



Plenary sitting

A9-0161/2022

24.5.2022

*****I**
REPORT

on the proposal for a regulation of the European Parliament and of the Council Amending Regulations (EU) 2018/841 as regards the scope, simplifying the compliance rules, setting out the targets of the Member States for 2030 and committing to the collective achievement of climate neutrality by 2035 in the land use, forestry and agriculture sector, and (EU) 2018/1999 as regards improvement in monitoring, reporting, tracking of progress and review (COM(2021)0554 – C9-0320/2021 – 2021/0201(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Ville Niinistö

Rapporteur for the opinion (*):
Norbert Lins, Committee on Agriculture and Rural Development

(*)Associated committee – Rule 57 of the Rules of Procedure

Symbols for procedures

- * Consultation procedure
- *** Consent procedure
- ***I Ordinary legislative procedure (first reading)
- ***II Ordinary legislative procedure (second reading)
- ***III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

Amendments to a draft act

Amendments by Parliament set out in two columns

Deletions are indicated in ***bold italics*** in the left-hand column. Replacements are indicated in ***bold italics*** in both columns. New text is indicated in ***bold italics*** in the right-hand column.

The first and second lines of the header of each amendment identify the relevant part of the draft act under consideration. If an amendment pertains to an existing act that the draft act is seeking to amend, the amendment heading includes a third line identifying the existing act and a fourth line identifying the provision in that act that Parliament wishes to amend.

Amendments by Parliament in the form of a consolidated text

New text is highlighted in ***bold italics***. Deletions are indicated using either the **■** symbol or ~~strikeout~~. Replacements are indicated by highlighting the new text in ***bold italics*** and by deleting or striking out the text that has been replaced.

By way of exception, purely technical changes made by the drafting departments in preparing the final text are not highlighted.

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DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

on the proposal for a regulation of the European Parliament and of the Council amending Regulations (EU) 2018/841 as regards the scope, simplifying the compliance rules, setting out the targets of the Member States for 2030 and committing to the collective achievement of climate neutrality by 2035 in the land use, forestry and agriculture sector, and (EU) 2018/1999 as regards improvement in monitoring, reporting, tracking of progress and review (COM(2021)0554 – C9-0320/2021 – 2021/0201(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2021)0554),
 - having regard to Article 294(2) and Article 192 (1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0320/2021),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the reasoned opinion submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the French Senate, asserting that the draft legislative act does not comply with the principle of subsidiarity,
 - having regard to the opinion of the European Economic and Social Committee of 8 December 2021¹,
 - having regard to the opinion of the Committee of the Regions of 28 April 2022²,
 - having regard to Rule 59 of its Rules of Procedure,
 - having regard to the opinions of the Committee on Industry, Research and Energy, the Committee on Transport and Tourism and the Committee on Agriculture and Rural Development
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A9-0161/2022),
1. Adopts its position at first reading hereinafter set out;
 2. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

¹ Not yet published in the Official Journal.

² Not yet published in the Official Journal.

Amendment 1

Draft legislative resolution Citation 4 a (new)

Draft legislative resolution

Amendment

— *having regard to the principles of subsidiarity, proportionality and solidarity;*

Amendment 2

Proposal for a regulation Title

Text proposed by the Commission

Amendment

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
amending Regulations (EU) 2018/841 *as regards the scope*, simplifying the compliance rules, setting out the targets of the Member States for **2030 and committing to the collective achievement of climate neutrality by 2035 in** the land use, forestry *and agriculture* sector, and (EU) 2018/1999 as regards improvement in monitoring, reporting, tracking of progress and review
(Text with EEA relevance)

Proposal for a
REGULATION OF THE EUROPEAN
PARLIAMENT AND OF THE COUNCIL
amending Regulations (EU) 2018/841 simplifying the *reporting and* compliance rules, *and* setting out the targets of the Member States **from 2026 to 2030** for the land use, *land use change and* forestry sector, and (EU) 2018/1999 as regards improvement in monitoring, reporting, tracking of progress and review
(Text with EEA relevance)

Amendment 3

Proposal for a regulation Recital 1

Text proposed by the Commission

Amendment

(1) The Paris Agreement, adopted in December 2015 under the United Nations Framework Convention on Climate Change (UNFCCC) entered into force in November 2016 (“the Paris Agreement”)³⁶

(1) The Paris Agreement, adopted in December 2015 under the United Nations Framework Convention on Climate Change (UNFCCC) entered into force in November 2016 (“the Paris Agreement”)³⁶.

. Its Parties have agreed to hold the increase in the global average temperature well below 2 °C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1,5 °C above pre-industrial levels.

Its Parties have agreed to hold the increase in the global average temperature well below 2 °C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1,5 °C above pre-industrial levels. ***By adopting the Glasgow Climate Pact, the Parties to the Paris Agreement recognised that limiting the increase in the global average temperature to 1,5 °C above pre-industrial levels would significantly reduce the risks and impacts of climate change, and they committed to strengthening their 2030 targets by the end of 2022 to close the ambition gap, in line with the findings of the Intergovernmental Panel on Climate Change (IPCC). This should be done in a manner that is equitable and respects the principle of common but differentiated responsibilities and respective capabilities, in the light of different national circumstances. The revision of the Regulation on land use, land use change and forestry (LULUCF) is a unique opportunity to contribute to stepping up the Union's climate action before the 27th session of the Conference of the Parties (COP 27) to the UNFCCC in Egypt.***

³⁶ Paris Agreement (OJ L 282, 19.10.2016, p. 4).

³⁶ Paris Agreement (OJ L 282, 19.10.2016, p. 4).

Amendment 4

Proposal for a regulation

Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) The Union's actions and policies have so far been insufficient to halt the loss of biodiversity and achieve the 2020 Aichi Biodiversity Targets. In its report 'The European environment —state and outlook 2020: knowledge for transition to a sustainable Europe', the European Environment Agency notes that "Europe

continues to lose biodiversity at an alarming rate and many agreed policy targets will not be achieved. Assessments of species and habitats protected under the Habitats Directive show predominantly unfavourable conservation status at 60 % for species and 77 % for habitats.”^{1a}. A 2021 Joint Research Centre report shows that only 4,9 million hectares of Europe’s primary and ancient forests - essential for preserving biodiversity and mitigating climate change - remain, representing only 3% of the Union’s total forest area and 1,2% of the Union’s land mass.^{1b}

^{1a} EEA, "The European environment — state and outlook 2020", p. 74.

^{1b} Barredo, J., Brailescu, C., Teller, A., Sabatini, F.M., Mauri, A. and Janouskova, K., *Mapping and assessment of primary and old-growth forests in Europe*, EUR 30661 EN, Publications Office of the European Union, Luxembourg, 2021.

Amendment 5

Proposal for a regulation Recital 1 b (new)

Text proposed by the Commission

Amendment

(1b) *Although tree cover is increasing, the capacity of the Union’s forests to remove carbon has been significantly declining since 2015 and this trend is set to continue. Until 2015, the Union land sector was able to remove around 7% of total EU emissions (about 300 million Mt-CO₂ equivalent)^{1a}. According to the European Environmental Agency (EEA)^{1b}, by 2030 the same land area will be removing 40 per cent less CO₂ equivalent (dropping to -185 Mt in 2030)^{1c}. That recent decrease in carbon*

storage is partly due to an increase in harvesting. Furthermore, climate change could reduce the carbon storage potential of Europe's forests by 180 Mt CO₂ annually in 2021 to 2030, due to disturbances, and thus reduce the expected net forest sink by more than 50 %.^{1d}

^{1a} *EEA Report No 6/2019.*

^{1b} *EEA, Total greenhouse gas emission trends and projections in Europe (<https://www.eea.europa.eu/data-and-maps/indicators/greenhouse-gas-emission-trends-6/assessment-3>).*

^{1c} *EEA, Total greenhouse gas emission trends and projections in Europe (<https://www.eea.europa.eu/data-and-maps/indicators/greenhouse-gas-emission-trends-6/assessment-3>).*

^{1d} *Seidl, R.; Schelhaas, M.-J.; Rammer, W.; Verkerk, P. J. (2014): Increasing forest disturbances in Europe and their impact on carbon storage. In: nature climate change 4 (9), pp. 806–810. DOI: 10.1038/nclimate2318.*

Amendment 6

Proposal for a regulation Recital 1 c (new)

Text proposed by the Commission

Amendment

(1c) *In its communication of 11 December 2019 on the European Green Deal, the Commission sets out a new strategy as a first step in the transformation of the Union into an environmentally sustainable, carbon-neutral, toxic-free and fully circular economy within the limits of the planet by 2050 at the latest. The European Green Deal also aims to strengthen global efforts to implement the ‘One Health’ approach,*

which recognises the intrinsic link between human health, animal health and a healthy and resilient environment, and to contribute to the achievement of the objectives of the Paris Agreement and the Convention on Biological Diversity, as well as the United Nations Sustainable Development Goals.

Amendment 7

Proposal for a regulation

Recital 1 d (new)

Text proposed by the Commission

Amendment

1d. The Special Report on the Ocean and Cryosphere in a Changing Climate from the Intergovernmental Panel on Climate Change established that the oceans play a fundamental role in absorbing and redistributing natural and anthropogenic carbon dioxide (CO₂) and heat, as well in supporting ecosystems.

Amendment 8

Proposal for a regulation

Recital 2

Text proposed by the Commission

Amendment

(2) Tackling climate and environmental-related challenges and reaching the objectives of the Paris Agreement are at the core of the Communication on 'The European Green Deal', adopted by the Commission on 11 December 2019²⁸. The necessity and value of the European Green Deal have only grown in light of the very severe effects of the COVID-19 pandemic on the health and economic well-being of the Union's citizens.

(2) ***Taking a holistic approach to tackling climate and environmental-related challenges and reaching the objectives of the Paris Agreement in a fair and inclusive way, leaving no one behind, are at the core of the Communication on 'The European Green Deal', adopted by the Commission on 11 December 2019²⁸. It is therefore necessary to ensure that measures taken to meet the objectives of this Regulation take into account the 'do no significant harm' principle and the minimum safeguards within the meaning of Articles 17 and 18 of Regulation (EU) 2020/852 of the European Parliament and of the Council, and also take into account the***

principles enshrined in the European Pillar of Social Rights. The necessity and value of the European Green Deal, *and the need to implement it in a sustainable way,* have only grown in light of the very severe effects of the COVID-19 pandemic on the health, *social cohesion* and well-being of the Union's citizens.

²⁸ COM(2019)640 final.

²⁸ COM(2019)640 final.

^{28a} *Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13).*

Amendment 9

Proposal for a regulation Recital 2 a (new)

Text proposed by the Commission

Amendment

(2a) The Commission communication of 20 May 2020 on EU Biodiversity Strategy for 2030: Bringing nature back into our lives steps up the Union's ambition regarding the protection and restoration of biodiversity and well-functioning ecosystems. Scientific evidence, reports and recommendations on zoonoses and pandemics, including the IPBES workshop report on biodiversity loss and pandemics, and the United Nations Environment Programme report of 6 July 2020 entitled 'Preventing the next pandemic – Zoonotic diseases and how to break the chain of transmission', have demonstrated the importance of halting the loss of biodiversity and of holistically applying the 'One Health' principle in policy making, which reflects the fact that human health, animals and the environment are interconnected and

that transformative changes are urgently needed across society.

Amendment 10

Proposal for a regulation Recital 2 b (new)

Text proposed by the Commission

Amendment

(2b) The Union's 8th Environmental Action Programme is aimed at accelerating the green transition to a climate-neutral, sustainable, non-toxic, resource-efficient, renewable energy-based, resilient and competitive circular economy in a just, equitable and inclusive way and at protecting, restoring and improving the state of the environment including by, inter alia, halting and reversing biodiversity loss. It recognises that a healthy environment underpins the well-being of all people, where biodiversity is conserved and ecosystems thrive and nature is protected and restored, leading to increased resilience in relation to climate change, weather and climate-related disasters and other environmental risks.

Amendment 11

Proposal for a regulation Recital 2 c (new)

Text proposed by the Commission

Amendment

(2c) The United Nations Environment Programme and the OECD Global Forum on Environment have highlighted that environmental changes have gender-specific impact. Gender-differentiated roles also cause differentiated vulnerabilities for women and men to the effects of climate change, and climate change impacts exacerbate gender inequalities. The 8th Environmental

Action Programme defines gender mainstreaming throughout climate and environmental policies, including by incorporating a gender perspective at all stages of the policy making process, as a vital, enabling condition for the achievement of the priority objectives of the programme, requiring efforts from the Commission, the Member States, regional and local authorities and stakeholders, as appropriate.

Amendment 12

Proposal for a regulation Recital 3

Text proposed by the Commission

(3) The Union committed to reducing the Union's economy-wide net greenhouse gas emissions by at least 55 % below 1990 levels by 2030 in the updated nationally determined reduction commitment submitted to the UNFCCC Secretariat on 17 December 2020²⁹.

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https://www4.unfccc.int/sites/ndcstaging/PublishedDocuments/European%20Union%20First/EU_NDC_Submission_December%202020.pdf

Amendment

(3) The Union committed to reducing the Union's economy-wide net greenhouse gas emissions by at least 55 % below 1990 levels by 2030 in the updated nationally determined reduction commitment submitted to the UNFCCC Secretariat on 17 December 2020²⁹, ***while the European Parliament has called for a reduction of the Union's economy-wide gross greenhouse gas emissions by at least 60% below 1990 levels by 2030.***

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https://www4.unfccc.int/sites/ndcstaging/PublishedDocuments/European%20Union%20First/EU_NDC_Submission_December%202020.pdf

Amendment 13

Proposal for a regulation Recital 3 a (new)

Text proposed by the Commission

Amendment

(3a) Reducing methane emissions is critical in relation to meeting the Paris

Agreement goal of limiting global temperature rise to 1,5°C by the end of the century. A 2021 report from the United Nations Environment Programme (UNEP) estimates that rapid action on methane emissions could take 0,3°C off global temperature by 2045. There is therefore an urgent need for the Union to adopt a reduction target and accompanying binding measures to rapidly reduce methane emissions from all sources, including biogenic sources.

