

Voluntary Bioenergy Certification

**A Legitimate Approach to Account for Social Aspects in
Environmental Governance?**

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Brief information on the IÖW and the context of the study



- **Institute for Ecological Economy Research (non-profit)**
 - Independent, non-university research and consulting institute
 - Founded in 1985: 25th anniversary this year!
- **Recently started 4-year, joint research project on biofuels: “Fair Fuels?”**
 - A socio-ecological multi-level analysis of transnational policy on biofuels
 - Further information on www.fair-fuels.de
- **Several projects on biomass and renewable energies currently ongoing,**
 - e.g., on
 - 100% renewable energy regions
 - Eco-labelling schemes („Blue Angel“)
 - Further information on www.ioew.de

Background for Voluntary Bioenergy Certification from a EU perspective



- **Sustainability certification for bioenergy as key to resolving the conflicts around biofuels?**
 - EU adopted sustainability criteria for biofuels in the Renewable Energy Directive (RED),
 - Environmental concerns, especially climate protection, were in the focus of consideration
 - EU failed to set up standards for social aspects of biofuels
- **General problem to integrate social criteria in state schemes because of trade regulations**
- **Can voluntary certification provide the solution for this dilemma?**
 - EU allows for voluntary certification schemes to be recognized under the RED
 - Many voluntary certification schemes that also consider social criteria emerged during the last years and are now applying for recognition under the RED
 - If these schemes get recognized under the RED, social criteria could make it into the RED „through the backdoor“

Research Questions



Two questions arise from this:

- **Can voluntary certification schemes really provide the solution for the missing consideration given to social criteria for sustainable bioenergy by state regulation?**
- **And how can they do so in a democratically legitimate way?**

Analytical Framework: A normative conception of non-state legitimacy



- **Normative conception refers to the conditions under which authority can be morally evaluated as legitimate**
- **Following a framework to evaluate democratic legitimacy of non-state governance developed by Lena Partzsch**
 - Legitimacy is further distinguished into 3 subcategories
 - „De facto“-Legitimacy (output-oriented)
 - Legitimacy through stakeholder inclusion (input-oriented)
 - Legitimacy through control & accountability (input-oriented)
- **These dimensions of democratic legitimacy will be examined in the following**

Five Selected Voluntary Bioenergy (Feedstock) Certification Initiatives



| Initiative | Year established | Status |
|---|------------------|---|
| Roundtable on Sustainable Palm Oil (RSPO) | 2004 | In operation |
| Roundtable on Responsible Soy (RTRS) | 2006 | Version 1.0 approved; certification should start in 2011 |
| Roundtable on Sustainable Bio-fuels (RSB) | 2006 | Version 1.0 approved; now pilot testing |
| Better Sugar Cane Initiative (BSI) | 2005 | Production Standard formally adopted; certification to start soon |
| International Sustainability & Carbon Certification (ISCC) | 2006 | In operation |

