

Table with questions to Mr Antonio Tajani - EMIS hearing of 5/9/2016

No	Question
1.	<p>In her 2013 letter, the then Danish Minister for Environment, Ida Auken, highlighted the need to amend the Euro 5/6 Regulation in order to address the issue of vehicles not meeting the legal limits for NOx emissions in the light of adequate technology to match the emissions standards being available and used on the American market. She underlined at the same time that RDE will not solve the problem on its own, especially as according to the indicative timeline it would not take effect until 2018 at the earliest. There was a subsequent letter exchanged with Commissioner Potočník where he highlighted his concerns as regards the current fleet, disregard of the dramatic increase in emissions outside the narrow scope of test cycle, possible withdrawal of particular type approvals and the requirement of remedial action by manufacturers but which you nevertheless dismissed claiming that all will be addressed by the RDE test cycle which would start function in practice only 5 years later. Could you please tell us why the issue of defeat devices was never addressed by your DG after concerns had been raised not only by the JRC but also by your direct colleague? Could you please explain the logic of delaying the introduction of effective RDE test cycle by giving additional 3 years beyond the entry into force of Euro 6 for the RDE procedure to be applied together with not-to-exceed (NTE) emission limits? Do you think that the car manufacturers would have had sufficient time to “significantly redesign diesel vehicles to achieve Euro 6 NOx emission limits under normal driving conditions”?</p> <p><i>I assume that when referring to a ‘direct colleague’, the question means former Commissioner Potočník. I wish to clarify that in the letter I received from Commissioner Potočník on 12 February 2013, there is no reference to any concerns about defeat devices.</i></p> <p><i>As to the JRC, none of the two reports issued by the Centre to analyse the emissions of light-duty vehicles with portable emission measurement systems (JRC, 2011) and to assess the technical feasibility of candidate procedures to measure real-driving emissions (JRC, 2013) raises any ‘concerns’ about the issue of defeat devices. The first JRC report of 2011, at page 4, merely summarises a set of EU law provisions relating to the compliance of vehicles with applicable emission limits, including the prohibition on using defeat devices laid down in Article 5(2) of Regulation No 715/2007. In the 2013 study concerning the candidate procedures, the JRC explains that, bearing in mind the ban on defeat devices that Member States are to enforce, the RDE-LDV procedure would be more effective in preventing the</i></p>

No	Question
	<p><i>detection of emissions tests by vehicles and thus the use of defeat strategies under normal conditions of vehicle use.</i></p> <p><i>In the joint letter sent together with Commissioner Potočník to the Danish Minister Auken on 12 March 2013, we stated that the 'maximum of three additional years to introduce binding NTE limits was indicated in the CARS 2020 Communication'. The Communication CARS 2020 (COM/2012/0636 final) was based on a broad and inclusive stakeholder consultation carried out within the High-Level Group CARS 21 which I had decided to re-launch on 14 October 2010 (see Commission Decision C 280/32 of 14 October 2010). The High-Level Group was tasked with advising the European Commission in the development of 'policy recommendations in questions related to the competitiveness and sustainable growth of the automotive industry, and proposals to further the development and take up of clean and energy efficient vehicles in Europe and beyond' (see Commission Press release IP/10/1491 of 10 November 2010). The High-Level Group consisted of 7 European Commissioners, 9 national Ministers, manufacturers and aftermarket stakeholders, component and energy suppliers, trade unions, NGOs and users representatives.</i></p> <p><i>During meetings of 10-11 December 2012, the Competitiveness Council endorsed the recommendations contained in the Communication CARS 2020 (see press release of 3208th Council meeting, p. 16). The Committee of the Regions welcomed the Communication with an opinion issued on 7 October 2013 and the European Economic and Social Committee with an opinion adopted during the 490th plenary session, held on 22 and 23 May 2013.</i></p> <p><i>The European Parliament, with a resolution voted by the Plenary on 10 December 2013, endorsed the measures included in the Communication. I take this opportunity to point out that neither the final text of this resolution nor the amendments to the Committee draft report nor the final opinions to the draft report made any reference to defeat devices and/or strategies.</i></p>
2.	<p>In your response to Commissioner Potočník dated 26 March 2013 you didn't make any reference to his proposal to start thinking about additional measures to rapidly address the problem of air pollution even considering the withdrawal of a particular type approval and the requirement of remedial action by manufacturers. Why did you omit to respond to this proposal? Have you had any chance to further analyze this option and eventually when and with who? Why none of these, nor other actions, have been taken despite the evident impossibility for cities to meet air emission limits given the well known problem of lack of conformity of cars emissions in real world driving?</p> <p><i>Under the current type-approval framework it is not possible for the Commission to withdraw any type approvals. It is the responsibility</i></p>