Amendment 14

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) In Regulation (EU) 2021/1119 of the European Parliament and of the Council³⁰, the Union has enshrined the target of economy-wide **climate neutrality** by 2050 in legislation. That Regulation also establishes a binding Union commitment to reduce net greenhouse gas emissions (emissions after deduction of removals) by at least 55 % below 1990 levels by 2030. All sectors of the economy are expected to contribute to achieving that target, including the land use, land use change and forestry sector. **The** contribution of net removals to the 2030 Union climate target is limited to 225 million tonnes of CO₂ equivalent. **In the context of Regulation (EU) 2021/1119, the Commission reaffirmed in a corresponding statement its intention to propose a revision of Regulation (EU) 2018/841 of the European Parliament and of the Council³¹, in line with the ambition to increase net carbon removals to levels above 300 million tonnes of CO₂ equivalent in the land use, land use change and forestry sector by 2030.**

Amendment

(4) In Regulation (EU) 2021/1119 of the European Parliament and of the Council³⁰, the Union has enshrined the target of **achieving an economy-wide balance between anthropogenic emissions by sources, and removals by sinks, of greenhouse gas emissions within the Union** by 2050 **at the latest, and of achieving negative emissions thereafter** in legislation. That Regulation also establishes a binding Union commitment to reduce net greenhouse gas emissions (emissions after deduction of removals) by at least 55 % below 1990 levels by 2030. All sectors of the economy are expected to contribute to achieving that target, including the land use, land use change and forestry sector. **In order to ensure that sufficient mitigation efforts are deployed up to 2030, the** contribution of net removals to the 2030 Union climate target is limited to 225 million tonnes of CO₂ equivalent.

³⁰ Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).'

³¹ ***Regulation (EU) 2018/841 of the European Parliament and of the Council of 30 May 2018 on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry in the 2030 climate and energy framework, and amending Regulation (EU) No 525/2013 and Decision No 529/2013/EU (OJ L 156, 19.6.2018, p. 1).***

³⁰ Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).

Amendment 15

Proposal for a regulation Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) The LULUCF sector has been a significant carbon sink since the beginning of the reporting period, in 1990. Forestry alone has sequestered annually around 400 Mt CO₂ equivalent within the Union since 1990.

Amendment 16

Proposal for a regulation Recital 4 b (new)

Text proposed by the Commission

Amendment

(4b) The construction of new transport infrastructure is needed to enhance the connections between, on the one hand, urban areas and, on the other, rural and remote areas across the Union and between Member States. However, such construction can, at the same time, contribute to land artificialisation, which,

in turn, can reduce the capacity of soil to absorb greenhouse gases. Any such land use should be considered in terms of its potential for emissions reduction and its climate impact, while taking account of the need to keep a balance between economic, social and environmental dimensions. Member States should be encouraged to ensure that the planning, authorisation and deployment of transport and tourism infrastructure contributes to the sustainable fulfilment of the objectives of this Regulation, and to ensure good maintenance of existing infrastructure and efficient land use from the climate perspective, especially in road transport networks.

Amendment 17

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) In order to *contribute* to the *increased ambition to reduce greenhouse gas net emissions from at least 40 % to at least 55 % below 1990 levels*, binding annual targets for net greenhouse gas removals should be set out for each Member State in the *land use, land use change and forestry* sector in the period from 2026 to 2030 (in analogy to the annual emission allocations set out in Regulation (EU) 2018/842 of the European Parliament and of the Council³²), resulting in *a* target of **310** millions of tonnes CO₂ equivalent of net removals for the Union as a whole in 2030. The methodology used to establish the national targets for 2030 should take into account the average greenhouse gas emissions and removals from the years 2016, 2017 and 2018, reported by each Member State, and reflect the current mitigation performance of the land use, land use change and forestry sector, and each Member State's share of

Amendment

(5) In order to *ensure that the LULUCF sector makes a sustainable and predictable long-term contribution* to the *Union climate neutrality objective by 2050 at the latest and to the aim of achieving negative emissions thereafter*, binding annual targets for net greenhouse gas removals should be set out for each Member State in the *LULUCF* sector in *the period up to at least 2050, starting with* the period from 2026 to 2030 (in analogy to the annual emission allocations set out in Regulation (EU) 2018/842 of the European Parliament and of the Council³²), resulting in *an intermediary* target of *at least 310* millions of tonnes CO₂ equivalent of net removals for the Union as a whole in 2030, *as well as an additional target of at least 50 million tonnes CO₂ equivalent of net removals to be achieved by additional measures and initiatives at Union and Member State level to support carbon farming measures based on rules at*

the managed land area in the Union, taking into account the capacity of that Member State to improve its performance in the sector via land management practices or changes in land use that benefit the climate and biodiversity.

Union level, but on a voluntary basis at farm level, while ensuring that those additional net removals are not offsetting necessary emissions reductions in accordance with Union climate targets as laid down in Regulation (EU) 2021/1119.

The methodology used to establish the national targets for 2030 should take into account the average greenhouse gas emissions and removals from the years 2016, 2017 and 2018, reported by each Member State, and reflect the current mitigation performance of the land use, land use change and forestry sector, and each Member State's share of the managed land area in the Union, taking into account the capacity of that Member State to improve its performance in the sector via ***restoration***, land management practices or changes in land use that benefit the climate and biodiversity. ***Where Member States are willing to overachieve their targets, they should be encouraged to do so.***

³² Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No 525/2013 (OJ L 156, 19.6.2018, p. 26).

³² Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No 525/2013 (OJ L 156, 19.6.2018, p. 26).

Amendment 18

Proposal for a regulation Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) Deforestation and forest degradation contribute to the global climate crisis as they increase greenhouse gas emissions through associated forest fires, permanently removing carbon sink capacities, decreasing the climate change

resilience of the affected area and substantially reducing its biodiversity. Halting and reversing deforestation as reaffirmed at the COP26 in Glasgow by the EU leaders is therefore vital in fighting against climate change. The Commission proposal to ban the import and export of commodities and products associated with deforestation and forest degradation (COM(2021)0366) is therefore an important incentive to further strengthen European forest owners in sustainable forest management and the fight against deforestation.

Amendment 19

Proposal for a regulation Recital 5 b (new)

Text proposed by the Commission

Amendment

(5b) Mapping and monitoring provisions, both in field and remote sensing monitoring, should be introduced in order to require Member States to have geographically explicit information to identify priority areas that have the potential to be restored and that can contribute to climate action . As part of a general improvement of monitoring, reporting and verification, the work will also focus on harmonising and refining databases of activity and emissions factors to improve greenhouse gas inventories.

Amendment 20

Proposal for a regulation Recital 5 c (new)

Text proposed by the Commission

Amendment

(5c) Soil organic carbon and carbon pools of deadwood, much of which consequently feeds the soil carbon pool are of particularly high relevance, in a

number of reporting categories, for both climate action and biodiversity protection. Empirical evidence exists on deadwood in the form of coarse woody debris acting as a carbon sink analogous to harvested wood products. It contributes further to the creation of terrestrial carbon sink in forest soil preventing mineralisation into CO₂ and both of those mechanisms should be adequately factored into the reporting. Research further confirms the global patterns reported for forest soils' vertical soil organic carbon applicability for European forests, whereby approximately 55–65% is stored in the upper 30 cm of soil, and the rest 40% is stored at higher depth, measured up to 1 m, in particular for organic soils. The Regulation should be amended in this respect.

Amendment 21

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) The binding annual targets for net greenhouse gas removals should be determined for each Member State by a linear trajectory. The trajectory should start in 2022, on the average of greenhouse gas emissions reported by that Member State during 2021, 2022 and 2023 and end in 2030 on the target set out for that Member State. For Member States that improve their methodology of calculating the emissions and removals, a concept of technical correction should be introduced. A technical correction should be added to the target of that Member State corresponding to the effect of the *change in* methodology on the targets and the efforts of the Member State to achieve them, in order to respect environmental integrity.

Amendment

(6) The binding annual targets for net greenhouse gas removals should be determined for each Member State by a linear trajectory. The trajectory should start in 2022, on the average of greenhouse gas emissions reported by that Member State during 2021, 2022 and 2023 and end in 2030 on the target set out for that Member State. For Member States that improve their methodology of calculating the emissions and removals, a concept of technical correction should be introduced, ***subject to independent scientific review***. A technical correction should be added to the target of that Member State corresponding to the effect of the ***improved accuracy in the methodology used*** on the targets and the efforts of the Member State to achieve them, in order to respect environmental

integrity.

Amendment 22

Proposal for a regulation Recital 6 a (new)

Text proposed by the Commission

Amendment

(6a) In its 2019 Global Assessment Report on Biodiversity and Ecosystem Services, the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) provided the latest scientific evidence on the ongoing worldwide erosion of biodiversity. Biodiversity loss accelerates climate change and severely increases vulnerability to it. On 11 October 2021, the Council of the Union authorised the Commission to endorse the Kunming Declaration on behalf of the Union, thereby committing the Union to reverse the current loss of biodiversity and ensure that biodiversity is put on a path to recovery by 2030 at the latest. Forests and healthy soils are hugely important for biodiversity, but also for the purification of air and water, carbon sequestration and storage, and the provision of sustainably sourced long-lived wood products. The new EU Forest Strategy for 2030 and the EU Soil Strategy for 2030 both recognised the need to protect and improve the quality of forests and soil ecosystems in the Union, and to encourage reinforced sustainable management practices that can enhance carbon sequestration and strengthen the resilience of forests and soils in light of the climate and biodiversity crises.

Amendment 23

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) The Communication of 17 September 2020 on Stepping up Europe's 2030 climate ambition³³ outlined ***an option to combine agriculture non-CO₂ greenhouse gas emissions with land use, land use change and forestry net removals, thus creating a newly regulated land sector. Such combination can promote synergies between land-based mitigation actions and enable more integrated policymaking and policy implementation at national and Union level. To this end, the obligation for Member States to submit integrated mitigation plans for the land sector should be reinforced.***

³³ COM(2020) 562 final.

Amendment

(7) The Communication of 17 September 2020 on Stepping up Europe's 2030 climate ambition³³ outlined ***different pathways and policy options to reach the Union's increased 2030 climate target. It stressed that reaching climate neutrality will require Union action to be significantly stepped up in all sectors of the economy. Progress made in one sector should not compensate for the lack of progress in other sectors. The priority should be to stop the release of fossil emissions. Moreover, removals of greenhouse gases by natural carbon sinks are fragile and potentially reversible, which leads to increased uncertainty in measuring emissions and removals in the land sector compared to other sectors. The risk of reversal of removals by natural carbon sinks is further aggravated by climate change. Climate science also shows that the climate response to emissions and removals is asymmetrical, meaning that one tonne of greenhouse gases emitted to the atmosphere cannot be compared to one tonne of greenhouse gases removed^{33a}. There are also differences between short-lived greenhouse gases, such as methane, and carbon dioxide that can stay in the atmosphere for up to 1 000 years. Therefore, the objective of enhancing removals by natural carbon sinks should be pursued strictly separately from the objective of rapidly and drastically reducing greenhouse gas emissions from other sectors, including non-CO₂ agricultural emissions.***

³³ COM(2020)0562.

^{33a} Zickfeld K., Azevedo D., Mathesius S. et al. Asymmetry in the climate-carbon cycle response to positive and negative CO₂ emissions. *Nature Climate Change*

Amendment 24

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) ***The land sector has the potential to become rapidly climate-neutral by 2035 in a cost-effective manner, and subsequently generate more greenhouse gas removals than emissions. A collective commitment aiming to achieve climate-neutrality in the land sector in 2035 at EU level can provide the needed planning certainty to drive land-based mitigation action in the short term, considering that it can take many years for such action to deliver the desired mitigation outcomes. Moreover, the land sector is projected to become the largest sector in the EU greenhouse gas flux profile in 2050. It is therefore particularly important to anchor that sector to a trajectory that can effectively deliver net zero greenhouse gas emissions by 2050. By mid-2024, the Member States should submit their updated integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999 of the European Parliament and of the Council³⁴. The plans should include relevant measures by which each Member State best contributes to the collective target of climate neutrality in the land sector at EU level in 2035. On the basis of these plans, the Commission should propose national targets, ensuring that the Union-wide greenhouse gas emissions and removals in the land use, land use change and forestry sector and the emissions from the agriculture non-CO₂ sectors are at least balanced by 2035. Contrary to the EU level target of climate neutrality for the land sector by 2035, such national targets will be binding and enforceable on each***

Amendment

(8) The land sector is projected to become the largest sector in the EU greenhouse gas flux profile in 2050. ***The sectors within the land pillar are expected to contribute differently to the climate neutrality goal. In particular, cropland, grassland and wetlands are currently net emitters of greenhouse gases in the Union, but have the potential to become a source of net removals of greenhouse gases, in particular through the upscaling of agroforestry, organic farming, and the restoration of wetlands and peatlands.*** It is therefore particularly important to anchor ***each*** sector to a trajectory that can effectively deliver net zero greenhouse gas emissions by 2050. By mid-2024, the Member States should submit their updated integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999 of the European Parliament and of the Council³⁴. The plans should include relevant measures by which each Member State best contributes to the ***objective of ensuring a fair contribution of all towards that objective.*** On the basis of these plans, ***and after taking into account the advice of the European Scientific Advisory Board on Climate Change and the Union greenhouse gas budget set out in Regulation (EU) 2021/1119,*** the Commission should propose ***specific targets and measures to ensure a fair burden-sharing between all individual land sectors and Member States.***

Member State.

³⁴ Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p.1).

³⁴ Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p.1).

Amendment 25

Proposal for a regulation Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) Peatlands are the largest terrestrial store of organic carbon but, if dried, they could become a potential source of greenhouse gases, contributing to the climate crisis. Globally, drained peatlands emit around 2 Gt of carbon dioxide per year, which corresponds to about 5% of anthropogenic emissions. Therefore, improving peatland management and protection should be considered a priority in relation to increasing the absorption of greenhouse gases and thus contributing to climate change mitigation, and to the protection of biodiversity and of the soil against erosion;

Amendment 26

Proposal for a regulation Recital 8 b (new)

(8b) Forests provide important benefits for biodiversity, soil stabilisation, purification of air and water, carbon sequestration and storage, and potentially provide long-lived wood products. However, the nature and function of forests is highly variable across the Union, particularly from the north, where timber production is more prevalent, to the south, where soil conservation is a priority and other specific multifunctional forest types, such as Mediterranean forest or Dehesa, often need specific conservation and ecological measures, as well as long time periods for removal of CO₂ by sinks. Such Mediterranean forests are more vulnerable to climate change due to direct impacts, such as drought or temperature-induced forest dieback or evolution of aridity. In that context, an aridity index should be used as one of the tools needed to strengthen the resilience of the Union's forests.

