INTERNATIONAL CONFEDERATION
OF EUROPEAN BEET GROWERS

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CIBE, founded in 1927, represents 440 000 sugar beet growers from 16 EU sugar beet producing countries (Austria, Belgium, the Czech Republic, Denmark, Finland, France, Germany, Greece, Hungary, Italy, the Netherlands, Poland, Romania, Slovakia, Sweden and the United Kingdom) plus Switzerland and Turkey.
CIBE represents and defends the interests of beet growers within the European Institutions and international organisations on fundamental issues such as: the EU Sugar Regulation ; the Common Agricultural Policy (see "CIBE's First Contribution to the Debate on the CAF after 2013" http://www.cibe-europe.eu/stats.html#Press); international and bilateral negotiations on free trade agreements ; agronomic and technical beet issue ; sugar, sugar by-products and bioenergy market issues ; environmental issues (see CIBE-CEFS brochure "The EU Beet and Sugar Sector – A Model of Environmental Sustainability" http://www.cibe-europe.eu/stats.html).
CIBE delegates meet to collect and exchange information, present and discuss problems and draw up common positions.
CIBE is a permanent expert observer at the EU Committee of Professional Agricultural Organisations (COPA/COGECA), and holds a seat at the Executive Committee of the World Association of Sugar Beet and Cane Growers (WABCG). CIBE is also a non-governmental organisation recognised by the United Nations (UNCTAD, FAO, ISO).

CIBE contribution to the EC Public Consultation on Indirect Land Use Change and Biofuels

QUESTION 1: Do you consider that the analytical work referred to above, and/or other analytical work in this field, provides a good basis for determining how significant indirect land use change resulting from the production of biofuels is?

REPLY:

Several existing analytical studies, including those commissioned by the European Commission, contain **interesting results**, **but** some of the findings are **doubtful and/or inconsistent**, as well as based on **incorrect assumptions**.

Taking the example of the publication "Global Trade and Environmental Impact Study of the EU Biofuels Mandate", conducted by IFPRI (the International Food Policy Research Institute) for the European Commission, some of the findings are particularly interesting:

- Biofuel development as promoted under the EU Renewable Energy Directive (RED) (2008/28/EC) would actually have a negative indirect land use change (**ILUC**) effect on greenhouse gas (GHG) emissions, which would however be **low** and therefore allow for a **net reduction in the GHG** emitted by the transport sector in the EU.
- **Sugar beet** has the **lowest marginal negative ILUC effect among all feedstocks** analysed, shortly followed by sugar cane. These are therefore the **most efficient feedstocks in terms of land use**.
- The consequences of RED, by 2020 compared to 2008, under current EU biofuels trade policy, would be that:
  - most of EU ethanol production expansion would be based on sugar beet (whose share in total EU ethanol production would increase from 41% to 45%)
  - the volume of sugar beet used for EU bioethanol production would increase by 190%
  - total EU sugar beet production would increase by over 9%.
- On the other hand, the consequences of complete liberalisation of biofuel trade, by 2020 compared to 2008, would be:
  - EU biofuel production would decrease by 48%
  - EU ethanol imports from Brazil would increase by 724%
  - EU ethanol imports from Central America and the Caribbean would decrease by 83%
  - sugar beet would be the most affected feedstock (its share in total EU ethanol production would decrease from 41% to 37%)
  - the volume of sugar beet used for EU bioethanol production would decrease by 50%
  - EU total sugar beet production would decrease by 2.5%.
- Similar consequences would result from an EU-Mercosur FTA.

However, some of the assumptions made in the report, as well as some of the results, are doubtful or incorrect:

- The negative ILUC effect (in terms of marginal indirect land use emissions) for EU ethanol produced from sugar beet would be the lowest of all feedstocks under current trade policy (16 g CO_2/MJ) but it would be much **higher under a free trade scenario** (65.5 g CO_2/MJ). This finding does not seem to make any sense, and it is not clear how the authors draw this conclusion.
- The report does not properly take into account **high protein biofuel co-products** and therefore minimises the positive impact of certain biofuels, such as sugar beet ethanol, on ILUC. EU beet ethanol production has **positive ILUC effects**. In fact, vinasse and pulp are co-products derived from beet ethanol production and can be used for animal feed, releasing land used for the production of traditional feed crops. In particular, the production of bioethanol from 1 hectare of sugar beet provides an amount of animal feed co-products corresponding to 1.3 hectares of traditional feed crops, namely soy bean and fodder barley. In fact, processing the beet harvested on 1 hectare of land into ethanol, co-produces vinasse in a quantity which, based on its useful protein content, corresponds to the soy meal produced from over 0.73 hectares of soy bean. At the same time, processing the beet harvested on the same 1 hectare of land into ethanol, co-produces pulp in a quantity which, based on its metabolic energy, corresponds to the fodder barley produced on over 0.6 hectares. This means that **the production of beet ethanol in the EU can release more land than it uses**.
- The authors assume that the removal of the land set-aside in the EU would lead to a **fall in EU yields** from 2007 to 2020 by an average of 10%! This assumption is **highly questionable**.
- The study suggests that just **5.6%** of the RED target (10% renewables in transport by 2020) could come from biofuels. However, this figure was based on the assumption that over one in five of all new cars would be electric by 2020, twice as high as the highest estimate from the EU car industry. Later EC officials declared that the share of biofuels in 2020 would probably be around 8.6%, because mass-market electric cars are still far away.

In addition, the existing studies suggest in general that any increase in agricultural **yields** is linked to an increase in the use of inputs such as fertilisers and/or the introduction of GMO crops, and that the potential for yield increases in the EU is very low. The experience of sugar beet growing in the EU proves exactly the opposite: **sugar beet yields in the EU have increased by about 33% since 1990, without the introduction of GMOs and while at the same time reducing the use of inputs such as fertilisers** (in major EU producing countries, the use of mineral nitrogen fertiliser has decreased by 30% over the last 10 years) **and plant protection products** (which use decreased for example by 50% between 2002 and 2007 in the Netherlands) (please find further details on this issues and on the overall environmental sustainability of EU beet growing in the CIBE-CEFS brochure "The EU Beet and Sugar Sector: a Model of Environmental Sustainability, available from http://www.cibe-europe.eu/Press/Brochure%20CIBE-CEFS%20Final_05.05.2010.pdf).

In general, when using assumptions related to agricultural activities such as yields and production evolution and forecasts, as well as farmers decision-making, analytical work should **involve the know-how and expertise of the farmers' community**, which can provide updated and accurate data on the agricultural sector, such as crop production, input use, yields and area.

Finally, some studies suggest forecasts based on wrong or uncertain **assumptions** regarding agricultural production, without taking into correct account the current and forthcoming **regulatory and market framework**, in terms of both EU agriculture and trade policies.

Overall, the existing analytical work on ILUC is not sufficiently accurate. It shows **serious discrepancies and uncertainties**. And there is **no single and widely-recognised methodology** for analysing ILUC. Therefore, the existing analytical work is **not yet sufficient as a basis for deriving policy measures** on ILUC and it **should be improved and complemented** also through the **involvement of the relevant stakeholders** on the definition of the basic assumptions and a **continuous update** of the baseline agronomic and regulatory scenario.

QUESTION 2: On the basis of the available evidence, do you think that EU action is needed to address indirect land use change?

REPLY:

The issue of ILUC, as well as that of "land grabbing"[1] are serious and could have negative effects **in certain regions of the world**, such as GHG emissions, biodiversity loss and food-fuel competition, especially in developing countries.

As demonstrated by the existing analytical work, ILUC occurs in third countries!

On the other hand, within the EU, regulations to prevent negative land use change, such as the CAP cross-compliance, already exist. The European farmers producing raw materials for biofuels comply with these regulations. Therefore, any ILUC regulation that attributes GHG emissions originating from land use changes in third countries to European farmers would only misrepresent where responsibility lies. European farmers cannot be made liable and be penalised for production methods and lack of legislation (or of its enforcement and verification) in other countries.

The EU should monitor the unintended effects of its policies in order not to undermine the EU efforts towards the objectives of those policies:

- decreasing EU GHG emissions
- reducing EU energy dependence
- diversifying EU energy supply
- developing EU rural areas and economies.

However, the criticisms against the negative effects of certain bioenergy production pathways in certain regions of the world, and mainly in developing countries, should **not put at risk the general public acceptance of bioenergy production in the EU which, in fact, is done sustainably**, and can therefore strongly contribute to the objectives mentioned above.

It is therefore essential **to recognize the benefits of those bioenergies**, **such as EU beet ethanol and gas**, which have been proved to drastically reduce GHG emissions without causing either land-grabbing or negative ILUC effects, and which therefore deserve to be supported and further developed.

