CO-ORDINATORS' MEETING
- not to be-treated in full committee -

Tuesday, 20 November 2018, 9.00-10.00
Room JAN 4Q2

COORDINATORS’ RESULTS

21.11.2018

Ms Vălean, Chair
Mr Liese, Coordinator of the EPP group
Mr Dance, Acting Coordinator of the S&D group
Mr Piecha, Acting Coordinator of the ECR group
Mr Gerbrandy, Coordinator of the ALDE group
Mr Javor, Acting Coordinator of the Greens/EFA group
Ms Reid, Coordinator of the EFDD group

For item 5.4: Mr La Via and Mr Dorfmann, rapporteurs

1. ADOPTION OF DRAFT AGENDA
The draft agenda was adopted in the form shown in these minutes

2. CHAIR’S ANNOUNCEMENTS

2.1 Main items discussed at the CCC meeting

2.1.1 Priorities of the Romanian Presidency
The Chair informed that Ms Rovana Plumb, Minister for European Funds, had presented the priorities of the Romanian Presidency at the last CCC meeting. In the discussion which followed, the Chair had stressed that the Presidency priority programme did not include important overarching objectives such as climate protection and sustainable development goals and asked the Minister for a verbal commitment - that she gave - that the Presidency would do as much as possible to finalise interinstitutional negotiations on the pending ENVI legislative files.
2.1.2 Joint DEVE/ENVI INI on SDGs
The Chair informed that the request had been endorsed without debate by the CCC and transmitted to the Conference of Presidents for decision and asked coordinators to follow-up with their group leaders to ensure a smooth treatment.

3. DECISIONS ON PROCEDURE

Reports

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Own-initiative reports

1. Annual strategic report on the implementation and delivery of the SDGs (Rule 55 with DEVE)
   pending authorisation by CoP

   **Decision taken:** EPP Rapporteur (1 point)

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Legislative opinions

Items 2 and 3 to be treated jointly

2. Investment Protection Agreement between the European Union and its Member States, of the one part, and the Socialist Republic of Viet Nam, of the other part
   INTA/8/14828
   *** 2018/0358(NLE) COM(2018)0693
   Rapporteur:
   Jan Zahradil (ECR)
   Responsible:
   INTA

3. Conclusion of the Free Trade Agreement between the European Union and the Socialist Republic of Viet Nam
   INTA/8/14829
   Rapporteur:
   Jan Zahradil (ECR)
   Responsible:
   INTA

   **Decision taken:** No opinion. At the request of the Greens/EFA group, the secretariat was instructed to inquire into the state of play on the Voluntary Partnership Agreement with Vietnam, in view of a possible decision at next coordinators’ meeting.
4. **Withdrawal of the UK from the EU (APP)**

*subject to positive conclusion of negotiations on the withdrawal agreement and AFCO and CoP decision on the procedure*

**Decision taken:** In the light of the tight timetable and notwithstanding the uncertainty around the procedure which will be followed, coordinators decided to appoint a rapporteur for opinion (EPP, 0.5 points). Should in the end an opinion not be possible, the EPP will be given back the points spent.


**Decision taken:** No opinion

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**Non-legislative opinions**

None

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**Documents received for information**


**Decision taken:** No action needed – for information only


**Decision taken:** No action at this stage.

8. **Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions: A sustainable Bioeconomy for Europe: Strengthening the connection between economy, society and the environment** - COM(2018)0673

**Decision taken:** No action at this stage.

**Decision taken:** No action needed – for information only


**Decision taken:** To write a letter to Commissioners Vella, Katainen and Timmermans on the issue of the ivory ban.


**Decision taken:** No action needed – for information only


**Decision taken:** No action needed – for information only


**Decision taken:** No action needed.


**Decision taken:** To address the issue in the context of the planned exchange of views with Commissioner Vella on the hunting of protected species planned for 27 February.
15. Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - Towards a comprehensive European Union framework on endocrine disruptors
COM(2018)0734

Decision taken: To invite the Commission for an exchange of views (jointly with item 17).

COM(2018)0735

Decision taken: No action needed, for information only, (the internal deadline for proposing revocation expires on 21 November, as indicated in the Comitology/DIA newsletter no 760, which included the report).

COM(2018)0739

Decision taken: see item 15

18. Strategy for long-term EU greenhouse gas emissions reduction in accordance with the Paris Agreement (in advance of the Katowice COP on 3-14 December) to be adopted by the Commission on 28/11/2018

Decision taken: To draft an oral question with resolution. A deadline for informing the secretariat of the names of co-sponsors was set for Friday, 30 November at 12.00 noon

A Public Hearing will be organised in January.