No	Question
	<p><i>of the national type-approval authority which issued the type-approval certificate. Furthermore, it must be noted that the presence of higher NOx emissions outside the test cycle does not per se invalidate a type approval, which was based at that time only on the New European Driving Cycle (NEDC) test. Withdrawal of a type approval by a competent type-approval authority would have required a clear demonstration that the high NOx emissions were due to prohibited defeat devices, as set out in Article 5(2) of Regulation No 715/2007. As far as I am aware, the Commission had no knowledge of any concrete cases of use of defeat devices, which could have been followed up with the type-approval authorities responsible for the type approval of the affected vehicles. Given the role of the Commission as a regulatory and not as a market surveillance authority, the most efficient step forward was to develop and propose the new RDE legislation.</i></p> <p><i>I would like to stress that in the letter to former Commissioner Potočník, I referred to other actions which the Commission was taking in order to maximise the positive impact of Euro 6 legislation on the improvement of air quality. To this end, the Guidelines on financial incentives for clean and energy efficient vehicles sought to assist Member States in developing demand-side incentives for ‘clean’ vehicles.</i></p>
3.	<p>In a briefing note that you received from the supplier of a car manufacturer, with whom you met in July 2012, it was stated that: “Modern technology allows many ways of effectively ‘beating the cycle’, by implementing special software routines which recognize the start of an homologation test cycle, to then purposely default to a much less stringent requirement once in the field (...).” Can you describe the issues discussed during the meeting with the supplier? Did you discuss the issue of defeat devices? Were you provided with any evidence that car manufacturers were using defeat devices to recognize the start of the homologation test cycle? How did you react to the briefing? Did you take any measures to address the problem raised in the briefing note?</p> <p><i>Neither the preliminary briefing received from the supplier nor the discussions held during the meeting referred to ‘defeat devices’ or proof of software manipulations or contained any relevant information on issues relating to ‘dieselgate’. The briefing underlined that the concept of cycle recognition may be used by vehicle manufacturers in the context of the approval of tyre pressure monitoring systems (TPMS), i.e. the business sector of the supplier. TPMS have nothing to do with NOx emissions.</i></p> <p><i>Moreover, as described in the de-briefing of the meeting, the discussions in that meeting concerned market surveillance issues. For this reason, and following the discussions within the High-Level Group CARS 21, I sent a letter to all Member States on 25 July 2012, informing</i></p>

