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Sustainable Biofuel Bill - 2009

Members' Bill - Jeanette Fitzsimons

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This submission is made on behalf of the Pacific Institute of Resource Management, PIRM, an organisation founded in 1984. PIRM is concerned about deterioration of global ecosystems, rapid depletion of natural resources and our inability at current rates of use to sustain non-renewable world resources. We promote Government and corporate use of resources with due regard for a conservation strategy and advocate developing sustainable methods for use of natural resources on which Aotearoa/New Zealand could be self-supporting into the future. PIRM believes Aotearoa/New Zealand should implement and promote worldwide a world conservation strategy. This would assist in developing a culture of peace internationally and avoid conflicts and wars over valuable and now dwindling resources, including fossil fuels.

We have around 380 members within Aotearoa and publish a journal on sustainability and justice, *Pacific Ecologist*, which is read by individuals throughout New Zealand and the Pacific and is read also within educational institutions, schools, public libraries, universities, research institutes and church and social justice organisations. I am the editor of *Pacific Ecologist* and in January 2009 we published a 68-page issue entirely devoted to reports from third world civil society and social justice organisations on the effects of agrofuel production, which large-scale biofuel production is correctly called, in Brazil, and in countries within the Latin America, Africa and South-East Asia regions. PIRM would like to take part in the select committee hearing on the Sustainable Biofuel Bill.

Vital only truly sustainable biofuel used

We welcome and support the Sustainable Biofuel Bill and would like to see clearly defined criteria on **sustainable biofuel** applied and monitored as soon as possible. It is imperative only sustainable biofuels are used in New Zealand's cars, planes, boats (and everywhere else), otherwise with many millions of hectares of plantations of unsustainable monocrops having unfortunately been planted in third world countries to fuel the rich industrial world's cars and planes, and millions more planned, we risk exacerbating global warming dangers and further destabilising the global climate. Global warming

emissions are already at dangerous levels now, because high-consuming/polluting, rich industrial countries have failed to conserve and reduce their emissions and failed to provide an example to the rest of the world, which consumes far less fossil fuel per capita.

As New Zealand's emissions continue to grow and there appears to be no clear plan to reduce our emissions, using unsustainable biofuel imports in our cars and planes will only exacerbate the damage we are causing, particularly in third world countries, at risk of greatest damage from climate change. It would also transgress basic human rights to land, water and food and further disrupt nature on which we depend to survive.

'Sustainable biofuel' imports from third world countries are promoted as a means for rich countries to reduce their huge and increasing transport emissions from the private car, without having to reduce consumption. But instead of reducing the dangers of climate change, millions of hectares of third world land being used in vast plantations of monocrops with oil-based fertilisers and pesticides are massively extending the industrial agricultural frontier in Africa, Brazil, Latin America and South-East Asia, thus contributing to soil erosion, deforestation and global warming emissions, as well as devouring much needed water and land resources. Unsustainable development is continuing in the name of sustainability, causing misery, hunger and havoc to keep the rich world in the manner to which it is accustomed with sustainable indigenous peoples and others being evicted from their land.

Many countries, e.g. in sub-Saharan Africa that are currently being used to produce biofuels for the rich industrial world's cars are the poorest countries in the world, where people live on communal land, not clearly protected in law from takeovers, and some are famine countries, already under great stress through drought caused by climate change. Even protected areas like the Babile Elephant Sanctuary in Ethiopia, home to endangered elephants have been allocated for export fuel production, and orangutans, elephants and other creatures are in rapid decline in Borneo, Sumatra and Kalimantan with ever expanding plantations for export biodiesel crops destroying their forest homes.

Africans call for agrofuel Moratorium

The misery and injustice agrofuel projects are bringing to third world countries was in 2007 correctly called a *crime against humanity* by then UN special rapporteur on the right to food, Jean Ziegler. African civil society organisations from many countries have signed a statement calling for a moratorium on agrofuel developments on the African continent saying: "*We need to protect our food security, water, land rights, farmers and indigenous people from the aggressive march of agrofuel developments which are devouring our lands and resources at an unbelievable scale and speed.*" – (see African Biodiversity Network for full statement.)