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Other documents received

19. Commission staff working document accompanying the document communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions A sustainable Bioeconomy for Europe: Strengthening the connection between economy, society and the environment SWD(2018)0431

20. Commission staff working document Progress of the European Innovation Partnership on Active and Healthy Ageing SWD(2018)0437

the Council, the European Economic and Social Committee and the Committee of the Regions Summary of the Synthesis Report on the operation of Regulation (EU) No 649/2012 concerning the export and import of hazardous chemicals
SWD(2018)0438

SWD(2018)0441

23. COMMISSION STAFF WORKING DOCUMENT EU GPP criteria for indoor cleaning services
SWD(2018)0443

SWD(2018)0452

SWD(2018)0453

SWD(2018)0455

SWD(2018)0456

28. COUNCIL DECISION (EU) 2018/… of … on the position to be taken on behalf of the European Union at the International Maritime Organization during the 73rd session of the Marine Environment Protection Committee and the 100th session of the Maritime Safety Committee, on the adoption of amendments to regulation 14 of Annex VI to the International Convention for the Prevention of Pollution from Ships and to the International Code on the Enhanced Programme of Inspections During Surveys of Bulk Carriers and Oil Tankers, 2011
Council(2018)12495

29. Council Recommendations to be signed in the EU-Canada CETA Joint Committee on trade, climate action and the Paris Agreement
Council(2018)11131
4. DECISIONS ON URGENT MATTERS

4.1 Possible OQ (jointly with PETI) on Natura 2000 violations

Decision taken: Coordinators agreed to co-signing the Oral Question to the Commission and asked that a similar Oral Question be also addressed to the Council. The two OQs will be put to the vote in ENVI on 27 November.

4.2 Update on MFF state of play

The Chair informed that the issue had been briefly discussed at the CCC meeting and then at the Conference of Presidents on 15 November and reported on the letter addressed by the President to the Committee Chairs.

4.3 Treatment of legislative files in view of end of legislature

In view of the approaching end of legislature, coordinators considered the constraints related to the finalisation of the ongoing legislative files as well as the different scenarios and their implications and agreed the following:

A. Files blocked

- Reduction of pollutant emissions from road vehicles (Dess, EPP)

  Decision taken: Do not put the file on plenary agenda, so that it lapses at the end of the legislature (Rule 229 of RoP). At the beginning of next legislature, the new Parliament/ENVI Committee will be asked to decide whether to resume work, to ask the Commission to withdraw the proposal or to modify it.

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- Protection of species of wild fauna and flora by regulating trade therein (CITES) (Valean, Chair)

- Possibility for the Member States to restrict or prohibit the use of genetically modified food and feed on their territory (amending Regulation (EC) No 1829/2003) (Valean, Chair)

- Cloning of animals of the bovine, porcine, ovine, caprine and equine species kept and reproduced for farming purposes (Rule 55 with AGRI - Sommer, EPP)

  Decision taken: No action needed at this stage. At the beginning of next legislature, the new Parliament/ENVI Committee will be asked to decide whether to resume work, to ask the Commission to withdraw the proposal or to modify it.

B. Files on which interinstitutional negotiations are ongoing

- Spirit drinks (Ayuso, EPP)

- Union Civil Protection Mechanism (Gardini, EPP)
• Emission performance standards for new passenger cars and for new light commercial vehicles (Dalli, S&D)

• Reduction of the impact of certain plastic products on the environment (Ries, ALDE)

• Environment policy: alignment of reporting obligations (Valean, Chair)

**Decision taken:** No action needed at this stage. Reassess the situation at the January coordinators’ meeting in case negotiations have not been concluded by then.

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C. Files on which it is expected that both the EP and Council will have a negotiating mandate by the end of 2018

• Quality of water intended for human consumption (Dantin, EPP)

• Promotion of clean road transport vehicles in support of low-emission mobility (Grzyb, EPP)

• Persistent organic pollutants (Girling, EPP)

• New heavy-duty vehicles: CO2 emission performance standards (Eickhout, Greens/EFA)

• Transparency and sustainability of the EU risk assessment in the food chain (Sommer, EPP)

• Programme for the environment and climate action (LIFE) 2021–2027 (Gerbrandy, ALDE) *

**Decision taken:** No action needed at this stage. Reassess the situation at the January coordinators’ meeting in case negotiations are not well advanced by then.