Amendment 27

Proposal for a regulation Recital 8 c (new)

(8c) In implementing this regulation, account should be taken of Article 349 TFEU, which acknowledges the particular vulnerability of the outermost regions owing to their small size, insularity, remoteness from mainland regions, difficult topography and climate and economic dependence on a few products, a combination that severely hampers their development and generates substantial extra costs in many areas, particularly for transport. Efforts being made and targets for greenhouse gas reduction, set for Member States with

outermost regions – Portugal, Spain and France – should be adapted to those regions’ difficult situation, balancing environmental objectives against the high social costs for those regions, and taking into account that some 80% of the Union’s biodiversity is found there. Those Member States should, therefore, involve the authorities of the outermost regions in the drawing up of their national energy and climate plans, ensuring a fair transition.

Amendment 28

Proposal for a regulation Recital 10

Text proposed by the Commission

(10) In order to enhance greenhouse gas removals, individual farmers or forest managers ***need a direct incentive*** to store more carbon on their land and their forests. ***New business models based on carbon farming incentives and on the certification of carbon removals need to be increasingly deployed in the period until 2030.*** Such incentives ***and business models will*** enhance climate mitigation in ***the*** bio-economy, including through the use of durable harvested wood products, in full respect of ecological principles fostering biodiversity and the circular economy. Hence, new categories of ***carbon storage*** products ***should*** be introduced ***in addition to the harvested wood products.*** ***The emerging business models, farming and land management practices to enhance removals contribute to a balanced territorial development and economic growth in rural areas. They also create opportunities for new jobs and provide incentives for relevant training, reskilling and upskilling.***

Amendment

(10) In order to enhance greenhouse gas removals, individual farmers, ***land and forest owners*** or forest managers ***should be encouraged*** to store more carbon on their land and their forests, ***prioritising ecosystem-based approaches and biodiversity-friendly practices, such as close to nature forestry practices, proforestation, the restoration of forest carbon stocks, expansion of agroforestry coverage, soil carbon sequestration and restoration of wetlands as well as other innovative solutions.*** Such incentives ***should also*** enhance climate mitigation ***and overall emission reduction across sectors*** in ***the*** bio-economy, including through the use of durable harvested wood products, in full respect of ecological principles fostering biodiversity and the circular economy. ***Sustainably sourced long-lived harvested wood and bio-based carbon storage products can contribute to the circular bioeconomy by acting as substitutes for fossil-based options, but the potential for carbon storage in those products is determined by the lifespan of those products. The benefit of using wood to replace competing energies or materials***

with higher carbon footprints is also dependent on harvesting methods, transport and processing. Hence, new categories of carbon storage products may be introduced only if they are long-lived, have a net-positive carbon sequestration effect based on a life-cycle assessment, including the impact on land use and land use change associated with increased harvesting, and provided that the available data are science-based, transparent and verifiable. The Commission needs to take into account the need for the life cycle of those products not to cause significant harm to environmental objectives within the meaning of Article 17 of Regulation (EU) 2020/852.

Amendment 29

Proposal for a regulation Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) Public funding under the Common Agricultural Policy (CAP) and other Union programmes can already support carbon sequestration and biodiversity-friendly approaches in forests and agricultural lands. To provide necessary and tailor-made financial support to land and forest owners or managers to achieve the increased LULUCF targets, CAP Strategic Plans and other public or private sources of financing should be mobilised.

Amendment 30

Proposal for a regulation

Recital 10 b (new)

Text proposed by the Commission

Amendment

(10b) In order to ensure constant progress towards meeting the objectives of this Regulation, Member States which fail to meet their annual targets in two consecutive years should revise their National Energy and Climate Plans and Long-term Strategies to ensure additional action is taken to enhance all sinks and reservoirs, and to reduce the vulnerability of the land to natural disturbances.

Amendment 31

Proposal for a regulation

Recital 10 c (new)

Text proposed by the Commission

Amendment

(10c) To preserve and enhance social coherence, the European Green Deal needs to be implemented in an economically sustainable and socially sensitive way to ensure a fair and just transition that leaves no one behind and promotes gender equality. The increased level of ambition in the land-use and forestry sector can have social, labour and economic impacts. It can create opportunities for new quality employment and provide incentives for relevant training, reskilling and upskilling. It is therefore important to anticipate impacts of policies on jobs and job-related outcomes with Employment Impact Assessments, as laid down for example through the ILO Reference Guide on Employment Impact Assessment, to ensure a just transition of the land-use and forestry sector to become more sustainable, with the full involvement of social partners and relevant civil society organisations in both the planning and implementation phases, benefitting forest and land managers, farmers, workers, the

environment and society more widely. National policies should take this duly into account.

Amendment 32

Proposal for a regulation
Recital 10 d (new)

Text proposed by the Commission

Amendment

(10d) The potential for carbon storage in wood products is determined by the lifespan of those products, which can range from a few days for a leaflet, to decades or even hundreds of years for a wooden building. Although a wood product does represent a carbon stock, the actual benefit of harvesting a tree depends on the lifespan of the product produced, which must be compared to that of the wood in the ecosystem if that tree had not been cut down.

Amendment 33

Proposal for a regulation
Recital 10 e (new)

Text proposed by the Commission

Amendment

(10e) The definition of paludiculture (or bog farming) should be further discussed to swiftly shift to more climate-friendly farming on organic soils as well as to stop drainage and restore the natural water level.

Amendment 34

Proposal for a regulation
Recital 10 f (new)

Text proposed by the Commission

Amendment

(10f) In line with the Union objective of net zero land take by 2050, conversion of

natural and agricultural land into built-up areas should be avoided. Therefore, Member States should introduce measures in their land-use plans designed to compensate for any reduction of land resulting from urbanisation.

Amendment 35

Proposal for a regulation

Recital 11

Text proposed by the Commission

(11) Considering the specificities of the land use, land use change and forestry sector in each Member State, as well as the fact that Member States need to increase their performance to achieve their national binding targets, a range of flexibilities should remain at the disposal of the Member States, including trading surpluses and the extension of forest-specific flexibilities, while respecting the environmental integrity of the targets.

Amendment

(11) Considering the specificities of the land use, land use change and forestry sector in each Member State, as well as the fact that Member States need to increase their performance to achieve their national binding targets, a range of flexibilities should remain at the disposal of the Member States, including trading surpluses ***at a minimum price*** and the extension of forest-specific flexibilities, while respecting the environmental integrity of the targets.

Amendment 36

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) Discontinuing the current accounting rules after 2025 creates a need for alternative provisions for natural disturbances such as fire, pest, and storms, in order to address uncertainties due to natural processes or ***as a result of*** climate change in the land use, land use change and forestry sector. A flexibility mechanism linked to natural disturbances should be available to Member States in 2032, provided that they have exhausted all other flexibilities at their disposal, put in place appropriate measures to reduce the

Amendment

(12) Discontinuing the current accounting rules after 2025 creates a need for alternative provisions for natural disturbances such as fire, pest, and storms, in order to address uncertainties due to natural processes or ***to ecosystem perturbations driven by*** climate change in the land use, land use change and forestry sector, ***provided that those disturbances could not have been anticipated or prevented, in particular by implementing adaptation measures.*** A flexibility mechanism linked to natural disturbances

vulnerability of their land to such disturbances and that the achievement by the Union of the 2030 target for the land use, land use change and forestry sector is completed.

should be available to Member States in 2032, provided that they have exhausted all other flexibilities at their disposal, ***and have demonstrated that the remaining surplus is directly linked to the impact of natural disturbances or of ecosystem perturbations driven by climate change,*** put in place appropriate measures to ***enhance natural carbon sinks in a way that contributes to enhancing biodiversity,*** ***reduced*** vulnerability of their land to such disturbances and that the achievement by the Union of the 2030 target for the land use, land use change and forestry sector is completed.

Amendment 37

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) With the setting of binding national annual targets for greenhouse gas removals based on the reported greenhouse gas emissions and removals from 2026 onwards, the rules for target compliance should be set out. The principles laid down in Regulation (EU) 2018/842 should apply *mutatis mutandis*, with a penalty for non-compliance calculated in the following way: 108% of the gap between the assigned target and the net removals reported in the given year will be added to the greenhouse gas emission figure reported in the subsequent year by the Member State.

Amendment

(13) With the setting of binding national annual targets for greenhouse gas removals based on the reported greenhouse gas emissions and removals from 2026 onwards, the rules for target compliance should be set out. The principles laid down in Regulation (EU) 2018/842 should apply *mutatis mutandis*, with a penalty for non-compliance calculated in the following way: 108% of the gap between the assigned target and the net removals reported in the given year will be added to the greenhouse gas emission figure reported in the subsequent year by the Member State. ***The Commission should take all the necessary measures in accordance with the Treaties to ensure compliance by Member States with the provisions set out in this Regulation.***

Amendment 38

Proposal for a regulation

Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) Public scrutiny and access to justice are an essential part of the democratic values of the Union and a tool to safeguard rule of law. Civil society plays an essential role as a watchdog in the Member States and provides important support to help deliver the goals of the European Green Deal. To protect their rights and to challenge breaches of implementation of this Regulation at the national level, the Member States should ensure that citizens and non-governmental organisations have access to justice. In order to ensure that that right can be exercised evenly throughout the Member States, an article covering access to justice should be added to this Regulation.

Amendment 39

Proposal for a regulation Recital 14

Text proposed by the Commission

Amendment

(14) In order to ***ensure uniform conditions for the implementation of the provisions of Regulation (EU) 2018/841 concerning the setting out of the annual target allocations for Member States, implementing powers should be conferred on the Commission. Those powers should be exercised*** in accordance with ***Regulation (EU) No 182/2011 of the European Parliament and of the Council***³⁷.

(14) In order to ***specify the requirements set out in this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to supplement this Regulation in respect of setting out annual target allocations for Member States for the LULUCF sector as well as the method for determination of the technical correction to be added to the targets of the Member States and for the independent expert review, specifying minimum criteria for the inclusion of biodiversity monitoring in the land monitoring system, and adopting a methodology for assessing the impact of ecosystem perturbations driven by climate***

change. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016^{37a}. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

^{36a} OJ L 123, 12.5.2016, p. 1.

³⁷ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Amendment 40

Proposal for a regulation Recital 15 a (new)

Text proposed by the Commission

Amendment

(15a) In Europe, National Forest Inventories (NFI) are used to provide information for forest ecosystem service assessments. The forest inventory monitoring system differs from country to country, as each country has its own forest inventory system with its own methodology. The Commission and the Member States should harmonize the indicators, definition and the different inventory systems and establish a consistent forest monitoring system across

the Union.

Amendment 41

Proposal for a regulation

Recital 16

Text proposed by the Commission

(16) Due to the change to reporting-based targets, the greenhouse gas emissions and removals need to be estimated with a higher level of accuracy. Moreover, the Communication from the Commission on EU Biodiversity Strategy for 2030³⁸, the Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system³⁹, the EU Forest Strategy⁴⁰, the revised Directive (EU) 2018/2001 of the European Parliament and of the Council⁴¹ and the Communication from the Commission on Forging a climate-resilient Europe - the new EU Strategy on Adaptation to Climate Change⁴² will all require enhanced monitoring of land, thereby helping to protect and enhance the resilience of nature-based carbon removals throughout the Union. The monitoring and reporting of emissions and removals needs to be upgraded, using advanced technologies available under Union programmes, such as Copernicus, and digital data collected under the Common Agricultural Policy, applying the twin transition of green and digital innovation.

Amendment

(16) Due to the change to reporting-based targets, the greenhouse gas emissions and removals need to be estimated ***and measured*** with a higher level of accuracy. Moreover, the Communication from the Commission on EU Biodiversity Strategy for 2030³⁸, the Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system³⁹, ***the EU Soil Strategy^{39a}***, the EU Forest Strategy⁴⁰, ***the Communication from the Commission on Sustainable Carbon Cycles^{40a}***, ***the updated EU Bioeconomy Strategy^{40b}***, the revised Directive (EU) 2018/2001 of the European Parliament and of the Council⁴¹ and the Communication from the Commission on Forging a climate-resilient Europe - the new EU Strategy on Adaptation to Climate Change⁴² will all require enhanced monitoring of land, thereby helping to protect and enhance the resilience of nature-based carbon removals throughout the Union, ***and to incentivise synergies between Union climate and biodiversity policies***. The ***satellite and on-site*** monitoring and reporting of emissions and removals needs to be upgraded, using advanced technologies available under Union programmes, such as Copernicus, ***and making full use of already existing tools such as LUCAS statistical surveys***, and digital data collected under the Common Agricultural Policy, applying the twin transition of green and digital innovation. ***In that context, the Commission should provide assistance to Member States to apply Tier 3 methodology from 2026 onwards to***

ensure consistency and transparency of the data, and continue working on GIS geo-spatial data at the Union level.

³⁸ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions EU Biodiversity Strategy for 2030 - Bringing nature back into our lives (COM(2020) 380 final).

³⁹ COM/2020/381 final.

⁴⁰ [...]

⁴¹ Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).

⁴² COM/2021/82 final.

³⁸ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions EU Biodiversity Strategy for 2030 - Bringing nature back into our lives (COM(2020) 380 final).

³⁹ COM/2020/381 final.

^{39a} *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions EU Soil Strategy for 2030- Reaping the benefits of healthy soils for people, food, nature and climate (COM/2021/699 final).*

⁴⁰ [...]

^{40a} *Communication from the Commission to the European Parliament and the Council on Sustainable Carbon Cycles (COM/2021/800 final).*

^{40b} *Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - A sustainable Bioeconomy for Europe: Strengthening the connection between economy, society and the environment (COM/2018/673 final).*

⁴¹ Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).

⁴² COM/2021/82 final.

Amendment 42

Proposal for a regulation

Recital 16 a (new)

Text proposed by the Commission

Amendment

(16a) In order to fulfil the commitments made under the EU biodiversity strategy for 2030 and New EU forest strategy for 2030, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of amending Annex V to Regulation (EU) 2018/1999 to add new land categories to those covered under the system for the monitoring of land use units subject to protection and to those covered under the system for the monitoring of land use units subject to restoration.