EU sugar beet ethanol and gas not only comply with the strict sustainability criteria set by the RED, but they are also among the most sustainable available sources of energy in the EU. Particularly when it comes to climate change and land use, **sugar beet stands out as the best energy crop in Europe**, thanks to the lowest GHG emissions, the highest energy yield per hectare, and an overall proven sustainability also linked to the fact that it is a key rotational crop! In addition, compared to imported biofuels, the sustainability of sugar beet ethanol and gas is traceable and verifiable!

The **environmental benefits** and the **overall sustainability** of EU beet ethanol and gas are summarised in the following paragraphs:

- **EU beet ethanol emits at least 60% less GHGs than fossil fuel** (thereby going beyond the sustainability threshold of 35% set by the RED), and emits **less GHGs than any other biofuel in the cultivation phase**.

[1] Land grabbing refers to the practice of governments and companies to buy or rent land in developing countries (mainly in Africa) for the production of bioenergy and strategic food commodities to be exported to developed countries. Criticisms are in particular being raised against the EU-Brazilian triangular cooperation initiative, announced in July 2010, for the production of bioenergy in developing countries (e.g. Mozambique) with the aim, on the one hand, of expanding the operations of Brazilian bioenergy companies and, on the other, of supplying the EU bioenergy market and meet the 2020 renewable targets (see http://ec.europa.eu/enterprise/policies/international/files/2010-07-14-joint-statement_en.pdf, page 9). Such projects could have severe negative impacts on the developing countries concerned: reduction in food production, environmental damage, conflicts over land ownership and people displacement. According to research published on 30 August 2010 by Friends of the Earth, at least 5 million hectares are being acquired by foreign companies in 11 African countries for the production of biofuels mainly destined for the EU market.

- **EU beet ethanol has a highly efficient energy balance**: based on lifecycle assessments (from cultivation to distribution), 1 unit of energy is used to produce around 2 units of renewable energy (as a comparison, 1 unit of energy is needed to produce only 0.85 units of gasoline). In addition, the energy balance of beet ethanol is expected to constantly improve thanks to the diversification of energy sources used in beet processing, namely the replacement of fossil energy with biogas.
- **EU beet ethanol has high land use efficiency and does not compete with food**. In fact, sugar beet has the **highest bioethanol yield in Europe**: based on the average beet yield obtained in the EU over the last few years, around 6 500 litres of bioethanol can be produced from 1 hectare of beet (compared to 2 800 for wheat and 3 700 for maize). However, thanks to the spectacular beet yield increase in the last two crop years, **the current EU beet ethanol yield is above 8 500 litres per hectare** (this means that, **from 1 hectare of beet**, with only one harvest you can produce enough ethanol to **drive over 80 000 km**). In addition, land used for beet growing in the EU has been **under arable cultivation for decades**, and most of the ethanol beet suppliers are **long established farmers**. Finally, the **EU beet area dedicated to fuel ethanol production corresponds to around 100 000 hectares, less than 7% of total EU beet area** and, even in the most optimistic scenario, in 2020 this share would not exceed 30%, and would still represent an agricultural area **far smaller than the area released as a result of the EU Sugar Reform of 2006, which corresponds to over 800 000 hectares**. For all these reasons, it is clear that the production of fuel ethanol from beet in the EU **does not compete with the production of food**. Even better, EU beet ethanol production has **positive indirect land use change effects**. In fact, vinasse and pulp are **co-products** derived from beet ethanol production and can be used for **animal feed**, releasing land used for the production of traditional feed crops (the production of bioethanol from 1 hectare of beet provides an amount of animal feed co-products corresponding to 1.3 hectares of traditional feed crops, namely soy bean and fodder barley). This means that the **production of beet ethanol in the EU can release more area than it uses**. Vinasse and pulp can also be used to produce biogas, another valuable renewable energy source. In addition, other valuable co-products are obtained from beet ethanol production: plant residues and lime are used as organic fertiliser; betaine as fish feed; low temperature heat for district heating and greenhouse horticulture; and electricity.
- **Sugar beet is the most efficient crop for producing bioenergy in terms of water footprint**, defined as the volume of freshwater used for production. This great performance is achieved thanks to the high energy yield of sugar beet and its very moderate water requirements (which are 50% less than sugar cane).
- **The cultivation of EU beet for ethanol is conform to with EU cross-compliance** (strict and verifiable environmental standards), as required by the RED for biofuels produced in the EU, in addition to the **other sustainability criteria**. On the other hand, the same requirement does not apply to biofuels imported from third countries.