Yet these projects still continue to devastate Africa. For example, Norway-based BioFuel Africa Ltd, aims to produce biofuel by growing the oil-rich jatropha tree - 1.7 million of them, eventually, on lands in Ghana. Other companies from countries like the UK, Germany and the US have also bought up land in places like Ethiopia and Tanzania to grow "biofuels." An article in *The Independent* article reported, biofuels are bringing a global land grab with about 20 per cent of international land deals taking place are for cultivation of biofuels rather than food. A race in rich countries to achieve targets to source a percentage of "renewable" biofuels in cars, is driving this grotesque destruction.

Urgent to develop locally sourced NZ biofuels

It is therefore urgent for New Zealand to develop locally sourced biofuels within New Zealand and we strongly support measures which encourage their development and use from waste products, such as whey, or algae on sewage ponds and other sustainable developments as much as possible. A spinoff from developing sustainable biofuels is it will create stable ongoing jobs into the future, a big plus any time but particularly in recession times. Fish and chip shops waste oil can easily be turned into locally produced biofuel, and immediately used within the local region with no waste of energy in transport costs as Geoff Waterhouse with his sustainably fuelled tourism taxis has shown in Northland.

One method to assist development of renewable energy is a Feed-in-Tariff, which has increased renewable energy consumption in Germany by over 200 percent from the years 2000 to 2007. A Feed-in Tarriff is considered to be essential to counter the momentum for conventional fuels which have received decades of subsidies and because fossil fuel prices do not reflect their true costs, if environmental and health damage costs are considered.

Additions to the bill's provisions

PIRM agrees with the Bill's provisions but would like to see additions to the provisions including:

1. **reassessment of the sustainability of biofuel imports already in New Zealand**
2. **ongoing monitoring of any biofuels imported into NZ in the future.**
3. **inclusion of Human Rights' criteria**

Biofuel from Brazil already in NZ

At some stage last year, 2008, about 15 Mobil petrol stations in the greater Wellington region of New Zealand were reported to be selling bioethanol blended petrol sourced from Brazil and other stations in the North Island were reported also to be selling it. Mobil has been selling a 98 octane fuel containing up to 10% ethanol (E10), and a 91 octane fuel containing up to 3% ethanol. E10 and E3 is available from Mobil's Johnsonville station. The station is only selling bioethanol blends. I also found mention on a website of bioethanol from Brazil being sold by Mobil in other places around NZ but am unsure if this is the case. Is there any way of knowing for sure what bioethanol is being sold where in NZ now? If we don't know this now, how will we find out in the future, if the gates are opening wide without thorough oversight and monitoring?

Serious problems in Brazil's sugarcane fields

In June 2008, NZ's Energy Efficiency and Conservation Authority welcomed Mobil's trial of two ethanol blends, saying it was sourced from "sustainable Brazilian sugarcane." A paper, commissioned and published in 2008 for EECA, *The Sustainability of Brazilian Sugarcane Bioethanol: a Literature Review*, by Andrew Barber, Glenys Pellos & Mariana de Arago Pereira, raises more problems for Brazilian sugarcane's sustainability than it solves, yet this paper surprisingly is interpreted by EECA as showing Brazil's bioethanol to be "environmentally sustainable." Many pages of problems are reported in this paper, including severe water pollution, caused from waste products including nitrates from sugarcane production released to waterways and causing death of fish, crustacean and vegetation, increased water acidity, soil erosion in sugarcane fields, air pollution from burning of sugarcane causing respiratory problems. It is not believable to be told in a few short sentences that these problems have been alleviated or are on the wane. Agrofuel production is on the increase in Brazil, so it is highly unlikely these problems are on the wane. And other reports attest to increasing problems.

In January 2008, The Smithsonian Institute of Tropical Research reported sugar-based ethanol and soy-based agrodiesel brought more environmental destruction than fossil fuels. This research draws attention to the environmental destruction in Brazil caused by increased sugarcane production.

Maria Luisa Mendonca, journalist and coordinator of the Network for Social Justice & Human Rights in Brazil, reports in her 2009 paper *Impacts of Expansion of Sugarcane Monocropping for Ethanol Production*: "The sugarcane industry has expanded rapidly and generated enormous environmental damage. To begin planting sugarcane, it is necessary to clear native vegetation, and thus all trees are uprooted. In August 2008, an agreement between the Ministry of Agriculture resulted in a series of modifications of the Law of Environmental Crimes. One of these results was announced in a decree from President Lula allowing for construction of sugarcane factories in the Panatal. **According to data from the National Institute for Space Research, INPE from IBGE and Ministry for the Environment MMA**, new sugarcane factories are being built in conservation areas, close to natural springs." These natural spring can only be polluted and degraded by sugarcane production as earlier reported in this submission.