Amendment 43

Proposal for a regulation

Recital 17

Text proposed by the Commission

Amendment

(17) ***The expected*** anthropogenic changes to marine ***and freshwaters environment use though***, for instance, planned expansion of offshore energy, potential increase in aquaculture production and the increasing levels of nature protection to meet the EU Biodiversity Strategy targets ***will influence greenhouse gas emissions and their sequestration***. Currently these emissions and removals are not included in the standard reporting tables to the UNFCCC. Subsequently to the adoption of the reporting methodology, the Commission will consider ***reporting on the progress, feasibility of analysis and impact of*** extending the ***reporting to*** marine and freshwater ***environment*** based on the latest scientific evidence of these fluxes when carrying out the review in accordance with

(17) Anthropogenic changes to ***greenhouse gas emissions and removals in*** marine, ***coastal and freshwater ecosystems can be significant, and are expected to vary in the future as a result of changes in use though***, for instance, planned expansion of offshore energy, potential increase in aquaculture production and the increasing levels of nature protection ***required*** to meet the EU Biodiversity Strategy targets. ***Coastal wetlands are of specific interest for Union biodiversity as well as for the outermost regions and ecosystems concerned by the Union's external action, and can trigger important greenhouse gas emission reductions as the so-called "blue carbon" ecosystems***. Currently these emissions and removals are not included in the standard reporting tables to the UNFCCC. Subsequently to the adoption of the

Article 17(2) of this Regulation.

reporting methodology, the Commission will consider extending the *scope of this Regulation to include greenhouse gas emissions and removals from the marine, coastal, including deltaic wetlands, and freshwater ecosystems* based on the latest scientific evidence of these fluxes *and their causes, and apply specific targets to such emissions and removals*, when carrying out the review in accordance with Article 17(2) of this Regulation.

Amendment 44

Proposal for a regulation Recital 17 a (new)

Text proposed by the Commission

Amendment

(17a) The LULUCF Regulation should be amended to be in line with the Article 6 of the Paris Agreement and the outcome of the Climate Summit in Glasgow and avoid double counting. At the same time, the Union and Member States should encourage international partners and third parties to also take additional action in the land use, land use change, and forestry sectors in the context of upcoming UN Climate Change Conferences and in other international settings.

Amendment 45

Proposal for a regulation Article 1 – paragraph 1 – point 1 Regulation (EU) 2018/841 Article 1 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

(ca) Union-wide sub-targets for net greenhouse gas emissions from cropland, grassland and wetlands so that those land categories contribute to the Union's 2030 climate target and the climate-neutrality

objective set out in Regulation (EU) 2021/1119;

Amendment 46

Proposal for a regulation

Article 1 – paragraph 1 – point 1

Regulation (EU) 2018/841

Article 1 – paragraph 1 – point d a (new)

Text proposed by the Commission

Amendment

(da) sub-targets for Member States for net greenhouse gas emissions from cropland, grassland and wetlands so that those land categories contribute to the Union’s 2030 climate target and the climate-neutrality objective set out in Regulation (EU) 2021/1119, taking into account national specificities;

Amendment 47

Proposal for a regulation

Article 1 – paragraph 1 – point 1

Regulation (EU) 2018/841

Article 1 – paragraph 1 – point d b (new)

Text proposed by the Commission

Amendment

(db) commitments of the relevant Union institutions and Member States to take the necessary measures for enhancing net greenhouse gas removals in the LULUCF sector from 2031 onwards so as to contribute to Article 5(1) of the Paris Agreement and ensure a sustainable and predictable long-term contribution of natural sinks to achieving the Union’s climate-neutrality objective by 2050 at the latest, and to achieving negative emissions thereafter, as set out in Regulation (EU) 2021/1119;

Amendment 48

Proposal for a regulation

Article 1 – paragraph 1 – point 1

Regulation (EU) 2018/841

Article 1 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) commitments of Member States to take the necessary measures aiming towards the collective achievement of climate-neutrality in the Union by 2035 in the land use, land use change and forestry sector including emissions by the non-CO₂ agriculture.; **deleted**

Amendment 49

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) 2018/841

Article 2 – paragraph 3

Text proposed by the Commission

Amendment

3. This Regulation also applies to emissions and removals of the greenhouse gases listed in Section A of Annex I, reported pursuant to Article 26(4) of Regulation (EU) 2018/1999 and occurring on the territories of Member States from 2031 and onwards, in any of the land categories listed in paragraph 2, points (a) to (j) and in any of the following sectors: **deleted**

- (a) enteric fermentation;**
- (b) manure management;**
- (c) rice cultivation;**
- (d) agricultural soils;**
- (e) prescribed burning of savannas;**
- (f) field burning of agricultural residues;**
- (g) liming;**

- (h) *urea application*;
- (i) *'other carbon-containing fertilizers'*;
- (j) *'other'*.

Amendment 50

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 2

Text proposed by the Commission

2. The 2030 Union target for net greenhouse gas removals is **310** million tonnes CO₂ equivalent as a sum of the Member States targets established in accordance with paragraph 3 of this Article, and shall be based on the average of its greenhouse gas inventory data for the years 2016, 2017 and 2018.

Each Member State shall ensure that, taking into account the flexibilities provided for in Articles 12 **and 13** and 13b, the annual sum of its greenhouse gas emissions and removals on its territory and in all of the land reporting categories referred to in Article 2(2), points (a) to (j), in each year in the period from 2026 to 2030 does not exceed the limit established by a linear trajectory, ending in 2030 on the target set out for that Member State in Annex IIa. The linear trajectory of a Member State shall start in 2022.

Amendment

2. The 2030 Union target for net greenhouse gas removals ***in the land, land use change and forestry sector*** is ***at least 310*** million tonnes CO₂ equivalent as a sum of the Member States targets established in accordance with paragraph 3 of this Article, and shall be based on the average of its greenhouse gas inventory data for the years 2016, 2017 and 2018. ***This target shall be further amplified by additional measures and initiatives at Union and Member State level to support carbon farming, delivering at least 50 million additional tonnes CO₂ equivalent of net removals by 2030 at Union level.***

Each Member State shall ensure that, taking into account the flexibilities provided for in Articles 12 and 13b, the annual sum of its greenhouse gas emissions and removals on its territory and in all of the land reporting categories referred to in Article 2(2), points (a) to (j), in each year in the period from 2026 to 2030 does not exceed the limit established by a linear trajectory, ending in 2030 on the target set out for that Member State in Annex IIa. The linear trajectory of a Member State shall start in 2022.

Amendment 51

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 3

Text proposed by the Commission

3. The Commission shall adopt **implementing acts** setting out the annual targets based on the linear trajectory for net greenhouse gas removals for each Member State, for each year in the period from 2026 to 2029 in terms of tonnes CO₂ equivalent. These national trajectories shall be based on the average greenhouse gas inventory data for the years 2021, 2022 and 2023, reported by each Member State. The value of the 310 million tonnes CO₂ equivalent net removals as a sum of the targets for Member States set out in Annex IIa may be subject to a technical correction due to a change of methodology by Member States. The method for determination of the technical correction to be added to the targets of the Member States, shall be set out in these **implementing acts**. For the purpose of those **implementing acts**, the Commission shall carry out a comprehensive review of the most recent national inventory data for the years 2021, 2022 and 2023 submitted by Member States pursuant to Article 26(4) of Regulation (EU) 2018/1999.

Those implementing acts shall be adopted in accordance with the examination

Amendment

3. The Commission shall adopt **delegated acts in accordance with Article 16 to supplement this Regulation by** setting out the annual targets **for the LULUCF sector**, based on the linear trajectory for net greenhouse gas removals for each Member State, for each year in the period from 2026 to 2029 in terms of tonnes CO₂ equivalent. These national trajectories shall be based on the average greenhouse gas inventory data for the years 2021, 2022 and 2023, reported by each Member State. The value of the **at least 310 million tonnes CO₂ equivalent net removals as a sum of the targets for Member States set out in Annex IIa and an additional 50 million tonnes, at least, CO₂ equivalent as referred to in paragraph 2** may be subject to a technical correction due to a change of methodology by Member States, **subject to independent expert review confirming the necessity and proportionality of the technical correction based on the improved accuracy of the data monitored and reported**. The method for determination of the technical correction to be added to the targets of the Member States **and for the independent expert review** shall be set out in these **delegated acts and made publicly available**. For the purpose of those **delegated acts**, the Commission shall carry out a comprehensive review of the most recent national inventory data for the years 2021, 2022 and 2023 submitted by Member States pursuant to Article 26(4) of Regulation (EU) 2018/1999.

procedure referred to in Article 16a.

Amendment 52

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The Commission shall adopt delegated acts in accordance with Article 16 to supplement this Regulation by adopting a methodology for setting Union and Member States sub-targets for cropland, grassland and wetlands to ensure those land categories contribute to the EU's 2030 climate target and the climate-neutrality objective set out in Regulation (EU) 2021/1119, taking into account national specificities and sequestration potential in those land categories.

Amendment 53

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3b. The relevant Union institutions and the Member States shall take the necessary measures at Union and national level, respectively, to continue enhancing net greenhouse gas removals in the LULUCF sector from 2031 onwards so as to contribute to the implementation of Article 5(1) of the Paris Agreement and ensure a sustainable and predictable long-term contribution of natural sinks to the Union's climate-neutrality objective by 2050 at the latest and the aim of achieving negative

emissions thereafter, as set out in Regulation (EU) 2021/1119.

By 1 January 2025, the Commission shall, taking into account the advice of the European Scientific Advisory Board on Climate Change and the Union greenhouse gas budget set out in Regulation (EU) 2021/1119, and on the basis of the integrated national energy and climate plans submitted by Member States by 30 June 2024, pursuant to Article 14 (2) of Regulation (EU) 2018/1999, submit a proposal to amend this Regulation to set out Union and Member States targets for net greenhouse gas removals in land use, land use change and forestry at least for 2035, 2040, 2045 and 2050.

Amendment 54

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 4

Text proposed by the Commission

4. *The Union-wide greenhouse gas emissions in the sectors set out in Article 2(3), points (a) to (j), shall aim to be net zero by 2035 and the Union shall achieve negative emissions thereafter. The Union and the Member States shall take the necessary measures to enable the collective achievement of the target for 2035. The Commission shall, by 31 December 2025 and on the basis of integrated national energy and climate plans submitted by each Member State pursuant to Article 14 of Regulation (EU) 2018/1999 by 30 June 2024, make proposals for the contribution of each Member State to the net emissions reduction.’;*

Amendment

4. The Commission shall, by 31 December 2024, on the basis of *integrated national energy and climate progress reports and* of integrated national energy and climate plans submitted by each Member State pursuant to *Articles 14 and 17* of Regulation (EU) 2018/1999 by *that date, and taking into account the advice of the European Scientific Advisory Board on Climate Change and the Union greenhouse gas budget set out in Regulation (EU) 2021/1119, submit a report to the European Parliament and the Council on progress achieved in the increase of net-removals of greenhouse gases from cropland, grassland and wetlands under the scope of this Regulation and in the reduction of greenhouse gas emissions from*

agriculture under the scope of Regulation (EU) 2018/842, and assess whether current trends and future projections are consistent with the objective of achieving long-term greenhouse gas emission reductions in all sectors in accordance with the Union's climate-neutrality objective and the Union's intermediary climate targets set out in Regulation (EU) 2021/1119.

That report shall include an impact assessment exploring options, including national targets and sectoral sub-targets, to ensure a fair contribution of each sector and each Member State to the Union's climate-neutrality objective and the Union's intermediary climate targets set out in Regulation (EU) 2021/1119, while taking into account the objectives of the updated Bioeconomy Strategy 2018, sustainable local food production and food security, the Farm to Fork and Biodiversity Strategies, the forthcoming Sustainable Food System Legislation, assessing the synergies and trade-offs of accelerating the substitution of fossil fuels by bio-based products, and assessing the impacts down to farm level.

Following that report, the Commission shall submit legislative proposals where it deems it appropriate to ensure contributions by all sectors in accordance with the Union's climate-neutrality objective and the Union's intermediary climate targets set out in Regulation (EU) 2021/1119.

Amendment 55

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 4 a (new)

4a. *When taking measures to meet their national targets as referred to in paragraph 2, Member States shall take into account the ‘do no significant harm’ principle and the minimum safeguards within the meaning of Articles 17 and 18 of Regulation (EU) 2020/852 of the European Parliament and of the Council^{1a}, while taking into account the principles enshrined in the European Pillar of Social Rights. The Commission shall issue guidelines to specify common rules and methodologies to achieve the objective set out in this paragraph. The Commission is also empowered to adopt delegated acts in accordance with Article 16 to supplement this Regulation by setting minimum criteria for the inclusion of biodiversity monitoring in land monitoring systems.*

^{1a} *Regulation (EU) 2020/852 of the European Parliament and of the Council of 18 June 2020 on the establishment of a framework to facilitate sustainable investment, and amending Regulation (EU) 2019/2088 (OJ L 198, 22.6.2020, p. 13).*

Amendment 56

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 4 b (new)

4b. *The Member States shall ensure that CO₂ uptake from the atmosphere is optimally aimed at keeping forest stands in a high-growth age phase through climate-smart and sustainable management, as such management*

together with growth-increasing measures actively contribute to carbon uptake.

Amendment 57

Proposal for a regulation

Article 1 – paragraph 1 – point 3 a (new)

Regulation (EU) 2018/841

Article 4 a (new)

Text proposed by the Commission

Amendment

(3a) the following Article 4a is inserted:

‘Article 4a

Financial support and just transition for increased climate mitigation and adaptation action in the LULUCF sector

1. By... [four months after the entry into force of this Regulation], the Commission shall submit a report to the European Parliament and the Council assessing the availability and consistency of all existing Union funding instruments to increase climate mitigation and adaptation in the LULUCF sector in order to contribute to the targets set out in accordance with Article 4(3), in accordance with Article 4(4a). In that report, the Commission shall, where applicable, issue recommendations to the Member States on how their CAP Strategic Plans need to be amended pursuant to Article 120 of Regulation (EU) 2021/2115 of the European Parliament and of the Council to provide the necessary and tailor-made financial support to land and forest owners or managers to achieve the targets set out pursuant to Article 4(3), in accordance with Article 4(4a), with priority to be given to the promotion of ecosystem-based approaches in forests, agricultural land and agroforestry. Those recommendations shall take into account the need to ensure the permanence of the removals being generated through such financial support,

and the risk of those removals being released at any point into the atmosphere, accidentally or intentionally.

2. Where Member States use public revenues generated from the auctioning of EU ETS allowances under Directive 2003/87/EC to support climate mitigation and adaptation measures adopted by land and forest owners or managers to achieve the targets set out pursuant to Article 4(3), in accordance with Article 4(4a), priority shall be given to the promotion of ecosystem-based approaches in forests and agricultural land. Projects shall be selected on the basis of objective, science-based and transparent common criteria, and shall reward practices whose climate and environmental benefits are scientifically proven and that lead to the sustainable and long-term increase of carbon sequestration in soils and biomass while ensuring societal co-benefits.