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D. Files on which Council is not expected to have a negotiating mandate by the first week of February 2019

• Health technology assessment (Cabezon Ruiz, S&D)

**Decision taken:** No action needed at this stage. If negotiations have not started by end of January 2019, conclude EP first reading (report back to plenary and procedural vote in February part-session)

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* Subject to CoP horizontal decisions on MFF-related programmes
E. Files on which the EP will adopt a normal first reading

- **Minimum requirements for water reuse** (Bonafé, S&D)
- **Framework to facilitate sustainable investment** (Pietikainen, EPP) - Rule 55 with ECON

**Decision taken:** Maintain agreed timetable.

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F. Files on which the Commission proposal is still awaited

- **Civil Protection Mechanism (RescUE) 2021-2027** (Zorrinho, S&D) *

**Decision taken:** No action needed at this stage. It is however clear that at the most the EP could conclude a normal first reading on this file.

4.4 **Joint Public Hearing with DEVE on SDGs**

**Decision taken:** Coordinators endorsed the date (7 February), the proposed format (two panels) and the experts (VP Timmermans, Pr. Jeffrey Sachs, the author of the DEVE study, one of the authors of the Global Sustainable Development Report 2019) for the Public Hearing.

4.5 **Possible exchange of views with the Commission on the Commission Implementing Regulation on chlorpyrifos**

**Decision taken:** Coordinators agreed to hold an exchange of views with the Commission at the 26-27 November ENVI meeting.

5. DECISIONS RELATED TO NON LEGISLATIVE MATTERS

5.1 **Possible Public Hearing (jointly with PETI) on climate change denial (misinformation campaigns on climate change)**

**Decision taken:** Coordinators agreed to be associated to the Public Hearing and confirmed the date. A deadline will be set for political groups to propose names of possible speakers.

* Subject to CoP horizontal decisions on MFF-related programmes
5.2 Possible presentation by ECA of its review of the “EU system of measuring vehicle emissions”

**Decision taken:** Coordinators decided to invite the ECA to present its briefing paper in one of the January or February 2019 meetings – relevant committees will be informed.

5.3 Possible request to the Legal Service for an opinion on the legality of a draft implementing act

**Decision taken:** Coordinators agreed to request a Legal Service opinion in the form of a “non-paper” on the legality of the draft implementing act described above, in particular on compliance with the procedural and substantial requirements of Regulation (EC) No 1829/2003.

At 10.10 in the presence of the rapporteurs, Mr La Via and Mr Dorfmann

5.4 Cooperation with AGRI on the future of CAP legislative proposals

**Decision taken:** After hearing the two rapporteurs, and in the light of the seriousness of the matter, coordinators mandated the Chair to write two letters, one to the Chair of the AGRI Committee and one to the CCC Chair complaining about both the lack of communication (in breach respectively of Rule 54 and Rule 53+) and on the content of the AGRI draft report on the amending regulation which significantly enters in ENVI competences (notably as regards wine labelling).

6. PROPOSALS FOR DECISION WITHOUT DEBATE

6.1 Decisions on procedure

6.1.1 Motions for resolution Rule 133

1. Motion for a resolution of the European Parliament on the presence of endocrine disruptors in products made from recycled materials by Mireille d’Ornano - B8-0511/2018

**Decision taken:** No follow-up needed. The Chair will reply accordingly to the author(s) of the motions for resolution.

6.2 Petitions for opinion

- Petition No 0154/2018 by Roberto Moncalvo (Italian), on behalf of the national confederation ‘Coldiretti’ and the ‘Campagna Amica’ foundation, bearing 120 000 signatures, regarding the European regulation on labels indicating the origin of foodstuffs.

**Decision taken:** No opinion. The Chair will reply by letter.
7. POINTS FOR INFORMATION

7.1 On-going INI reports in ENVI

The file included the list of on-going INI reports.