No	Question
	<p><i>them that my attention had been drawn to the need to enhance the enforcement of EU internal market legislation for automotive products by setting up an effective and efficient market surveillance system. In that letter, I also explained to Member States that I had instructed my services to enhance current internal market legislation for automotive products. To this end, DG-ENTR, under my responsibility, started to review the Framework Directive No 2007/46 for type approval in 2010.</i></p> <p><i>I take this opportunity to recall that it is the Member States, and not the European Commission, that are responsible for the enforcement of EU legislation. Member States, and not the European Commission, can start investigations against manufacturers and/or suppliers in the event of suspected fraudulent practices. The European Commission can start infringement procedures only against a certain or several Member States (and not against manufacturers and/or suppliers), if it is made aware of violations of EU law. In the automotive sector, this was the case for the infringement procedure launched against Germany in 2013 for infringements of Directive No 2006/40 on mobile air conditioning systems (MAC) which, as of 1 January 2011, has set the obligation to fill air conditioning systems of new types of vehicles with a refrigerant with a low impact on the environment.</i></p>
4.	<p>Have you ever been alerted by the co-legislators, i.e. the European Parliament and the Council of Ministers, or by individual Member States, about defeat devices and/or defeat strategies by car manufacturers? In this regard, have you ever been requested by the co-legislators to investigate the issue of defeat devices and/or defeat strategies by car manufacturers? If so, please provide detailed information and lists of the relevant requests, including any written and/or oral questions by Members of the Parliament, parliamentary resolutions, letters received by responsible national Ministers or Council Presidencies.</p> <p><i>I was never made aware of any specific case of defeat devices being used: neither by the Council of Ministers nor by individual Member States nor by the European Parliament nor by individual Members of Parliament.</i></p> <p><i>As I had the opportunity to explain previously (see answer to question 1), all the discussions held with the relevant stakeholders, including Member States and EU Institutions, regarding legislation for the automotive sector were carried out in an inclusive, open and transparent manner. All the parties involved were able to contribute to the work which led to the Communication CARS 2020 and, at a more specific level, to the development of a new test procedure to better capture real-driving emissions and to the revision of the Framework Directive No 2007/46, launched with a public consultation held from 7 December 2010 to 16 February 2011.</i></p> <p><i>As far as I am aware, with regard to car emissions legislation, I received two written questions from individual Members of the European</i></p>

No	Question
	<p><i>Parliament, which however did not concern the issue of defeat devices. One written question was tabled by Mr Ivo Belet MEP on 1 February 2012 and addressed the issue examined by the JRC 2011 study on the discrepancies in NOx emission levels for diesel cars between the emission values measured in the laboratory according to the European test cycle and on-road emissions. Another question, tabled on 26 October 2012 by Mr Lange MEP, referred similarly to the question of whether the Commission was looking into the issue of real driving emissions.</i></p>
5.	<p>Earlier this year, Commissioner Bieńkowska and Vice-President Katainen initiated a review of the Type Approval Framework Directive because the EU's current type approval system suffers from conflicts of interest, a lack of quality control and market surveillance checks for cars in-use being rarely carried by the Member States. Where you aware of these shortcomings in the EU type approval system during your time as Commissioner? Did you ever consider to provide further guidance on the EU type approval framework directive, or to review the Directive or its Implementing Regulation? What were your considerations for not revising the EU's type approval system?"</p> <p><i>To state that I did not consider reviewing the EU's type approval system is incorrect. The review of Directive No 2007/46 was initiated by DG-ENTR in 2010, under my responsibility, with the preparation of the Impact Assessment Roadmap and the setting up of the Commission Steering Group.</i></p> <p><i>The main driver of this initiative was the lack of efficient ex-post control mechanisms (market surveillance) in the internal market legislation governing the automotive sector. A public consultation was held from 7 December 2010 to 16 February 2011 with the aim to verify whether the five areas identified by the Commission services as having a potential for improving the enforcement of EU type-approval legislation for motor vehicles would provide the right scope and focus for the intended review of the Framework Directive. Forty relevant responses indicated a strong support for the objectives of the initiative, i.e. to assess legislative and non-legislative policy options to improve five areas in the existing legislation: (i) traceability of products and responsibilities of economic operators; (ii) responsibilities and cooperation of enforcement authorities; (iii) quality of type-approval tasks carried out by the Technical Services; (iv) post-safeguard measures and recalls; and (v) procedures for ensuring conformity of production.</i></p> <p><i>A number of internal and external studies were carried out to further substantiate the impact assessment process (an ex-post evaluation study on Framework Directive No 2007/46, an impact assessment study in the second half of 2011, a fitness check study published in March 2013 and a competitiveness proofing study during the second half of 2013). All relevant stakeholders were consulted in an</i></p>

