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"I/A" ITEM NOTE

From: General Secretariat of the Council
To: Permanent Representatives Committee/Council

Subject: Draft Directive of the European Parliament and of the Council amending Directive 98/70/EC relating to the quality of petrol and diesel fuels and amending Directive 2009/28/EC on the promotion of the use of energy from renewable sources (**second reading**)
- Approval of the European Parliament's amendments (**LA + S**)

Commission statement

The Commission regrets that, with regard to its original proposal, the Council position at first reading has significantly lowered the level of ambition in mitigating the ILUC impacts of conventional biofuels and contains no significant incentives for the transition towards advanced biofuels and other non-ILUC options for using renewable energy in transport. The Commission also regrets that modifications introduced by the Council reduce the level of environmental ambition of the overall renewable energy target set by the Renewable Energy Directive¹.

¹ **2009/28/EC**

However, in order to allow the legislative process to move forward, the Commission will not oppose the Council's position at first reading.

The Commission will therefore continue to closely cooperate with the co-legislators in the next steps of the legislative procedure. The Commission aims at keeping the elements of the proposal which can contribute to mitigate the ILUC impacts and preserve the overall level of environmental ambition of biofuels use in transport, including some of the elements which are part of the position at first reading of the European Parliament. The Commission will do so in the hope that a solution reflecting the European interest in combating negative environmental effects of conventional biofuels can be found.

Statement of the United Kingdom and the Netherlands

The UK and the Netherlands Governments welcome the efforts of the previous Latvian presidency in reaching a compromise between the institutions that allowed for the conclusion of the ILUC negotiations. However, we regret that measures to promote the most sustainable advanced biofuels in a cost effective manner, through double counting their contribution to the overall RED targets, were not included in the final compromise.