3. For the purpose of paragraph 3, the Commission shall adopt guidelines to lay down common criteria for the selection of projects, based, inter alia, on existing guidelines adopted by the Commission. The Commission shall consult the European Scientific Advisory Board on Climate Change referred to in Article 3 of Regulation (EU) 2021/1119, as well as civil society and relevant stakeholders, before the adoption of those guidelines.

4. By 31 December 2022, the Commission shall submit a legislative proposal, where appropriate, to set up a regulatory framework for the certification of scientifically robust, sustainable, reliable and permanent carbon removals, including through carbon farming practices, that ensure environmental integrity and respect ecological principles favourable to biodiversity.

5. By... [two years after the entry into force of this Regulation], and every two years thereafter, Member States shall

evaluate the social and labour impacts, including on gender equality and working conditions, both at national and regional level, that the obligations set out in this Regulation have in any of the land categories and sectors covered by Article 2.'

Amendment 58

Proposal for a regulation

Article 1 – paragraph 1 – point 3 b (new)

Regulation (EU) 2018/841

Article 5 – paragraph 1

Present text

1. Each Member State shall prepare and maintain accounts that accurately reflect the emissions and removals resulting from the land accounting categories referred to in Article 2. Member States shall ensure that their accounts and other data provided under this Regulation are accurate, complete, consistent, comparable and transparent. Member States shall denote emissions by a positive sign (+) and removals by a negative sign (-).

Amendment

(3b) in Article 5, paragraph 1 is replaced by the following:

"1. Each Member State shall prepare and maintain accounts that accurately reflect the emissions and removals resulting from the land accounting categories referred to in Article 2. Member States shall ensure that their accounts and other data provided under this Regulation are accurate, complete, consistent, **publicly accessible**, comparable and transparent. Member States shall denote emissions by a positive sign (+) and removals by a negative sign (-).

(32018R0841, <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018R0841&rid=1>)

Amendment 59

Proposal for a regulation

Article 1 – paragraph 1 – point 3 c (new)

Regulation (EU) 2018/841

Article 5 – paragraph 4

Present text

Amendment

(3c) in Article 5, paragraph 4 is replaced by the following:

4. Member States shall include in their accounts for each land accounting category any change in the carbon stock of the carbon pools listed in Section B of Annex I. Member States may choose not to include in their accounts changes in carbon stocks of carbon pools provided that the carbon pool is not a source. However, that option not to include changes in carbon stocks in the accounts shall not apply in relation to the carbon pools of above-ground biomass, dead wood and harvested wood products, in the land accounting category of managed forest land.

"4. Member States shall include in their accounts for each land accounting category any change in the carbon stock of the carbon pools listed in Section B of Annex I. Member States may choose not to include in their accounts changes in carbon stocks of carbon pools provided that the carbon pool is not a source. However, that option not to include changes in carbon stocks in the accounts shall not apply in relation to the carbon pools of above-ground biomass, **mineral and organic soil carbon**, dead wood and harvested wood products, in the land accounting category of managed forest land.

(Regulation (EU) 2018/841 <https://eur-lex.europa.eu/legal-content/EN/TXT/PDF/?uri=CELEX:32018R0841&rid=1>)

Amendment 60

Proposal for a regulation

Article 1 – paragraph 1 – point 3 d (new)

Regulation (EU) 2018/841

Article 5 – paragraph 4 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

(3d) In Article 5, paragraph 4, the following subparagraph is added:

“No later than one year after [the entry into force of this amending Regulation], the Commission shall adopt a delegated act setting a recalibrated value of carbon stock for the main categories of primary and old-growth forests of the Union in the category of managed forest land based on the measured data.

The Commission shall use datasets provided by finalised or currently ongoing research projects for relevant primary and old-growth forest types and shall use other Union instruments to finance the projects for forest types with data gaps. If relevant, a specialised call under EU Missions in Horizon Europe related to climate change mitigation and adaptation

may be created for this purpose.”

Justification

under REMOTE project, scientists established that global modelling framework underestimates carbon stock of the beech Carpathian forests. The default values underestimating the potential of these ecosystems for emission avoidance might lead to erroneous decision making related to them. This shall be remediated. We are living in the era of data, and we have to base our climate action on correct data, not on wrong hypotheses.

Amendment 61

Proposal for a regulation

Article 1 – paragraph 1 – point 3 e (new)

Regulation (EU) 2018/841

Article 5 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

(3e) in Article 5, the following paragraph is inserted:

‘5a. Data collection shall be further enhanced by Union-wide harmonised monitoring of the evolution in soil organic carbon content and factors which impact soil condition and its carbon stocks via annual LUCAS surveys conducted by the relevant services of the European Commission.’

Amendment 62

Proposal for a regulation

Article 1 – paragraph 1 – point 7 – point a

Regulation (EU) 2018/841

Article 9 – title

Text proposed by the Commission

Amendment

Carbon storage products;

Sustainable carbon storage products;

Amendment 63

Proposal for a regulation

Article 1 – paragraph 1 – point 7 – point b
Regulation (EU) 2018/841
Article 9 – paragraph 2

Text proposed by the Commission

2. The Commission shall adopt delegated acts in accordance with Article 16 in order to amend paragraph 1 of this Article and Annex V by adding new categories of ***carbon storage products, including*** harvested wood products, that have a carbon sequestration effect, ***based on IPCC Guidelines as adopted by the Conference of the Parties to the UNFCCC or the Conference of the Parties serving as the Meeting of the Parties to the Paris Agreement***, and ensuring environmental integrity.

Amendment

2. The Commission shall adopt delegated acts in accordance with Article 16 in order to amend paragraph 1 of this Article and Annex V by adding new categories of harvested wood products that have a carbon sequestration effect, ***provided that methodologies for new categories are science-based, transparent, verifiable, avoid double counting, and are based on IPCC Guidelines as adopted by the Conference of the Parties to the UNFCCC or the Conference of the Parties serving as the Meeting of the Parties to the Paris Agreement***, and ensuring environmental integrity.

Amendment 64

Proposal for a regulation

Article 1 – paragraph 1 – point 7 – point b a (new)

Regulation (EU) 2018/841

Article 9 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(ba) the following paragraph is inserted:

‘2a. Within 6 months of the entry into force of a legislative act concerning a Union regulatory framework for the certification of carbon removals based on scientifically robust requirements and accounting rules in terms of measurement quality, monitoring standards, reporting protocols and verification means, ensuring environmental integrity and avoiding negative impacts on biodiversity and ecosystems, and where new IPCC Guidelines have been adopted by the Conference of the Parties to the UNFCCC or the Conference of the Parties serving

as the Meeting of the Parties to the Paris Agreement, the Commission shall submit a report to the European Parliament and the Council on the possible benefits and trade-offs in terms of climate mitigation, adaptation and biodiversity protection of the inclusion of sustainably sourced long-lived bio-based carbon storage products that have a net-positive carbon sequestration effect based on a life-cycle assessment, including the impact on land use and land use change associated with increased harvesting, and provided that the available data are science-based, transparent and verifiable. The Commission's report may be accompanied, where appropriate, by a legislative proposal to amend this Regulation accordingly, while ensuring environmental integrity, avoiding double counting, and ensuring that natural resources are used and recycled for as long as possible, and allocated to the most valuable purposes possible at each stage. The Commission shall also take into account the need for the lifecycle of carbon storage products not to significantly harm other environmental objectives within the meaning of Article 17 of Regulation (EU) 2020/852.'

Amendment 65

Proposal for a regulation

Article 1 – paragraph 1 – point 9 – point a a (new)

Regulation (EU) 2018/841

Article 11 – paragraph -1

Text proposed by the Commission

Amendment

(aa) the following paragraph -1 is inserted before paragraph 1:

'-1. Where the Commission finds that a Member State failed to meet its annual target as set out in Article 4(3) for two consecutive years, it shall issue recommendations to that Member State

identifying adequate additional measures in the LULUCF sector to remedy that situation. The Commission shall make such recommendations publicly available. The Commission may also provide additional technical support to that Member State.

Where recommendations are issued in accordance with the first subparagraph, the Member State concerned shall, within six months of receipt of the recommendations, amend its National Energy and Climate Plan and Long-term Strategy as referred to in Articles 3 and 15 of Regulation (EU) 2018/1999 to adopt additional adequate measures, taking into account the recommendations adopted by the Commission. Those measures shall be duly reasoned and substantiated.

The Member State concerned shall notify the revised National Energy and Climate Plan and Long-term Strategy to the Commission, accompanied by a statement setting out how the proposed revision will remedy non-compliance with the annual targets and how the Commission's recommendations have been taken into account.

If the Member State concerned does not address the recommendations of the Commission, the Commission shall consider taking the necessary measures in accordance with the Treaties.’;

Amendment 66

Proposal for a regulation

Article 1 – paragraph 1 – point 9 – point b

Regulation (EU) 2018/841

Article 11 – paragraph 1

Text proposed by the Commission

1. A Member State may use:
 - (a) the general flexibilities set out in

Amendment

1. ***Without prejudice to paragraph -1,*** a Member State may use:
 - (a) the general flexibilities set out in

Article 12; and

(b) in order to comply with the **commitment** in Article 4, the managed forest land flexibility set out in **Articles** 13 and 13b.

Finland may, besides the flexibilities referred to in the first subparagraph, points (a) and (b), use additional compensations pursuant to Article 13a.

Article 12; and

(b) in order to comply with the **commitments and targets set out** in Article 4, the managed forest land flexibility set out in **Article** 13 and **the mechanism set out in Article** 13b.

Finland may, besides the flexibilities referred to in the first subparagraph, points (a) and (b), use additional compensations pursuant to Article 13a.

Amendment 67

Proposal for a regulation

Article 1 – paragraph 1 – point 9 – point b a (new)

Regulation (EU) 2018/841

Article 11 – paragraph 2

Present text

2. If a Member State is not in compliance with the monitoring requirements laid down in point (da) of Article 7(1) of Regulation (EU) No 525/2013, the Central Administrator designated under Article 20 of Directive 2003/87/EC (‘the Central Administrator’) shall temporarily prohibit that Member State from transferring **or banking** pursuant to Article 12(2) **and (3)** of this Regulation or using the managed forest land flexibility pursuant to Article 13 of this Regulation.”

Amendment

(ba) paragraph 2 is replaced by the following:

‘2. If a Member State is not in compliance with the monitoring requirements laid down in point (da) of Article 7(1) of Regulation (EU) No 525/2013, the Central Administrator designated under Article 20 of Directive 2003/87/EC (‘the Central Administrator’) shall temporarily prohibit that Member State from transferring pursuant to Article 12(2) of this Regulation or using the managed forest land flexibility pursuant to Article 13 of this Regulation.’

Amendment 68

Proposal for a regulation

Article 1 – paragraph 1 – point 10 – point -a (new)

Regulation (EU) 2018/841

Article 12 – paragraph 2

Present text

Amendment

2. To the extent that total removals exceed total emissions in a Member State ***and after subtraction of any quantity taken into account under Article 7 of Regulation (EU) 2018/842***, that Member State ***may transfer the remaining quantity of removals to another*** Member State. The quantity transferred shall be taken into account when assessing the recipient Member State's compliance with its commitment pursuant to Article 4 of this Regulation.

(-a) paragraph 2 is replaced by the following:

'2. To the extent that total removals exceed total emissions in a Member State ***for the period from 2021 to 2025, or that net greenhouse gas removals in a*** Member State ***exceed its annual target as set out in Article 4(3)***, that Member State ***may transfer the remaining quantity of removals to another Member State subject to the payment by the recipient Member State of a contribution equivalent to at least the average of the closing prices of EU ETS allowances on the common auction platform during the year for which the transfer applies***. The quantity transferred shall be taken into account when assessing the recipient Member State's compliance with its commitment ***and targets*** pursuant to Article 4 of this Regulation.'

Amendment 69

Proposal for a regulation

Article 1 – paragraph 1 – point 10 – point b

Regulation (EU) 2018/841

Article 12 – paragraph 5

Text proposed by the Commission

Amendment

5. Member States ***may use*** revenues generated by transfers pursuant to paragraph 2 to ***tackle*** climate change in the Union or in third countries ***and*** shall inform the Commission ***of any such*** actions taken.

5. Member States ***shall use all*** revenues generated by transfers pursuant to paragraph 2 to ***finance climate mitigation and adaptation measures in the LULUCF sector*** in the Union or in third countries, ***including ecosystem-based approaches, while taking into account the “do no significant harm” principle and the minimum safeguards as set out respectively in Articles 17 and 18 of Regulation (EU) 2020/852***. Member States shall inform the Commission ***about the use of those revenues and the actions***

taken *in the reports referred to in Article 19 of Regulation (EU) 2018/1999*.

Amendment 70

Proposal for a regulation

Article 1 – paragraph 1 – point 11

Regulation (EU) 2018/841

Article 13

Text proposed by the Commission

Article 13

Managed forest land flexibility

1. Where, in the period from 2021 to 2025, total emissions exceed total removals in the land accounting categories referred to in Article 2(1), [accounted for in accordance with this Regulation,] in a Member State, that Member State may use the managed forest land flexibility set out in this Article in order to comply with Article 4(1).

2. Where, in the period from 2021 to 2025, the result of the calculation referred to in Article 8(1) is a positive figure, the Member State concerned shall be entitled to compensate emissions resulted from the calculation provided that the following conditions are fulfilled:

(a) the Member State has included in its strategy submitted in accordance with Article 15 of Regulation (EU) 2018/1999 ongoing or planned specific measures to ensure the conservation or enhancement, as appropriate, of forest sinks and reservoirs; and

(b) total emissions within the Union do

Amendment

Article 13

Managed forest land flexibility

1. Where, in the period from 2021 to 2025, total emissions exceed total removals in the land accounting categories referred to in Article 2(1), [accounted for in accordance with this Regulation,] in a Member State, that Member State may use the managed forest land flexibility set out in this Article in order to comply with Article 4(1).

2. Where, in the period from 2021 to 2025, the result of the calculation referred to in Article 8(1) is a positive figure, the Member State concerned shall be entitled to compensate emissions resulted from the calculation provided that the following conditions are fulfilled:

(a) the Member State has included in its strategy submitted in accordance with Article 15 of Regulation (EU) 2018/1999 ongoing or planned specific measures to ensure the conservation or enhancement, as appropriate, of forest sinks and reservoirs ***in a way that contributes to enhancing biodiversity, and to reduce the vulnerability of the land to natural disturbances***; and

(aa) the Member State complies with Council Directive 92/43/EEC* and Directive 2009/147/EC** of the European Parliament and of the Council; and

(b) total emissions within the Union do

not exceed total removals in the land accounting categories referred to in Article 2(1) of this Regulation for the period from 2021 to 2025.

