

PRESS RELEASE

11999/82 (Presse 198)

810th Council meeting

- Environment -

Brussels, 17 and 18 December 1982

President: Mr Christian CHRISTENSEN,
Minister for the Environment
and for Nordic Affairs
of the Kingdom of Denmark



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

Belgium:

Mr Firmin AERTS
State Secretary for Public Health
and the Environment

Denmark:

Mr Christian CHRISTENSEN
Minister for the Environment and
for Nordic Affairs

Mr Holger LAVESEN
State Secretary,
Ministry of the Environment

Germany:

Mr Gunter HARTKOPF
State Secretary
Federal Ministry of the Interior

Greece:

Mr A. TRITSIS
Minister for Regional Development
and the Environment

France:

Mr Michel CREPEAU
Minister for the Environment

Ireland:

Mr John SWIFT
Deputy Permanent Representative

Italy:

Mr Pier Luigi ROMITA
Minister for Scientific Research

Luxembourg:

Mr Jean MISCHO
Deputy Permanent Representative

Netherlands

Mr P. WINSEMIUS
Minister for Housing, Regional
Development and Environment
Protection

United Kingdom

Mr Giles SHAW
Under-Secretary of State
Department of the Environment

Mr W. F. van EEKELEN
State Secretary
Ministry of Foreign Affairs
(responsible for European Affairs)

Commission:

Mr Karl-Heinz NARJES
Member

SEAL PUPS

The Council resumed the discussion which it had suspended on 3 December 1982 and signified its agreement to a Resolution of the Council and the Representatives of the Governments of the Member States on the import of skins of certain seal pups and products derived therefrom into the Community. The provisional text of this Resolution which will be formally adopted following legal and linguistic finalization is given below:

THE COUNCIL OF THE EUROPEAN COMMUNITIES AND THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES, MEETING WITHIN THE COUNCIL,

1. Considering the European Parliament Resolution on Community trade in seal products and in particular in products derived from the pups of harp and hooded seals; and whereas this Resolution reflected concern over the way harp and hooded seal pups are killed in certain third countries;
2. Whereas in certain areas of the world the exploitation of seals and of other species, in accordance with their capacity to withstand it and with due respect for the balance of nature, is a natural and legitimate occupation and forms an important part of the traditional way of life and economy;
3. Whereas in certain Member States voluntary or statutory measures already exist to restrict the importation or marketing of the skins of whitecoat pups of harp seals and of pups of hooded seals (bluebacks); whereas one Member State already requires the marking of all seal products; whereas such measures must comply with the relevant provisions of the EEC Treaty;
4. Whereas there is scientific uncertainty over the population size of the hooded seal and the capacity of that species to withstand exploitation at current levels,

CALL UPON

5. the Commission, in collaboration with the authorities of the countries concerned, to further examine the methods, circumstances, scientific aspects (threat of extinction of species and environmental balance), possibilities of identification by marking, and consequences of the killing of pups of harp and hooded seals, taking into consideration among other things the conclusions reached by the International Council for the Exploration of the Sea (ICES);
6. the Commission, to pursue exploratory talks with the countries concerned in order to evaluate the possibilities inherent in the proposals put forward by Canada;
7. the Commission, to report back as a matter of urgency so that the Council may review these issues by 1 March 1983;
8. the Commission, to consider the possibility of proposing, in the light of the results of such examinations, and an evaluation of the national measures taken in accordance with point 11, any necessary action at Community level on the basis of the relevant provisions of the EEC Treaty;

THE COUNCIL UNDERTAKES

9. to examine the Commission's communications and proposals on the subject, notably the proposal for a regulation on an import ban already submitted, and to adopt before 1 March 1983 as part of its review all appropriate measures on the basis of all the necessary background information, while fulfilling the Community's obligations, in particular in the field of international trade;

THE REPRESENTATIVES OF THE GOVERNMENTS OF THE MEMBER STATES UNDERTAKE

10. to pursue, where they are Parties to the Washington Convention on International Trade in Endangered Species of Wild Flora and Fauna, whatever initiatives might be necessary for the conservation of the harp and hooded seal species;

11. Pending any decision about action at Community level, to take all measures necessary and possible within the limits of national competences to prevent the importation into their territory of the products listed in the Annex to this Resolution.

ANNEX

<u>No</u>	<u>CCT No</u>	<u>Description</u>
1	ex 43.01	Raw furskins and furskins tanned or dressed, including furskins assembled on plates, crosses, tanned or dressed: - of whitecoat pups of harp seals - of pups of hooded seals (blue-backs less than three months old).
2	ex 43.03	Articles of the furskins referred to in 1.

3rd ACTION PROGRAMME (1982-1986)

The Council and the Representatives of the Governments of the Member States signified their agreement to a Resolution on the continuation and implementation of a Community policy and action programme on the environment (3rd action programme for 1982-1986).

The Council will adopt this Resolution at a forthcoming meeting following finalization of the texts.

