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COUNCIL OF THE EUROPEAN UNION
(Environment)
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1. Adoption of the agenda

The Council adopted the agenda set out in 13554/22.

2. Approval of "A" items

a) Non-legislative list

13558/22

The Council adopted the "A" items listed in 13558/22 including COR and REV documents presented for adoption.

For the following item the documents should read as follows:

Transport

5. Council Decision on the conclusion, on behalf of the Union and its Member States, of the Accession Protocol of the Republic of Bulgaria, the Republic of Croatia and Romania to the Cooperation Agreement on a Civil Global Satellite Navigation System (GNSS) with the Republic of Korea
Request for the consent of the European Parliament
approved by Coreper, Part 1, on 19.10.2022
- ☐ 13237/22 + COR 1
+ **COR 2 (pl)**
6756/19
6739/19 + COR 1
TRANS
- b) Legislative list (Public deliberation in accordance with Article 16(8) of the Treaty on European Union)
- 13559/22

Environment

1. **Regulation amending Annexes IV and V to Regulation (EU) 2019/1021 on persistent organic pollutants (POPs)**
Adoption of the legislative act
approved by Coreper, Part 1, on 19.10.2022
- ☐☐ 13367/22
PE-CONS 39/22
ENV

The Council approved the European Parliament's position at first reading and the proposed act has been adopted, with Hungary voting against, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 192(1) TFEU).

Internal Market and Industry

2. **Directive amending Directive 2014/53/EU relating to the making available on the market of radio equipment (common charger)**
Adoption of the legislative act
approved by Coreper, Part 1, on 19.10.2022
- ☐☐ 13485/22
PE-CONS 44/22
MI

The Council approved the European Parliament's position at first reading and the proposed act has been adopted, with Bulgaria abstaining, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 114 TFEU).

Fisheries

3. **Regulation laying down management, conservation and control measures applicable in the Indian Ocean Tuna Commission (IOTC) Area of Competence**  13386/22 + ADD 1
PE-CONS 38/22
PECHE

Adoption of the legislative act

approved by Coreper, Part 1, on 19.10.2022

The Council approved the European Parliament's position at first reading and the proposed act has been adopted, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 43(2) TFEU). Statement to this item is set out in the Annex.

Health

4. **Regulation amending Regulation (EC) No 851/2004 establishing a European Centre for disease prevention and control (ECDC)**  13322/22 + ADD 1
PE-CONS 82/21
SAN

Adoption of the legislative act

approved by Coreper, Part 1, on 19.10.2022

The Council approved the European Parliament's position at first reading and the proposed act has been adopted, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 168(5) TFEU). Statement to this item is set out in the Annex.

5. **Regulation on serious cross-border threats to health and repealing Decision No 1082/2013/EU**  13323/22 + ADD 1
PE-CONS 40/22
SAN

Adoption of the legislative act

approved by Coreper, Part 1, on 19.10.2022

The Council approved the European Parliament's position at first reading and the proposed act has been adopted, with Bulgaria abstaining, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Article 168(5) TFEU). Statements to this item are set out in the Annex.

Economic and Financial Affairs

6. **Regulation establishing the European Union Single Window Environment for Customs**  13325/22 + ADD 1
PE-CONS 33/22
UD

Adoption of the legislative act

approved by Coreper, Part 1, on 19.10.2022

The Council approved the European Parliament's position at first reading and the proposed act has been adopted, pursuant to Article 294(4) of the Treaty on the Functioning of the European Union. (Legal basis: Articles 33, 114 and 207 TFEU). Statement to this item is set out in the Annex.

