

# FOREST PROTECTION AND BIOENERGY: A BALANCING ACT OR A CONCERTED EFFORT TOWARDS DECARBONISATION?

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## INTRO

Bioenergy is believed to have a role in meeting the international and European Union's (EU) climate targets.

This might create issues from a biodiversity and ecosystems preservation perspective and has given rise to social, policy and legal debates.

One promising way to reduce the impact of bioenergy on forests is the **full application of the prevention principle** in forest management **and the principles of the circular (bio)economy**.



## QUESTIONS

1. Are the **prevention principle** and the **principles of the circular bio-economy** properly considered in the relevant legislation?

2. Which **adjustments** should be considered to give full application to these principles?

## STATE OF PLAY

### Data and info on EU forests\*:

Forest areas cover about **44%** of the EU land area.

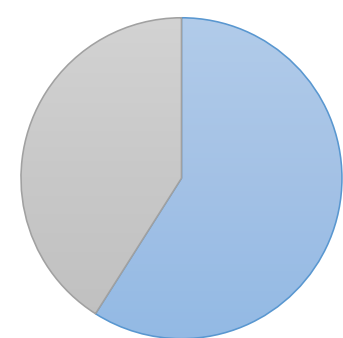
Forested area in the EU has been **generally stable** over the last 20 years but has been **subjected to pressures**.

There are **concerns** over the long-term **health** and **stability**

**Biodiversity decline** represents a prominent issue.

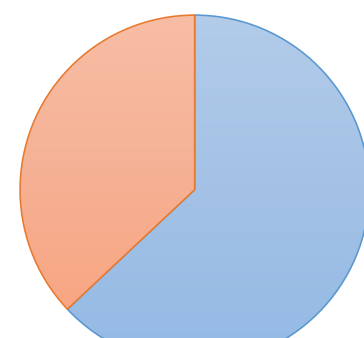
### Data on wood use for bioenergy\*:

Renewable energy in the EU (2016)



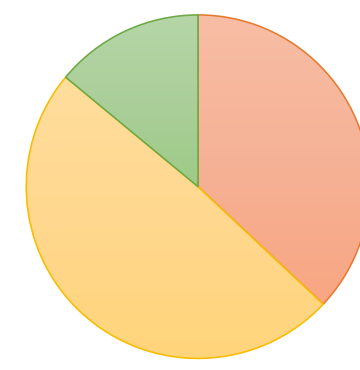
Bioenergy Other

Energy use vs other uses for wood (2015)



Wood used for energy Other uses

Type of wood used for energy (2015)



Primary wood Secondary wood Uncategorised

\* Various sources, reference on request

### Info on the use of forestry waste\*:

**Not all biomass should be removed** from the site.

Different types of **residues** have **different ecological roles** and **impacts** of removals vary.

**Afforestation, reforestation, conversion to plantations** are associated with different impacts.

## LEGAL ANALYSIS – identified issues and discussion

### Waste Framework Directive and Renewable Energy Directive II & III

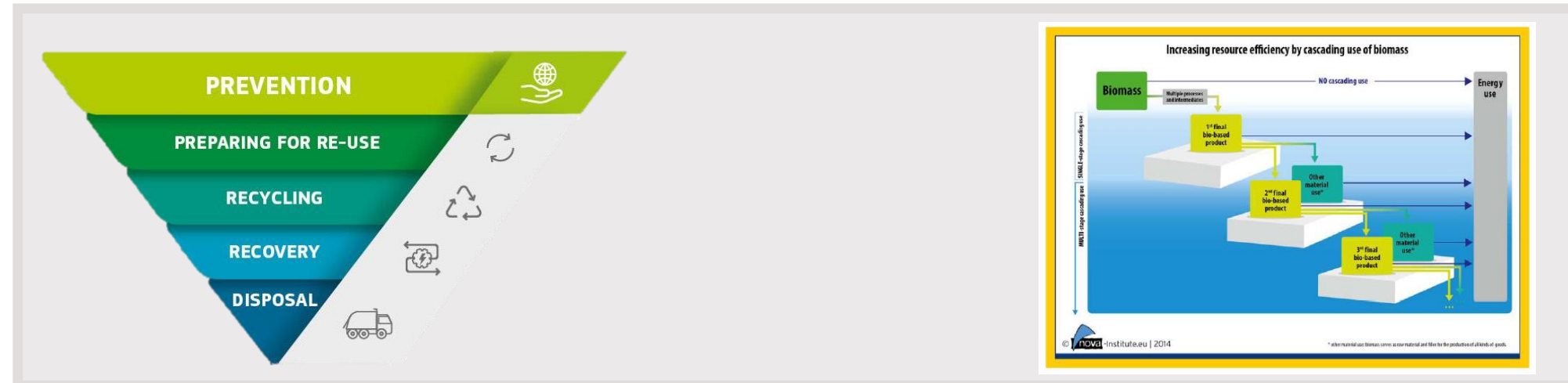
#### WFD

Key text for waste valorisation → **Concept of waste**

**Forestry waste and residues can be considered waste** (e.g. European list of waste)

HOWEVER Article 2(1)(f) WFD foresees an **exclusion** from the application of the WFD

➤ Effects on the **application of the waste hierarchy and cascading principle** (Figures\*)



#### RED II & III

**Waste valorisation** is currently achieved **through the definition of- and regime for advanced biofuels** (thus limited application).

**There is no ample space dedicated to the waste hierarchy and no reference to the cascading principle.**

**Forestry waste and forestry products** have to comply with 2 sets of criteria (to be counted towards the renewables target and eligible for support):

1. **Sustainability criteria** (Art 29(6);
  2. **LULUCF criteria** (Art 26(7);
- Both sets of criteria have been considered **insufficient** → prop. RED III partially addresses some concerns.

**GHG emission savings criteria are established for the use of biofuels, bioliquids and biomass fuels** (irrespectively of the kind of biomass used);

- Also **imperfect**: partial lifecycle accounting re: emissions and implicit carbon neutrality position of biomass.

### Discussion

**There should be no flexibilities** with **problematic implications for the cascading principle and the waste hierarchy** unless justified by life-cycle thinking and environmental reasons → re-consideration of the exclusion as per Art 2(1)(f).

Some of the issues of the current framework are addressed in the RED III Proposal + better alignment with the EU climate, environmental and circularity objectives:

➤ strengthened sustainability and GHG emission savings criteria + reference to and better alignment with the waste hierarchy and the cascading principle.

BUT: the **prevention and precautionary approaches and cascading use principle** would call for **not incentivising the use of primary wood for energy and incentivising circular, cascading and sustainable pathways**.