Mendonca's paper reports that studies indicate each year nearly 22,000 square kilometres of savannah in the vital Cerrado region in Brazil are cleared. The Cerrado region provides most of Brazil's water and is rich in biodiversity with 160,000 species of plants and animals. It's estimated half this vital region has already been devastated and if the same destructive development model continues its destruction will be complete by 2030. This would be a huge environmental disaster and tragic loss not just for Brazil but the entire world. .

A study from the Center for studies in Applied Economics, University of Sao Paulo, estimates 73 new ethanol companies will be built in the next five years in the Center-South region of Brazil costing \$US14.6 billion. Researcher Sergio De Zen believes "ethanol has become an environmental threat."

Biofuels' Water use threaten food security

Another concern is increased water demand in agrofuel production. Jan Lundquist, director of the Stockholm International Water Institute, warns: "...projections indicate the demand of water necessary to produce biofuels will increase in the same proportion as demand for water for food production which would represent 20-30m³ of water in 2050. This is just not possible." So once again, "biofuel" production in third world countries like Brazil threatens food production with its water use.

In June 2008, the Institute of Man and the environment of the Amazon (Imazon) registered an increased in deforestation rate in the Amazon, principally in the states of Mato Grosso and Para, where more than 600,000 square kilometres have been devastated. This represents a 23% increase from data gathered in June 2007. Indigenous people and other people living sustainable lives in National Parks are under threat of invasion by ever increasing sugarcane production for biofuels for export for our cars. INPE calculates one hectare of forest has disappeared every 10 seconds in Brazil in the past 20 years. Of a total 4 million square kilometres, nearly 700,000 have already been deforested. In July 2008, research published by PNAS reveals Brazil was responsible for 47.8% of the destruction of the world's tropical forests. Recent studies show the biggest level of Brazilian Amazon deforestation occurred in Mato Grosso state, responsible for 54% of the total. This data shows the impact of large-scale farming activities on deforestation and this was a principal reason why the former Minister for the Environment, Marina Silva resigned her position in protest at what is going on.

Holocaust in Brazil

Padre Thorlby, who works in a sugarcane zone in Brazil with an ecumenical church organisation, The Land Pastoral Commission, says cars are causing a holocaust. He talks and writes about the Academic roadshow travelling the world to encourage you to believe in myths about Brazil's ethanol being clean, sustainable energy for the rich world's cars. But don't expect them to tell you the truth, he says, because they have never been near a canefield or talked with any of the hundreds of thousands of families evicted from the land. "To say the energy produced by this model is 'clean, sustainable' is an attack on Nature and a crime against those expelled from the land to make way for this green desert." He also says: The developed' world singles out the 'under-developed,' but more under-justiced world to produce the materials to allow it to continue consuming at lunatic rates."

We call on the government and all parties in this time of environmental crises to ban all imported biofuels into New Zealand on human rights grounds as well as environmental factors to help prevent continued deforestation and increased global warming emissions caused by industrial agrofuel plantations. We cannot any longer hide behind the devastation of third world countries and deprivation of millions of people and pretend agrofuel production is sustainable. It is bringing with it ecocide, total devastation, the death of life. **As Rahui Katene** for the Maori Party said so inspirationally in Parliament at the First Reading of the Sustainable Biofuel Bill, "*the fact is we need to radically change the way we live. A safe environmentally sound and economically viable energy pathway that will sustain human progress into the distant future must be the horizon we seek to achieve and we must start to do something about this now.*" PIRM suggests government needs to review all major infrastructural projects such as motorways, which encourage cars, for their viability in the coming years with peak oil and global warming now upon us. To be developing infrastructure which requires cheap abundant fossil fuel

supplies at a time when these will be waning soon, according to the International Energy Agency and will then become very expensive, will lumber Aotearoa with costly white elephants we can ill afford.

PIRM would like to participate in the select committee hearing on the Sustainable Biofuel Bill.

