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Swedish National Implementation of the Sustainability Criteria for Transport Biofuels from Directive 2008/29/EC; Questionnaire

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Questionnaire

1. Which method/form of implementation did Sweden choose for the implementation of the sustainability criteria for transport biofuels from Directive 2009/28/EC? In which legal act(s) are these sustainability criteria presented in Swedish law?

2. To what extent was it difficult to implement the EU legislation on the sustainability criteria for transport biofuels in the national law?
   - What were the major implementation challenges?
   - Is the content of the sustainability criteria as they are expressed in Directive 2009/28/EC clear enough for them to be implemented in the national law?
   - Is there any need to get some further explanations from the EU on the content of the criteria from Directive 2008/29/EC?
   - Was it necessary to complete the implementation of the sustainability criteria from Directive 2009/28/EC with national non-binding policy documents that contain further explanations and commentaries? If the answer is “yes”, what are these national policy documents?

3. What is an impression over the content of the sustainability criteria from the EU Directive 2009/28/EC?
   - Are the criteria realistic to be fulfilled?
   - Is it practically possible to control the fulfilment of the sustainability criteria (especially if biofuels are produced in a country outside the EU)?
   - Is the number of the sustainability criteria enough to achieve the production of sustainable biofuels?
   - Are sustainability criteria for biomass needed?

4. In what way does the legal definition of biofuels provided in Directive 2009/28/EC help to apply the sustainability criteria for transport biofuels? Is the legal definition practically applicable, or could it be formulated better?

5. What actors or groups of actors are the direct addressees of the national legislation on the sustainability criteria for transport biofuels?

6. Enforcement
   - How is the enforcement system constructed at the national level?
   - What can be said about the efficiency of this system?
   - Are calculation methods for GHG emissions practical and efficient in regard to their purpose?

7. Supervision and control within the national legislation
How and with the help of which instruments are supervision and control organized in the national legal system?

8. Sanctions

- How is the system of sanctions formed in the national law?
- How does it function in practice?
- To what extent does the system of sanctions fulfil its purpose?

9. Transparency

- How is the transparency aspect treated in the national legislation regarding the sustainability criteria for transport biofuels?
- What is the role of the national non-governmental environmental organizations in the process of national implementation of the sustainability criteria for transport biofuels as well as control over their fulfilment?
- To what extent is it possible for the public and related consumers to have a view over the fulfilment of the sustainability criteria?

10. National reporting obligations on the sustainability criteria for transport biofuels

- What are the national reporting obligations to the EU, which concern the fulfilment of the sustainability criteria for transport biofuels?
- How have these obligations been fulfilled by Sweden so far?
- Are the reporting obligations required by Directive 2009/28/EC practical and efficient in connection to their purpose?

11. Cooperation with other EU Member States and States outside the EU

- Is there any cooperation or collaboration on the subject of the sustainability criteria for transport fuels and their fulfilment?
- Is there any need for such cooperation?
- Is there any need for making bilateral or multilateral agreements, in order to fulfil and control the fulfilment of the sustainability criteria in a more efficient way?

13. To sum up, what is the general impression on the national legislation that deals with the sustainability criteria for transport biofuels? What are its strong and less strong sides? What was done well? What aspects should be developed further?

14. What prognosis can be made about the future development of the system for the sustainability criteria for transport biofuels and biomass used for transport biofuels?

15. Should the sustainability criteria in Directive 2009/28/EC be combined with other non-binding standardization and certification measures at regional and international levels, in order to promote environmental sustainability of transport biofuels?

16. Other related commentaries