The provisional text of the Resolution is as follows:

The Council:

TAKES NOTE of the action programme annexed hereto and approves the general approach thereof;

DECLARES that it is particularly important for Community actions to be carried out in the following areas:

- integration of the environmental dimension into other policies;

- environmental impact assessment procedure;

- reduction of pollution and nuisance if possible at source, in the context of an approach to prevent the transfer of pollution from one part of the environment to another, in the following areas:

= combating atmospheric pollution, especially by NO_x, heavy metals and SO₂, inter alia by implementing Directive 80/779/EEC of 15 July 1980 on air quality limit values and guide values for sulphur dioxide and suspended particulates;

- = combating freshwater and marine pollution, inter alia by
 - . implementing Directive 76/464/EEC of 4 May 1976 on pollution caused by certain dangerous substances discharged into the aquatic environment of the Community and Directive 78/176/EEC of 20 February 1978 on waste from the titanium dioxide industry,
 - . and the action programme of the European Communities of 26 June 1978 on the control and reduction of pollution caused by hydrocarbons discharged at sea;
- = combating pollution of the soil.

Specific aspects of protection

- the protection of the Mediterranean environment which should be taken into account when giving practical application to the action programme;
- noise pollution and particularly noise pollution caused by means of transport;
- combating transfrontier pollution;
- dangerous chemical substances and preparations; e.g. the supplementing and application of Directive 79/831/EEC of 18 September 1979 amending for the sixth time Directive 67/548/EEC of 27 June 1967 on the approximation of the laws, regulations and administrative provisions relating to the classification, packaging and labelling of dangerous substances;

- waste management, including treatment, recycling and re-use - toxic and dangerous waste, including transfrontier transport of such waste and the review of the list of toxic and dangerous substances and materials in the Annex to Directive 78/319/EEC of 20 March 1978 on toxic and dangerous waste;
- encouraging the development of clean technology, e.g. by improving the exchange of information between Member States;
- protection of areas of importance to the Community which are particularly sensitive environmentally;
- co-operation with developing countries on environmental matters;

NOTES with satisfaction that the Commission intends to be guided, as in the past, by the following considerations in drawing up its proposals:

- the desirability of action at Community level;
- the need to avoid any unnecessary duplication, by checking whether the subjects in question are already being dealt with satisfactorily by international bodies;
- the need to assess, as far as possible, the costs and benefits of the action envisaged;

- the need to take account of the differing economic and ecological conditions and the differing structures in the Community;
- the need to carry out careful research, analysis and consultation before proposals are submitted to the Council;

UNDERTAKES to act on these proposals wherever possible within nine months of the date on which they are submitted by the Commission or, as the case may be, of the date on which the Opinions of the European Parliament and of the Economic and Social Committee are submitted;

STATES that the decision to make available the financial resources necessary for implementing this Resolution and the action programme attached thereto will be taken in accordance with the usual procedures.

THE COMBATTING OF WATER POLLUTION

The Council signified its agreement to a Resolution concerning the combatting of water pollution. This Resolution, the text of which is given below, will be adopted formally by the Council following legal and linguistic finalization.

The Council,

- Whereas the Council Resolution concerning the third environment action programme (1982- 1986) lists among its priority actions, the combatting of the pollution of fresh water and sea water, inter alia, by implementing Council Directive 76/464/EEC;
- Whereas the importance of combatting water pollution has already been underlined in the second environment programme (1977-1981);
- Whereas it is desirable to speed up proceedings by more active participation on the part of the Member States where possible;
- Whereas it is therefore desirable to reinforce research on a number of substances, in order to decide whether it is necessary to adopt specific directives for those substances;
- TAKES NOTE of the Commission communication to the Council concerning dangerous substances which might be included in List I of Council Directive 76/464/EEC (8239/82 ENV 127) and welcomes the effort made by the Commission preparatory to the further implementation of the said Directive,
- STATES that the list of 129 substances contained in the Commission communication will serve as a basis for further Community work on the implementation of Directive 76/464/EEC,

- WELCOMES the fact that the Member States will endeavour to communicate to the Commission as soon as possible, and within three years at the latest, all readily available data concerning the list of 129 substances. When such data are being forwarded, prominence should be given to the following points:
 - production, use and discharges as per branch of industry;
 - diffuse sources;
 - concentration in surface water, sediments and organisms;
 - remedial measures already taken and/or envisaged and their effect on the quantities discharged.

Initially, special attention will, as far as possible and where appropriate be focused on the substances mentioned in the Annex

- UNDERSTANDS that the Member States will endeavour to supply additional data where useful concerning substances for which studies by the Commission have been completed or are being carried out,
- NOTES that the Member States recognize the list of 129 substances as a provisional basis for any national measures to combat pollution of water by these substances, when applying the measures provided for in Directive 76/464/EEC,
- NOTES that the Commission, after consulting national experts, will provide guidance to Member States on the content and form of the information to be communicated over this Resolution in the light of their continuing study of the environmental hazards posed by the 129 substances contained in the abovementioned communication and will circulate all data collected under this Resolution to all Member States,
- NOTES that the various undertakings by the Member States mentioned above will not under any circumstances be interpreted in such a way as to cause delay to the Commission's activities concerning the implementation of Council Directive 76/464/EEC.

