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A7-0051/ 001-003

AMENDMENTS 001-003

by the Committee on the Environment, Public Health and Food Safety

Report

Anna Rosbach

A7-0051/2009

Amendment of Annexes II and III to the OSPAR Convention

Proposal for a decision (COM(2009)0236 – C7-0019/2009 – 2009/0071(CNS))

Amendment 1

Proposal for a Council decision

Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) The Community has recently adopted Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide¹. Under that Directive, the geological storage of carbon dioxide should be pursued provided that it obtains private, national and Community support and proves to be an environmentally safe technology; it should also be kept continuously under review from an environmental and safety perspective, and should not, in any way, serve as an incentive to increase the use of fossil fuel.

¹OJ L 140, 5.6.2009, p. 114.

Justification

The amendment of the OSPAR Convention supplements the measures recently taken at Community level on the storage of carbon dioxide under Directive 2009/31/EC. The recitals to the approval decision should make reference to this Directive.

Carbon capture and storage remains an untested technology, which may induce unforeseen consequences and warrants caution, particularly if millions of tons of CO² end up injected under the sea bed of the North-East Atlantic. There are significant concerns regarding the cost of CO² transport and other health, safety and risk management issues which are included in the recently adopted Community measures on the storage of carbon dioxide under Directive 2009/31/EC and a more explicit reference should be made to this.

Amendment 2

Proposal for a Council decision

Recital 4 b (new)

Text proposed by the Commission

Amendment

(4b) Shared Community and Member States' competence, combined with the principle of unity in the international representation of the Community, favours joint action for simultaneous deposition of instruments of approval of the amendments by the Community and by those of its Member States which are Contracting Parties to the Convention;

Justification

The Community and its Member States should, if possible simultaneously, approve the amendment of Annexes II and III of the OSPAR Convention by 1 June 2010. Otherwise, there would be a risk of discrepancies in the links between Community and Member State international law.

Amendment 3

Proposal for a Council decision

Article 2 - paragraph 1 a (new)

Text proposed by the Commission

Amendment

Member States which are Contracting Parties to the Convention shall endeavour to take the necessary steps with a view to depositing their instruments of ratification or approval simultaneously with those of the European Community and the other Member States and as far as possible not later than 1 June 2010.

Justification

The proposed text is based on the wording used in similar cases for mixed agreements involving Member States and the Community (cf. Article 2 of Council Decision 2004/869/EC of 24 February 2004 concerning the conclusion, on behalf of the European Community, of the International Treaty on Plant Genetic Resources for Food and Agriculture).