Catalyzed workshop

Key messages: Conservation and the EU sustainability criteria for biofuels

Thematic Area:

Towards a green economy

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Summary

This summary is the output from a Cambridge Conservation Initiative (CCI) convened workshop, on 27th February 2009, on the impacts on biodiversity conservation of the EU sustainability criteria for biofuels and their implementation. CCI is a collaborative partnership created by the University of Cambridge and leading global and UK conservation organisations. As a focal point for the biggest cluster of conservation organisations in the world, CCI aims to secure a sustainable future for biodiversity and humanity through an innovative and interdisciplinary partnership of leaders in conservation; and to inform decision making by government, industry and civil society in local, national and international contexts.

Key findings

i. Though the EU sustainability criteria for biofuels (contained in the Directive of the European Parliament and of the Council on the promotion of the use of energy from renewable resources) are a step forward and offer some protection for biodiversity, they fall short of mitigating the risks that further expansion of biofuels production will lead to increased biodiversity loss. Lack of provisions on Indirect Land Use Change (ILUC) and loopholes in the criteria are key reasons for this.

ii. In addition, a number of the biodiversity provisions in the sustainability criteria are not clearly defined. Clear definitions will be crucial in determining the impact on biodiversity of biofuels production to fulfil the requirements of the Directive. Unless these are clarified, confusion over definitions and different interpretations of these criteria could increase threats to biodiversity, in conflict with the aim of the Directive to ensure that increasing demand for biofuels and bioliquids, and the incentives for their use, do not cause the destruction of biodiverse lands (recitals 69).

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iii. Significant weaknesses in the criteria include:

- **Lack of clarity in protected areas criteria.** It is not clear which important areas for biodiversity are excluded from conversion under 'areas designated for the protection of rare, threatened or endangered ecosystems or species' provisions (Article 17. 3b). It is crucial that areas excluded from biofuels production ('no go' areas) include important areas for biodiversity that may not currently have legal protection. This should include KBAs (Key Biodiversity Areas)[1] such as all IBAs (Important Bird Areas)[2] and IPAs (Important Plant Areas)[3] and, wherever possible, biodiversity hotspots. This would be greatly facilitated if these areas were included in lists drawn up by IUCN (Article 17.3.bii). These areas should also be included as 'no go areas' in bilateral and multilateral arrangements for implementing the sustainability criteria.
- **Ongoing lack of protection for high biodiversity grassland.** The Commission's work to define which grassland types are safeguarded from biofuels production and to specify geographical areas where these grassland types are represented should be implemented as rapidly as possible based on the best available science on the biodiversity value of this habitat.
- **Lack of protection for forests with under 30% canopy cover.** The only forests protected on biodiversity grounds are primary forests- less than 1% of the world's forests. Further protection for forests exists under carbon stock criteria but only where the canopy cover is greater than 30%. This is counter to the European Parliament recommendation of protection for 10% canopy cover forest and above, as well as to CBD and FAO definitions of forest. Forests between 10-30% canopy cover remain unprotected where greenhouse gas savings from biofuels are high enough to justify conversion. Though this will exclude some biofuels feedstocks in some areas, others, including sugar cane for ethanol could allow some forest and wooded savannah areas to be converted even though these could have significant biodiversity value. Indeed savannah areas receive no protection in the legal text despite aspirations to protect highly biodiverse savannahs, steppes, scrublands and prairies (recitals 69).
- **Loopholes exist in peatland criteria.** These allow previously drained peatlands to be converted for biofuels production. This is highly significant, given that a high proportion (e.g. 95% in south-east Asia) of the world's petlands have already been subject to some sort of drainage[4]. Although some peatlands will be excluded from conversion under wetlands provisions (if the rules are correctly implemented) others e.g. uplands and peat forests, will not be. Also at risk are peatland areas, such as in Eastern Europe, which could otherwise be restored for carbon sequestration and biodiversity benefits. The sustainability criteria take no account of this potential value.

[1] As defined by a consortium of conservation organisations including IUCN, BirdLife International, Conservation International and Plantlife, and identified at the national level in collaboration with these organisations.
[2] As defined by the BirdLife International Partnership http://www.birdlife.org/action/science/sites/index.html
[3] As defined by Plantlife http://www.plantlife.org.uk/international/plantlife-ipas.html
[4] Hooijer Aljosja et al. (2006): *Peat CO2: Assesment of CO2 emissions from drained peatlands in South-east Asia*. Wetlands International.

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iv. In addition, unless they are in legally protected areas, **the following are currently afforded no protection by the sustainability criteria:**

- Permanent grasslands (unless recognised as 'highly biodiverse' grasslands)
- Transition habitats including savannah, scrublands and shrub lands
- Coastal Lands
- Desert lands and semi arid lands
- Biodiversity in the farmed environment (relevant when thinking about conversion from low intensity, extensive farming to intensive farming for biofuels). Concepts of High Natural Value farmland might be used to address in the UK and EU.

There is an urgent need to assess the above gaps against protected area provisions in the sustainability criteria (and how these will be defined and implemented) to establish the magnitude of risk to biodiversity in these habitats.

v. The sustainability criteria, as they stand, provide no effective mandatory requirements for natural resource protection e.g. water catchment protection; and no means of mitigating indirect impacts of biofuel plantations on biodiversity, such as through water extraction on neighbouring lands. It is very important that these gaps are addressed. Measures to do so may be possible in bilateral or multilateral agreements, which have the scope to include them.

vi. EU Member States should contribute resources, tools and information for land use planning in biofuels producing countries, including through bilateral and multilateral agreements. In particular, there is an urgent need to increase the adequacy of monitoring resources such as GIS and global databases, particularly of spatially explicit information, to support robust implementation of the sustainability criteria and land use planning for biofuels. The international community must invest in making available and further developing data sets that could be used for implementing the sustainability criteria.

vii. There is significant potential for bilateral and multilateral agreements to include provisions to ensure genuine sustainability of biofuel production by safeguarding biodiversity and carbon stocks. This will only be achieved if EU countries recognise the potential value of these for delivering a genuinely sustainable biofuels policy and commit to providing the necessary financial and technical assistance (including through linking to policy and funding mechanisms such as REDD) for their implementation. **A statement on this has been issued separately.**

viii. It is highly important that research gaps related to the impacts of biofuel production on biodiversity are addressed, including through government-funded research programmes. There is a need for the academic community to respond to this challenge and address their research towards priority questions that policy and decision-makers have.

Conservation impact

The main conclusions from the workshop were turned into a key message document for decision makers for implementation of the EU Renewable Energy Directive legislation and further development to improve environmental safeguards; and a statement on the potential to secure biodiversity and carbon benefits through trade agreements. These were used as advocacy material to highlight the potential pitfalls of this legislation on biodiversity.

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