

Promotion of the use of energy from renewable sources. Renewable Energy Directive

2008/0016(COD) - 23/04/2009 - Final act

PURPOSE: to establish a common framework for the promotion of energy from renewable sources.

LEGISLATIVE ACT: [Directive 2009/28/EC of the European Parliament and of the Council on the promotion of the use of energy from renewable sources and amending and subsequently repealing Directives 2001/77/EC and 2003/30/EC.](#)

CONTENT: following first reading agreement with the European Parliament, the Council adopted a Directive the aim of which is to achieve by 2020 a 20% share of energy from renewable sources in the EU's final consumption of energy and a 10% share of energy from renewable sources in each Member state's transport energy consumption.

This Directive establishes a common framework for the promotion of energy from renewable sources. It sets mandatory national targets for the overall share of energy from renewable sources in gross final consumption of energy and for the share of energy from renewable sources in transport. It lays down rules relating to statistical transfers between Member States, joint projects between Member States and with third countries, guarantees of origin, administrative procedures, information and training, and access to the electricity grid for energy from renewable sources. It establishes sustainability criteria for biofuels and bioliquids.

Mandatory targets: the Directive sets for the first time for each Member State a mandatory national target for the overall share of energy from renewable sources in gross final consumption of energy, taking account of Member States different starting points. The main purpose of mandatory national targets is to provide certainty for investors and to encourage technological development allowing for energy production from all types of renewable sources. To ensure that the mandatory national targets are achieved, Member States have to follow an indicative trajectory towards the achievement of their target. Each Member State will adopt a **national renewable energy action plan** setting out its national targets for the share of energy from renewable sources consumed in transport, electricity, heating and cooling in 2020 and will notify it to the Commission by June 2010. To reach the mandatory targets, Member States will apply support schemes or measures of cooperation between different Member States and with third countries. The 10% target for the transport sector is set at the same level for each Member State in order to ensure consistency in transport fuel specifications and availability.

By 31 December 2011, the Commission will present, if appropriate, a proposal permitting, subject to certain conditions, the whole amount of the electricity originating from renewable sources used to power all types of electric vehicles to be considered.

By 31 December 2011, the Commission will also present, if appropriate, a proposal for a methodology for calculating the contribution of hydrogen originating from renewable sources in the total fuel mix.

Sustainability criteria for biofuels and bioliquids: the Directive establishes sustainability criteria for biofuels and bioliquids. Irrespective of whether the raw materials were cultivated inside or outside the territory of the Community, energy from biofuels and bioliquids shall be taken into account for the following purposes only if they fulfil the sustainability criteria set out in the Directive:

- a) measuring compliance with the requirements of the Directive concerning national targets;

- b) measuring compliance with renewable energy obligations;
- c) eligibility for financial support for the consumption of biofuels and bioliquids.

The sustainability criteria aim to ensure that biofuels and bioliquids taken into account for the above purposes are not be made from raw material obtained from land with high biodiversity value, or from land with high carbon stock, or from from land that was peatland in January 2008. These criteria are described more closely in the text.

Where biofuels and bioliquids are to be taken into account for the purposes referred to above, economic operators must show that the sustainability criteria have been fulfilled through a **mass balance system** which is described in the Directive. The Commission must report in 2010 and 2012 on the operation of the mass balance verification method on the potential for allowing for other verification methods in relation to some or all types of raw material, biofuel or bioliquids.

It should be noted that this Directive forms part of the climate-energy legislative package containing measures aimed at fighting climate change and promoting renewable energy. (See also [COD/2008/0013](#), [COD/2008/0014](#), [COD/2008/0015](#), [COD/2007/0019](#), and [COD/2007/0297](#)). The package is designed to achieve the EU's overall environmental target of a 20 % reduction in greenhouse gases and a 20 % share of renewable energy in the EU's total energy consumption by 2020.

Transparency platform: the Commission shall establish an **online public transparency platform** which will serve to increase transparency, and facilitate and promote cooperation between Member States, in particular concerning statistical transfers and joint projects. In addition, the platform may be used to make public relevant information which the Commission or a Member State deems to be of key importance to this Directive and to the achievement of its objectives.

Reporting: the Commission shall monitor the origin of biofuels and bioliquids consumed in the Community and the impact of their production, including impact as a result of displacement, on land use in the Community and the main third countries of supply. The Commission shall report every two years to the European Parliament and the Council. The first report shall be submitted in 2012.

ENTRY INTO FORCE: 25/06/2009.

TRANSPOSITION: 05/12/2010.