ANNEX

2 - chloroaniline,
3 - chloroaniline,
4 - chloroaniline,
1 - chloro-2-nitrobenzene,
1 - chloro-3-nitrobenzene,
1 - chloro-4-nitrobenzene,
2, 4 - dichlorophenol,
2 - chloroethanol,
1, 3 - dichloro-2-propanol,
epichlorohydrin,
parathion (including methyl parathion).

MISCELLANEOUS STATEMENTS

The Council took note of the following statements:

- lead in petrol (Danish delegation)
 - transfrontier air pollution (Danish delegation)
 - air pollution - noise emission from vehicles (German delegation)
 - compensation for victims of hydrocarbon pollution (French delegation)
 - aspects of training connected with environmental protection (Greek delegation)
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OTHER DECISION

1983 budget

The Council examined the increases in non-compulsory expenditure approved by the European Parliament on 16 December 1982 following its discussions on the draft 1983 budget.

Pursuant to the last subparagraph of Article 203(9) of the EEC Treaty, the Council also signified its agreement to these increases and to the consequent new rates for commitment appropriations and payment appropriations.

Bruxelles, le 16 decembre 1982.

Note BIO (82) 543, Suite 1 et fin, aux Bureaux nationaux
cc aux Membres du Groupe du Porte Parole

Objet : Preparation du Conseil Environnement du 17 decembre
1982 (O von Schwerin)

Le Conseil se reunira demain 17 decembre a 15 heures,
notamment afin de trouver une solution au probleme des bebes
phoques, qui n a pas pu etre regle lors du Conseil du 3 decembre
dernier (voir Note Bio 512).

Sur la table du Conseil se trouvent notamment trois
alternatives :

- la proposition de la Commission d un reglement du Conseil
sur base de l art. 113 en vue d un arret des importations de
peaux de bebes phoques a partir de mars prochain
- proposition de directive du Conseil sur base de l article
100 elaboree par le Service Juridique du Conseil et basee en
substance sur la proposition de la Commission
- une resolution, voire recommandation du Conseil prevoyant
des mesures dans le meme sens , mais instaurees par les Etats
membres d une facon autonome.

Les delegations paraissent encore assez partagees, et il est
difficile de prevoir une solution a ce probleme etant donne qu
une partie des delegations considere une resolution ou
recommandation comme incompatible, car trop peu contraignante,
tandis que d autres delegations contestent la base juridique d
un reglement ou d une directive dans cette matiere.

De plus, le Troisieme Programme d Action sera discute et
probablement definitivement adopte, les points essentiels ayant
ete regles deja le 3 decembre dernier.

Amities, M. Santarelli
Comeur, 1600 h//11 /

NOTE BIO (82) 543, Suite I et II, aux Bureaux nationaux
cc aux Membres du Groupe du Porte Parole

Objet: Conseil Environnement du 17 decembre 1982
(O von Schwerin)

Après 10 heures de discussions, le Conseil Environnement a adopté samedi matin à 1.30 heures une résolution sur le problème des bébés phoques. Bien qu'un premier tour de table avait montré que le nombre de délégations qui pourraient adopter une directive interdisant les importations des peaux des phoques était plus élevé que lors du dernier Conseil, la Présidence a préféré de concentrer le débat sur le projet de résolution.

Cette discussion a permis de tenir compte d'un document de la part des autorités canadiennes demandant l'établissement d'un "panel international d'experts" et la préparation d'une "convention internationale des phoques".

La résolution contient donc un mandat pour la Commission d'approfondir avec le Canada et la Norvège l'examen des méthodes et aspects scientifiques (menace d'extinction); elle doit faire rapport au Conseil dans les meilleurs délais afin de lui permettre de réexaminer ce problème avant le 1er mars 1983, c'est à dire à temps avant le début de la prochaine saison de chasse.

Dans l'attente d'une décision définitive au niveau communautaire, les États membres s'engagent à arrêter, dans les limites de leur compétence, toutes les mesures nécessaires pour empêcher les importations des peaux des bébés phoques ou produits dérivés sur leur territoire.

Sans constituer un engagement juridique au niveau communautaire, les États membres ont donc pris chacun un certain engagement politique dans le but visé par la proposition de la Commission.

À l'issue du Conseil, M. Narjes a déclaré formellement que la proposition de la Commission d'un règlement sur base de l'article 113 reste sur la table et n'est nullement dépassée par cette décision.

Du reste, le Conseil a approuvé formellement le Troisième programme d'environnement couvrant toutes les activités communautaires pour la période 1982-86.

Amitiés, M. Santarelli
Comeur, 11.30 h.