The development of EU sustainable bioenergy production is also strongly linked to a consistent external trade policy. This should:

- **allow the nascent EU bioenergy industry, which has invested heavily in recent years, to develop and become competitive**
- **ensure that there is a balance between internal bioethanol production and imports, as stated in Article 23.5.a of the RED (the EU already imports more than 25% of its fuel bioethanol consumption, excluding bioethanol imported in the form of mixtures with the aim of circumventing import duties)**
- **prevent unintended effects of EU bioenergy policies such as those related to ILUC and land-grabbing, which are closely related to EU imports of bioenergy from third countries.**

QUESTION 3: If action is to be taken, and if it is to have the effect of encouraging greater use of some categories of biofuel and/or less use of other categories of biofuel than would otherwise be the case, it would be necessary to identify these categories of biofuel on the basis of the analytical work. As such, do you think it is possible to draw sufficiently reliable conclusions on whether indirect land use change impacts of biofuels vary according to: feedstock type? geographical location? land management? If so, please say which, and indicate the evidence used to reach your conclusion.

REPLY:

It is clear that the **ILUC effect varies strongly according to type of raw material, land management, production pathway, regulatory framework and geographical origin.**

A particularly important variable is the **type of raw material**. In fact, the **land required** for the cultivation of raw materials to produce a certain additional volume of biofuels is strongly linked to **the energy yield per hectare** of each energy crop: **some crops, such as sugar beet, have a much higher yield per hectare than others!** Based on the average beet yield obtained in the EU over the last few years, around 6 500 litres of bioethanol can be produced from 1 hectare of beet (compared to 2 800 for wheat and 3 700 for maize). However, thanks to the spectacular beet yield increase in the last two crop years, the current EU beet ethanol yield is above **8 500 litres per hectare** (this means that, **from 1 hectare** of beet, with only one harvest you can produce enough ethanol to **drive over 80 000 km**). **When considering any additional use of a scarce resource such as land, the difference in land use efficiency and, in the case of biofuels, in energy yield per hectare, must be the first factor to be taken into account!**

In addition, land used for beet growing in the EU has been **under arable cultivation for decades**, and most of the ethanol beet suppliers **are long established farmers**.

Furthermore, sugar beet is a **rotational crop**, generally **grown in the same field only every three to five years, over 8 months** from mid-March to mid-November. It is practically **never grown in consecutive years**. As a root crop it has become a very valuable part of arable farming because sugar beet has the important effect of breaking up the mainly cereal-based crop rotations (as demonstrated in some EU countries, the cereal yield after beet can be 10-20% higher compared to the cereal yield after two years of successive cereals). This also means that **any additional sugar beet cultivation for bioethanol or biogas production would always be integrated as rotational crop in the cultivation of other crops**!

Another important variable consists in the **geographical origin** of the biofuel and of its raw material. In fact, **some regions of the world, and in particular in developing countries, present a higher risk of negative ILUC effects than others**, due to a **lack of land use and management regulations**, and/or to their **insufficient enforcement and verification**. On the other hand, regions such as in the EU provide the highest guarantee of responsible land use and environmental protection, thanks to a strict and verifiable regulatory framework that includes CAP cross-compliance and other RED sustainability criteria.

Having said that, so far it is not possible to draw precise, quantifiable and reliable conclusions on a differentiation of ILUC effects by type of raw material, land management, production pathway, regulatory framework and geographical origin. This is because the **existing data and analytical work is not sufficiently accurate** to allow such a differentiated calculation.

However, it is possible to recognise the different potential ILUC effects and risks of different biofuels based on raw materials, pathways and geographical origin. And, based on the consideration of this potential and risk, it is possible to direct public efforts towards, further analytical work, public monitoring, and development of regulatory framework and its enforcement and verification in certain regions of the word (especially in developing countries) where the risk of ILUC is higher.

QUESTION 4: Based on your responses to the above questions, what course of action do you think appropriate?

A. Take no action for the time being, while monitoring impacts including trends in certain key parameters and, if appropriate, proposing corrective action at a later date. Please say how the monitoring should be done and what these parameters should be.