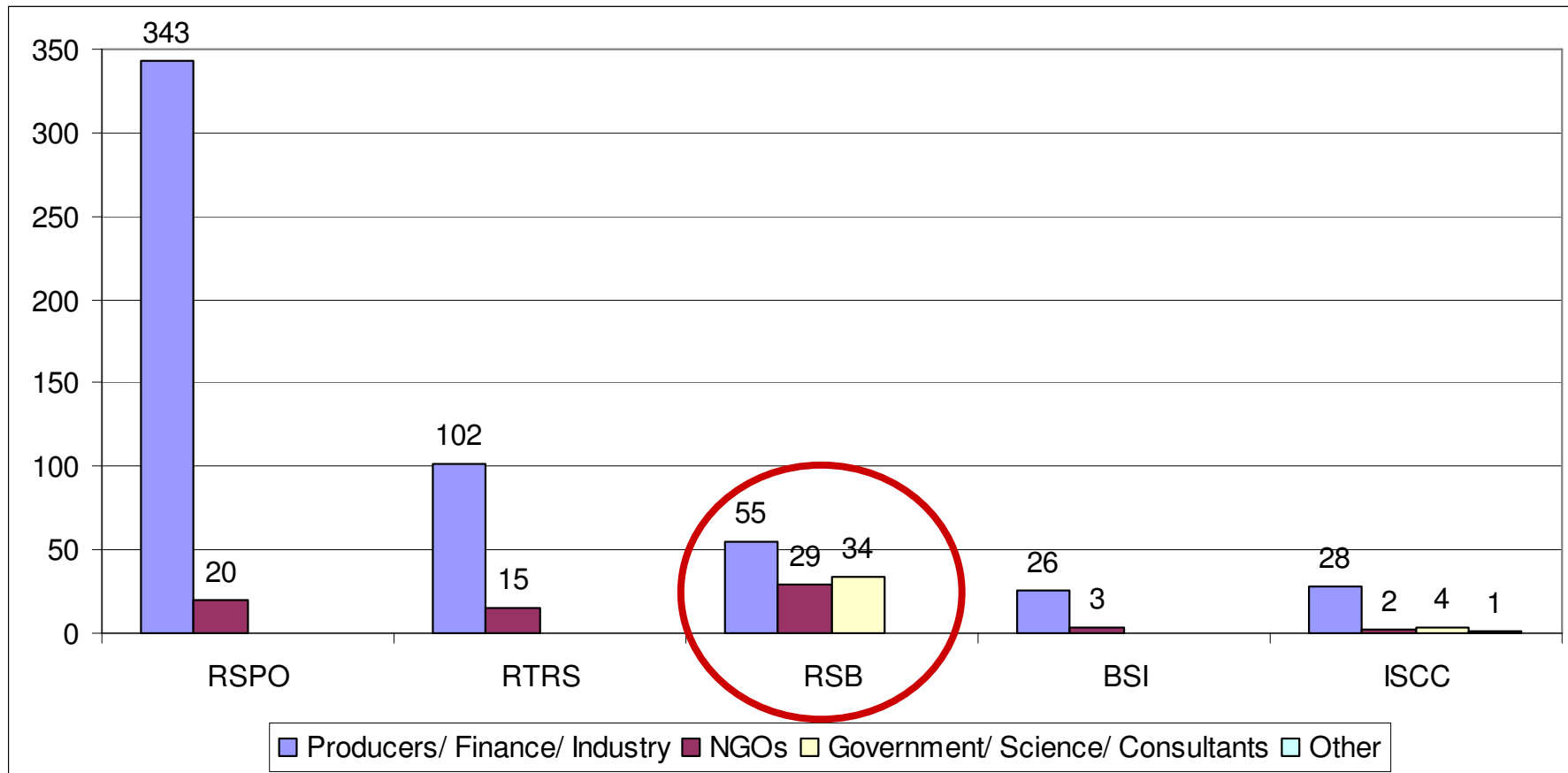
Selected social criteria coverage in bioenergy certification initiatives



| Initiative | No child labour | Minimum age (in years) | Freedom of discrimination | Freedom of labour: no forced labour | Freedom of association and collective bargaining | Right of indigenous people explicitly mentioned | Safeguarding local food security | Land Rights explicitly mentioned |
|------------|--------------------|------------------------|---------------------------|-------------------------------------|--|---|----------------------------------|----------------------------------|
| RSPO | Yes (ILO 138, 182) | 15 or older | Yes (ILO 100, 111) | Yes (ILO 29, 105) | Yes (ILO 87, 98) | Yes (ILO 169) | No | Yes |
| RTRS | Yes (ILO 138, 182) | 15 or older | Yes (ILO 100, 111) | Yes (ILO 29, 105) | Yes (ILO 87, 98) | Yes (ILO 169) | No | Yes |
| RSB | Yes (ILO 138) | 14 or older | Yes (ILO 111) | Yes (ILO 29) | Yes (ILO 87, 98) | Yes (ILO 169) | Yes | Yes |
| BSI | Yes (ILO 138, 182) | 15 (non-hazardous) | Yes (ILO 100, 111) | Yes (ILO 29, 105) | Yes (ILO 87, 98) | Yes (ILO 169) | No | Yes |
| | | 18 (hazardous) | | | | | | |
| ISCC | Yes (ILO 138, 182) | 15 (non-hazardous) | Yes (ILO 100, 111) | Yes (ILO 29, 105) | Yes (ILO 87, 98) | No | Yes | Yes |
| | | 18 (hazardous) | | | | | | |

Sources: van Dam et al. (2010: 15-16) and information from the initiatives' web sites.

