

Result of the vote on the Turmes report (ITRE 11 September 2008)

Targets

The MEPs have adopted the compromise amendment (between the shadow rapporteurs from different groups), which keeps the 10% target for the renewable energy in transport, but breaks it down into interim and sub-targets. In this way we will have a 5% target until 2015, 20% of which will have to be met by second generation biofuels or by electricity or hydrogen from renewable sources. From the 10% by 2020 target 40% will have to be met by these sources. Effectively, this means only 4% first generation biofuels until 2015 and 6% until 2010.

The whole target will also be subject of a major review in 2014, which will take into consideration all fuels in all transport (also maritime and aviation), technological development and availability of new technologies (electricity, hydrogen, waste biofuels), food security and biodiversity.

The contribution of renewable electricity in electric vehicles will count double to the target, while the calculation will be based on the share of renewable electricity in the average EU 27 energy mix.

Sustainability criteria

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

GHG threshold

Transport fuels from biomass that count towards the target and may get financial and political support have to reach at least 45% GHG savings, when the Directive enters into force and at least 60% from January 2015.

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

Environmental criteria

High biodiversity land

The MEPs have rejected the amendment to include High Conservation Value land in the no-go areas due. Otherwise, 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' was replaced by the definition 'primary forest and other wooded land', while 'highly biodiverse grassland' was maintained. Two other areas that were added were areas that provide basic ecosystem services (as defined by Millennium Ecosystem Assessment) and areas with substantial concentration in of rare or endangered species that are recognized by international agreements or form part of the IUCN red list.

High carbon stock land

The MEPs have extended this article to include peatlands, savannahs and scrublands, and have also extended the definition of forests to a forest with 10% canopy cover (as

defined by FAO and UNFCCC). They have failed to add permanent grassland, which are also important carbon stocks.

The baseline date

The baseline date for the protection of high-carbon stock areas was moved further in the past to May 2003. (I am not sure about high biodiversity since there are still two different dates in my compromise amt, but I think that the one that was maintained was May 2003 as well).

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. Measures will also have to be taken to prevent the use of agrochemicals categorised as World Health Organisation Type 1A or 1B and Class 2 products, listed by the Stockholm and Rotterdam Conventions or controlled or on the candidate list under the Stockholm Convention on Persistent Organic Pollutants.

Also compliance with the following international conventions has to be demonstrated:

(f) compliance with the provisions of the following International Conventions:

(f1) Convention on International Trade in Endangered Species of Wild Fauna and Flora

(f2) Convention of Biological Diversity

(f3) Cartagena Protocol on Biosafety and

(f4) United National Framework Convention on Climate Change and its related Kyoto Protocol.

Social criteria

Economic operators are required to show that the production was done in accordance with respect of land rights, without forced evictions or forced or child labour as defined by ILO conventions. All workers also have to have legal contracts and fair remuneration according to ILO conventions. The Commission also has to monitor and report on the issues related with food security, economic, social and environmental impacts of increased demand for biofuels.

Verification scheme

Verification scheme did not really change a lot, except that the procedure of comitology with scrutiny (which gives the European Parliament a right to veto such decisions) was introduced for the approval of different schemes and international agreements on biofuels. Also, the Commission can revoke its approval to a scheme or agreement, if there are doubts about its sustainability aspects.

GHG calculation criteria

Indirect land use change

The concept of the risk adder for indirect land use change was included in the Directive, although methodology still has to be developed at the later stage. To include the risk adder was one of the compromise amendments, but then the committee voted separately on different values of this risk adder (20g/MJ, 10g/MJ, 2g/MJ and 0). The MEPs supported 0g until the end of the year 2011. If the Commission does not develop methodology for different biofuel production pathways by that time, the value for the risk adder will be 40g CO₂/MJ, which basically means a penalty of around 46% for all biofuels grown on arable land (unless Commission says that they do not cause indirect land use change).

MEPs have also adopted a proposal that the Commission has to be assisted by a committee of independent experts and has to base its methodology on their opinion and on the best available scientific evidence. 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 two years starting in December 2010. The Commission will have to take into consideration regional and climatological conditions, when defining default values for cultivation. Producers and civil society experts will be solicited in this review. The rule for other default values was defined to represent 90% percentile (instead of just conservative).

Allocation method

The assignment of GHG emissions to co-products was changed from energy allocation to substitution method. This means that co-product will be accounted according to GHG emissions they replace.

Other aspects

- ⇒ All the amendments to include peat as a renewable energy source were rejected.
- ⇒ The definition of waste biomass was improved: only the SEPARATED collected biodegradable fraction of industrial and municipal waste may be used as biomass.
- ⇒ The Commission now has to maintain dialogue and exchange information relating to biomass for energy also with the civil society.
- ⇒ The Commission also has to report on the availability of the 'second-generation' biofuels.
- ⇒ 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.
- ⇒ The clause that the Commission will have to report on any further requirements for the sustainability scheme for biomass was deleted. But the Commission will

have to propose verification scheme for other energy uses of biomass (amt 889 to article 16).

⇒ Also, the paragraph that the Member States are not allowed to introduce stronger sustainability standards was deleted (however the double legal base of the Directive – environment and internal market - is maintained).