When assessing whether, within the Union, total emissions exceed total removals as referred to in the first subparagraph, point (b), the Commission shall ensure that double counting is avoided by Member States, in particular in the exercise of the flexibilities set out in Article 12 of this Regulation and Articles 7(1) or 9(2) of Regulation (EU) 2018/842

3. The compensation referred to in paragraph 2 may only cover sinks accounted for as emissions against the forest reference level of that Member State and may not exceed 50 % of the maximum amount of compensation for the Member State concerned set out in Annex VII for the period from 2021 to 2025.

4. Member States shall submit evidence to the Commission concerning the impact of natural disturbances calculated pursuant to Annex VI in order to be eligible for compensation of remaining sinks accounted for as emissions against its forest reference level, up to the full amount of unused compensation by other Member States set out in Annex VII for the period from 2021 to 2025. In case the demand for compensation exceeds the amount of unused compensation available, the compensation shall be distributed proportionally among the Member States concerned.’;

not exceed total removals in the land accounting categories referred to in Article 2(1) of this Regulation for the period from 2021 to 2025.

When assessing whether, within the Union, total emissions exceed total removals as referred to in the first subparagraph, point (b), the Commission shall ensure that double counting is avoided by Member States, in particular in the exercise of the flexibilities set out in Article 12 of this Regulation and Articles 7(1) or 9(2) of Regulation (EU) 2018/842

3. The compensation referred to in paragraph 2 may only cover sinks accounted for as emissions against the forest reference level of that Member State and may not exceed 50 % of the maximum amount of compensation for the Member State concerned set out in Annex VII for the period from 2021 to 2025.

4. Member States shall submit evidence to the Commission concerning the impact of natural disturbances calculated pursuant to Annex VI **and the measures they plan to adopt to prevent or mitigate similar effects in the future** in order to be eligible for compensation of remaining sinks accounted for as emissions against its forest reference level, up to the full amount of unused compensation by other Member States set out in Annex VII for the period from 2021 to 2025. In case the demand for compensation exceeds the amount of unused compensation available, the compensation shall be distributed proportionally among the Member States concerned. **The Commission shall make the evidence submitted by the Member States publicly available’;**

* **Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora, (OJ L 206 22.7.1992, p. 7).**

** **Directive 2009/147/EC of the**

Amendment 71

Proposal for a regulation

Article 1 – paragraph 1 – point 13

Regulation (EU) 2018/841

Article 13 b

Text proposed by the Commission

Article 13b

Land use flexibility mechanism for the period 2026 to 2030

1. A ***land use flexibility*** mechanism corresponding to a quantity of up to 178 million tonnes of CO₂ equivalent shall be established in the Union Registry established pursuant to Article 40 of Regulation (EU) No 2018/1999, subject to the fulfilment of the Union target referred to in Article 4(2). The ***flexibility*** mechanism shall be available in addition to the flexibilities provided for in Article 12.

2. Where, in the period from 2026 to 2030, the difference between the annual sum of the greenhouse gas emissions and removals on the territory of a Member State and in all of the land reporting categories referred to in Article 2(2), points (a) to (j), and the corresponding target is positive, accounted and reported in accordance with this Regulation, that Member State may use the ***flexibility*** set out in this Article in order to comply with its target set out pursuant to Article 4(2).

3. Where, in the period from 2026 to 2030, the result of the calculation referred to in paragraph 2 is positive, the Member

Amendment

Article 13b

Natural disturbances mechanism for the period 2026 to 2030

1. A mechanism corresponding to a quantity of up to 178 million tonnes of CO₂ equivalent shall be established in the Union Registry established pursuant to Article 40 of Regulation (EU) No 2018/1999 ***to take into account the impact of natural disturbances, or of ecosystem perturbations driven by climate change, provided that those could not have been anticipated or prevented, in particular by implementing adaptation***, subject to the fulfilment of the Union target referred to in Article 4(2). The mechanism shall be available in addition to the flexibilities provided for in Article 12.

2. Where, in the period from 2026 to 2030, the difference between the annual sum of the greenhouse gas emissions and removals on the territory of a Member State and in all of the land reporting categories referred to in Article 2(2), points (a) to (j), and the corresponding target is positive, accounted and reported in accordance with this Regulation, that Member State may use the ***mechanism*** set out in this Article in order to comply with its target set out pursuant to Article 4(2).

3. Where, in the period from 2026 to 2030, the result of the calculation referred to in paragraph 2 is positive, the Member

State *concerned shall be entitled to compensate the excess emissions* provided that the following conditions are fulfilled:

(a) the Member State has *included in its updated* integrated national energy and climate plan *submitted* pursuant to Article 14 of Regulation (EU) 2018/1999 *ongoing or planned specific* measures to *ensure the conservation or enhancement, as appropriate, of* all land sinks and reservoirs, and to reduce the vulnerability of the land to natural disturbances;

(b) the Member State has exhausted all other flexibilities available pursuant to this Article 12 of this Regulation *or Article*

State *may use the mechanism set out in this Article* provided that the *condition in either point (-a) or (-aa), as appropriate, and all of the conditions in points (a) to (c) below* are fulfilled:

(-a) the Member State has provided the Commission with sufficient evidence that the positive result is directly linked to the impact of natural disturbances calculated pursuant to Annex VI; the Commission shall make the evidence submitted by the Member States publicly available and may reject the evidence submitted by the Member State if, after checking information received from the Member State, it deems it is insufficiently justified or disproportionate; or

(-aa) the Member State has provided the Commission with sufficient evidence that the positive result is directly linked to the impact of ecosystem perturbations driven by climate change and that those could not have been anticipated or prevented, in particular by implementing sufficient adaptation measures to ensure the resilience of the affected area to climate change, in accordance with the methodology set out in the delegated act referred to in paragraph 5a; the Commission may reject the evidence submitted by the Member State if, after checking information received from the Member State, it deems it is insufficiently justified or disproportionate; and

(a) the Member State has *effectively revised its* integrated national energy and climate plan *and long-term strategy* pursuant to Article 11(-1), *and has adopted new* measures to *enhance* all land sinks and reservoirs *in a way that contributes to enhancing biodiversity*, and to reduce the vulnerability of the land to natural disturbances *and the impact of climate change* ;

(b) the Member State has exhausted all other flexibilities available pursuant to this Article 12 of this Regulation *or Article*

7(1) of Regulation (EU) 2018/842;

(c) the difference in the Union between the annual sum of all greenhouse gas emissions and removals on its territory and in all of the land reporting categories referred to in Article 2(2), points (a) to (j), and the Union target **[of 310 million tonnes CO₂ equivalent of net removals]** is negative, in the period from 2026 to 2030.

When assessing whether, within the Union, total emissions exceed total removals as referred to in the first subparagraph, point (c), the Commission shall determine whether to include 20% of net removals not banked by Member States from the period from 2021 to 2025 on the basis of the impact of natural disturbances and applying information submitted by Member States in accordance with paragraph 5 of this Article. The Commission shall in that assessment also ensure that double counting is avoided by Member States, in particular in the exercise of the flexibilities set out in Article 12 of this Regulation **and Article 7(1) of Regulation (EU) 2018/842.**

4. The amount of compensation referred to in paragraph 3 of this Article may only cover sinks accounted for as emissions against the target of the Member State in Annex IIa of this Regulation and may not exceed 50% of the maximum amount of compensation for the Member State concerned set out in Annex VII for the period from 2026 to 2030.

5. **Member States shall submit evidence to the Commission concerning the impact of natural disturbances calculated pursuant to Annex VI, in order to be eligible for compensation of remaining sinks accounted for as emissions against the target of a Member State concerned set out in Annex IIa, up**

7(1) of Regulation (EU) 2018/842;

(ba) the Member State complies with Directives 92/43/EEC and 2009/147/EC;

(c) the difference in the Union between the annual sum of all greenhouse gas emissions and removals on its territory and in all of the land reporting categories referred to in Article 2(2), points (a) to (j), and the Union target **as set out in Article 4(2), after exhausting all the other flexibilities available pursuant to Article 12,** is negative, in the period from 2026 to 2030.

When assessing whether, within the Union, total emissions exceed total removals as referred to in the first subparagraph, point (c), the Commission shall determine whether to include 20% of net removals not banked by Member States from the period from 2021 to 2025 on the basis of the impact of natural disturbances and applying information submitted by Member States in accordance with paragraph 5 of this Article. The Commission shall in that assessment also ensure that double counting is avoided by Member States, in particular in the exercise of the flexibilities set out in Article 12 of this Regulation **and Article 7(1) of Regulation (EU) 2018/842.**

4. The amount of compensation referred to in paragraph 3 of this Article may only cover sinks accounted for as emissions against the target of the Member State in Annex IIa of this Regulation and may not exceed 50% of the maximum amount of compensation for the Member State concerned set out in Annex VII for the period from 2026 to 2030.

5. In case the demand for compensation exceeds the amount of **178 million tonnes of CO₂ equivalent** available **under the mechanism**, the compensation shall be distributed proportionally among the Member States concerned.

to the full amount of unused compensation by other Member States set out in Annex VII for the period from 2026 to 2030. In case the demand for compensation exceeds the amount of **unused compensation** available, the compensation shall be distributed proportionally among the Member States concerned.

5a. *By... [6 months after the entry into force of this Regulation], the Commission shall adopt delegated acts in accordance with Article 16 to supplement this Regulation by adopting a methodology for assessing the impact of ecosystem perturbations driven by climate change, referred to in point (-aa) of paragraph 3.*

Amendment 72

Proposal for a regulation

Article 1 – paragraph 1 – point 14

Regulation (EU) 2018/841

Article 13 c

Text proposed by the Commission

Amendment

Article 13c

Article 13c

Governance of the targets

Governance of the targets

If the reviewed greenhouse gas emissions and removals of a Member State in 2032 exceed the annual targets of that Member State for any specific year of the period 2026 to 2030, taking into account the flexibilities used pursuant to Articles 12 and 13b, the following measure shall apply:

If, as a result of the comprehensive review carried out by the Commission in 2032, pursuant to Article 14(2), the Commission finds that the targets and commitments of a Member State set out pursuant to Article 4 are not met for any specific year of the period 2026 to 2030, the following measure shall apply:

An amount equal to the amount in tonnes of CO₂ equivalent of the excess greenhouse gas net emissions, multiplied by a factor of 1,08, shall be added to the greenhouse gas emission figure reported by that Member State in the following year, in accordance with the measures adopted pursuant to Article 15.

An amount equal to the amount in tonnes of CO₂ equivalent of the excess greenhouse gas net emissions, multiplied by a factor of 1,08, shall be added to the greenhouse gas emission figure *for those land categories* reported by that Member State in the following year, in accordance with the measures adopted pursuant to Article 15.

Where the Commission finds that Member States do not comply with this Regulation, it shall take the necessary measures in accordance with the Treaties.

Amendment 73

Proposal for a regulation

Article 1 – paragraph 1 – point 14 a (new)

Regulation (EU) 2018/841

Article 13 d (new)

Text proposed by the Commission

Amendment

(14a) the following Article 13d is inserted:

Article 13d

International cooperation

Where a Member State decides to authorise the use of carbon credits from the LULUCF sector for offsetting by public or private entities, including through Articles 6.2 or 6.4 of the Paris Agreement, the amount of removals transferred or used shall not be taken into account for the objective of meeting the annual targets of that Member State as set out in Article 4, paragraph 3, of this Regulation.

Amendment 74

Proposal for a regulation

Article 1 – paragraph 1 – point 15

Regulation (EU) 2018/841

Article 14 – paragraph 1

Text proposed by the Commission

Amendment

‘1. By 15 March 2027 for the period from 2021 to 2025, and by 15 March 2032 for the period from 2026 to 2030, Member States shall submit to the Commission a compliance report containing the balance of total emissions and total removals for

‘1. By 15 March 2027 for the period from 2021 to 2025, and by 15 March 2032 for the period from 2026 to 2030, Member States shall submit to the Commission a compliance report containing the balance of total emissions and total removals for

the relevant period on each of the land accounting categories specified in Article 2(1), points (a) to (f), for the period from 2021 to 2025 and in Article 2(2), points (a) to (j) for the period from 2026 to 2030, using the accounting rules laid down in this Regulation.

The compliance report shall include an assessment of:

(a) the policies and measures regarding trade-offs;

(b) the synergies between climate mitigation and adaptation;

(c) synergies between climate mitigation and biodiversity.

Such report shall also contain, where applicable, details on the intention to use the flexibilities referred to in Article 11 and related amounts or on the use of such flexibilities and related amounts.’;

the relevant period on each of the land accounting categories specified in Article 2(1), points (a) to (f), for the period from 2021 to 2025 and in Article 2(2), points (a) to (j) for the period from 2026 to 2030, using the accounting rules laid down in this Regulation.

The compliance report shall include an assessment of:

(a) the policies and measures regarding ***possible*** trade-offs ***with other Union environmental objectives and strategies, such as those laid down in the 8th Environmental Action Programme and in the EU Biodiversity and Bioeconomy Strategies;***

(aa) the measures taken by Member States to comply with Article 4(4a);

(b) the synergies between climate mitigation and adaptation, ***including policies and measures to reduce the vulnerability of land to natural disturbances and climate;***

(c) synergies between climate mitigation and biodiversity;

Such report shall also contain, where applicable, details on the intention to use the flexibilities referred to in Article 11 and related amounts or on the use of such flexibilities and related amounts. ***The reports shall be made available to the public, in an easily accessible form.***

The compliance report shall be based on annual datasets, including information obtained from soil monitoring systems such as the 'Land Use/Land Cover Area Frame Survey' (LUCAS), using samples of at least 30cm in depth and including all relevant parameters affecting the potential of soil to sequester carbon.

Amendment 75

Proposal for a regulation

Text proposed by the Commission

Amendment

(16a) The following Article 15a is inserted:

‘Article 15a

Access to justice

1. Member States shall ensure that, in accordance with their national legal system, members of the public concerned who meet the conditions set out in paragraph 2 have access to a review procedure before a court of law, or another independent and impartial body established by law, to challenge failure to comply with the legal obligations provided for in Articles 4 to 10.

