Basic information

2009/0071(CNS) CNS - Consultation procedure Decision	Procedure completed, awaiting publication in Official Journal
Protection of the marine environment of the North-East Atlantic, OSPAR Convention 1997: storage of carbon dioxide streams in geological formations (amend. Annexes II and III) **Subject** 3.70.01 Protection of natural resources: fauna, flora, nature, wildlife, countryside; biodiversity 3.70.05 Marine and coastal pollution, pollution from ships, oil pollution 3.70.13 Dangerous substances, toxic and radioactive wastes (storage, transport) 3.70.18 International and regional environment protection measures and agreements 3.70.20 Sustainable development	

Key players

European Parliament

Committee responsible	Rapporteur	Appointed
ENVI Environment, Public Health and Food Safety	ROSBACH Anna (EFD)	10/09/2009

Former committee responsible	Former rapporteur	Appointed
ENVI Environment, Climate and Food Safety		

Committee for opinion	Rapporteur for opinion	Appointed
ITRE Industry, Research and Energy	The committee decided not to give an opinion.	

Former committee for opinion	Former rapporteur for opinion	Appointed
ITRE Industry, Research and Energy		

Council of the European Union

Council configuration	Meetings	Date
Employment, Social Policy, Health and Consumer Affairs	2980	2009-11-30

European Commission

Commission DG	Commissioner

Health and Food Safety	DIMAS Stavros

Key events

Date	Event	Reference	Summary
25/05/2009	Legislative proposal published	COM(2009)0236	Summary
14/07/2009	Committee referral announced in Parliament		
04/11/2009	Vote in committee		Summary
11/11/2009	Committee report tabled for plenary, 1st reading/single reading	A7-0051/2009	
24/11/2009	Decision by Parliament	T7-0076/2009	Summary
24/11/2009	Results of vote in Parliament		
30/11/2009	Act adopted by Council after consultation of Parliament		
30/11/2009	End of procedure in Parliament		

Technical information

Procedure reference	2009/0071(CNS)
Procedure type	CNS - Consultation procedure
Procedure subtype	International agreement
Legislative instrument	Decision
Legal basis	Treaty on the Functioning of the European Union TFEU 192-p1 Treaty on the Functioning of the European Union TFEU 218-p6a
Other legal basis	Rules of Procedure EP 165
Stage reached in procedure	Procedure completed, awaiting publication in Official Journal
Committee dossier	ENVI/7/00313

Documentation gateway

European Parliament

Document type	Committee	Reference	Date	Summary
Committee draft report		PE428.171	16/09/2009	
Amendments tabled in committee		PE430.276	12/10/2009	
Committee report tabled for plenary, 1st reading/single reading		A7-0051/2009	11/11/2009	
Text adopted by Parliament, 1st reading/single reading		T7-0076/2009	24/11/2009	Summary

European Commission

Document type	Reference	Date	Summary

Legislative proposal	COM(2009)0236	25/05/2009	Summary
Commission response to text adopted in plenary	SP(2010)484	23/02/2010	

Additional information		
Source	**Document**	**Date**
National parliaments	IPEX	
European Commission	EUR-Lex	

Protection of the marine environment of the North-East Atlantic, OSPAR Convention 1997: storage of carbon dioxide streams in geological formations (amend. Annexes II and III)

2009/0071(CNS) - 25/05/2009 - Legislative proposal

PURPOSE: to approve, on behalf of the European Community, the Amendments of Annex II and Annex III to the Convention for the protection of the marine environment of the North-East Atlantic (OSPAR Convention) in relation to the storage of carbon dioxide streams in geological formations.

PROPOSED ACT: Council Decision.

BACKGROUND: the EC is a Contracting Party to the Convention for the protection of the marine environment of the north-east Atlantic (OSPAR Convention) pursuant to Council Decision 98/249/EC. The aim of the Convention is to prevent and eliminate pollution and to protect the maritime area against the harmful effects of human activities. The Convention entered into force on 25 March 1998.

The Commission Communication of January 2007 on Sustainable Power Generation from Fossil Fuels identified the need for a regulatory framework on carbon capture and sequestration (CCS) and supported the adoption of amendments to the OSPAR Convention to permit environmentally sound geological storage of CO2 under the seabed.

The European Commission also proposed a Directive of the European Parliament and of the Council on the geological storage of carbon dioxide, which will establish a permitting regime covering inter alia composition of the CO2 stream, site selection, monitoring and reporting, site closure, corrective measures in case of leakage, financial security and the conditions for transfer of responsibility to the State.

The European Council, at its March 2007 meeting, urged Member States and the Commission to work towards strengthening R&D and developing the necessary technical, economic and regulatory framework to bring environmentally safe carbon capture and sequestration to deployment with new fossil-fuel power plants, if possible by 2020, as this could be expected to imply removing legal obstacles to CCS from the OSPAR Convention.

CONTENT: the OSPAR Commission adopted by consensus of the Contracting Parties amendments of Annexes II and III to the Convention at its meeting in June 2007 in Ostend (Belgium) in relation to the storage of carbon dioxide streams in subsoil geological formations, with a view to legally enabling Carbon Capture and Storage (CCS) operations in the OSPAR maritime area. The Commission took part in negotiating these amendments, in accordance with the Council Conclusions concerning negotiating directives for the Convention for the protection of the marine environment of the North-East Atlantic, and in the adoption by consensus of the Amendments to Annexes II and III to the Convention.

Through Community coordination in the context of the OSPAR negotiations, there was substantial improvement of the draft OSPAR Decisions on CCS accompanying the amendments to the Annexes, in terms of more explicit requirements for risk management and public participation. The Community delegation at the OSPAR Commission meeting that adopted these instruments stated that, with respect to matters relating to EC competence, it was pleased to be able to be part of the consensus accepting the package and that it would provide a good basis for the development of European legislation following the conclusions of the European Council on CCS.

Therefore, this proposal is for the Community to approve the Amendments to the OSPAR Convention Annexes II and III, the text of which appears in the Annex to the draft decision.

Protection of the marine environment of the North-East Atlantic, OSPAR Convention 1997: storage of carbon dioxide streams in geological formations (amend. Annexes II and III)

2009/0071(CNS) - 24/11/2009 - Text adopted by Parliament, 1st reading/single reading

The European Parliament adopted by 624 votes to 30 with 14 abstentions, a legislative resolution amending, under the consultation procedure, the proposal for a Council decision concerning the approval on behalf of the European Community, of the Amendments of Annex II and Annex III to the Convention for the protection of the marine environment of the North-East Atlantic (OSPAR Convention) in relation to the storage of carbon dioxide streams in geological formations.

It adds the following recitals:

- the Community has recently adopted Directive 2009/31/EC under which 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;
- 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;
- 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 EC and the other Member States and as far as possible not later than 1 June 2010.