine in the light of recent technological advances the existing specifications for paper products which restrict, for reasons other than adequacy of a product for its purpose, the re-use of waste paper and the use of recycled paper and board;
- implement programmes of consumer and manufacturer education to promote paper and board products made from recycled paper and board;
- develop and promote uses for waste paper other than as a raw material for the manufacture of paper and board;
- encourage the use of products (inks, glues, etc.) which do not preclude the subsequent recycling of paper and board.

- Community information system for the control and reduction of pollution caused by hydrocarbons discharged at sea

The Council adopted in the Communities' official languages a Decision to establish an information system to make available to the competent authorities in the Member States the data required for the control and reduction of pollution caused by hydrocarbons discharged at sea.

The information system is to comprise in particular:

- an inventory of the means of combating such pollution;
 - a list of national and joint contingency plans comprising brief descriptions of their content and details of the authorities responsible for them;
 - a compendium of hydrocarbon properties and their behaviour and of methods of treatment and end uses of mixtures of water-hydrocarbon solid matter recovered from the sea or along the coast.
- Commission communication concerning the preparation of Directives on heptachlor and chlordane

The Council took note of the Commission communication concerning the preparation of Directives on heptachlor and chlordane. In this the Commission said in particular that no useful purpose would be served by preparing and submitting proposals for Council Directives on heptachlor and chlordane in view of the fact that little use was made of these substances in the Community. The Commission was of the opinion that it would suffice at this stage to keep the use of these substances under review.

- Conservation of European wildlife and natural habitats

The Council adopted in the official languages of the Communities the Decision concerning the conclusion of the Convention on the conservation of European wildlife and natural habitats (the Berne Convention). The aims of this Convention are to conserve wild flora and fauna and their natural habitats, especially those species and habitats whose conservation requires the co-operation of several States, and to promote such co-operation. Particular emphasis is given to endangered and vulnerable species, including endangered and vulnerable migratory species.

Customs union and commercial policy

The Council adopted in the official languages of the Communities Regulations:

- temporarily suspending the autonomous Common Customs Tariff duties on a number of agricultural products;
- opening, allocating and providing for the administration of Community tariff quotas for
 - = ferro-chromium containing not more than 0.10% by weight of carbon and more than 30% but not more than 90% by weight of chromium (super-refined ferro-chromium) falling within subheading ex 73.02 E I of the Common Customs Tariff (1982)
 - = certain hand-made products (1982)
 - = certain hand-woven fabrics, pile and chenille, falling within headings ex 50.09, ex 55.07, ex 55.09 and ex 58.04 of the Common Customs Tariff (1982)
 - = yarn of poly (p-phenyleneterephthalamide) for use in the manufacture of tyres or for products used in the manufacture of tyres, falling within subheading ex 51.01 A of the Common Customs Tariff;
- amending Council Regulation (EEC) No 2761/81 imposing a definitive anti-dumping duty on o-xylene (ortho-xylene) originating in Puerto Rico and the United States of America.

Relations with the Mediterranean countries

The Council adopted in the official languages of the Communities Regulations on a number of tariff quotas, ceilings and import arrangements for 1982 for certain products originating in various Mediterranean countries (Cyprus, Spain, Israel, Algeria, Morocco, Tunisia and Turkey).

The Council also adopted in the official languages of the Communities three Regulations on the application of Decision No 1/81 of the EEC-Cyprus Association Council and of the EEC-Egypt and EEC-Lebanon Co-operation Councils replacing the unit of account by the ECU in the Protocol on the definition of "originating products" and methods of administrative co-operation to the Agreements between the European Economic Community and the Republic of Cyprus, the Arab Republic of Egypt and the Lebanese Republic.

The Council also adopted decisions on signing Protocols of adjustment to the Co-operation Agreements and ECSC Agreements with Morocco and Syria, consequent on the accession of Greece to the European Communities. It further adopted autonomous measures to be taken by the Community and the Representatives of the Member States of the ECSC, meeting within the Council, pending entry into force of the Protocols.

Lastly, the Council adopted in the official languages of the Communities the Council Regulations on the conclusion and implementation of the exchanges of letters between the EEC on the one hand and Tunisia, Morocco, Algeria and Turkey on the other, concerning untreated olive oil.

Relations with the ACP States

The Council adopted in the official languages of the Communities a Regulation amending Regulation (EEC) No 1700/81 opening, allocating and providing for the administration of a Community tariff quota for rum, arrack and tafia falling within subheading 22.05 C I of the Common Customs Tariff and originating in the African, Caribbean and Pacific States.

The Council agreed to the draft Decision of the ACP-EEC Council of Ministers approving the request by Belize, which became independent on 21 September 1981, for accession as the 62nd State to the second ACP-EEC Convention signed in Lomé on 31 October 1979.

Pending entry into force of that Decision, once also approved by the ACP States, the Council adopted a Decision on the provisional application to Belize of the arrangements provided for in Decision 80/1186/EEC on the association of the OCT.

Under those arrangements Belize will retain until it actually accedes to the Lomé Convention certain chiefly financial and commercial advantages from which it benefits under the association of the OCT with the Community.

Relations with the EFTA countries

The Council agreed to draft Decisions No 1/81 of the EEC-Austria and EEC-Switzerland Joint Committees - Community transit - amending Appendix II to the Agreements between the European Economic Community and Austria and Switzerland on the application of the rules on Community transit.

