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EU NOx emissions - how the automotive industry shaped policy

A report by InfluenceMap

The Volkswagen NOx scandal has shed light on the broader issue of how progressive EU NOx automotive emissions policy, initially recommended by the European Commission in the late 1990s, has been influenced and captured by the automotive industry and its political champions in the Member States. It is now evident that the devices used to reduce harmful NOx and other emissions from diesel engines in passenger cars and which allowed, for example Volkswagen's 2008 Clean Diesel marketing push, consume significant amount of power. This resulted in a technical struggle within the automakers promoting diesel between meeting both NOx standards and fuel efficiency/CO2 emissions standards, both in the US and the EU.

In the US, where Volkswagen is by far the leader in diesel fueled passenger vehicles through its Clean Diesel, the use of software to purposely deceive the NOx testing process has been widely publicised following the EPA announcement in September 2015. In the EU, where diesel passenger vehicles are sold by a larger group of companies, there are allegations that the industry's response to the technical challenge of meeting both CO2 and NOx standards was to influence and capture the EU NOx policy process, focusing on details of allowable compliance levels (the Conformity Factor) and emissions testing processes and facilities which allowed them considerable "wiggle" room to meet the standards under test conditions while not in actual physical emissions.

The extent of this capture of the NOx policy process by industry is such that despite the introduction of Euro 4 in 2006, Euro 5 in 2007, and Euro 6 in 2015, which each significantly reduced the legal limit of NOx emissions, evidence suggests no clear reduction in the level NOx emissions from automobiles when tested in real world conditions. This appears to undermine nearly ten years of legislative progress by the EU to protect public health from an emission that is reported to cause the premature death of at least 400,000 European citizens annually, as well causing numerous other health complications.

Consequently, the European Parliament launched a Committee of Enquiry on December 17 2015 and the ENVI rejected the Commission's proposal on December 2014 to introduce a Conformity Factor that allows automobile manufacturers to continue to greatly exceed legal limits on NOx emissions, with the European Parliament's vote on the issue proponed on January 14 2015. The Commission's proposal on the Conformity Factors was however taken with the almost unanimous approval of European Member States, despite the same governments being demonstrably aware of the science surrounding NOx emissions.

The subject of this report is to thoroughly map out the activities and positions of the key participants in the

EU NOx policy process over the last decade and in the wake of the Volkswagen scandal to show in an objective fashion how the original, public health motivated intent of the EU system on NOx policy was captured to suit the economic needs of the automotive industry.

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