

General questions

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?

No, this proposal does not give any idea about the sustainability of agrofuels supported by the EU, since:

- Most sustainability issues are not included, notably most environmental and all social/economic/human rights issues.
- Even a full certification scheme would not give a sufficient assurance because of the likely knock-on effects (displacement). The monitoring proposed by the Commission will deliver results too late, and does not include any action when the results are worrying
- In many countries, agrofuel production for the EU market labeled 'sustainable' on such a small basis, is likely to meet broad resistance by civil society organisations.
- Any criteria on the sustainability of monoculture production for any use, in the South or anywhere else, can only be established in full consultation with local stakeholders, namely those groups that may have a conflicting interest with the particular production.

As we don't know how much transport fuel will be used in the EU by 2020, we also don't know how much agrofuel 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. The way forward would be to drop the mandatory target and focus on curbing transport growth first.

If you think the problem should be tackled in a different way, please say how, giving details of the procedures that would be used.

Question 1.5

As described in the "possible way forward", criterion 3 focusses 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?

In general, policy made with too much focus on 'high conservation value areas' makes dangerous assumptions about the viability of these areas as 'biodiversity islands' in a desert of plantations. In particular when policy is made that will cause an expansion of monoculture plantations, causing the disappearance of 'lower value' biodiversity and small scale agricultural systems, this means a step

closer to the extinction of what are not yet threatened, 'high conservation value' species and ecosystems.

What deserves a lot more attention is the disappearance of agricultural biodiversity, i.e. genetic diversity of agricultural crops, as a consequence of the industrialised forms of agriculture taking over small scale ones. Agricultural biodiversity has been developed over centuries by farming communities world wide. Once this has disappeared, not only is this a risk for the future of food production and sustainable agriculture, it also increases the dependence of farmers on seed companies.

2. How should overall effects on land use be monitored?

The problem

Two of the sustainability criteria in the "possible way forward" in section 1 relate to the direct conversion of land for biofuel production from other uses. Increased demand for biofuels is also likely to have an indirect effect on land use, leading to an increase in the total amount of land devoted to forestry and crop production. This land use change will be associated with greenhouse gas savings from biofuel use. It will have other environmental effects. These could be positive or negative. The environmental effect of using land that would otherwise have been used for an out-of-town housing development is different from the effect of using land that would have been a biodiverse habitat.

It seems clear that these indirect effects cannot be linked to individual consignments of biofuel. But they should still be monitored.

Possible way forward

The legislation could ask the Commission to report regularly on:

- how land use would have developed if biofuel use had remained constant;
- how land use has in fact developed; and
- the estimated effect on overall land use of increasing biofuel use.

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.

Global monitoring and reporting on land use change can generate interesting data, but does not in any way tackle the problem of indirect impacts of EU imports of agrofuels. Moreover, no implications such as adjusting the target in case great damage is shown, are suggested. There is no need to wait for monitoring and reporting to have a good idea about the consequences. Land use change can also be predicted by examining actual investments and planned expansions.

As Biofuelwatch has pointed out, NASA scientists have shown that the rate of Amazon deforestation directly correlates with the world market price of soya [<http://tinyurl.com/2pfga4>] That price is expected to rise sharply as demand for soya biodiesel grows. Soya expansion is linked to deforestation not just in the Amazon but also elsewhere, including the Pantanal, South America's Atlantic Forest and a portion of the Paranaense forest in Paraguay and North of Argentina. Scientists are warning that the Amazon may be close to a tipping point, beyond which it could die back in a vicious

cycle of mega-fires and droughts. The Amazon relies on rainfall which is recycled by the forest itself. Deforestation reduces the amount of rainfall and threatens to tip the whole ecosystem into collapse. 2005 and 2006 saw two years of drought unprecedented in living memory and this may be a first sign that the Amazon may not be able to survive further forest loss. Biofuel expansion is pushing up the price of soya and is thus becoming another driver for deforestation, making the collapse of the Amazon ecosystem more likely. If the Amazon was to die back, it would be impossible to stabilise the global climate at all, and global food supplies could be immediately threatened due to major changes in rainfall patterns. This is not a risk which we can afford to take.

Question 2.2

Do you think it is possible to link indirect land use effects to individual consignments of biofuel? If so, please say how.

No, that is why one cannot guarantee the sustainability of agrofuels by any set of 'sustainability criteria' for individual loads of agrofuel. As the Cramer report confirms as well, governments are responsible for taking additional action to address impacts on macro-level, such as displacement. These measures will have to include a drastic reduction of commodity use for other uses like animal feed or paper, before creating another demand for another type of use. Coherent EU policy would have to be designed in this respect.

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3. How should the use of second-generation biofuels be encouraged?

The Commission intends to bring forward a proposal to encourage the production and use of second-generation biofuels.

Question 3.2:

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.

Only sustainable ways of producing agrofuels should receive support. Large scale production of cellulosic crops like trees do not take away the problem of competition with food production, as is often suggested, since the competition for land and water will continue.

The ways forward for second-generation should be decided upon in a democratic and transparent way, for example where investing public money in R&D is involved. The European Biofuels Technology Platform is a case in point where industry is allowed to dominate such important decisions. Out of 150 members, there are only 2 from NGOs. Decisions about science and technology are of huge importance to society at large and should not be left to those actors with most economic interest.

CEO has written to Research Commissioner Janez Potočnik to clarify this unbalanced situation.

We are in particular concerned, and would oppose public funding going to projects in the field of genetically modified trees. There is a great deal of interest in using biomass from trees for second generation agrofuels. Trees are an obvious source if and when methods are developed to break down the plant matter cheaply and effectively, but they also need lower maintenance and fewer inputs than field crops, so they promise a double advantage for the industry. They also contain more carbohydrates, the raw material for agrofuels, than field crops. Just as with field crops, genetic engineering is used to try to reduce the level of lignin in trees and change the structure of the hemicellulose. The general aim is to reduce the cost of ethanol production and increase the volume so that agrofuels can compete with fossil fuels on price without subsidies.

Willow, poplar and eucalyptus are major targets for research on trees. For example, Purdue University, funded by the US Department of Energy is working on a poplar hybrid with the aim of producing a low-lignin, faster growing tree for mass production on “unused” and fallow land. Not much is known about the impacts of releasing genetically engineered trees, but it is known that due to their complex interaction as and with ecosystems, due to their long life cycle and their wide dissemination of fruit and pollen, the impacts will be much more severe than those of annual field crops, and especially the risks for natural forest ecosystems could be very serious.

4. What further action is needed to make it possible to achieve a 10% biofuel share?

We oppose the 10% target, and are worried by the fact that the new proposal for the fuel quality directive is being used to push agrofuels even more. Possible other types of measures under that directive to achieve ‘cleaner’ fuels, such as banning liquid fuels based on tar sands or coal, and flaring, we fully support.