

C02 emission standards for cars and vans: Council agrees its position

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The Council today agreed its position (general approach) on a regulation to set **stricter C02 emission standards** for new passenger cars and light commercial vehicles.

Today's agreement is a further step towards new legislation on C02 emissions. It sets the European automotive industry on track to build cleaner cars, invest more in innovation, and report more reliable emission data. By 2030, new cars will emit on average 35% less C02 compared to the current emission standard limits. This is a solid basis on which to begin talks with the European Parliament.

Elisabeth Köstinger, Austrian federal minister of sustainability and tourism

Today's agreement means that the Austrian Presidency has a mandate to start negotiations with the European Parliament. The first meeting will take place on 10 October.

Emission reduction targets

The Council agreed new targets for the C02 emissions of cars and vans.

	2025	2030
Cars	15 %	35 %
Vans	15 %	30 %

Average C02 emissions of new passenger cars registered in the EU will have to be 15% lower in 2025 and 35% lower in 2030, compared to the emission limits valid in 2021. For vans, the Council maintains the targets as proposed by the European Commission: 15% in 2025 and 30% in 2030. These are EU wide fleet targets. The C02 reduction effort will be distributed among manufacturers on the basis of the average mass of their vehicle fleet.

Zero- and low-emission vehicles

The Council agreed to adjust the Commission proposal on an incentive mechanism for zero- and low-emission vehicles such as fully electric cars or plug-in hybrid vehicles as regards passenger cars. **The benchmark for cars for 2030 was raised to 35%.**

The Council decided to introduce a better weighting of low-emission vehicles in the incentive mechanism for ZLEVs.

The Council also agreed a specific incentive for manufacturers to **sell zero- and low-emission cars in markets with a low market penetration** of these vehicles. In concrete terms, there is a more favourable weighting for newly registered passenger cars in member states where the share of zero- and low-emission vehicles is below 60% of the EU average.

For vans, the Council agreed to leave the Commission proposal unchanged.

More reliable emission data

Under the new rules, car manufacturers will have to **report more robust and more representative data** concerning the emissions of cars and vans. The Council decided to strengthen the provisions by obliging manufacturers to **report measured values instead of declared values**. The calculation of targets will thus be based on measured WLTP values.

The Worldwide Harmonised Light Vehicles Test Procedure (WLTP) is an improved test procedure which provides CO₂ emission and fuel consumption values that are more representative of real world conditions than values obtained through the test procedure used previously, the New European Drive Cycle (NEDC). The WLTP became mandatory for all new car models from September 2017 and for all new cars from September 2018.

Background and next steps

The Commission presented its proposal on the regulation in November 2017 as part of the clean mobility package.

The proposal has been the subject of detailed negotiations in the Council Working Party on Environment before being submitted to ministers at the Environment Council on 9 October.

Today's agreement enables the Council to start negotiations with the European Parliament, which adopted its position on 3 October 2018. **Negotiations between the co-legislators will start immediately** – the first trilogue meeting is scheduled for 10 October.

The overall aim of the proposal is to contribute to achieving the goals of the **Paris Agreement** and to reaching the EU wide **30% reduction target by 2030** compared to 2005 of the non ETS (Emissions Trading System) sector set by the European Commission, which is translated into national targets in the Effort

Sharing Regulation.

The proposed measures and targets are based on the 2030 climate and energy framework and with the energy union strategy, which aims at a reduction in transport emissions and energy consumption. The reduced need for fossil fuels will also improve the security of energy supply in the EU and reduce our dependence on energy imports from third countries.

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The EU is pushing to better protect endangered wildlife species and habitats.

Environment ministers today adopted conclusions on the Convention on Biological Diversity (CBD), the Cartagena Protocol on Biosafety and the Nagoya Protocol on Access and Benefit Sharing. The conclusions set out the general political framework of the EU's negotiating position at the Fourteenth meeting of the Conference of the Parties to the Convention on Biological Diversity in Egypt in November 2018.

In the conclusions, the Council acknowledges that **good progress has been made** towards meeting some parts of the Strategic Plan for Biodiversity 2011-2020 and its Aichi Biodiversity Targets, however calls for increased efforts to fully achieve these targets.

The Council expresses its deep concern that **the natural resource base and ecosystem services that humanity depends upon are at high risk** and that most pressures driving biodiversity loss, including **habitat loss and change, land degradation, climate change, invasive alien species, terrestrial and marine pollution and the unsustainable use of biodiversity**, continue to increase. Therefore, the Council urges the Commission and its Member States to work hard in the next two years to fully implement the EU Biodiversity Strategy to 2020 and the National Biodiversity Strategies and Action Plans.

Ministers call for an ambitious strategic plan for biodiversity beyond 2020 which provides an overarching biodiversity framework across the UN and for all stakeholders towards the 2050 vision on biodiversity. This framework should place biodiversity and ecosystem services high on political agendas and strengthen the implementation of the CBD Convention and its Protocols as well as of the other biodiversity related multilateral environmental agreements and relevant SDGs. The Council also stresses the need to convene a high-level biodiversity summit at the level of Heads of State/Heads of Government in 2020 to strengthen the political visibility of biodiversity and its vital contribution to the 2030 agenda for sustainable development.

They welcome the initiative of the government of the Arab Republic of Egypt to host a high level segment in November 2018 to discuss mainstreaming biodiversity into energy and mining, infrastructure, manufacturing, processing and health sectors.

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The EU is agreeing its position on climate change ahead of COP24.