B. Take action by encouraging greater use of some categories of biofuel. Please say which biofuels, why and what sort of encouragement should be given.

C. Take action by discouraging the use of some categories of biofuel. Please say which biofuels and why, as well as what sort of measure should be taken, for example: increasing the minimum greenhouse gas saving threshold for biofuels; imposing additional sustainability requirements on certain categories of biofuel (these could, for example, require the use of practices that can help mitigate indirect land use change impacts); attributing a quantity of greenhouse gas emissions from indirect land use change to all biofuels that use land. If the latter, please say how this should be calculated, and demonstrated – for example: a factor based on the estimated (modelled) land use change from a marginal extra quantity of crop production; a factor based on the average land use change from crops over some recent period; a factor based on any other consideration. Please also say whether it should be reviewed and if so how often; whether it should be implemented with any accompanying measures

D. Take some other form of action. Please say what action and why

REPLY:

Based on the arguments explained replying to the previous questions, it is clear that:

- Although the **ILUC effect varies strongly according to type of raw material, land management, production pathway, regulatory framework and geographical origin, so far it is not possible to draw precise, quantifiable and reliable conclusions on a differentiation of ILUC effects according to these criteria**, because the **existing data and analytical work is not sufficiently accurate** to allow such a differentiated calculation.

- The **worst possible response** to the risk of ILUC would be **to apply the same ILUC penalty to all biofuels**. Attributing the same quantity of GHG emissions from ILUC to all biofuels (or even to all those that use land) would penalise them all and would result in an **unfair treatment towards those biofuels that have no negative ILUC effects or even positive ILUC effects, such as sugar beet ethanol and gas**. In addition, such a measure would **disincentives authorities and operators, in those third countries and for those biofuels that present a risk of ILUC, to improve their practices and sustainability** through, for example, local or regional regulatory measures **against land use changes**.

- **Based on the recognition and consideration of the different potential ILUC effects and risks of different biofuels (according to different raw materials, pathways and geographical origin) it is possible to direct public efforts towards:**
  - **Further analytical work, field research and empirical review towards a better understanding of ILUC and its impacts, as well as towards the development of objective standards for reliably assessing the ILUC effects of each specific raw material.** This work should also be done through the involvement of the relevant stakeholders on the definition of the basic assumptions and a continuous update of the baseline agronomic (raw materials production and yields, co-products, …) and regulatory (agricultural and trade policies) scenario (see more details in the reply to question 1).

- **Public monitoring, analysis and evaluation of the implementation of the RED sustainability criteria in third countries, and in particular on the ILUC impact of the RED implementation in third countries.**
- **Development of an appropriate regulatory framework (e.g. targeted and effective regulations against land use changes) in those regions of the word (especially in developing countries) where the risk of ILUC is higher.**
- **As well as improvement in the enforcement and verification of such regulatory framework in those regions.**

When defining the direction of such public efforts against ILUC, it is particularly important and useful to consider **the notion of risk**. **Public efforts should be directed towards certain biofuels in certain regions of the world** w**here direct and indirect land use changes with negative impacts on GHG emissions have occurred and where the risk of such negative impacts is higher**. **The elimination, or at least an effective and verifiable reduction, of this risk should be a priority in public efforts against ILUC.**

One element to be considered in public efforts against ILUC consists in **GHG emissions from cultivation**.

Among the sustainability criteria set out by the RED, is a mechanism to ensure that the biofuels and bioliquids used to meet EU targets have GHG savings of at least 35% compared to the fossil fuels they replace. In order to facilitate compliance with this criterion, the RED (part A of Annex V) contains default values for GHG savings for different fuel production pathways.

According to these default values, **sugar beet is the energy crop whose cultivation causes the lowest GHG emissions amongst all other energy crops**: only 12 gCO_{2eq} per MJ of beet ethanol produced (compared to 29-30 gCO_{2eq}/MJ for rape seed, 23 for wheat, 20 for corn, 19 for soybean, 18 for sunflower, 14-15 for palm oil and 14 for sugar cane).

As a general rule, producers can cite these default values to prove the sustainability of the biofuel/bioliquid that they supply, as an alternative to calculating an actual value. However, **for raw materials cultivated in the EU**, **default values may only be used if the raw materials are cultivated in areas included in lists submitted by MSs**, **where emissions from cultivation can be expected to be lower than or equal to the RED default values**. If, in a certain area, GHG emissions from crop cultivation are expected to be above the RED default values, then actual values of GHG emissions from cultivation will have to be calculated in order to prove compliance with the GHG sustainability criterion set out in the RED.