No	Question
	<p><i>inclusive, open and transparent manner. In addition to the public consultation mentioned, stakeholders were able to contribute to the process via the High-Level Group CARS 21 which, in its final report of June 2012, endorsed the Commission's objective to enhance the type-approval framework by including market surveillance provisions (see final report of June 2012, p. 6). Specific exchanges with Member State authorities took place in the framework of the Technical Committee for Motor Vehicles (TCMV) and the Type-Approval Authorities Experts' Group (TAAEG).</i></p> <p><i>The Impact Assessment Board (IAB) of the Commission examined the draft version of the impact assessment and issued an opinion on 28 March 2014. After the opinion of the IAB, the final impact assessment report was finalised. Following the Volkswagen emission scandal, the Impact Assessment carried out by DG-ENTR (now DG-GROW) was complemented by an additional analysis before the adoption by the Commission of the Draft Regulation reviewing the Framework Directive for type approval. The documents mentioned in this answer (Impact assessment and additional analysis) are available at: http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:52016SC0009&from=EN.</i></p>
6.	<p>According to an article published by the German magazine Wirtschaftswoche in November 2015, EU officials had informed the International Council for Clean Transportation of cheating practices by car manufacturers during test cycles. The article quotes the Chairwoman of the California Air Resources Board, Mary Nichols, as saying that "Commission officials informed the US Environmental organization ICCT about cheating practices concerning NOx emissions." What are your comments on this allegation? Were you aware or had you been notified that ICCT had been contacted by EU officials with regard to these issues?</p> <p><i>I am not aware of Commission officials having informed the US Environmental organization International Council of Clean Transportation (ICCT) about cheating practices concerning NOx emissions, as the article states.</i></p> <p><i>I assume that the question refers to the article published by the German magazine Wirtschaftswoche on 13 November 2015, reporting that EU officials, allegedly frustrated by the inaction of the Commission as regards emissions cheating, notified the ICCT. According to the article (available in German only): "Es waren nach Informationen der Wirtschaftswoche EU-Mitarbeiter, die über die Untätigkeit der EU-Kommission nach 2011 so frustriert waren, dass sie die amerikanische Umweltorganisation ICCT über ihren Betrugsverdacht informierten" (http://www.wiwo.de/unternehmen/auto/vw-abgas-skandal-eu-kommission-ueber-betrug-bei-abgasmessungen-seit-2011-informiert/12583478.html).</i></p>

