



**COUNCIL OF
THE EUROPEAN UNION**

Brussels, 7 December 2012

17304/12

**Interinstitutional File:
2012/0288 (COD)**

**ENER 515
ENV 918
ENT 307
TRANS 452
AGRI 837
POLGEN 209
CODEC 2922**

NOTE

from: Presidency

to: Permanent Representatives Committee

No. Cion prop.: 15189/12 ENV 789 ENER 417 ENT 257 TRANS 346 AGRI 686 POLGEN 170
CODEC 2432 + ADD 1 + ADD 2

Subject: Proposal for 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
- Establishment of an Ad-hoc Working Group on ILUC and working method

1. On 18 October 2012, the Council received from the Commission a Proposal for a 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 (hereafter "ILUC" proposal).¹
2. The ILUC proposal was presented at the meetings of the Working Party on the Environment and the Working Party on Energy on 9 and 27 November respectively.

¹ Doc. 15189/12

3. In terms of the further working method, the Presidency, in consultation with the incoming Irish Presidency, is of the view that mandating an Ad-hoc Working Group to examine the proposal would be an effective way of ensuring coherence and consistency between the two Directives. It is for delegations to consider how they would be best represented at this Ad-hoc Working Group bearing in mind that its work is relevant to the two Directives mentioned in point 1 and that the size of the Ad-hoc Working Group should remain manageable.
4. Coreper and Council will be informed, as appropriate, on the ongoing work and progress achieved. The incoming Irish Presidency indicates that it intends, on the basis of a first round of examination of the proposal early in 2013, to bring the file to Council (TTE-Energy on 22 February and Environment on 21 March) with a view to facilitating the development of a Council position. At the June TTE-Energy and Environment Council meetings, further progress made could be assessed, in the perspective of future negotiations with the European Parliament.
5. The Presidency suggests that Coreper agree the proposed way forward and decide on the establishment of the Ad Hoc Working Group on ILUC to examine the above-mentioned proposal.
