

EU Forest Watch

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

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Climate, energy and environment change

Commission president Barroso has unveiled his new team of commissioners, including at the newly created DG Climate Action where Danish climate and energy minister Conny Hedegaard will take the job. She will be responsible for the EU's international climate strategy, EU Emissions Trading Scheme (ETS) and industrial emissions and ozone layer protection. As a result of this and others DG Environment will be scaled down significantly.

Before the announcement, a group of MEPs on the Environment Committee led by Chair Jo Leinen, spoke out against the plans to split DG Environment into two. Instead, they proposed to empower DG Environment by having two heads: one for environment and one for climate. A separate DG Climate Action might allow short-term economic interests to interfere and conflict with effective and sustainable climate policies. After the final vote of the European Parliament, the new Commission will take office in February. DG Climate Action is to be set up by summer 2010.

Similar concerns regarding how the priorities of energy policy and environmental protection will be balanced may be raised with regards to the Treaty of Lisbon, which entered into force 1 December 2009. For instance, the newly separate Title XXI Energy, Article 194(1) states that Union policy on energy shall pursue its aims – including, (c) “promote energy-efficiency and energy-saving and the development of new and renewable forms of energy” – while having “regard for the need to preserve and improve the environment.” While such inclusions are positive, how such “regard” will be interpreted in practice, or indeed how the new title will interact with Title XX Environment, will be revealed through implementation and when disputes are decided by the European Court of Justice.

Biomass: binding sustainability criteria needed

On 23 November 2009, European NGOs, including WWF, Birdlife, FERN, EEB and FoE wrote to European Commission president Barroso urging his support for legally binding sustainability criteria for biomass. The letter¹ was written in response to information coming out of the Commission suggesting it planned to propose only voluntary standards or recommendations.

Without binding sustainability criteria, cheaper, more destructive forms of biomass could predominate; the EU goal of halting biodiversity loss by 2010 would come under threat from increased

pressure on forests; EU accounting of greenhouse gas emissions would be skewed by inadequate representation of biomass-related emissions; and unfair competition between biomass sources would be encouraged.

The NGOs that signed the letter now call on Member States to ask the European Commission to propose legally binding criteria for biomass. Success on this issue is increasingly important as the Renewable Energy Directive is expected to give the use of biomass for energy purposes a significant boost.

1. www.fern.org/barosso biomass letter

A binding forest agreement?

Would a binding pan-European forest agreement ensure better protection? An external review of the MCPFE,¹ presented during its last Expert Level Meeting, concluded that the organisation must assess its future role on a number of strategic issues. Yet before a clear path forward has been established, a discussion about a legally binding pan-European agreement on forests was launched. Forests are currently addressed in other legally binding agreements such as the Convention on Biological Diversity (CBD), but these are not always properly implemented. The MCPFE should prioritise analysis of why existing initiatives to protect forests have to date failed to achieve their objectives before launching discussions about a new binding agreement. The first step to ensuring success is to have a clear and agreed aim for a legally binding agreement and so far, this has been missing from discussions.

1. Ministerial Conference on Forests in Europe, www.mcpef.org

FERN.org relaunched

FERN's website has been relaunched to give you easier access to our documents, more opportunity for us to highlight important issues and the possibility to get more easily get involved by signing up for Forest Watch, press releases and publications alerts. Please have a look around and let us know what you think by contacting info@fern.org.



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Photo: Jutta Kill

NEWS IN BRIEF

“**The Story of Cap-and-Trade**,” a brief film by the creators of “The Story of Stuff,” takes a humorous look at carbon trading and explores problems of existing schemes, including “free permits to big polluters, fake carbon offsets and, most importantly, distraction from the significant tasks at hand in tackling the climate crisis.” The www.storyofstuff.com site features organisations working toward real climate solutions and offers other resources, including a footnoted script.

“**The CO2 Alibi**”, a film previously highlighted in ForestWatch is now available in Dutch with English, Portuguese, French or Spanish subtitles by contacting info@fern.org. The film exposes a carbon-offset tree-planting project in Uganda that allows coal-fired power plants in the Netherlands to continue polluting while denying farmers in Uganda access to the land they depend on for their subsistence. The documentary is available to view on-line at <http://zembra.vara.nl/>.