No	Question
	<p><i>The article was disputed on the same day by the ICCT, as reported by several press sources, as being incorrect (http://www.lesoir.be/1042568/article/economie/2015-11-13/scandale-vw-l-implication-fonctionnaires-europeens-remise-en-cause; http://www.lavoixdunord.fr/france-monde/volkswagen-l-ong-a-l-origine-du-scandale-dement-avoir-ia0b0n3159769; http://www.zeit.de/news/2015-11/13/deutschland-us-institut-nicht-von-eu-beamten-auf-vw-betrugsverdacht-gebracht-13205003).</i></p> <p><i>On 19 April 2016, Mr Vicente Franco, the ICCT representative who appeared in front of the EMIS committee declared the following in respect of the allegations made by the Wirtschaftswoche: 'I am not aware of any tip-offs from Commission officials to the ICCT. I am not aware of it and I do not think that is the case, quite frankly. You said the ICCT is accusing the European Commission of something? Did I misunderstand? No. So, we praise them and we stand by that praise.'</i></p>
7.	<p>The discrepancy between the real world emissions and the emissions based on laboratory tests was in some cases up to 500% of the limit value for newer Euro 5 models as well as for Euro III and IV, which means this was not only the problem of the test cycle but also of the car manufacturers producing dirty cars not complying with the emission standards. In your exchange of letters with Commissioner Potočník and Danish Minister for Environment, Ida Auken you indicated that the Commission "is examining the options (both at EU and national level) to deal with those vehicles in the existing fleet which do not comply with the legal emission limits in normal driving conditions". Could you please indicate what the outcome of this examination was? Have you addressed the issue of non-compliant vehicles? Have you contacted appropriate type-approval authorities to identify the non-compliant vehicles? Have you addressed the problem of Member States not implementing appropriately Regulation 715/2007 by not withdrawing the type-approval certificates of non-complying vehicles? Have you addressed the issue of Member States not implementing appropriately Regulation 715/2007 by not laying down and applying sanctions for infringements of the Regulation by car manufacturers?</p> <p><i>The outcome of the examination carried out by the relevant Commission services was that although the existing vehicles had high NOx emission values in real driving, the Commission could not follow up with any enforcement action as those vehicles were complying with the legislation in force at the time.</i></p> <p><i>In fact, as mentioned in the answer to question 2: the presence of higher NOx emissions outside the test cycle does not per se invalidate a type approval in the absence of RDE legislation (which did not exist until recently). Withdrawal of a type-approval certificate can only be done by the competent type-approval authority if it is shown that these high NOx emissions are due to the use of prohibited defeat</i></p>

No	Question
	<p><i>devices, as set out in Article 5(2) of Regulation No 715/2007. The Commission services, as far as I am aware, had no knowledge of concrete cases of defeat devices, which could have been followed up by the competent type-approval authorities. The regulatory response of the Commission to the shortcomings observed was the development of the RDE legislation.</i></p> <p><i>Sanctions for infringement of the rules by car manufacturers must be laid down by Member States either specifically under Regulation No 715/2007 or generally in respect of all infringements of type-approval requirements under the Framework Directive No 2007/46. No specific problems concerning the application of sanctions by Member States were brought to my attention.</i></p>
8.	<p>Following investigation by the Environmental Protection Agency in 1998, seven large engine manufacturers were caused to pay at that time record-breaking \$1-billion settlement for having designed engine software with "defeat devices" that illegally bypassed emission control equipment. As European Commissioner for the Environment from 1999 to 2004, what concrete steps did you take so that you prevent European manufacturers from using defeat devices and therefore repeating a similar scandal as 1998 in the USA?</p> <p><i>The issues concerned by this question refer to a period which pre-dates my mandate as Commissioner for Industry and Entrepreneurship, which started in February 2010. Therefore, I am not able to deliver any statement relating to that question.</i></p>
9.	<p>JRC scientists told this inquiry committee that they were never given a mandate to investigate the defeat devices issue further. Do you confirm? How do you explain such inaction in such a serious matter with huge impacts on public health and consumers' rights and expectations?</p> <p><i>At the time of the JRC study, as well as today, market surveillance is the responsibility of Member States. To my knowledge, the Commission was never made aware by any type-approval or market surveillance authority of any suspicion of a defeat device that would have triggered an action by the Commission, including at the time the study was commissioned to broaden its mandate in order to look for specific instances of defeat devices.</i></p> <p><i>I would like to underline that the studies carried out by the JRC are of a scientific nature and they underpin the regulatory work of the Commission. The policing role is a responsibility of the type-approval and market surveillance authorities of Member States. As stated by</i></p>

