



Council of the European Union

PRESS
EN

BACKGROUND¹
Brussels, 16 March 2022

Environment Council **Brussels, 17 March 2022**

Chair: **Barbara Pompili**, France's Minister for the ecological transition

European Commission representative: Commissioner **Virginijus Sinkevičius**

Starting time: 09.30

All debates except the lunch debate will be held in public session.

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EU environment ministers will aim to reach a general approach on the proposal for a regulation concerning **batteries and waste batteries**. The proposal aims to reduce the environmental and social impacts of batteries throughout all stages of their life cycle - from sourcing materials to production, use and recycling. The proposal also seeks to ensure the efficient functioning of the internal market, by creating clear common rules in terms of security, sustainability labelling and information for economic actors across all member states.

Ministers will hold a policy debate on the proposals presented by the Commission as part of the **"Fit for 55 package"** that are within the remit of the Environment Council. The debate will be based on a note containing questions prepared by the presidency on the revision of the scheme for greenhouse gas emission allowance trading (EU ETS) and the proposal for a social climate fund.

Ministers will exchange views on a proposal on minimising the risk of **deforestation and forest degradation** associated with products placed on and exported from the EU market. The aim of the proposal is to ensure that products consumed on the EU market do not contribute to deforestation and forest degradation worldwide.

During lunch, ministers will hold an exchange of views on the process of **Greening the European Semester** that aims to ensure that EU macroeconomic policies are sustainable.

Under any other business, the French presidency and the Commission will inform ministers about the 5th session of the United Nations environment assembly (UNEA 5.2) that took place in Nairobi, from 28 February to 2 March 2022.

The presidency will brief ministers about a regulation on persistent organic pollutants.

The Commission will share information about a proposal for a directive on the protection of the environment through criminal law and on the follow-up on the ratification of environmental multilateral agreements.

¹ This note has been drawn up under the responsibility of the press office.

The Estonian and Finnish delegation will inform ministers about upcoming celebrations of the 30th anniversary of the convention on the protection and use of transboundary watercourses and international lakes (Water Convention) in Tallinn on 30 June 2022.

Press conference: at the end of the meeting +/- 16:50 (Justus Lipsius press room)

Press briefing: Wednesday 16 March at 13.00 (Justus Lipsius press room)

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[Environment Council meeting page](#)

[Press conferences and public events by video streaming](#)

[Video coverage in broadcast quality \(MPEG4\) and photo gallery](#)

Fit for 55 package

Ministers will be invited to hold a policy debate on the files in the “Fit for 55 package” which are within the remit of the Environment Council. The Presidency has prepared a note containing an overview of the state of play of the discussions within the Council on the five files.

In order to structure the debate, the presidency has prepared two questions:

1. To what extent do you consider an ETS for the road transport and buildings sectors (ETS RTB) to be an effective tool with which to reduce emissions with a view to reaching the -55 % target in 2030? What options and key parameters (timetable, scope, etc.) would you consider to be the most relevant to improve the acceptability of such a scheme while guaranteeing its effectiveness? In the event of strong reservations, what other concrete options would you consider introducing at European level to ensure that these sectors adequately contribute to achieving the EU's climate targets?
2. If the ETS RTB is set up, what parameters should be set for the Social Climate Fund, so that it can effectively support the most vulnerable groups?

The Commission presented the “Fit for 55 package” on 14 July 2021. The package aims to bring the EU's climate and energy legislative framework into line with the objective of achieving a climate-neutral EU by 2050 and with its target of reducing net greenhouse gas emissions by at least 55% by 2030 compared to 1990 levels.

The package consists of a series of closely interconnected proposals either amending existing pieces of legislation or establishing new initiatives across a range of policy areas and economic sectors. Within the Council, the proposals are being dealt with in four Council formations - Environment, Energy, Transport, and Economic and Financial Affairs.