2. Members of the public concerned shall have access to the review procedure as referred to in paragraph 1 when:

(a) they have sufficient interest; or

(b) they allege impairment of a right, where administrative procedural law of a Member State requires that as a precondition.

What constitutes a sufficient interest shall be determined by Member States, consistently with the objective of giving the members of the public concerned wide access to justice and in conformity with the Aarhus Convention on Access to Information, Public Participation in Decision-Making and Access to Justice in Environmental Matters.

To that end, the interest of any non-governmental organisation promoting environmental protection and meeting any requirements under national law shall be deemed to have sufficient interest for the purposes of this paragraph.

3. Paragraphs 1 and 2 shall not exclude the possibility of being able to

have recourse to a preliminary review procedure before an administrative authority and shall not affect the requirement to exhaust administrative review procedures prior to having recourse to judicial review procedures, where such a requirement exists under national law. Any such procedure shall be fair, equitable, timely and not prohibitively expensive.

4. Member States shall ensure that practical information is made easily available to the public on access to administrative and judicial review procedures.’;

Justification

The Commission’s 2020 Communication on improving access to justice in environmental matters in the EU and its Member States underlined the need to include provisions on access to justice in EU legislative proposals new or revised EU law concerning environmental matters. The wording reflects provisions on access to justice in related legislation such as Article 25 of the Industrial Emissions Directive, 2010/75/EU.

Amendment 76

Proposal for a regulation

Article 1 – paragraph 1 – point 17

Regulation (EU) 2018/841

Article 16a (new)

Text proposed by the Commission

Amendment

(17) the following Article 16a is inserted:

deleted

Article 16a

Committee procedure

1. The Commission shall be assisted by the Climate Change Committee established by Article 44(3) of Regulation (EU) 2018/1999. That committee shall be a committee within the meaning of Regulation (EU) No 182/2011 of the European Parliament and of the Council⁴⁴.

2. *Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply;*

⁴⁴ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Amendment 77

Proposal for a regulation

Article 1 – paragraph 1 – point 18

Regulation (EU) 2018/841

Article 17 – paragraph 2

Text proposed by the Commission

2. The Commission shall submit a report to the European Parliament and to the Council, no later than six months after [...] global stocktake agreed under Article 14 of the Paris Agreement, on the operation of this Regulation, including, **where relevant**, an assessment of the impacts of the flexibilities referred to in Article 11, as well as on the contribution of this Regulation to the Union's **overall 2030 greenhouse gas emission reduction target and its contribution** to the goals of the Paris Agreement, in particular **with regard to** the need for additional Union policies and measures, in view of the necessary increase in greenhouse gas emissions reductions and removals in the Union.

Amendment

2. The Commission shall submit a **progress** report to the European Parliament and to the Council, **in 2025, 2027 and 2032** on the operation of this Regulation **and progress made towards meeting the targets set out in Article 4.**

2a. No later than six months after each global stocktake agreed under Article 14 of the Paris Agreement, the Commission shall submit a report to the European Parliament and to the Council on the contribution of this Regulation to the Union's climate neutrality objective

and intermediary climate targets set out in Regulation (EU) 2021/1119, to the goals of the Paris Agreement, and to other Union environmental objectives and the objectives of the European Green Deal and its accompanying relevant strategies and legislation, including an assessment of the impacts of the flexibilities referred to in Article 11 on achieving the objectives of this Regulation. The report shall assess the need for additional Union policies and measures in view of the necessary increase in greenhouse gas emissions reductions and removals in the Union and of the need to achieve the Union's environmental objectives, and taking into account any future improvement of the monitoring, data collection and reporting system concerning forests and soils. The report shall take into account the best available and most recent scientific evidence, including the latest reports of the IPCC, IPBES and of the European Scientific Advisory Board on Climate Change referred to in Article 3 of Regulation (EU) 2021/1119.

Following the report, the Commission shall make legislative proposals where it deems it appropriate. In particular, the proposals shall set out *annual targets and governance aiming towards the 2035 climate-neutrality target as laid down in Article 4(4), additional Union policies and measures, and a post-2035 framework, including in the scope of the Regulation greenhouse gas emissions and removals from additional sectors, such as the marine and freshwater environment.*

Following *that* report, the Commission shall make legislative proposals where it deems it appropriate. In particular, the proposals shall set out additional Union policies and measures *to achieve the post-2030 LULUCF targets referred to in Article 4(3), and extend the scope of this Regulation to include* greenhouse gas emissions and removals from the marine, *coastal* and freshwater *ecosystems, based on robust scientific methodologies, and to set additional separate net removals targets for those ecosystems.*

2b. Following the entry into force of a legislative act concerning a Union regulatory framework for nature restoration, the Commission shall submit a report to the European Parliament and to the Council assessing the consistency of this Regulation, in particular of the commitments and targets set out in Article 4, with the objectives of that legislative

act. The report may be accompanied, where appropriate, by legislative proposals to amend this Regulation’;

Amendment 78

Proposal for a regulation

Article 2 – paragraph 1 – point 2

Regulation (EU) 2018/1999

Article 4 – paragraph 1 – point a – point 1 – point ii

Text proposed by the Commission

the Member State’s commitments and national targets for net greenhouse gas removals pursuant to Article 4(1) and (2) of Regulation (EU) 2018/841 **and its contributions aim towards reaching the Union objective of reducing greenhouse gas emissions to net zero by 2035 and achieving negative emissions thereafter pursuant to Article 4(4) of that Regulation;**

Amendment

the Member State’s commitments and national targets for net greenhouse gas removals pursuant to Article 4(1) and (2) of Regulation (EU) 2018/841;

Amendment 79

Proposal for a regulation

Article 2 – paragraph 1 – point 2 a (new)

Regulation (EU) 2018/1999

Article 26 – paragraph 6

Text proposed by the Commission

Amendment

(2a) In Article 26, paragraph 6, the following point is inserted:

‘(aa) amend points (b) and (c) of Part 3 of Annex V to add land categories to those covered under the system for the monitoring of land use units subject to protection and to those covered under the system for the monitoring of land use units subject to restoration, respectively, in accordance with relevant Union environmental legislation.’;

Amendment 80

Proposal for a regulation

Article 2 – paragraph 1 – point 3 – point c

Regulation (EU) 2018/1999

Article 38 – paragraph 4

Text proposed by the Commission

Upon completion of the comprehensive review carried out pursuant to paragraph 1, the Commission shall, **by means of implementing** acts, **determine** the total sum of emissions for the relevant years arising from the corrected inventory data for each Member State split between emission data relevant for Article 9 of Regulation (EU) 2018/842 and emission data referred to in Part 1, point (c), of Annex V to this Regulation, and determine the total sum of emissions and removals relevant for Article 4 of Regulation (EU) 2018/841.;

Amendment

Upon completion of the comprehensive review carried out pursuant to paragraph 1, the Commission shall **adopt delegated** acts, **in accordance with Article 43, supplementing this Regulation by determining** the total sum of emissions for the relevant years arising from the corrected inventory data for each Member State split between emission data relevant for Article 9 of Regulation (EU) 2018/842 and emission data referred to in Part 1, point (c), of Annex V to this Regulation, and determine the total sum of emissions and removals relevant for Article 4 of Regulation (EU) 2018/841.

Amendment 81

Proposal for a regulation

Annex II

Regulation (EU) 2018/841

Annex IIa – table

Text proposed by the Commission

The Union target and the national targets of the Member States of net greenhouse gas removals pursuant to Article 4(2) to be achieved in 2030

Member State	Value of the net greenhouse gas emissions reduction in kt of CO ₂ equivalent in 2030
Belgium	-1 352
Bulgaria	-9 718
Czechia	-1 228
Denmark	5 338
Germany	-30 840
Estonia	-2 545

Ireland	3 728
Greece	-4 373
Spain	-43 635
France	-34 046
Croatia	-5 527
Italy	-35 758
Cyprus	-352
Latvia	-644
Lithuania	-4 633
Luxembourg	-403
Hungary	-5 724
Malta	2
Netherlands	4 523
Austria	-5 650
Poland	-38 098
Portugal	-1 358
Romania	-25 665
Slovenia	-146
Slovakia	-6 821
Finland	-17 754
Sweden	-47 321
EU-27	-310 000

Amendment

The Union target and the national targets of the Member States of net greenhouse gas removals pursuant to Article 4(2) to be achieved in 2030

Member State	Value of the net greenhouse gas emissions reduction in kt of CO ₂ equivalent in 2030
Belgium	<i>At least</i> -1 352
Bulgaria	<i>At least</i> -9 718
Czechia	<i>At least</i> -1 228
Denmark	<i>At least</i> 5 338
Germany	<i>At least</i> -30 840
Estonia	<i>At least</i> -2 545

Ireland	<i>At least</i> 3 728
Greece	<i>At least</i> -4 373
Spain	<i>At least</i> -43 635
France	<i>At least</i> -34 046
Croatia	<i>At least</i> -5 527
Italy	<i>At least</i> -35 758
Cyprus	<i>At least</i> -352
Latvia	<i>At least</i> -644
Lithuania	<i>At least</i> -4 633
Luxembourg	<i>At least</i> -403
Hungary	<i>At least</i> -5 724
Malta	<i>At least</i> 2
Netherlands	<i>At least</i> 4 523
Austria	<i>At least</i> -5 650
Poland	<i>At least</i> -38 098
Portugal	<i>At least</i> -1 358
Romania	<i>At least</i> -25 665
Slovenia	<i>At least</i> -146
Slovakia	<i>At least</i> -6 821
Finland	<i>At least</i> -17 754
Sweden	<i>At least</i> -47 321
EU-27	<i>At least</i> -310 000

Amendment 82

Proposal for a regulation

Annex III

Regulation (EU) 2018/1999

Article V – Part 3

Text proposed by the Commission

Part 3 of Annex V to Regulation (EU) 2018/1999 is replaced by the following:

‘Geographically explicit land-use conversion data in accordance with the 2006 IPCC Guidelines for national GHG inventories. The greenhouse gas inventory

Amendment

Part 3 of Annex V to Regulation (EU) 2018/1999 is replaced by the following:

‘Geographically explicit land-use conversion data in accordance with the 2006 IPCC Guidelines for national GHG inventories, *its 2013 Supplement and its*

shall operate on the basis of electronic databases and geographic information systems, and comprise:

- (a) a system for the monitoring of land use units with high-carbon stock land, as defined in Article 29(4) of Directive 2018/2001;
- (b) a system for the monitoring of land use units subject to protection, defined as land covered by one or more of the following categories:
 - Land with a high biodiversity value as defined in Article 29(3) of Directive 2018/2001;
 - Sites of Community Importance and Special Areas of Conservation as defined by Article 4 of Council Directive 92/43/EEC [4](#) and land units outside of these which are subject to protection and conservation measures under Article 6(1) and (2) of that Directive in order to meet site conservation objectives;
 - Breeding sites and resting places of the species listed in Annex IV to Directive 92/43/EEC which are subject to protection measures under Article 12 of that Directive;
 - The natural habitats listed in Annex I to Directive 92/43/EEC and the habitats of species listed in Annex II to Directive 92/43/EEC which are found outside sites of Community importance or special areas of conservation and which contribute to these habitats and species reaching favourable conservation status under Article 2 of that Directive or which can be made subject to preventive and remedial measures under Directive 2004/35/EC [5](#) ;
 - Special protection areas classified under Article 4 of Directive 2009/147/EEC

2019 Refinement. The greenhouse gas inventory shall operate on the basis of electronic databases and geographic information systems, *for which the Union institutions shall provide adequate support and assistance to the Member States in order to ensure consistency and transparency of the data collected*, and comprise:

- (a) a system for the monitoring of land use units with high-carbon stock land, as defined in Article 29(4) of Directive 2018/2001;
- (b) a system for the monitoring of land use units subject to protection, defined as land covered by one or more of the following categories:
 - Land with a high biodiversity value as defined in Article 29(3) of Directive 2018/2001;
 - Sites of Community Importance and Special Areas of Conservation as defined by Article 4 of Council Directive 92/43/EEC [4](#) and land units outside of these which are subject to protection and conservation measures under Article 6(1) and (2) of that Directive in order to meet site conservation objectives;
 - Breeding sites and resting places of the species listed in Annex IV to Directive 92/43/EEC which are subject to protection measures under Article 12 of that Directive;
 - The natural habitats listed in Annex I to Directive 92/43/EEC and the habitats of species listed in Annex II to Directive 92/43/EEC which are found outside sites of Community importance or special areas of conservation and which contribute to these habitats and species reaching favourable conservation status under Article 2 of that Directive or which can be made subject to preventive and remedial measures under Directive 2004/35/EC [5](#) ;
 - Special protection areas classified under Article 4 of Directive 2009/147/EEC

of the European Parliament and of the Council [6](#) and the land units outside of these which are subject to protection and conservation measures under Article 4 of Directive 2009/147/EEC and Article 6(2) of Directive 92/43/EEC in order to meet site conservation objectives;

– Land units which are subject to measures for the preservation of birds reported as being not in secure status under Article 12 of Directive 2009/147/EC in order to fulfil the requirement under Article 4(4), second sentence of that Directive to strive to avoid pollution and habitat deterioration or fulfil the requirement under Article 3 of that Directive to preserve, maintain a sufficient diversity and area of habitats for bird species;

– Any other habitats which the Member State designates for equivalent purposes to those laid down in Directive 92/42/EEC and 2009/147/EC;

– Land units subject to measures required to protect and ensure the non-deterioration of the ecological status of those bodies of surface water referred to in Article 4(iii) of Directive 2000/60/EC of the European Parliament and of the Council [7](#) ;

– Natural flood plains or areas for the retention of flood water protected by Member States in relation to flood risk management under Directive 2007/60/EC of the European Parliament and of the Council [8](#) ;

(c) a system for the monitoring of land use units subject to restoration, defined as land covered by one or more of the following categories:

– Sites of community importance, special areas of conservation and special protection areas as described in point (b)

of the European Parliament and of the Council [6](#) and the land units outside of these which are subject to protection and conservation measures under Article 4 of Directive 2009/147/EEC and Article 6(2) of Directive 92/43/EEC in order to meet site conservation objectives;

– Land units which are subject to measures for the preservation of birds reported as being not in secure status under Article 12 of Directive 2009/147/EC in order to fulfil the requirement under Article 4(4), second sentence of that Directive to strive to avoid pollution and habitat deterioration or fulfil the requirement under Article 3 of that Directive to preserve, maintain a sufficient diversity and area of habitats for bird species;

