

## Bioenergy in renewable energy directive

Joint Paper from Bulgaria, Czech Republic, Estonia, Finland, France, Latvia, Lithuania, Poland, Romania and Slovenia

EU is in the middle of energy crisis and most of European countries are struggling with energy security and rising prices. At the same time, bioenergy continues to be the main source of renewable energy in EU, with a share of 60 % and it is mostly produced domestically within the EU. Therefore, bioenergy has become extremely important energy source and the importance has only elevated during this energy crisis when phasing out Russian fossil fuels. We will face very difficult couple of winters, but we are in a far better situation with bioenergy than without it because, in the EU, bioenergy is part of sound and thoroughly planned energy policies, that interact with a clear and ambitious regulation concerning the LULUCF sector.

The only way to replace the imported fossil fuels and improve our resilience is to use all domestic renewable energy sources available. Naturally, we need to be careful not to increase unsustainable uses of any energy sources. However, concerning the renewable energy directive revision (RED III), the European Parliament has taken a position where it would restrict the use of all primary woody biomass. In addition to quality round wood, this means also forestry residues such as thinnings, tops and ranches, which make up a significant portion of the biomass used for energy in many EU countries. Through careful practices, a measured harvest of the aforementioned resources/feedstock can perfectly be conciliated with considerations of biodiversity and soil fertility. These careful practices are, precisely, at the core of the RED II and of the proposal of the RED III.

The Parliament's position would also restrict all primary woody biomass in transport sector. This would be contradictory to the list of feedstocks in Annex IX Part A of Renewable Energy Directive, where in point (o) it is especially mentioned biomass fractions of waste and residues from forestry and forest-based industries as well as introducing an important confusion and juridical uncertainty with regard to the provisions on the cascading principle, which are supposed to address the same challenges.

Furthermore, it seems that the proposal of European Parliament would mean that biomass fuels from primary woody biomass could not be taken into account in the EU's Emission Trading System (ETS) and would, therefore, not be able to declare this biomass as renewable energy source with 0 CO<sub>2</sub> emissions. This will make the primary woody biomass a bigger CO<sub>2</sub> emission source than coal and will trigger significant increase in heat energy costs that is unacceptable in current and possible future energy price crisis. Sustainable biomass should remain eligible for a zero emissions factor.

If such amendments are made to the directive, it would significantly restrict the biomass use for energy in EU and the replacement of imported fossil fuels would slow down. Therefore, the definition of primary woody biomass and proposed limitations by the European Parliament should be deleted. Forest biomass from pre-commercial thinnings, small diameter round wood, trees extracted from forests affected by fires, pests, diseases or damage due to abiotic factors, and wastes and residues from forestry and forest industry should stay as an eligible source for all renewable energy targets, as reflected in the derogations introduced by the Council in the article 3(3).

The signatories also want to highlight the importance of the risk-based approach when minimizing the risk of using forest biomass derived from unsustainable production pathways. We strongly support the Council's General Approach, where the so-called "no-go areas" of forest biomass have been moved under the risk-based approach (line 284b and line 286b) and the harvesting criteria is well-structured (line 290 and 292). Circumstances among the forests of each member state vary a lot and it's essential part of the risk-based approach that member state can use national or sub-national laws

as well as monitoring and enforcement systems when demonstrating compliance with the sustainability criteria.