Yours sincerely

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Appendix

Food sovereignty & peasant agriculture

Small farmers' experiences in producing raw material for agroenergy have highlighted the dangers in depending on large agricultural companies that control prices, processing, and distribution. Rural workers are used to give legitimacy to agribusiness, creating certificates, the so-called "social fuel." This model has had negative impacts on peasant and indigenous communities, whose territories are threatened by constantly expanding large plantations. Lack of policies to support food production may also lead peasants to replace their food crops for agrofuels, thus compromising their food sovereignty. In Brazil, for example, small and medium-sized farmers produce 70% of food consumed in the domestic market.

Researchers from the University of Minnesota point out it takes the same quantity of grain to fill one tank with ethanol that would feed one person for a whole year. Francisca Rodriguez from the rural workers' organization Via Campesina, says: "large landowners are going to control land in order to feed motors, not people." She adds: "Facing these challenges, we must defend our commitment to preserving our land, unmasking these destructive projects, and stimulating a profound discussion about the current model for energy production. We want to avoid destruction of our lands, since we know what extensive monoculture means for the future of our countries."

For agrarian reform & food sovereignty

Grassroots organizations throughout South America denounce the devastating effects of an agricultural model based on monocultures, land and profit concentrations, labor exploitation, and environmental destruction. They propose a new agricultural model, based on large-scale agrarian reforms. It's essential to strengthen rural workers' organizations to promote sustainable peasant agriculture, prioritizing diversified food production for local consumption. It's crucial to advocate policies that guarantee subsidies for peasant agricultural food production. The main objective of this model is to guarantee food sovereignty. We cannot keep our tanks full while stomachs go empty.

The Right to Food

The principal international standard on the Right to Food is defined in Article 11 of the International Convention on Economic, Social, and Cultural Rights. According to the convention, hunger should be eliminated so communities have permanent access to adequate food, both quantitatively and qualitatively, to ensure the physical and mental health of individuals and communities is guaranteed.

According to the International Convention on Economic, Social, and Cultural Rights, states have the obligation of "respecting, protecting, and guaranteeing" the right to food. To respect this right means the state cannot obstruct or impede its people's access to adequate food, as is the case when rural communities are displaced from their lands, especially those who depend on agriculture for their subsistence. The Convention also prohibits the state from using toxic substances in food production.

The Convention also establishes principles of non-regression and non-discrimination in approving laws that guarantee access to food. This means governments may not approve laws preventing people from organising to

seek to obtain this right. Instead governments should help society organise to promote access to land, work and protection of the environment. States should guarantee the universal right to food through activities and concrete measures that protect vulnerable social groups, and provide the necessary means for them to feed themselves.

This is an excerpt from the paper, *Agroenergy: Myths and Impacts in Latin America,* a summary of a seminar on the expansion of the sugarcane industry in Latin America held in São Paulo, Brazil, from 26-28 February 2007 and published in October 2007 by the Pastoral Lands Commission, and Network for Social Justice and Human Rights, Brazil. Organisations from Brasil, Bolivia, Costa Rica, Colombia, Guatemala, and the Dominican Republic took part in the seminar. The seminar's summary was made by Isidoro Reves and Evanize Sydow Illustrations by Gilberto Maringoni. Contributors to the text: Brazil: Maria Luisa Mendonça, Marluce Melo and Plácido Júnior. Costa Rica: Nicaragua and Honduras: Gerardo Cerdas Vega. Guatemala: Julian Xacult, Laura Saldivar Tanaka and Hannah Wittma. Dominican Republic: Petronila Urena. Colombia: Héctor Mondragón. Bolivia: Gerardo Burgos Lino. Translated into English by Zachary Hurwitz, Amazon Watch. Supporting organisations: Land Research Action Network (LRAN), Network for Social Justice and Human Rights (Rede Social de Justiça e Direitos Humanos), Pastoral Land Commission; (Comissão Pastoral da Terra), Grito dos Excluídos; Continental, Serviço Pastoral dos Migrantes.; EED - Evangelischer Entwicklungsdienst / Grassroots International. For more information Email: rede@social.org.br - www.social.org.br; Pastoral Land Commission (Comissão Pastoral da Terra); and cptpe@terra.com.br - www.cptpe.org.br ..