

EU Forest Watch

Informing NGOs, MEPs, Member States, the European Commission and the media

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Obstacles on the road to sustainable bioenergy criteria

The renewable energy roadmap of 2007 foresees that the use of biomass may be multiplied by 2 to 3 in order to reach the objective of having 20 per cent of energy come from renewable sources by 2020. Such an increase risks triggering overexploitation of forests and land-use change that may reduce global carbon stocks and turn biomass from a renewable into a non-renewable energy source.

In order to assess the real climate mitigation impact of biomass, emissions generated during production and use must be monitored and accounted for; this includes emissions from forestry operations. Biomass sustainability criteria must also include a well-defined set of indicators to ensure good forest management.

By the end of 2009, the European Commission will report on the need for a sustainability scheme for biomass, possibly including a legislative proposal. To help shape the process, FERN, Birdlife, European Environmental Bureau (EEB)

and WWF wrote a letter to raise questions and outline basic principles that should be taken into account when elaborating sustainability criteria for biomass; this was sent to the Directorate Generals of Transport and Energy (DG TREN), Environment and Agriculture before the European Commission finalised its impact assessment at the end of July 2009.

DG TREN's official response to the letter was very weak. Sidestepping matters regarding accurate GHG methodology and verification of sustainable forest management, its only concrete point was linked to the NGO question regarding EU plans to address the social impacts of increased bioenergy production. The Commission replied, "Commission services continue to consider that it would be inappropriate to attempt to link social requirements to individual consignments of biomass." The argument of why consignments from biomass can

be linked with environmental but not social requirements is difficult to follow.

Exclusion of social criteria is clearly inconsistent with relevant international human rights conventions to which the EU is party and the Convention on Biological Diversity. Discussions with DG TREN on points not addressed in their response have also proved worrisome: FERN is not convinced that the Commission will properly take into account emissions from forest management or establish stringent criteria to guarantee good forest management.

If those largely responsible for regulating carbon-emitting activities cannot address the details contributing to climate change, how do they propose to address one of the largest environmental crises of our time? Despite the need to address climate change, the lack of willingness to take its causes seriously appears to remain deeply ingrained in the bureaucracies mandated to address them.

Climate haggling... to be continued

Following on from the Bonn II meeting (FW 140), the third in a series of UN climate talks took place 10-14 August 2009. The G77 pushed for all sessions to be open and, despite early concerns, transparency was the name of the game.

A REDD contact group, formed under the Ad Hoc Working group on Long-Term Cooperative Action (AWG-LCA), identified areas of convergence in the REDD negotiating text.¹ Its paper will

be used as the basis for negotiation in Bangkok, although environmental NGOs expressed concern over failure to include protection of natural forests in the consolidated text. More positively, reference to indigenous peoples' rights and biodiversity safeguards were included, although the text was placed in "brackets," which means these still need to be finalised.

No agreement was reached regarding REDD financing or the inclusion or

exclusion of REDD in carbon-trading. It is important to note however that an increasing number of developing country delegations stressed that industrialised countries have an obligation to pay for Nationally Appropriate Mitigation Activities (NAMAs) without expecting offsets credits in return.

1. http://unfccc.int/files/meetings/ad_hoc_working_groups/lca/application/pdf/redd140809web1.pdf



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NEWS IN BRIEF

On 21 September, organisations and movements around the world will highlight the negative social and environmental impacts of monoculture tree plantations during the **International Day Against Tree Monocultures**. The World Rainforest Movement website provides campaigning material documenting the impacts of monoculture tree plantations as well as offering the opportunity to sign on to the declaration 'Stop the expansion of monoculture tree plantations!' For more information see www.wrm.org.uy

Liberalising investments with the aim of opening markets appears to be incompatible with sustainable development of resource-based activities. FERN is therefore publishing a new briefing note, "**From Rome to Lisbon**," a guide to the EU's investment strategy (www.fern.org). The guide explores the EU's controversial role in developing investment provisions in the free trade agreements it concludes with third countries.

BUND (Friends of the Earth Germany) have published a report that details the **extent of forest mismanagement in Germany, titled "Blackbook Forests"** (www.bund.net/schwarzbuch-wald). Through the use of 15 case studies, the report exposes breaches of national and European legislation in 11 states across Germany. Examples include clear-cutting, illegal felling of old forest stands and extensive damage to forest soils during timber harvesting. The case studies cover all types of forest ownership but concentrate on state-owned and municipal forests. The study further indicates that a large number of the cases were found in forests certified by the PEFC. All PEFC certificates remain in place despite the documented breaches of law, according to BUND. To have a chance of achieving the national biodiversity strategy and of being credible internationally, BUND calls on the German government to significantly increase the areas of strictly protected forests in Germany, which currently stands at 0.5 per cent.

UK timber procurement: Help shape criteria

As announced in July's Forest Watch (FW 140), the UK Government has begun a consultation regarding inclusion of social criteria in timber procurement. The Government had previously interpreted the EU public procurement directives as not permitting contracting authorities to include the social criteria that are integral to meaningful definitions of sustainable forest management. However, as FERN and WWF argued with the support of various legal studies,¹ excluding social criteria is inconsistent with relevant international conventions and out of step with all other EU Member States that have timber procurement policies.

That the UK now proposes that certain social criteria are suitable for inclusion in public sector contract requirements is a very positive development. The criteria

the UK refers to include:

- (1) clarification, recognition and respect of legal, customary and traditional rights related to the forest;
- (2) mechanisms for dispute resolution between timber operators and local people;
- (3) freedom of workers to organise and negotiate.

From this starting point, the Government aims to review and amend the definition of legal and sustainable timber. The consultation process to provide evidence is now underway, but will close by 21 October 2009. Find out more at www.proforest.net/cpet/review-comments-1/current-reviews-and-consultations.

1. See "Towards a Sustainable Future, timber procurement policies in the EU," FERN, March 2009.

The Saami Council applauds breakthrough

The long-standing dispute over the use of the traditional reindeer-grazing lands in Nellim, Finland, between the Saami reindeer herders and the state-owned Finnish forestry company Metsähallitus was settled on 24 August 2009, concluding a five-year legal dispute¹ about the sufficiency of winter pastures. The Saami Paadar brothers brought the case, contending that Metsähallitus' logging activity would destroy the free reindeer-herding on common pastures.

Metsähallitus agreed not to log 90 per cent of the forests on the Paadar brothers' grazing lands. In its harvesting activities on the remaining 10 per cent, it agreed to take reindeer husbandry into account by, e.g., not ploughing moraine ground and sparing trees rich with hanging lichen. The agreement and previous decisions set a logging ban for nearly 16,000 hectares of Nellim's total 27,000-hectare commercial forest area.

President of the Saami Council Mattias Åhrén expressed admiration for the

Paadar brothers and 'deep appreciation' of Metsähallitus regarding the precedent-setting Nellim agreement and hopes that, in other Saami area, Metsähallitus and other companies live up to the standards now set.²

1. www.forest.fi/smyforest/foresteng.nsf/tiedotteetlookup/43C11A2B1F0B8CA8C225761C002ECB55

2. www.saamicouncil.net/?newsid=2688&depid=2192&languageid=4&NEWS=1

Forest Agenda

8-10 September: UN REDD meeting on forest degradation, Rome, Italy.

11 September: UN REDD MRV meeting, Rome, Italy.

11 September: Council Working Party on Due Diligence Regulation and Ghana VP.

21 September: International day against monoculture tree plantations.

22-23 September: UN Heads of State summit and UNGA High level REDD meeting.

28 September - 9 October: UNFCCC meeting in Bangkok, Thailand.