No	Question
	<p><i>Ms Delilah Al-Khudhairy during her hearing before the EMIS Committee on 19 April, the JRC has 'no mandate in terms of enforcement or policing (...)' and it 'never asked for that mandate from the Commission' (see verbatim of the meeting, p. 6).</i></p> <p><i>Finally, as already explained in the answer to question 1, none of the two reports issued by the JRC to analyse the emissions of light-duty vehicles with portable emission measurement systems (JRC, 2011) and to assess the technical feasibility of candidate procedures to measure real-driving emissions (JRC, 2013), raised any 'concerns' or brought evidence to light about the issue of defeat devices which could have triggered an action by the Commission, i.e. to broaden the mandate of the JRC to investigate the issue further.</i></p>
10.	<p>According the answer of Commissioner Liikanen to the EP written questions of February 2003^[1] and as also described by the Commission to the UNECE 44thGRPE meeting of June 2002^[2], the problem of use of « defeat devices » and cycle beating, or use of so-called “irrational emission control strategies”, was well known to the Commission in those years. It appears that in 2000, after discrepancies between laboratory emission test (ESC cycle) and real driving test (ETC test) on some EURO3 Heavy Duty Vehicles were found, presence of defeat devices were immediately suspected. Consequently the Commission undertook further investigations and within a year (April 2001) it introduced additional requirements in the law Directive 2001/27/EC ^[3] on heavy duty vehicles (and similarly also in Directive 2002/51/EC on motorcycles ^[4]) to provide disincentives to the use of defeat devices including: a definition of “irrational emission control strategies”; mandatory disclosure to type approval authorities of electronic strategies justifying certain manipulations such as engine protection and cold starting; provisions for type approval authorities or technical services to require additional NOx screening test.</p> <p>Why, after discrepancies in emission levels for Heavy Duty Vehicles were found in EURO 3 trucks, did it take only 1 year in 2000 for the Commission to launch additional investigations and introduce in the legislation additional requirements to provide disincentives to the use defeat devices? Why for cars it took nearly a decade? For what reason the same suspicions and swift investigation were not sought in 2007 following JRC results on NOx emission discrepancies for diesel vehicles? Why weren't additional requirements to address the problem of “irregular emission control strategies” such as mandatory disclosure and additional testing requirements (other than RDE) not already introduced in the 2005 Commission proposal as it was done in Directive 2001/27/EC and Directive 2002/51/EC?</p>

No	Question
	<p>[1] WRITTEN QUESTION E-0460/03 by Bernd Lange (PSE) to the Commission http://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:92003E000460&from=EN</p> <p>[2] Current and Future European Community Emission Requirements (informal document n6 – 44th GRPE, 10-14 June 2002 agenda item 4.4 and 5. Page 10) http://www.unece.org/fileadmin/DAM/trans/doc/2002/wp29grpe/TRANS-WP29-GRPE-44-inf06e.pdf</p> <p>[3] http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX%3A32001L0027</p> <p>[4] http://eur-lex.europa.eu/legal-content/EN/TXT/?uri=CELEX:32002L0051</p> <p><i>The issues concerned by this question refer to a period which pre-dates my mandate as Commissioner for Industry and Entrepreneurship, which started in February 2010.</i></p> <p><i>I can only emphasise that immediately after I was put in charge, as Commissioner, of the type-approval legislation and aware of the high NOx emissions under real driving conditions I requested my services to pursue the development of RDE testing without delay. At my request, the underlying problem and corresponding political intentions have been reflected in the Cars 2020 Communication of the Commission in the year 2012 in a transparent manner, and the RDE development continued without delay.</i></p>
11.	<p>At the Commission level the car industry is actively participating in the work of various "expert groups" providing "expertise" and technical advice. While it is clear that the car industry has a lot of useful expertise on the subject, which clearly should be taken advantage of, the influence the industry has on the final version of proposed legislative measures is rather worrying. Do you see any conflict of interest that occurs when those being regulated have vital influence on the regulation itself? Don't you think that for transparency reasons representatives from the car industry should only be consulted at an initial consultative stage of the process and further on any contact should be prohibited?</p> <p><i>As with any other sector, it is normal that industry has an interest in the development of legal requirements of which it is concerned. It is also clear that expertise from the industry has to be taken into consideration for this purpose. It is the task of the Commission services to</i></p>

