

# EUROPEAN PARLIAMENT

2004



2009

*Committee on Petitions*

10.06.2008

## NOTICE TO MEMBERS

**Subject: Petition 0435/52007 by Rafael Schiel (German), on behalf of the First Focus Foundation, on against deforestation in sub-Saharan Africa**

### 1. Summary of petition

The petitioner is calling for a ban to be imposed on imports of charcoal from countries, especially in sub-Saharan Africa, which have no legislation on reforestation or which export timber and charcoal in any case, thereby depleting their woodland resources. He accordingly proposes that imported charcoal be subject to stringent checks; the mandatory import papers should include a certificate of origin, and dealers should be obliged to label their charcoal, specifying its origin for the information of the final consumers.

### 2. Admissibility

Declared admissible on 20 September 2007. Information requested from Commission under Rule 192(4).

### 3. Commission reply, received on 10 June 2008.

Concerned about deforestation and environmental degradation resulting from illegal and unsustainable charcoal production in sub Saharan Africa the petitioner is calling for strict control on charcoal imports into Europe and specifically:

1. An obligatory submission of import documentation in order to guarantee that the import of charcoal is only permitted with a certificate of origin and
2. A regulation for every distributor of charcoal to clearly label the packaging of charcoal with information that informs the end user about the origin of the charcoal

3. An import ban on all charcoal from sub Saharan Africa where the countries do not have a reforestation policy and where charcoal trade is causing complete and irreversible destruction of forests.

The Commission shares the Petitioner's concern about deforestation and illegal logging and the consequent devastating impacts on people and the environment in Sub Saharan Africa. In 2003 the EU launched the FLEGT Action Plan<sup>1</sup> to address problems of illegal logging, weak governance and law enforcement recognising the serious environmental, social and economic impacts. The Plan sets out a new approach to the problem of illegal logging which aims to use the incentives and influence of the EU market to help in the fight against illegal logging. The main elements of the Plan are support for improved governance in wood-producing countries, and a licensing scheme to ensure only legal timber enters the EU. These elements will be implemented through partnership agreements to be negotiated with wood-producing countries. Other measures to provide incentives for good practice are also proposed, including the use of green public procurement policies, measures to promote responsible investment, and encouragement for complementary private sector initiatives based on principles of corporate social responsibility.

Charcoal is an essential commodity in Africa, a hugely important source of cooking energy in cities and a major product of national and in some places regional trade and thus important to rural livelihoods. Charcoal is one of the most important sources of cooking fuel across the continent. The unregulated trade can be an important driver of deforestation and land degradation where forests and trees are not managed well, where there are unclear rights and tenure regimes and weak governance. This is particularly true in drier areas where regenerative capacity of forests is lower and unmanaged charcoal production can accelerate desertification. These are problems best tackled through national level programmes and policies to promote tree growing and forest protection: by improving forest governance, promoting changes in land and tree tenure, developing incentives for tree planting and forest protection and regulating local trade. There is considerable experience in Africa with policies that address the problems. Bans have proved particularly ineffective.

Trade in charcoal from Africa to the EU is not significant, however. The largest importers of charcoal in the EU (Germany, Poland, Spain, Bulgaria and UK) source charcoal mainly from other countries inside the EU (the largest exporters of charcoal are Poland, France and Germany). The largest exporters to Europe are Malaysia and Indonesia. The largest exporter from Africa is South Africa which does have strong policies on reforestation and forest management. For some European countries interest in and use of charcoal and wood fuels as a "biofuel" alternative is growing: but this is being supplied almost entirely from trade within Europe.

The Commission does not believe that there is sufficient evidence to suggest that an import ban on charcoal would redress the problem of deforestation and irreversible environmental degradation resulting from illegal and unsustainable charcoal production in Africa. Furthermore a ban would certainly raise questions on compatibility with WTO.

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<sup>1</sup> 21 May 2003, FLEGT Proposal for EU Action Plan

The current EU regulation on importation of goods does require that the country of origin is declared on customs declarations forms. However, proof of origin is only required if goods are being claimed for preferential tariff treatment which is not the case for charcoal as there is no tariff. Therefore it is possible to monitor and identify levels of imports of charcoal from Africa into the EU

If an African country identifies illegal charcoal trade to Europe as an important driver of illegality and deforestation in their country, the EU would consider entering a FLEGT partnership agreement to address the problem. While the FLEGT Regulation<sup>1</sup> focuses on 4 product categories, we do have the possibility to increase the products scope to other types of forest products, including charcoal. The FLEGT partnership agreements require a clear definition of legality, verification of legality compliance, traceability from the forest to export, licensing to verify legal compliance and independent monitoring of the whole system. The agreements also will support measures to build the capacity of regulatory institutions, the private sector and civil society. To date, however, no country has identified the export trade in charcoal as an important driver of illegality where they would want to see it included in the product scope of the agreement.

The problems highlighted by the Petitioner of the charcoal trade driving illegality, conflict and deforestation are better tackled through national programmes which promote improved forest governance and management: and particularly policies which seek to secure rights of communities to manage natural resources. The EC and Member States are already supporting such national efforts through development assistance to countries where this is indicated as a priority. Over the past 7 years the EC has provided 92.7 million € in support to forestry programmes in Africa. Furthermore the EC and Member States are supporting FAO's National Forest Programme Facility which is strongly driven by demand from Africa to help them develop and improve national forest strategies. Finally the EC has for many years supported NGO, research and private sector initiatives aimed at tackling the problems of deforestation and improving forest management through thematic budget line targeted specifically at tropical forests. Between 2000 and 2006 the EC has financed 232 million euro in forestry projects. Details on these projects are available on the Europe Aid Website.

The heightened concerns over climate change and understanding that deforestation is one of the important factors contributing to greenhouse gas emissions has refocused attention on deforestation. The EU is working to ensure that the international mechanisms that are developed to reduce greenhouse gases from deforestation through the UNFCCC process provide positive incentives to African countries to improve management and protection of their forests.

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<sup>1</sup> EC Regulation No 2173/2005