



Council of the
European Union

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NOTE

From: General Secretariat of the Council
To: Delegations

Subject: European Court of Auditors' Special Report No 18/2016 "The EU system for the certification of sustainable biofuels"
= Draft Council conclusions

Delegations will find in Annex the draft Council conclusions on the above-mentioned subject.

The Presidency invites delegations to send their written comments on this draft by **13 October 2016**.

**Draft Council conclusions on the European Court of Auditors' Special Report No 18/2016
"The EU system for the certification of sustainable biofuels"**

THE COUNCIL OF THE EUROPEAN UNION:

1. WELCOMES the European Court of Auditors' Special Report No 18/2016 "The EU system for the certification of sustainable biofuels";
2. UNDERLINES the contribution of biofuels towards achieving the target of at least 10% of renewable energy in transport by 2020, as required by Directive 2009/28/EC on the promotion of the use of energy from renewable sources, as well as the EU-level renewable energy target of at least 27% of final energy consumption by 2030, set out in the European Council conclusions of October 2014;
3. STRESSES the need to ensure that biofuels placed on the EU market and counted towards the 10% transport target are produced in a sustainable manner;
4. TAKES NOTE of the conclusions and recommendations in the Special Report;

In particular:

5. RECOGNISES that in order to ensure the sustainability of biofuel production, the risk of negative socioeconomic effects during production must be mitigated, and NOTES the Court's recommendation that for future recognitions of voluntary schemes certifying the sustainability of biofuels, the Commission should carry out a more comprehensive assessment;
6. AGREES that voluntary schemes for the certification of sustainable biofuels should be governed in a transparent way which reduces the risk of conflict of interests;

7. ACKNOWLEDGES that it is important that voluntary schemes operate in accordance with the standards which were presented as a basis for their recognition, and UNDERLINES that voluntary schemes are obliged to report annually to the Commission about the operation of the scheme;
8. NOTES the Court's recommendation that the reliability of the data on sustainable biofuels reported to the Commission could be further improved;
9. RECALLS that steps have already been taken to harmonise the definition of waste substances used for the production of advanced biofuels¹, and NOTES the Court's recommendation that further harmonisation would continue to improve the reliability and comparability of data on advanced biofuels;
10. ENCOURAGES the Member States and the Commission to consider the Court's recommendations in their future work on the implementation of the Energy Union.

¹ Directive 2009/28/EC as amended by Directive (EU) 2015/1513 includes a definition of waste by establishing a link to Directive 2008/98/EC.