Forest offset projects found lacking:

Greenpeace’s report, “Carbon Scam: Noel Kempff Climate Action Project and the Push for Sub-national Forest Offsets,” reveals that the well-known Bolivian ‘avoided-deforestation’ project, is extremely weak. Estimates of the emissions reduction have fallen almost 90 per cent, from about 55 to 5.8 million metric tonnes of CO₂. A 2002 report by Winrock International (<http://tinyurl.com/yay8vre>) estimates that ‘leakage’ at the project (the moving of deforestation to another location), could be as high as 42 to 60 per cent.

In “**Brazil: The Money Tree**,” FRONTLINE/World and the Centre for Investigative Reporting in association with Mother Jones magazine expose the impacts of a second carbon offset project involving The Nature Conservancy in Paraná, Brazil (www.pbs.org/frontlineworld/stories/carbonwatch/moneytree/). The Nature Conservancy’s website describes it as ‘an invaluable contribution to the preservation of the planet’s biodiversity’, but makes no mention of the negative impacts on local communities.

First US illegal timber investigation

The US Fish and Wildlife Service is carrying out its first investigation into imports of illegally sourced timber into the United States, using the recently amended Lacey Act (see FW 129). The NGO Environmental Investigation Agency (EIA) has welcomed this action as “an important signal that US law enforcement is taking the amended Lacey Act seriously. ... Implementing and enforcing this law is critical to the US government’s efforts to reduce our role in deforestation worldwide.”

The investigation is of Gibson Guitars for the illegal import of rosewood from Madagascar. This is particularly interesting as the company has a high environmental profile. Its CEO sat on the board of the FSC-certification body Rainforest Alliance, but has now

stood down.

Still more relevant is that Gibson did have a chain of custody for (most of its) certified timber. The FSC chain-of-custody audit of Gibson in 2008 did not cover rosewood from Madagascar, which “is not FSC-certified nor is it allowed in any FSC-certified product.”¹ However, certified and non-certified timber was possibly stored in the same place and could easily become mixed.

This again demonstrates that the timber-tracking processes of existing certification schemes are not strong enough to verify legality – something the EU should take into account when negotiating and implementing VPA agreements.

1. www.rainforest-alliance.org/forestry.cfm?id=gibson_usfws

Palm oil funding frozen

World Bank President Robert Zoellick has announced a global freeze of all World Bank Group funding of the palm oil sector.¹ The decision follows a detailed complaint by Indonesian and international NGOs which triggered an audit showing how staff of the Bank’s private sector arm were disregarding due diligence procedures, thereby contributing to land-grabbing and forest destruction. The audit found that staff should look into the wider impacts of lending and not just the facility or processing plant being capitalised.

The Bank has now committed to a participatory engagement with stakeholders to develop a new investment strategy for the sector. The review will look into the structural obstacles posed by Indonesian laws and policies which prevent adherence to the Bank’s safeguard policies and will also review the soy and cocoa sectors in Latin America and Africa. An issues paper to kick-start the consultation is promised within two months.

1. http://www.forestpeoples.org/documents/prv_sector/bases/oil_palm.shtml

EU ratifies Ghana VPA

On 20 November 2009, Nana Bema Kumi, head of the Mission of Ghana to the EU, Commissioner Stavros Dimas of DG Environment and Eskil Erlandsson, Swedish agriculture minister, signed the Voluntary Partnership Agreement (VPA) between Republic of Ghana and the European Community to improve forest governance and control illegal logging. Although three VPAs have been finalised, this was the first agreement to be ratified by the EU. The legally binding text including all annexes is now publicly available.¹ According to the press release,² the first shipments of timber from Ghana licensed under the scheme are expected at the end of 2010. It is now hoped that implementation will be successful as to date it has been painfully slow. Ratification of the agreement between the EU and Congo is now also expected to be imminent.

1. http://www.illegal-logging.info/item_single.php?it_id=802&it=document

2. <http://ghanabusinessnews.com/2009/11/23/ghana-signs-novel-timber-deal-with-eu/>