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**Ministrca za okolje in prostor, ga. Irena Majcen**

Ministrstvo za okolje in prostor

Dunajska 47

1000 Ljubljana

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## NGOs call upon all parties to reach fair and effective deal during biofuels and ILUC trilogues

Dear Minister Majcen,

You will soon be taking a decision on how to reform EU biofuel policies in order to stop the damaging impacts from land-based biofuels on biodiversity, deforestation, greenhouse gas emissions, food prices and access of communities to their land. This is an early opportunity for you to start the transition towards a "more secure and sustainable energy system" as outlined in the Energy Union Communication.

With the start of the trilogue sessions, we would like to express our expectations for what the negotiating parties need to achieve: an agreement to halt further expansion of damaging land-based biofuels in European transport, to establish a system to account for all greenhouse gas emissions of biofuels and to further build a robust sustainability framework for all future renewables.

The European Parliament has set out sensible steps, consistent with its vision since 2008, that go some way to limit global land conversion for biofuel production, and raise the climate benefits of biofuels used in the EU. We hope it can be a prudent building block for agreement.

It is therefore of paramount importance that the final deal found between the Parliament and the Council includes the following issues:

### **1. Addressing the land-use conflict: the EU must limit the share of land based biofuels used to achieve EU renewable energy and fuel quality targets**

It is crucial to set a strong limit on the share of land-based biofuels contributing to the targets, which also applies consistently to all subsidies going to these fuels. This means setting the cap on conventional biofuels as low as possible (close to the 5% Commission or the 6% Parliament position), and applying it to all land-based biofuels (both food and non-edible energy crops)

and extending it consistently to both the Fuel Quality and the Renewable Energy Directives. Our organisations also advise strongly against the creation of any new blending mandates for conventional biofuels. These elements would contribute to improving the level of environmental ambition of the overall text and relieving the damaging impacts of the current policy on land and global food security.

## **2. Including the correct carbon accounting: the EU must take into account carbon emissions from indirect land use change (ILUC)**

To make this reform an effective tool to mitigate climate change, negotiating parties need to agree to acknowledge the basic problem of indirect land use change caused by increasing biofuels demand. This can be done by introducing a full and correct carbon accounting and reporting of ILUC in both directives. This means taking into consideration, at the earliest possible date, all carbon emissions, both direct and indirect, caused by expanding biofuels use. For the indirect emissions, ILUC factors, based on the best available science and on mean values rather than a range of values, should be incorporated into the carbon accounting. It also means that there should not be any language misleadingly overstating the 'provisional and uncertain' character of ILUC science. Finally, the ill-defined concept of 'low ILUC-risk biofuels' should be withdrawn because it is impossible to evaluate its effectiveness in mitigating ILUC and it raises serious concerns related to the promotion of harmful agricultural practices, the abuse of the concept of 'marginal' or 'unused' land and the diversion of crop yield increases from food to energy.

## **3. Setting the basis for future decarbonisation of transport: promotion of sustainable advanced biofuels and long term sustainable solutions to decarbonise transport**

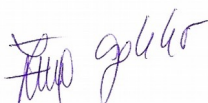
To ensure the transition towards a more secure and sustainable energy system, particular attention should be given first to a reduction in our energy needs through encouraging energy efficiency. Furthermore, the undersigned organizations believe that advanced biofuels will only be able to play a role in the decarbonisation of the transport sector if their promotion is linked to clear and strong sustainability criteria. Many of the raw materials considered for the production of advanced biofuels are already heavily demanded by other industries and their displacement for energy purposes may pose environmental risks. It is important not to make the same mistakes again, and support only biofuels that pass a comprehensive sustainability assessment. The list of advanced biofuels should be scrutinized by the European Commission and the waste directive's waste hierarchy and the principle of cascading use should be included in the sustainability criteria. That also means that the free prior and informed consent of local communities must be observed when their access to land and related human rights are at risk. Finally, other types of low carbon technologies such as the promotion of renewable electricity in road and rail as the real long-term solutions should be further stimulated by aligning the incentives for electric vehicles with advanced biofuels.

The negotiating parties now have an opportunity to reinstate environmental and social credibility in this biofuels reform. The Council's position, which is significantly worse from the perspective of increased greenhouse gas emissions, food competition, biodiversity and pressure on land, should be improved by incorporating elements from the Parliament and Commission. In this regard, we note that the EU Commission, in its analysis of first reading positions, also "*regrets... [the significantly lowered level of environmental ambition](#)*" of the

Council's position and appears to look to the European Parliament position to balance the final outcome.

Now is the time to seize the chance to correct the policy mistakes of the past and make a head start for the options of the future. Future investments and their sustainability are in your hands. We look forward to working with you to achieve that, and we remain fully available to further discuss this reform.

Yours faithfully,



**Živa Gobbo**

Predsednica društva

Focus, društvo za sonaraven razvoj, Maurerjeva 7, 1000 Ljubljana, Slovenija.

***On behalf of the following organisations:***

***Focus, društvo za sonaraven razvoj***

***ActionAid***

***BirdLife Europe***

***European Environmental Bureau***

***Friends of the Earth Europe***

***Oxfam International***

***Transport & Environment***