7.2 Petitions for information

- Petition No 0105/2018 by W.S. (German) on an EU regulation against MRSA germs in rivers and bathing waters.
- Petition No 0113/2018 by Maurizio Michele Sapio (Italian) on protecting public health and adopting a traffic plan.
- Petition No 0120/2018 by S. T. (Greek) on the non-enforcement of the anti-smoking law in Greece.
- Petition No 0123/2018 by I.L. (German) on the limits of microplastic particles in food, cosmetics and toothpaste.
- Petition No 0126/2018 by Konstantinos Tasis (Greek) on the extraction of hydrocarbons in Epirus, Greece.
- Petition No 0134/2018 by Kyriakos Gkikas (Greek) on the situation of municipal waste collection and treatment in the region of Kalamata, Greece.
- Petition No 0143/2018 by F. S. (Italian) on behalf of the City of Milan, on the relocation to Amsterdam of the seat of the European Medicines Agency (EMA).
- Petition No 0149/2018 by K. S. (German) on the transport of living animals within the EU and outside.
- Petition No 0161/2018 by Simon Baraldi (Italian) on the obligation to provide medical assistance on boats and planes in the EU.
- Petition No 0162/2018 by Thomas Quade (German) on Europe-wide labelling of caffeinated beverages.
- Petition No 0163/2018 by Roberta Angelilli (Italian) on illegal dumping and burning of toxic waste in Rome.
- Petition No 0167/2018 by Philipp Schmagold (German) on dedicating public spaces to grow wild flowers and to counter the decline of insect population.
- Petition No 0179/2018 by Harald Bundt (German) on saving wolves.
- Petition No 0191/2018 by O.J. (German) on reducing plastic waste.
- Petition No 0198/2018 by J. M. H. P. (Spanish) on the need to carry out a verification on the plan
for monitoring radioactivity of the land in Palomares (Spain).

- Petition No 1018/2017 by László Szigeti (Slovakian) on a planned pyrolysis-based waste processing plant in the green park of Sturovo in Slovakia.

- Petition No 0947/2017 by Julia Baines (British), on behalf of PETA, bearing 109802 signatures, on the REACH refit and the ban of animal testing for REACH.

- Petition No 0900/2016 by Frida Kieninger (Austrian) on behalf of Food & Water Europe, bearing 732 signatures, on taking action against a multinational oil company for climate change denial.

- Petition No 0205/2018, by Mariateresa Anzola, (Italian), on behalf of the Intermunicipal Committee for the Quality of Life of Dosolo, on more stringent limits on formaldehyde under the REACH Regulation and on its replacement in the wood panel industry.

- Petition No 0207/2018 by Robert Latimer (British) on the contamination of Whitburn beach, UK.

- Petition No 0215/2018 by P.B.V. (Spanish) on soil contamination by heavy metals in La Unión-Cartagena.

- Petition No 0219/2018 by A.J.R.L. (Spanish), on behalf of Comité René Cassin, on urban waste water treatment in an area in South Seville (El Polígono Sur), Spain.

- Petition No 0222/2018 by Pedro Alfonso Ocampo Cardala (Spanish) on behalf of Esquerda Unida de O Porriño (EU-SON) on lindane contamination in O Porriño, Spain.

- Petition No 0225/2018 by B. M. (Polish), bearing 2 signatures, on behalf of the Prawobrzeża Association, concerning the construction of a container terminal in a Natura 2000 area in Świnoujście, Poland.

- Petition No 0233/2018 by H. M. (German) on daylight saving time and summer time adjustment.

- Petition No 0260/2018 by S.F.C. (Spanish) on the situation of aquifers in Doñana National Park.

- Petition No 0262/2018 by Lutz Rittmeier (German) on a complaint against the Federal Republic of Germany for non-compliance by the city of Eckernfoerde with the Environmental Noise Directive (Directive 2002/49/EC) and other Union legislation, as well as the Aarhus Convention.

- Petition No 0273/2018 by Jennifer Manteiga Branco (Spanish) on a lithium mine in Sierra de la Mosca, Cáceres.

- Petition No 0290/2018 by B.M. (Romanian) bearing 3 signatures, on environmental taxes levied on wood Euro pallets in Romania.

- Petition No 0344/2018 by A.U.B. (Spanish) on Eucalyptus plantations.

- Petition No 0349/2018 by K.H. (German), on behalf of Ideenschmiede Mainz, on enacting legislation on the use of plastic.

- Petition No 0362/2018 by Sibylle Schroer (German) on the possible adoption of EU legislation
against light pollution.

- Petition No 0369/2018 by Marco Bava (Italian) on a ban on added sugar in food products.
- Petition No 0375/2018 by S.M. (German) on banning the possession and use of fireworks by private individuals in the EU.
- Petition No 0377/2018 by M.S. (German), bearing one additional signature, on noise pollution from motorcycle traffic in Nordlippe and Schaumburg, Germany.
- Petition No 0386/2018 by Isabel Vila (Spanish) on the Touro copper mine in Galicia.

7.3 Rolling check-list on reporting and review clauses in EU legislation

The updated rolling check-list was included in the file.