[Presidency information note](#)

[Commission proposal on the revision of the EU Emissions trading system \(ETS\)](#)

[Commission proposal on the revision of the Effort Sharing Regulation \(ESR\)](#)

[Commission proposal on the revision of the LULUCF Regulation](#)

[Commission proposal on the revision of Regulation \(EU\) 2019/631 setting CO2 emission performance standards for new passenger cars and for new light commercial vehicles](#)

[Commission proposal for a Regulation establishing a Social Climate Fund](#)

[Fit for 55 \(background information\)](#)

Batteries and waste batteries

Ministers will aim to reach a general approach on a proposal updating EU legislation on batteries and waste batteries.

The proposal aims to reduce the environmental and social impacts of batteries throughout all stages of the battery life cycle - from sourcing materials to production, use and recycling. The proposal also aims to address discrepancies on the internal market due to uneven rules and information, by creating a level playing field for economic operators through a common, clearer set of rules.

The proposal lays down restrictions on the use of hazardous substances in batteries, in particular mercury and cadmium. It sets carbon footprint rules, a minimum of recycled content in batteries, performance and durability criteria and security parameters for batteries placed on the market. It also fixes due diligence requirements for the value chains. The proposal also improves labelling and information requirements in order to inform consumers along the value chain properly, and to facilitate the recycling and reuse of batteries. It introduces a “battery passport” with an electronic record of the battery’s characteristic. The proposal extends producer responsibility, and introduces obligations and objectives for producers to collect waste batteries. The proposal also sets requirements for recycling efficiencies and for the recovery of materials in batteries.

Batteries are a key element of the clean energy transition. In the EU, transport is responsible for roughly a quarter of greenhouse gas emissions and is the main cause of air pollution in cities. A more widespread uptake of electric vehicles is expected to contribute to the reduction of greenhouse gas emissions and noxious emissions from road transport. As a result, the proposal aligns the current legislation with the European Green Deal, promotes the circular economy and aims to ensure a high level of protection of health and the environment.

EU environment ministers held a policy debate on the subject during their informal video conference in March 2021 and at the Environment Councils in June and December 2021.

The European Commission presented their proposal on 10 December 2020. The European Parliament adopted its negotiation position in the plenary on 10 March 2022. After the general approach has been reached by the Council, negotiations in view of an agreement with the European Parliament can start, with a view to reaching an agreement.

[Council general approach on the proposal for a regulation on batteries and waste batteries](#)

[Presidency progress report](#)

[Commission proposal for a regulation on batteries and waste batteries](#) + [ADD 1](#)

Deforestation and forest degradation

Ministers will hold a policy debate on the Commission's proposal to reduce to the minimum the consumption of products coming from value chains associated deforestation and forest degradation. The proposal was published on 17 November 2021 and sets mandatory due-diligence rules for operators that introduce in the EU market commodities associated with deforestation and forest degradation and derived products such as leather, chocolate and furniture.

The main driver of global deforestation and forest degradation is the expansion of agricultural land, which is linked particularly to the production of those commodities included in the scope of the regulation: soy, beef, palm oil, wood, cocoa and coffee. As a major importer of such commodities, the EU can reduce its impact on global deforestation and forest degradation by adopting new rules to minimise the entry into the EU market and the export from the EU of commodities and products that have contributed to deforestation and forest degradation and by promoting the consumption of "deforestation-free" products.

During an orientation debate, EU agriculture ministers discussed the proposed regulation on 21 February 2022. In particular, they highlighted the need to establish clear, unambiguous definitions, in line with the EU's forest policy, to avoid disproportionate administrative and financial burdens (in particular for small operators), to ensure that the regulation is implemented consistently across the EU, to verify compliance with WTO rules and to establish good cooperation with non-EU countries.

[Commission proposal for a regulation on deforestation-free products](#)

[Main results of the Agriculture and Fisheries Council of 21 February 2022](#)

Greening the European Semester

During a lunch debate, ministers will hold an exchange of views on Greening the European Semester. The European Semester is a cycle of economic, fiscal, labour and social policy coordination within the EU. In this six-month period, member states align their budgetary and economic policies with the rules agreed at EU level.