Non-legislative activities

3. Conclusions on the preparations for the 27th Conference of the Parties (COP 27) of the United Nations Framework Convention on Climate Change (UNFCCC) (Sharm El-Sheik, Egypt, 6-18 November 2022) 13735/1/22 **REV 1**
Approval
4. Conclusions on the Convention on Biological Diversity (CBD) (Montreal, Canada, 7-19 December 2022): 13784/1/22 **REV 1**
a) Preparation of COP 15 to the CBD
b) Preparation of COP-MOP 10 serving as the Meeting of the Parties to the Cartagena Protocol on Biosafety
c) Preparation of COP-MOP 4 serving as the Meeting of the Parties to the Nagoya Protocol on Access and Benefit Sharing
Approval

Legislative deliberations

(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)

5. **Revision of Directive 2010/75/EU on industrial emissions and Directive 1999/31/EC on the landfill of waste**  13104/22 8064/1/22 **REV 1** + ADD 1 **REV 1**
Policy debate

The Council held a policy debate based on questions prepared by the Presidency, as set out in 13104/22.

6. **Regulation establishing a framework for setting eco-design requirements for sustainable products and repealing Directive 2009/125/EC**  13120/22 7854/22 + ADD 1
Policy debate

The Council held a policy debate based on questions prepared by the Presidency focusing on sustainability aspects of the proposal, as set out in 13120/22.

Any other business

7. a) Reports on main recent international meetings
- i) Fifth Extraordinary Meeting of the Parties to the Montreal Protocol (ExMOP5) 13620/22
(Bangkok, Thailand, 16 July 2022)
Information from the Presidency and the Commission

b) Current legislative proposals
(Public deliberation in accordance with Article 16(8) of the Treaty on European Union)



i) Directive replacing Directive 2008/99/EC on the protection of the environment through criminal law

13748/22
14459/21 + COR 1

Information from the Presidency, requested by the Commission

The Council took note of the information provided by the Presidency, as well as the intervention by other delegations and the Commission.

ii) Directive on Corporate Sustainability Due Diligence - state of play

13687/1/22 REV 1

Information from the Belgian delegation, supported by the Spanish delegation

The Council took note of the information provided by the Belgian delegation, supported by the Spanish delegation, as well as the intervention by other delegations and the Commission.

c) Findings, obstacles and opportunities in the management of PFAS pollution

 13626/22

Information from the Belgian delegation

The Council took note of the information provided by the Belgian delegation, as well as the intervention by other delegations and the Commission.

d) Strengthening EU early action, preparedness and response to tackle consequences of climate change: A renewed approach for drought management at the EU level

 13769/22

Information from the Slovenian delegation, supported by the Bulgarian, Greek, Spanish, Cyprus, Austrian and Portuguese delegations

The Council took note of the information provided by the Slovenian delegation, supported by the Bulgarian, Greek, Spanish, Cyprus, Austrian and Portuguese delegations, as well as the intervention by other delegations and the Commission.

- e) **International Drought Resilience Alliance**
Information from the Spanish delegation

13705/1/22 REV 1

The Council took note of the information provided by the Spanish delegation, as well as the intervention by the Commission.

- f) **Conference on Designing Climate Resilient Landscapes**
(Prague, Czech Republic, 13-14 September 2022)
Information from the Presidency

13648/22

The Council took note of the information provided by the Presidency, as well as the intervention by the Commission.

- a) (continuation) Reports on main recent international meetings

- ii) Ninth session of the Plenary of the
Intergovernmental Science-Policy Platform on
Biodiversity and Ecosystem Services (IPBES 9)
(Bonn, Germany, 3-9 July 2022) 11758/22

- iii) Ninth Environment for Europe (EfE) Ministerial
Conference (Nicosia, Cyprus, 5-7 October 2022) 13727/22
Information from the Presidency and the Commission

Statements to the legislative "A" items set out in doc. 13559/22

Ad "A" item 3: **Regulation laying down management, conservation and control measures applicable in the Indian Ocean Tuna Commission (IOTC)**
 Area of Competence
 Adoption of the legislative act

STATEMENT BY THE COMMISSION

"The European Parliament and the Council underlined on several occasions the need to further improve the process of implementation of conservation measures adopted by Regional Fisheries Management Organisations (RFMOs), notably in a timely manner.