Membership Structures in Selected Bioenergy Certification Initiatives



Auditing & Grievance Procedures of Selected Bioenergy Certification Initiatives



Sources: van Dam et al. (2010: 22) and information from the initiatives' web sites.

| Initiative | Field visits required | External stakeholder consultation required | Validation certification contract (years) | Possibility of unannounced visits | Grievance and Conflict Resolution Procedures |
|------------------|-----------------------|--|---|-----------------------------------|---|
| RSPO | Yes | Yes | 5 | No | Grievance panel established that also non-members can appeal to |
| RTRS | Yes | Yes | 5 | No | Exists for members only, but poor information is provided on details |
| RSB | Yes | Yes | Ranging from 3 months to 2 years ^a | No | Formally established dispute resolution procedure that only constituents can appeal to |
| BSI ^b | 0 | 0 | 0 | 0 | (Supposedly) Exists for members only, but only vaguely mentioned |
| ISCC | (yes) ^c | (no) ^e | 1 | Yes | Formally established grievance procedure that external stakeholders are entitled to appeal to |

Analysis: Democratic Legitimacy and its relation to social criteria coverage



| Initiative | Legitimacy through stakeholder inclusion | Legitimacy through control and accountability | Coverage of selected social criteria |
|------------|--|--|--|
| RSPO | Not fulfilled: Dominance of business and industry | Mainly fulfilled: established grievance panel (also for non-members) and auditing procedure (without unannounced visits) | Only partly included: ILO Conventions included entirely, but no food security and land rights only vaguely mentioned |
| RTRS | Not fulfilled: Dominance of business and industry | Rudimentarily fulfilled: poor information on conflict resolution and auditing procedure | Only partly included: ILO Conventions included entirely, but no food security and land rights only vaguely mentioned |
| RSB | Mainly fulfilled: Rather balanced membership structure | Mainly fulfilled: established grievance mechanism (only for constituents) and auditing procedure (without unannounced visits) | Largely included: ILO Conventions included entirely as well as food security and land rights (both principles in its own right) |
| BSI | Not fulfilled: Dominance of business and industry | Not fulfilled: no information on (supposedly existing) grievance nor on auditing procedures | Only partly included: ILO Conventions included entirely, but no food security and land rights only vaguely mentioned |
| ISCC | Not fulfilled: Dominance of business and industry | Mainly fulfilled: established grievance (also for non-members) and auditing procedure (without external stakeholder inclusion) | Only partly included: ILO Conventions included except indigenous peoples' rights, but food security as well as land rights are included, although rather vaguely mentioned |

Specific Conclusions concerning Bioenergy Certification



- **Results may be preliminary, but are rather sobering nonetheless**
 - All in all, the initiatives haven't made much progress on their way to achieving legitimacy
- **There (at least partly) is a connection between democratic legitimacy and the coverage and enforcement of social criteria**
 - Only the RSB can be evaluated as having a rather sound basis for achieving democratic legitimacy
 - It remains highly questionable if the other initiatives can make further progress on their ways to democratic legitimacy unless they intensely deal with legitimacy issues
 - This would, however, be important as the use of voluntarily certified bioenergy is expected to rise massively during the coming years (at least in the EU)
- **Perspectively important: what will be the impact „on the ground“ of increased bioenergy certification?**

General Conclusions



- **Results show the challenge of tapping the potentials of voluntary certification regarding the inclusion of social criteria**
 - In line with other results from the agrifood sector, certification in the bioenergy sector seems to be mainly driven by corporate interests
- **However, voluntary certification should not be condemned right away**
 - It may still help promote social and environmental sustainability
- **Voluntary certification cannot, and should not, replace state regulation**
 - The challenge is to make use of the complementary and dynamic relationship between public and private regulation to promote social justice and ecological concerns in global markets
- **The relations between international trade regulations and global environmental (and social) governance are crucial for understanding the problem of the social dimension of global environmental change**

Thank you for your attention.

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Research Field
Sustainable Energy Systems
and Climate Protection

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