7.4 Case-law of interest for the ENVI Committee

- Case T-128/14, Daimler AG v European Commission

Daimler AG brought an action in annulment of the Commission’s decision of 13 December 2013 rejecting the applicant's request for access to documents relating to proceedings pursuant to Article 29 of Directive 2007/46/EC on motor vehicles. The applicant raises several pleas in law, one of which is based on an alleged breach of the applicant's rights under the Aarhus Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters (the 'Aarhus Convention'). In fact the applicant claims that Article 6(1) of Regulation (EC) No 1367/2006 on the application of the Aarhus Convention and Article 4(2) 3rd indent of Regulation (EC) No 1049/2001 on access to documents are an insufficient application of the Aarhus Convention. The applicant maintains in particular that these provisions unduly extend the reasons of refusal for access to documents beyond those permitted under Article 4(4) (c) of the Aarhus Convention. Parliament intervened in the case to defend Regulation 1367/2009 as co-legislator. The General Court has considered that the Commission’s refusal of access was not justified in light of the exception related to the protection of investigations provided for by Regulation 1049/2001 and has therefore annulled the Commission’s decision. It has however rejected the arguments under which some provisions of Regulation 1367/2006 were not in accordance with the Aarhus Convention

7.5 Documents recently published by the European Court of Auditors

Opinion concerning Commission proposals for regulations relating to the Common Agricultural Policy (CAP) for the post-2020 period (No 7/2018)

On 1 June 2018, the Commission published its legislative proposal for the post-2020 CAP. The Court stresses that the proposed reform of the CAP after 2020 falls short of the EU’s ambitions for a greener and more robust performance-based approach. For the Court, under the proposed reform, it remains unclear how a greener CAP could be assessed or measured. In addition, the Commission’s estimate of the CAP’s contribution to EU climate change objectives appears unrealistic.
Furthermore, the largest part of the budget would still be direct payments to farmers, based on hectares of land, though this instrument is not appropriate for addressing many environmental concerns, nor is it the most efficient way of supporting viable income. The Court also regrets that the proposal does not contain the necessary elements of an effective performance system.

**Special Report “Demonstrating carbon capture and storage and innovative renewables at commercial scale in the EU: intended progress not achieved in the past decade” (No 24/2018)**

In 2009, the EU launched two large funding programmes to support carbon capture and storage and innovative renewables: the European Energy Programme for Recovery and the New Entrants’ Reserve 300 programme. With an overall spending target of EUR 3.7 billion, both programmes set ambitious targets for the delivery of carbon capture and innovative renewables. The Court considers that EU action to support carbon capture and storage and innovative renewables has not succeeded. Between 2008 and 2017, ambitious targets were set, but EU support for demonstration projects achieved little in terms of projects delivered and results achieved.

**Work programme for 2019**

This report includes audit priorities and the reports the Court intends to publish next year. Among the topics addressed are the effectiveness of cross-border healthcare, the EU’s approach to measuring vehicles’ emissions, the use of "green" criteria in EU climate and energy policies when deciding which investment to carry out, EU actions for the sustainable use of pesticides, actions at EU level to combat the rising threat of antimicrobial resistance and the role of the Commission in managing the European Environmental Accounts.

**Annual report on EU agencies for the financial year 2017**

This report summarises the Court's audit results for the financial year 2017 for the EU agencies. The Court has signed off the 2017 accounts of the 41 agencies and issued clean opinions on the revenues underlying the agencies’ accounts. As regards the underlying payments, the Court has issued a clean opinion for all the agencies except one – the European Asylum Support Office.

**Annual report on the 2017 EU budget**

The Court's annual report concludes that the EU accounts present a true and fair view of the EU’s financial position. For the second year in a row, the Court issues a qualified (rather than an adverse) opinion on the regularity of the transactions underlying the accounts. This means that a significant part of the 2017 expenditure that was audited was not materially affected by error. Moreover, the level of irregularities in EU spending continued to decrease. The estimated level of error in payments during 2017 was 2.4%, down from 3.1% in 2016 and 3.8% in 2015. At the same time, sufficient information was available to prevent, or detect and correct, a significant proportion of errors in, for example, rural development payments. If this information had been used by national authorities to correct errors, the estimated level of error would have been below the 2% threshold for an even larger share of the EU budget.

Problems remain, in particular where payments from the EU budget are made to beneficiaries based on their declarations of costs previously incurred.

### 7.6 State of play of annual scrutiny plan

The updated scrutiny plan was included in the file.
8. ANY OTHER BUSINESS

Possible letter to Commission regarding measures adopted in election recess period

Decision taken: The Chair was mandated to write to the Commission reminding of its commitment under the Recess Agreement to inform the Parliament of delegated acts it envisages adopting, as well as request that they provide information also on implementing acts or other RPS measures under preparation or planned for adoption during the election recess.

9. NEXT COORDINATORS' MEETING

Tuesday, 22 January 2019 (tbc)