The Council today adopted conclusions on climate change which emphasise the unprecedented urgency which is needed to step up global efforts to avoid the dangerous effects of climate change. Climate change is happening and its effects are being felt all over the world. Environment ministers are sending a strong political signal in these conclusions, which constitute the basis for **the EU's position at the forthcoming COP24 climate conference** in Katowice, Poland, in December.

Today we have underlined again that the EU will continue to lead the way in global action on climate action. The EU needs to play a crucial role in this important issue. Today's conclusions give us a

robust and consistent position for COP24.

Elisabeth Köstinger, Austrian federal minister of sustainability and tourism

In the conclusions, ministers also react to the special report of the Intergovernmental Panel on Climate Change (IPCC) on the impacts of **global warming** of 1.5°C above pre-industrial levels which was published yesterday.

The EU is committed to the Paris Agreement and is implementing ambitious policies. In their conclusions, environment ministers recall the progress made in recent months by the EU on **legislation which delivers on its commitments to reduce greenhouse gas emissions**. These include the new EU 2030 renewable energy target of 32%, the new energy efficiency target of 32.5%, the reform of the EU emission trading system, the emission reduction targets in sectors falling outside the scope of ETS and the integration of land use, land use change and forestry (LULUCF) in the EU's climate and energy framework. Low-emissions and climate resilient growth is possible: The EU is continuing successfully to decouple economic growth from emissions. Between 1990 and 2016, the EU's GDP grew by 53% while total emissions fell by 22.4%. The EU's share of global greenhouse gas emissions fell from an estimated 17.3% in 1990 to 9.9% in 2012.

The EU considers that collective and fair action by all is the best way to achieve ambitious action on climate change.

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EASO undertaking series of measures aimed at strengthening good governance

New management in the process of implementing an ambitious set of reforms contained in its Governance Action Plan, including an ongoing recruitment programme, which will more than double the Agency's staff complement by the end of 2020.

The European Asylum Support Office (EASO) refers to the European Court of Auditors' (ECA) Annual Report on EU Agencies for the Financial Year 2017, published on 9 October 2018.

The Agency notes the ECA's observations in its respect, which recognise the exceptional circumstances under which EASO was still operating in 2017, namely:

- A high number of vacancies;
- An unprecedented expansion of tasks and activities since 2016;
- A substantial budget increase;
- An increase in the number of procurement procedures;
- A number of payments that increased by 225% between 2015 and 2017.

In their observations, the ECA provides a positive opinion on the legality and regularity of the transactions underlying the 2017 accounts. The opinion of the Court is that the accounts present fairly the financial position of EASO, the results of operations, cash flows and changes in net assets.

However, the report highlights a series of areas that need to be improved amongst which are internal controls and procurement.

EASO takes the Court's observations very seriously and is taking the necessary corrective actions accordingly in the spirit of good governance.

Further to this, EASO's new Executive Director, a.i., Mr. Jamil Addou, who took office on 6 June 2018, immediately committed to a series of ambitious reforms and presented a Governance Action Plan, which was endorsed by the Agency's Management Board. This plan proposes a set of measurable objectives and deliverables aimed at reinforcing the internal governance of the Agency, rebuilding internal capacity and restoring trust.

Any further information may be obtained from the European Asylum Support Office on the following email address: press@easo.europa.eu

Photo: Istock

Low-THC cannabis products being sold in the EU – key legal issues

Since 2017, herbal cannabis and cannabis oils have been offered for open sale in health food shops or specialist shops in several EU countries, including France, Italy, Luxembourg and Austria. Sales have taken place based on the claim that these products have little or no intoxicating effect and therefore are not controlled under drug laws. The EMCDDA network of national legal correspondents recently addressed this issue.

What do international drug control laws say?

The UN drug control conventions state that unauthorised sale of 'cannabis flowers' and 'extracts and tinctures of cannabis' should be subject to criminal penalties in national drug control laws. Cannabis flowers and extracts usually contain the two cannabinoids THC and CBD, but the percentage of each can vary greatly, by plant variety and by growing technique. THC can cause intoxicating effects, while CBD has been associated with health benefits, though there is little evidence for most conditions that have been studied. The WHO expert committee on drug dependence recently recommended that pure CBD should not be listed under the drug conventions.

Do EU regulations apply?

The EU common agricultural policy subsidises growing certain varieties of the cannabis plant for industrial uses, provided their THC content does not exceed 0.2 %. The EU also has several directives and regulations that might address the sale of low-THC products, including standardised definitions of medicinal products, herbal medicines, food and food supplements, cosmetics, general product safety etc. As classification is usually decided by national regulatory bodies, depending on the country, a cannabis product could potentially be classified as a medicine, a food or a consumer product.

Are national responses similar?

Member States' responses to open sale can range from stating that plant-derived THC- or CBD-containing products are cannabis extracts, and therefore subject to criminal penalties, to stating that some of those products have insignificant psychoactive properties and are therefore at low risk of misuse and unlikely to pose a threat to public health, and so do not require any licence for trade.

First, countries differ in their response towards low-THC products. Some countries state that a product containing less than 0.3% or 0.2% THC is not controlled under drug laws. For others, an unlicensed product must not contain any THC at all. But these quantitative limits may also come with conditions, such as 'originating from an authorised variety of cannabis', 'if not viable for narcotic purposes', 'if not misused'.

In addition, countries have developed different responses towards products containing CBD. There seem to be few quantitative limits to CBD but more conditions. The legality of marketing the product may depend on the source of the CBD, it may depend on the format of the product, and it may depend on how the product is presented.

What do these products contain?

National forensic analyses of 'low-THC' cannabis herb in Italy, Luxembourg and Austria found that they were indeed low in THC. However, some products sold as 'high in CBD' have been found to contain levels of THC that may cause intoxication, which some users would not expect.