MSs were required to submit these lists[2] by 31 March 2010 which, after examination by the EC (with the help of the EU Joint Research Centre), were then published on the RED transparency platform website.

According to the lists published so far, **in those MSs where sugar beet is or may be used for fuel ethanol production**, **GHG emissions from sugar beet cultivation** are as follows:

- Austria: between 7.46 and 7.70 gCO_{2eq}/MJ (mainly related to fertiliser/pesticide applications and N_2O released from the soil)
- Belgium: between 7.5 and 8.7 gCO_{2eq}/MJ in the Flanders areas (8.6 for the Flemish Region as a whole) and between 8.7 and 9.6 gCO_{2eq}/MJ in the Walloon areas (9.1 in the Walloon Region as a whole)
- Czech Republic: below 12 gCO_{2eq}/MJ
- France: between 8 and 11 gCO_{2eq}/MJ
- Germany: between 11.1 and 11.8 gCO_{2eq}/MJ
- Hungary: below 12 gCO_{2eq}/MJ

[2] In these lists, areas were to be classified as level 2 in the NUTS (nomenclature of territorial units for statistics).

- Netherlands: between 7.5 and 9.4 gCO_{2eq}/MJ (average 8.7)
- UK: below 12 gCO_{2eq}/MJ.

Therefore, in **all the EU areas concerned, sugar beet cultivation emits less GHGs than what is set out in the RED** (less than 12 gCO_{2eq}/MJ). **In some cases**, the actual calculated values are **markedly below** the RED values. **These results confirm the sustainability of sugar beet cultivation for bioenergy production.**

For biofuels and bioliquids imported by the EU from third countries, **the RED does not set the same requirement as for energy crops grown in the EU**: **producers of imported biofuels can simply use the default values** for GHG emissions from cultivation.

However, the RED required that the EC publish a report by 31 March 2010 to determine whether the same requirement had to be applied to raw materials cultivated in third countries (i.e. whether also for imported biofuels, the use of default values for GHG emission from cultivation should be allowed only if the raw materials are cultivated in areas included in lists submitted by the exporting country where emissions from cultivation can be expected to be lower than or equal to the RED default values).

In spite of the deadline of 31 March 2010, this EC report was **only published on 10 August 2010** (http://eur-lex.europa.eu/LexUriServ/LexUriServ.do?uri=COM:2010:0427:FIN:EN:PDF). The report focuses on the fact that N_2O emissions (which account for 40-70% of the cultivation emissions) are difficult to estimate (different ways of modelling N_2O emissions exist and the uncertainty is considerable). Therefore the EC puts into question the feasibility of reliably estimating regional N_2O emissions, and concludes that:

*"... while desirable, it is not yet feasible to set up legally binding lists of areas for third countries where a major component of the underlying calculation is uncertain and can easily be questioned, and where third countries have had no possibility to contribute on the methodology and data used. It is therefore **not appropriate, at least at this stage, to produce legislative lists for third countries** based on the current modelling of N_2O emissions from agriculture. However, it is important to enhance the understanding of the topic and survey the data used in view of a new assessment in 2012".*

This is yet again[3] a **discriminatory provision** by which **the EC imposes additional requirements, which are not requested for imported bioenergy, only to bioenergy produced in the EU**. In fact, for imported bioenergy, it will be possible to use the RED default values, including those for cultivation, without having to prove whether these values actually correspond to the real GHG emissions of the bioenergy imported.

If the EU wants to eliminate or at least reduce the ILUC risk, it should pretend that also third countries provide the same information on actual GHG emissions from cultivation, at least at a regional level, as already required for EU production!

Finally, **the EU should support the development of similar public efforts and provisions in third countries that use biofuels**. In fact, **at global level, the volume of biofuels that will be used in the EU as a result of the RED** (e.g. 8.6% of energy in transport by 2020) **is far smaller than the volume of biofuels already used (or that will probably be used by the same year) in third countries**. Therefore, **the potential ILUC impact of biofuels policies and use is much higher for third countries than for the EU**.

[3] The RED already discriminates EU biofuels by requiring them to comply with the CAP cross-compliance, a requirement that is not requested to imported biofuels.