In this context and since 2014, the Council has taken into consideration environmental and societal issues to ensure that macroeconomic policies are economically, socially and environmentally sustainable. The environmental sustainability of macroeconomic policies is essential to meet the objectives of the European Green Deal and reach climate neutrality by 2050.

Based, on questions prepared by the presidency, ministers will focus on how the European Semester can better integrate the challenges of an inclusive and fair green transition, while ensuring the achievement of the European objectives in the fight against climate change and the preservation of biodiversity. Ministers will also have the opportunity to discuss the key principles and good practices for taking into account just transition issues in economic policies, particularly in terms of analysing the distribution of effects, which should be strengthened in the European Semester.

[Commission communication on the Annual Sustainable Growth Survey 2022](#)

[Greening the European Semester](#) - background information

Any other business

Second segment of the fifth session of the United Nations Environment Assembly (UNEA-5.2)

The Presidency and the Commission will share information on the second segment of the fifth session of the United Nations Environment Assembly (UNEA-5) that took place from 28 February to 2 March in Nairobi, Kenya. The overall theme for session was “Strengthening Actions for Nature to Achieve the Sustainable Development Goals”.

In an alliance with partners from all continents, the EU sought to secure the launch of negotiations for a new legally binding global agreement on plastics and to create a Science-Policy Panel for Chemicals, Waste and Pollution. Its aim was also to reach an agreement on a definition of the concept of nature-based solutions, decisive ahead of COP15 under the Convention on Biological Diversity.

Persistent organic pollutants

The French presidency will inform ministers about the state of play of a new proposal on persistent organic pollutants. The text amends the annexes to the current regulation, with the objective of eliminating or minimising the emissions of these chemicals from waste. Although persistent organic pollutants are generally no longer used in new products, they can still be found in waste coming from some consumer products such as waterproof textiles, furniture, plastics and electronic equipment. The proposal introduces in particular more stringent limits for the following substances, in waste:

- perfluorooctanoic acid (PFOA) and its salts and related compounds – found in waterproof textiles and fire-fighting foams;
- dicofol – a pesticide, previously used in agriculture;
- pentachlorophenol, its salts and esters – found in treated wood and textiles.

The Council adopted its negotiating position in the Committee of permanent representatives on 11 March 2022, in view of future trilogue negotiations with the European Parliament.

[Commission proposal to amend the annexes of the Regulation on persistent organic pollutants \(POPs\)](#)

Environmental crimes directive

The Commission will share information on a new proposal for a directive on the protection of the environment through criminal law. The environmental crimes directive defines certain environmental offences that member states must criminalise. It requires effective, proportionate and dissuasive sanctions and requires the liability of both natural and legal persons.

In December 2021, the Commission adopted a proposal to update the directive in force. The new proposal defines new environmental criminal offences, introduces more stringent and detailed provisions on sanctions, rules to strengthen enforcement and measures to assist people who report offences and cooperate with enforcement authorities.

[Commission proposal for a new environmental crimes directive](#)

Ratification of multilateral environmental agreements (MEAs) – a call for urgent action

The Commission will share information on a call for urgent action regarding the ratification of multilateral environmental agreements (MEAs).

Anniversary of the Water Convention

The Estonian and Finnish delegations will share information on the celebration of the 30th anniversary of the Convention on the Protection and Use of Transboundary Watercourses and International Lakes (Water Convention). The Ministry of the Environment of Estonia, together with UNECE, and in cooperation with Finland, are planning to hold a celebratory event in Tallinn, Estonia, on 30 June 2022 to mark the occasion. The Water Convention was adopted in Helsinki in 1992. It is a legally binding instrument promoting cooperation in the sustainable management of transboundary water resources.

[Information from the Estonian and Finnish delegations](#)