No	Question
	<p><i>assess the industry input with respect to its technical validity, and to manage discussions with Member States. Issues of conflicting interests can be best prevented and handled by establishing a process which is open as widely as possible to all stakeholders and which also includes NGOs and academics. Hence, the Commission, from the very beginning to the very end of any legislative process, and in full transparency, involves a broad range of stakeholders in order to work out the best possible outcome.</i></p> <p><i>The decisions as to the final draft proposals are then taken internally and autonomously by the Commission, following the approval of the College of Commissioners, before being transmitted to the co-legislators. It is worth recalling the fundamental role played by the European Parliament in analysing, amending and integrating the legislative proposals coming from the Commission. Where measures are designed to amend non-essential parts of the reference act, such as the procedures, tests and requirements of Regulation No 715/2007, they are finalised by the Commission and transmitted to the Member States for approval in accordance with the regulatory procedure with scrutiny referred to in Article 15(3) of Regulation No 715/2007.</i></p>
12.	<p>On 8 March 2012, you announced a regulatory moratorium for car manufacturers. Can you please explain what that regulatory moratorium entailed in your view? Can you explain how this moratorium has been decided? Did you involve stakeholders in taking this decision? Did it apply only to the development of new legislation, or did it also entail investigations and the enforcement of existing legislation? Where and how was the regulatory moratorium defined in scope and time? Can you explain the positive and negative outcome of this decision?</p> <p><i>The intention behind the proposal I made in March 2012 to introduce a ‘moratorium’ for car legislation was to reduce, as far as possible, unnecessary regulation and red tape for the automotive industry, so as to avoid delocalisation in a time of crisis.</i></p> <p><i>In order to understand the rationale behind the statement I made, it would be helpful to look at the issue from the perspective back in 2012 and not in 2016. In 2012, the automotive sector, like several other industry sectors in Europe, was undergoing a deep crisis, declining for the fifth consecutive year, in particular in European markets, and putting at stake 12 million direct and indirect jobs in Europe.</i></p> <p><i>Those concerns were shared by Members of the European Parliament from different political groups and countries, who sent me several written questions requiring information about measures put in place by the Commission for the recovery of the automotive sector in</i></p>

No	Question
	<p><i>Europe and to avoid plants closure and delocalisation.</i></p> <p><i>The Communication CARS 2020 was the political answer of the European Commission to the call for a recovery of the automotive sector. The Communication proposed a coordinated approach to the issue in order to reach a more competitive and sustainable automotive industry in Europe.</i></p> <p><i>That was the political background, which led me to suggest a moratorium intended to tackle red tape and avoid unnecessary burdens.</i></p> <p><i>However, the idea of a ‘moratorium’ was not followed. Nor did the moratorium have any indirect impact on the DG under my responsibility that could have led, for instance, to a slowing down of the legislative activity. On the contrary, from March 2012 (when I made the announcement) until the end of 2012, the Commission adopted 9 legal acts concerning the automotive sector, out of the 51 legal acts approved for this sector in total during the 5 years of the Barroso II Commission.</i></p> <p><i>Moreover, I would like to point out that the idea of a ‘moratorium’ for car legislation to reduce, as far as possible, unnecessary regulation and red tape for the automotive industry was fully in line with the call of the European Parliament for smart regulation in the automotive sector. In fact, the resolution of the European Parliament on CARS 2020, approved by the Plenary on 10 December 2013, stressed ‘the need for the principle of smart regulation, as a coherent approach with respect to legislation having an impact on the car industry, to be implemented at the earliest opportunity’ (point 37). Furthermore, in the same resolution, the European Parliament took the view that ‘the Commission’s proposal to place a moratorium on all new legislation that could have an adverse impact on the economic situation in the industry is contributing to the achievement of long-term competitiveness and helping to provide adequate responses to environmental challenges’ (point 38).</i></p>