

YLRC, third edition: “Back to the basics: Using fundamental principles of law to address contemporary challenges”

Hasselt University, 16 December 2022

Poster abstract (367 words)

Forest protection and bioenergy: a balancing act or a concerted effort towards decarbonisation?

Elisa Cavallin, Hasselt University

Bioenergy is believed to have a role in meeting the international and European Union's (EU) climate targets as biomass is considered one of the few alternatives to fossil fuel feedstock, especially in specific sectors. Forestry biomass already plays a role in decarbonisation: a large amount of forestry biomass is being used, in addition to other types of biomass, to produce bioenergy. This creates 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 biomass production on forests is the full application of the prevention principle in forest management and the principles of the circular (bio)economy: the circular use of wood and wood products and prioritisation of the use of forestry waste and residues for bioenergy within certain parameters are of vital importance in the pursuit of a genuinely sustainable and future-oriented energy transition.

These objectives call for adjustments to the current legal framework, particularly with respect to the EU waste and renewables legislations in order to introduce, incentivise and give proper implementation to the principle of the cascading use of biomass and to enhance the application of the waste hierarchy in relation to forestry (waste) materials as both concepts – cascading use and waste hierarchy – are crucial in the pursuit of materials circularity in both the product and waste phases. In addition, a meaningful incorporation of the prevention principle into forest management would require considering disincentives to, and possibly the exclusion altogether of-, the use of primary wood for energy.

In short, this poster intends to show that forest protection and bioenergy are not intrinsically incompatible; on the contrary, they can function in a concerted way to achieve decarbonisation objectives provided that intelligent biomass pathways are created and nurtured through synergetic and effective legislation based on well-known and less well-known principles, and their coherent and harmonised implementation and application across the EU.

Bio

Elisa Cavallin is a PhD researcher at Hasselt University. Her PhD is framed within the FWO-SBO project BASTA (Biochar's Added value in Sustainable land use with Targeted Applications) and entails a legal assessment of biochar, following the biochar value chain from production to use.

Elisa holds a Master's degree in Law (University of Padua, IT) and an LL.M. in International and European Law (Ghent University, BE).

In 2017, she worked as a legal researcher at Ghent University for a short-term project in collaboration with Utrecht University which led to the drafting and publication of a comparative report and article on the application of the EU species protection law with respect to renewable energy projects across several EU countries. In 2018 and 2019, she worked in the European Parliament.

Her fields of work and interest include environment and biodiversity, energy, agriculture, animal welfare and human health.