

Biofuel issues in the new legislation on the promotion of renewable energy.

Public consultation response from Friends of the Earth Europe

General points

This response should be seen as an addition to the response submitted by Sahabat Alam Malaysia (Friends of the Earth Malaysia).

Question 1.3

Please give your general comments on the "possible way forward", and on how it could be implemented. Does it give an adequate level of assurance that biofuels will be sustainably produced? If you think the problem should be tackled in a different way, please say how, giving details of the procedures that would be used.

The UN Energy report highlights the complexity of using biomass to produce energy and to ensure it is achieved sustainably without hitting the poorest in society. It is therefore inappropriate to propose a simple scheme that avoids the very issues that the UN is warning about, in particular the possible social impacts in developing countries. It would be far more appropriate to acknowledge the complexities and submit a new proposal to suspend the binding target.

Considering the past record of poor governance in many exporting countries, and in particular the absence of controls and monitoring, Friends of the Earth Europe finds it unacceptable to suggest that a bilateral or multilateral agreement with these countries will be sufficient evidence that the proposed criteria are being respected.

As we don't know how much transport fuel will be used in the EU by 2020, we also don't know how much biofuel will be needed to fill the 10% target. It is therefore not possible to say that there are enough agrofuels that meet any set of criteria, without creating knock-on effects, to meet the target. Even the most environmentally and socially sustainable production systems will become unsustainable if production is increased past a certain level. The way forward would be to drop the mandatory target and focus on curbing transport growth first.

Core principles for sustainable bio-energy

Friends of the Earth Europe proposes core principles that should be included in any sustainability scheme as follows:

1. Greenhouse gas emissions must be positive by at least 50%

The production, processing and transport of biomass must lead to reduced greenhouse gas emissions. Any life cycle analysis must include the whole production chain, in particular the effects of land use changes and the use of chemical fertilisers. Priority should be given to the uses of biomass that provide the best greenhouse gas emission savings. Using biomass for local heating and electricity should have a higher priority than as liquid fuels providing that it too can be produced sustainably.

2. Biodiversity and water must be protected.

Growing biomass for energy must not be at the expense of valuable natural ecosystems or protected lands, nor damage important ecosystem functions such as nutrient supply and prevention of erosion. Biomass should not be produced on land that has been deforested in the past five years. Water supplies should not be over-exploited or polluted and the use of chemical fertilisers and pesticides minimised or forbidden.

3. Fair trade and human rights

Production and trade must ensure fair wages and safe working conditions for agricultural workers and local communities. Production must not displace communities and attention should be given to indigenous people whose land rights are not (yet) recognized by the state. Comprehensive consultation and the free prior informed consent of people affected by the cultivation and processing of biomass must be guaranteed.

4. Food sovereignty and security

The ability of countries to feed themselves should not be compromised by Europe's demand for biomass. Production should not be at the expense of agricultural land for food production where food security is at risk. Policies should be introduced that halt biomass production if food prices become unacceptably high.

5. No Genetically Modified crops

GM crops raise unacceptable health and environmental concerns as well as lead to the further intensification of agriculture and increase corporate control of agriculture. The use of GM crops should not be permitted in the production of biomass.

6. Regional sourcing

The production of biomass for energy must not force other agricultural crops into areas which then compromise any of the above principles. To reduce this risk biomass production should be restricted to primarily meeting local or regional energy needs. This will also reduce transport emissions and provide local benefits.

7. Accountability, transparency and independence

The origin of biomass must be fully transparent, traceable and publicly available. All calculations used to establish the environmental and social credentials of biomass must be to credible auditing standards and must be independently verifiable.

8. No mandatory targets

Targets that encourage the development of large-scale biomass without considering whether they are achievable within social and environmental limits should be rescinded. Countries or regions should be free to prioritise how they reduce greenhouse gas emissions without being forced into using biomass.

Question 1.5

As described in the "possible way forward", criterion 3 focuses on land uses associated with exceptional biodiversity. Should the criterion be extended to apply to land that is adjacent to land uses associated with exceptional biodiversity? If so, why? How could this land be defined?

Question 1.6

How could the term "exceptional biodiversity" (in criterion 3) be defined in a way that is scientifically based, transparent and non-discriminatory?

The biggest cause of biodiversity loss worldwide is the expansion of intensive agriculture. Intensive agriculture is also heavily associated with the depletion of water resources and soil erosion and a high level of pesticide and herbicide use. The development of the biofuel industry on a global scale risks seriously expanding these problems. Even within Europe itself we still have not surmounted the challenge of biodiversity loss linked to intensive agriculture. In the developing world the challenge is that much greater. Biofuel monoculture crop expansion clearly risks having devastating consequences for global biodiversity unless it is very carefully managed. Any sustainability scheme must therefore taken into account not only areas associated with "exceptional" biodiversity value (eg rainforests) but also the problems of intensive agriculture and their impacts on biodiversity.

Question 2.1:

Please give your comments on the "possible way forward" described above. If you think the problem should be tackled in a different way, please say how.

One of the biggest issues of concern is that even with strong, mandatory standards in place (which are not even being proposed here) there is a high risk that the increase in demand for biofuel crops will indirectly lead to negative social and environmental impacts. For example, in the case of palm oil or soy it is conceivable that even where they are obtained from a 'sustainable' plantation, it would merely displace the current demand for that palm oil or soy elsewhere. In the context of Indonesia this increased demand is highly likely to be associated with deforestation and forest fires as the overall plantation area is expanded. In the case of sugar from Brazil, it is not grown in the Amazon. However the expansion of the sugar crop leads to the expansion of the agricultural frontier and soy farmers and cattle ranchers are pushed further out into the Amazon. This problem undermines any attempt to certify crops as being sustainable and highlights the complexity of the commodity market and the real risk of the environmental damage through the EU's current biofuel policy.

Question 3.1, 3.2, 3.3 second-generation biofuels.

Parameters of what is acceptable as a second generation biofuel should be set by society early in the development stages and before financial support is given. There have been recent cases where new technologies have been developed only for the public to reject them because of their social and environmental implications. Genetically modified crops are a perfect example of this. Therefore urgent public debate should be initiated into what and what is not acceptable as a second generations biofuel.

The development of second generation fuels should only be supported if they are acceptable to the public and the risks to the environment and to society are preventable or minimal. Second generation should not only be measured on climate performance but should also fulfill sustainability criteria as outline above in 1.3. A complete life cycle analysis should supplement their development to ascertain the risks involved. They must also prevent irrational land use patterns and the skewing of food and commodity prices. Friends of the Earth Europe does not support the use of genetically modified crops or trees as a source of biofuel.