

## **Result of the vote on Wijkman opinion on the RES Directive**

### **Targets**

The amendment to delete the 10% target for renewable energy in transport was voted down with 17 in favour and 36 against. Instead, the MEPs have almost unanimously adopted the compromise amendment (between the shadow rapporteurs from different groups), which reads:

*3. Each Member State shall ensure that the share of energy from renewable sources in road transport is at least 4% in 2015 of final consumption of energy in road transport, out of which at least 20% is met by the use of electricity or hydrogen from renewable sources, biogas or transport fuels from ligno-cellulosic biomass and algae, and that the share is at least 8-10% in 2020, out of which 40-50% is met by the use of electricity or hydrogen from renewable sources, biogas or transport fuels from ligno-cellulosic biomass and algae.*

*The target for 2020 will be decided in 2015, subject to a major review of the overall experience of the policy for renewable energy for transport – with a special focus on the eventual negative consequences for food security and biodiversity as well as the commercial availability of transport fuels from lingo-cellulosic biomass and/or algae, biogas and the use of electricity or hydrogen from renewable sources.*

*Member States need to assure that any energy counting towards the targets in the first and second sub-paragraph fulfils the environmental and social sustainability criteria in Article 15.*

### **Sustainability criteria**

Sustainability criteria (articles 15-17) were extended to all energy uses of biomass and now also include social criteria.

### **GHG threshold**

Biofuels and other bioliquids that count towards the target and may get financial and political support have to reach at least 45% GHG savings, when the Directive will enter into force and at least 60% from January 2015.

Existing installations do not have to fulfil this requirement until 1 April 2013.

### **Environmental safeguards**

#### *Water and soil management criteria*

Irrespective of the place of cultivation, biomass for energy shall only be taken into account towards the targets if effective measures have been taken to prevent deterioration of water quality, excessive water consumption, air pollution or deterioration of soil quality.

### *High biodiversity land*

The MEPs have supported the amendment to add High Conservation Value land concept among the no-go areas due to high biodiversity value. Some other definitions in this article were strengthened, i.e. nature protected areas now include areas designated for the protection of rare and threatened species. The definition of 'forest undisturbed by significant human activity' and 'highly biodiverse grassland' are maintained.

### *High carbon stock land*

The MEPs have added savannahs and scrublands, but have unfortunately failed to adopt the amendment to exclude 'all' (not just pristine) peatlands and to exclude permanent grasslands and forest with 10% canopy cover (as is defined by FAO and UNFCCC).

### *The baseline date*

The baseline date for the protection of no-go areas was moved further in the past to November 2005, as proposed by the rapporteur Wijkman (we wanted the baseline date to be set as May 2003 – before the first Directive on the promotion of biofuels entered into force).

### *Biomass sustainability criteria*

The Commission will have to report on any further requirements for the sustainability scheme for biomass. In this respect, they will also have to take into account standards and regulations on sustainable forestry.

## **Social criteria**

Economic operators are required to show that the production was done in accordance with respect of land rights, UN child protection norms, national laws relating to health and safety of workers, compliance with ILO conventions and recommendations. The Commission also has to monitor and report on the issues related with food security, land conflicts and displacement of peoples.

## **GHG calculation criteria**

### *Indirect land use change*

Risk adder for indirect land use was adopted, but at the level of 10g/MJ for all raw materials except those that do not require the use of arable, pasture, or permanent crop land. To include risk adder was one of the compromise amendments, but then the committee voted separately on different values of this risk adder (120g/MJ failed 13/39, 20g/MJ failed 17/33). The value of 10g means that approx. 12% penalty in terms of GHG savings will be added to all biofuels produced on arable land.

MEPs have also adopted proposal to give a mandate to a committee of independent experts to develop a mechanism, on how to include indirect land use change impacts. Indirect land use change was also included in the monitoring requirements by the Commission, as well as by the Member States.

### *Default values*

Default values for GHG savings for biofuels (Annex VII A and B), were deleted. Also the default values for land use change were deleted and will be replaced by the values for land use change provided by the IPCC.

Default values for other individual parts of the process (the so-called desegregated default values) are still in, and they are to be reviewed every three years. Values for emissions caused by indirect land-use change shall also be reviewed every three years based on the latest scientific evidence and may be adapted to land-use and feedstock specific values. The Commission will have to take into consideration regional and climatological conditions, when defining default values for cultivation. The rule for other default values was defined to represent 90% percentile (instead of just conservative).

### **Other aspects**

- ⇒ All peat related amendments were rejected.
- ⇒ The internal market clause (Member State cannot refuse biofuels from their market based on other sustainability criteria than the ones in the Directive) was maintained.
- ⇒ The verification scheme was improved. Now the Commission can revoke its authorisation to the voluntary certification scheme earlier, if there are doubts about the implementation of sustainability criteria and that the scheme is not transparent enough.
- ⇒ They have deleted the clause that biofuels produced from wastes, residues, non-food cellulosic material and ligno-cellulosic material shall count double towards the target and replaced it with the article that any support mechanisms (including financial incentives) shall be proportional to the GHG savings of specific renewable energy source in transport.
- ⇒ The Commission now has to maintain dialogue and exchange information relating to biomass for energy also with environmental and social NGOs.
- ⇒ The Commission also has to report on the availability, research and sustainability issues related with the use of 'second-generation' biofuels (while taking into account the waste hierarchy).
- ⇒ The review clause was adopted. The Commission shall immediately suspend the target, if case it has any negative impacts on food security.
- ⇒ The diesel specific annexes (Annex V giving specifications for a 7% blend if biodiesel and Annex VI providing specifications for a 10% blend) were deleted.