The Council adopted in the official languages of the Communities a Decision on the conclusion of an Agreement resulting from the negotiations and consultations between Finland and the European Economic Community concerning trade in various agricultural products.

Agriculture

The Council adopted in the official languages of the Communities Regulations:

- amending Regulation (EEC) No 337/79 on the common organization of the market in wine;
- amending Regulation (EEC) No 338/79 laying down special provisions relating to quality wines produced in specified regions;
- amending Regulation (EEC) No 3035/80 laying down general rules for granting export refunds on certain agricultural products exported in the form of goods not covered by Annex II to the Treaty, and the criteria for fixing the amount of such refunds.

Energy pricing: policy and transparency

Following its meeting on energy on 27 October 1981 and the subsequent finalization of the text by the Permanent Representatives Committee in the light of the positions taken in Council by delegations, the Council agreed on the following conclusions:

"The Council, having taken note of the Commission's communication on "Energy pricing: policy and transparency":

1. emphasizes the particular importance which it attaches to energy pricing as an essential element of the energy strategy of the Community and of its Member States;

2. reaffirms the need for all Member States to observe the principles agreed by the Council in June 1980, namely the following:

- consumer prices should reflect representative conditions on the world market, taking account of longer-term trends;
- one of the factors determining consumer prices should be the cost of replacing and developing energy resources;
- energy prices on the market should be characterized by the greatest possible degree of transparency.

In pursuing the implementation of these principles, the Council declares that:

- 2.1. consumer prices must permit an adequate level of investment in energy supply and encourage energy efficiency; to this end they must not be kept at artificially low levels and thereby prevented from providing reliable market signals;
- 2.2. government policies which contribute to the formation of energy prices must take account of the need for a realistic reflection of market trends. Differences in pre-tax energy prices within the Community may arise from the existence of a genuine competitive advantage (arising for example from favourable location, prudent investment, superior productivity or specific market conditions) or alternatively from the existence of priorities consistent with the Community's own energy objectives, in particular the objective of reduced dependence on oil. Any differences which do not correspond to these guidelines must be clearly identified and, to the extent that they arise from differences in public policy, progressively reduced.

3. reaffirms that transparency is a necessary and urgent condition for the implementation of the principles in paragraph 2 above. This means that consumers should have adequate access to information on energy prices and on the methods by which both prices and tariffs are determined. Although satisfactory progress has been made in recent years, transparency remains insufficient in a number of important areas. The Council notes the Commission's plans for future work on the improvement of transparency. It invites the Governments of the Member States to co-operate with the Commission in clarifying transparency aims and in defining appropriate procedures to improve transparency.
4. invites the Permanent Representatives Committee to examine the Commission communication, to analyse further the issues involved, and to submit before the end of February a report to the Council with appropriate proposals for the further elaboration of the principles set out in paragraph 2 above, notably as regards clarification of transparency aims and action to increase transparency and to improve the consistency of policies which contribute to the formation of energy prices."

Euratom

The Council approved the Commission's intention of concluding the Agreement between the United States Department of Energy and the EAEC represented by the Commission in the field of Nuclear Material Safeguards Research and Development.

ECSC

The Council gave the consultation under Article 53 of the ECSC Treaty requested by the Commission on a draft Decision relating to the extension of the authorization concerning the equalization fund established by the United Kingdom Chamber of Coal Traders and the National Coal Board to reduce the price of anthracite and anthracite briquettes imported from Community and non-Community countries.

Appointment

Acting on a proposal from the Italian Government, the Council appointed Dr Francesco NOLI, Amministratore della S.p.A. F.lli Canessa, Presidente dell'Associazione Commercianti Acciai Assofermet, as a Member of the ECSC Consultative Committee in place of the late Mr Mario PORTANOVA for the remainder of his term of office, which runs until 24 November 1982.

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LES PERSPECTIVES DE CE CONSEIL SE SONT DETERIOREES SENSIBLEMENT DANS LA DERNIERE PHASE DE LA PREPARATION : NOTAMMENT SUR LES PROBLEMES PRINCIPAUX DE LA DIRECTIVE "POST SEVESO" (RESERVE FRANCAISE SUR LA CONSULTATION TRANSFRONTIERE) ET "MERCURE" (PROBLEME ANGLAIS CONCERNANT LES NOUVELLES INSTALLATIONS), LES POSITIONS DES ETATS MEMBRES SONT AUSSI ELOIGNEES QUE LORS DES DERNIERS DEUX CONSEILS. SEUL LE REGLEMENT SUR LA CONVENTION DE WASHINGTON PARAIT AVOIR UNE CERTAINE CHANCE D ABOUTIR.

AMITIES, M.SANTARELLI
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Enfin, le Conseil a adopté comme points "A" une série de propositions de portée plus limitée :

- Recommandation concernant la réutilisation et le recyclage des vieux papiers et cartons.
- Etablissement d'un système communautaire concernant la surveillance et la limitation de pollution marine provoquée par l'émission d'hydrocarbures (essentiellement pétrole) en mer.
- Adoption de la Convention de Berne par la Communauté qui vise la conservation de la flore et de la faune ainsi que l'habitat des espèces qui ne peuvent être protégées que par une coopération transfrontalière.