The Commission regrets that its attempt to streamline the implementation process has not been fully retained by the European Parliament and the Council. The Commission will continue to work together with the European Parliament and the Council on further improvements to the implementation process."

Ad "A" item 4: **Regulation amending Regulation (EC) No 851/2004 establishing a European Centre for disease prevention and control (ECDC)**
 Adoption of the legislative act

STATEMENT BY HUNGARY

"Hungary recognizes and promotes equality between men and women in accordance with the Fundamental Law of Hungary, and the primary law, principles and values of the European Union, as well as commitments and principles stemming from the international law. Furthermore, equality between women and men is enshrined in the Treaties of the European Union as a fundamental value. In line with these and its national legislation, Hungary interprets the concept of 'gender' as reference to 'sex' in the regulation of the European Parliament and of the Council amending Regulation (EC) No 851/2004 establishing a European Centre for disease prevention and control."

Ad "A" item 5: **Regulation on serious cross-border threats to health and repealing Decision No 1082/2013/EU**
 Adoption of the legislative act

STATEMENT BY BULGARIA

"The Republic of Bulgaria supports the overall goal of the Health Union Package to improve the reaction of the European Union and its Member States to cross-border health threats.

For Bulgaria, protection of human health is of paramount importance, both in peace times and in times of crisis and emergencies. Hence, we reiterate our understanding, based on (Art. 168 TFEU in particular paragraphs 5 and 7) that nothing in the Regulation on cross-border threats to health as part of the Health Union Package shall be interpreted as a limitation of Member States' sovereign actions to protect their population, including by procuring critical countermeasures in a timely manner and at affordable price, via all possible channels.

The provision of health services and medical care and the allocation of the resources assigned to them in times of crisis remains responsibility of Member states: an inherent part not only of national health policies but also a matter of national security.

Bulgaria also confirms its adherence to the precise text of the WHA Second Special Session Decision SSA2(5), which at this stage leaves open the matter about the legal nature of a future international instrument on pandemic prevention, preparedness and response. We note with concern the introduction of references in the EU internal legal order to ongoing international negotiations and attempts to prejudge their outcomes.

Finally, in terms of the envisaged reporting obligations and assessment of national crisis plans we commit to implement the Package, while bearing in mind the principles of subsidiarity, proportionality and conferral of powers, enshrined in the relevant provisions of the EU primary law.

The national administrations and budget resources of Member States differ significantly - additional excessive burden can exhaust already limited resources and be counterproductive in crisis times."

STATEMENT BY HUNGARY

"Hungary recognizes and promotes equality between men and women in accordance with the Fundamental Law of Hungary, and the primary law, principles and values of the European Union, as well as the commitments and principles stemming from the international law. Furthermore, equality between women and men is enshrined in the Treaties of the European Union as a fundamental value. In line with these and its national legislation, Hungary interprets the term 'gender' as reference to 'sex', in the Regulation of the European Parliament and of the Council on serious cross-border threats to health and repealing Decision No 1082/2013/EU."

Ad "A" item 6: **Regulation establishing the European Union Single Window
Environment for Customs**
Adoption of the legislative act

STATEMENT BY THE COMMISSION

"The Commission regrets that the original dates foreseen in the proposal for the Government-to-Government exchanges were not retained by the co-legislators, and that this will reduce the capacity of the Union to deliver on its commitments under the Green Deal for the management of ozone depleting substances and control and reduction of fluorinated greenhouse gases to prevent climate-relevant emissions. However, given the significant impact on customs of major current and past events the Commission understands that Member States are facing great pressure. At the same time, the Commission acknowledges that some Member States are already interconnected to the EU Customs Single Window - Certificate Exchange System (EU CSW-CERTEX), and some have asked for the possibility to interconnect before 2025. Therefore, notwithstanding the deadlines listed in the Annex, the Commission strongly encourages all Member States to take all the necessary steps to interconnect as soon as possible."

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- ①** First reading
 - C** Item based on a Commission proposal
 - [2]** Public debate proposed by the Presidency (Article 8(2) of the Council's Rules of Procedure)