– Any other habitats which the Member State designates for equivalent purposes to those laid down in Directive 92/42/EEC and 2009/147/EC;

– Land units subject to measures required to protect and ensure the non-deterioration of the ecological status of those bodies of surface water referred to in Article 4(iii) of Directive 2000/60/EC of the European Parliament and of the Council [7](#) ;

– Natural flood plains or areas for the retention of flood water protected by Member States in relation to flood risk management under Directive 2007/60/EC of the European Parliament and of the Council [8](#) ;

– ***The protected areas designated by Member States in order to achieve the protected areas targets;***

(c) a system for the monitoring of land use units subject to restoration, defined as land covered by one or more of the following categories:

– Sites of community importance, special areas of conservation and special protection areas as described in point (b)

above, together with the land units outside of these which have been identified as in need of restoration or compensatory measures aimed at meeting site conservation objectives;

- The habitats of wild bird species referred to in Article 4(2) of Directive 2009/147/EC or listed in Annex I thereto, which are found outside of special protection areas and which have been identified as in need of restoration measures for purposes of Directive 2009/147/EC;
 - The natural habitats listed in Annex I to Directive 92/43/EEC and the habitats of species listed in Annex II to Directive 92/43/EEC outside sites of Community importance or special areas of conservation and identified as in need of restoration measures for purposes of the achievement of favourable conservation status under Directive 92/43/EEC and/or identified as in need of remedial measures for purposes of Article 6 of Directive 2004/35/EC;
 - Areas identified as in need of restoration according to a nature restoration plan applicable in a Member State;
 - Land units subject to measures required to restore to good ecological status the bodies of surface water referred to in Article 4(iii) of Directive 2000/60/EC, or measures required to restore such bodies to high ecological status where required by law;
 - Land units subject to measures for the recreation and restoration of wetland areas, as referred to in Annex VI.B(vii) of Directive 2000/60/EC;
 - Areas in need of ecosystem restoration so as to achieve good ecosystem condition in accordance with Regulation (EU) 2020/852 of the European Parliament of the Council [9](#) ;
- (d) a system for the monitoring of land

above, together with the land units outside of these which have been identified as in need of restoration or compensatory measures aimed at meeting site conservation objectives;

- The habitats of wild bird species referred to in Article 4(2) of Directive 2009/147/EC or listed in Annex I thereto, which are found outside of special protection areas and which have been identified as in need of restoration measures for purposes of Directive 2009/147/EC;
 - The natural habitats listed in Annex I to Directive 92/43/EEC and the habitats of species listed in Annex II to Directive 92/43/EEC outside sites of Community importance or special areas of conservation and identified as in need of restoration measures for purposes of the achievement of favourable conservation status under Directive 92/43/EEC and/or identified as in need of remedial measures for purposes of Article 6 of Directive 2004/35/EC;
 - Areas identified as in need of restoration ***or that are subject to measures for ensuring their non-deterioration*** according to a nature restoration plan applicable in a Member State;
 - Land units subject to measures required to restore to good ecological status the bodies of surface water referred to in Article 4(iii) of Directive 2000/60/EC, or measures required to restore such bodies to high ecological status where required by law;
 - Land units subject to measures for the recreation and restoration of wetland areas, as referred to in Annex VI.B(vii) of Directive 2000/60/EC;
 - Areas in need of ecosystem restoration so as to achieve good ecosystem condition in accordance with Regulation (EU) 2020/852 of the European Parliament of the Council [9](#) ;
- (d) a system for the monitoring of land

use units with high climate risk:

- Areas subject to compensation for natural disturbances under paragraph 5 of Article 13b of Regulation (EU) 2018/841
- Areas referred to in Article 5(1) of Directive 2007/60/EC
- Areas identified in the Member States' national adaptation strategy with high natural and man-made risks, subject to climate-related disaster risk reduction actions.

The greenhouse gas inventory shall enable the exchange and integration of data between the electronic databases and the geographic information systems.

For the period 2021-2025, Tier 1 methodology in accordance with the 2006 IPCC guidelines for national GHG inventories. For emissions and removals for a carbon pool that accounts for at least 25-30 % of emissions or removals in a source or sink category which is prioritised within a Member State's national inventory system because its estimate has a significant influence on a country's total inventory of GHGs in terms of the absolute level of emissions and removals, the trend in emissions and removals, or the uncertainty in emissions and removals in the land use categories, and from 2026 for all carbon pool emission and removal estimates, at least Tier 2 methodology in accordance with the 2006 IPCC guidelines for national GHG inventories.

use units with high climate risk:

- Areas subject to compensation for natural disturbances under paragraph 5 of Article 13b of Regulation (EU) 2018/841
- Areas referred to in Article 5(1) of Directive 2007/60/EC
- Areas identified in the Member States' national adaptation strategy with high natural and man-made risks, subject to climate-related disaster risk reduction actions.

(da) a system for the monitoring of soil carbon stocks, using, inter alia, annual 'Land Use/Land Cover Area Frame Survey (LUCAS) datasets.

The greenhouse gas inventory shall enable the exchange and integration of data between the electronic databases and the geographic information systems, ***as well as their comparability and public accessibility.***

For the period 2021-2025, Tier 1 methodology in accordance with the 2006 IPCC guidelines for national GHG inventories, ***its 2013 Supplement and its 2019 Refinement.*** For emissions and removals for a carbon pool that accounts for at least 25-30 % of emissions or removals in a source or sink category which is prioritised within a Member State's national inventory system because its estimate has a significant influence on a country's total inventory of GHGs in terms of the absolute level of emissions and removals, the trend in emissions and removals, or the uncertainty in emissions and removals in the land use categories, and from 2026 for all carbon pool emission and removal estimates, at least Tier 2 methodology in accordance with the 2006 IPCC guidelines for national GHG inventories, ***its 2013 Supplement and its 2019 Refinement.***

Member States shall from 2026 for all carbon pool emission and removal estimates falling in areas of high carbon

stock land use units referred to in point (c) above, areas of land use units under protection or under restoration referred to in points (d) and (e) above, and areas of land use units under high future climate risks referred to in point (f) above, apply Tier 3 methodology, in accordance with the 2006IPCC guidelines for national GHG inventories, *its 2013 Supplement and its 2019 Refinement.*'

EXPLANATORY STATEMENT

The climate-neutrality objective enshrined in the EU Climate Law sets a new obligation for the EU and Member States to increase carbon sinks to achieve a balance between anthropogenic GHG emissions by sources and removals by sinks by 2050 at the latest, and achieve negative emissions thereafter. An ambitious revision of the LULUCF Regulation is therefore needed to ensure a sustainable, predictable and long-term contribution of natural carbon sinks to the EU climate-neutrality objective.

1. Ensuring an ambitious, sustainable, predictable and long-term contribution of natural sinks to the EU climate-neutrality objective

The current situation is worrying. Due primarily to record high harvests in the EU's forests and intensive agricultural practices, the EU sinks have been continuously decreasing since 2013. This situation is inconsistent with the EU climate-neutrality objective and should be reversed. Carbon sinks are deteriorating while they should not only be preserved but enhanced, if the EU is to meet both its climate and environmental objectives. The rapporteur considers that the revised LULUCF Regulation should set ambitious EU-wide and national targets for the increase in net removals by the LULUCF sector, while ensuring that this increase in net removals does not significantly harm other EU environmental objectives, in particular the EU biodiversity objectives.

Based on different scientific estimates of the potential to increase the EU natural carbon sinks, the rapporteur proposes to set a Union-wide target of 490 million tonnes of net removals by 2030, as a sum of national targets set out in Annex IIa. The EU-target can be achieved by implementing for example the following measures:

- National targets to ensure that cropland, grassland and wetlands progressively become a source of net removals of greenhouse gases at EU level, for example by conversion of cropland on organic soils to wetlands, forests and grasslands;
- Moving towards more climate-friendly nutrition;
- Introduction of more sustainable forest management methods such as closer-to-nature forest management;
- Channelling additional public revenues to support individual farmers and forest managers to put in place ecosystem-based approaches and biodiversity-friendly practices;
- Increase the share of longer-living wood products;
- Restoration of degraded land in line with the EU Biodiversity Strategy and the upcoming Restoration Law;
- Halting of deforestation in the EU;
- Afforestation and reforestation according to ecosystem-based approaches.

Post-2030 LULUCF targets should be set out in due time to ensure a gradual increase of net removals from the LULUCF sector, taking into account the advice of the European Scientific Advisory Board on Climate Change and the Paris-aligned EU Greenhouse Gas Budget that

should be put forward by the Commission by mid-2024.

Following the recommendations of the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystem Services (IPBES) and the Intergovernmental Panel on Climate Change (IPCC), and upholding the “Green oath” of the European Green Deal, the rapporteur also insists that the increase in the EU natural carbon sinks should be done in a way that preserve and enhance biodiversity.

2. Moving towards a more accurate and transparent reporting system for the LULUCF sector

The rapporteur fully supports the proposal of the Commission to move towards a system based on emissions and removals as reported by the Member States to the UNFCCC in their GHG inventories. This system ensures full transparency, reliability and verifiability, and is in line with our international commitments. The rapporteur emphasizes the need to ensure a credible and transparent accounting and reporting system, based on increased quality data, using satellites where possible and including all land-use sectors, including mandatory reporting of emissions and removals from wetlands as of 2026.

While the rapporteur fully supports the objective of incentivising the use of long-lived wood products over shorter usages, he stresses that the potential additional benefits from material substitution are unlikely to compensate for the reduction of the net forest sink associated with the increased harvesting, as recently pointed by the Commission itself in the New EU Forest Strategy for 2030. Moreover, the rapporteur underlines that there is no international scientific consensus at this stage on the proper accounting of carbon removals on the long-term in a range of material products. The rapporteur therefore does not support the proposal of the Commission to extend the Harvested Wood Products category to other carbon storage products.

3. Preserving the environmental integrity of the LULUCF Regulation

Removals of greenhouse gases by natural carbon sinks are fragile and potentially reversible, which leads to increased uncertainty in measuring emissions and removals in the land sector compared to other sectors. The risk of reversal of removals by natural carbon sinks is further aggravated by climate change, and poses the question of monitoring, reporting and accountability in case of reversibility or leakage. Climate science also shows that the climate response to emissions and removals is asymmetrical, meaning that one tonne of GHG emitted to the atmosphere cannot be compared to one tonne of GHG removed. Therefore the rapporteur stresses that the increase of net GHG removals from the LULUCF sector should be pursued in a separate framework, and should not in any case be used to offset GHG emissions from the fossil industry, including from the agricultural sector.

The rapporteur sees no benefit for bringing non-CO₂ emissions of agriculture into LULUCF, as proposed by the European Commission. On the contrary, by doing so a risk of hiding emissions from the agricultural sector behind forest sink would be established, without incentives for the agricultural sector to decrease emissions.

Common rules for the trading of net removals surpluses between Member States, as well as for cases of non-compliance by a concerned Member State, should be put in place in order to apply the polluter-pays principle laid down in Article 191 TFEU.

The rapporteur also believes that the LULUCF Regulation should take into account recent developments at international level, in particular related to the implementation of Article 6 of the Paris Agreement. Where a Member State decides to authorise the use of carbon credits from the LULUCF sector for offsetting by public or private entities, the amount of removals transferred or used should be deducted from the amount of net removals taken into account for the purpose of compliance with the LULUCF target of that Member State.

4. Supporting land managers in scaling up ecosystem-based approaches

While achieving LULUCF targets is the responsibility of Member States, individual farmers and forest managers could benefit from incentives to store more carbon on their land and forests while ensuring the protection of biodiversity and other societal co-benefits. Public funding under the Common Agricultural Policy and other EU programs (LIFE, Cohesion Funds, Horizon Europe, the Recovery and Resilience Fund, the Just Transition Fund) should be further mobilised to support ecosystem-based approaches in forests and agricultural lands. In addition, Member States should be required to spend at least 5% of public revenues generated from the auctioning of EU ETS allowances for programs supporting the scaling up of ecosystem-based approaches in forests and agricultural lands.

26.4.2022

OPINION OF THE COMMITTEE ON AGRICULTURE AND RURAL DEVELOPMENT

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a regulation of the European Parliament and of the Council amending Regulations (EU) 2018/841 as regards the scope, simplifying the compliance rules, setting out the targets of the Member States for 2030 and committing to the collective achievement of climate neutrality by 2035 in the land use, forestry and agriculture sector, and (EU) 2018/1999 as regards improvement in monitoring, reporting, tracking of progress and review (COM(2021)0554 – C9-0320/2021 – 2021/0201(COD))

Rapporteur for opinion: Norbert Lins

SHORT JUSTIFICATION

The European Commission proposal for a ‘Review of the Land Use, Land Use Change and Forestry (LULUCF) Regulation’ as part of the ‘Fit for 55 package’ under the ‘European Green Deal’ of 14 July 2021 aims to contribute to the achievement of the 55% emissions reductions target at the EU level as an important milestone on the way to EU-wide climate neutrality in 2050.

The changes made to LULUCF provide important incentives for more climate protection in forestry and agricultural policy, while other objectives are to design a fair, flexible and integrated policy framework, to simplify implementation, and to improve monitoring and reporting. For the first time, a mandatory European sink target is proposed for 2030 and from 2031 onwards, the scope of the LULUCF Regulation will be expanded to include non-CO₂ emissions from the agriculture sector, thus covering the whole land sector framework for the first time with one climate policy instrument. Agriculture and forestry fulfil economic, social and environmental functions for society. This multifunctional role of sustainable agriculture and forest management must be recognized and adequately rewarded in European climate policy. Incentives to reduce greenhouse gases must therefore be in line with ensuring security of supply and a clear commitment to Europe as a production location for sustainable food and biomass. Agriculture and sustainable use of biomass are not in conflict with climate ambitions, but should be considered as part of the solution.

The European Climate Law recognizes for the first time the climate performance of agriculture and forestry by introducing a net target including removals in the LULUCF sector. Up to 225 million tons of CO₂ equivalent from the LULUCF can be counted towards the climate target. This was introduced to focus on fossil emission reduction, while improving conditions of forests to increase carbon removals in the long term. For the first time, it is made clear that agriculture and forestry explicitly contribute to climate protection

and are the first sector to have the potential to become climate neutral. By storing carbon in forests, soil and wood products, the sector not only actively contributes to climate protection, but also to biodiversity and the bioeconomy in line with the European circular economy and the replacement of fossil raw materials.

The following amendments to the Commission proposal should therefore be highlighted:

- The 2030 sink target must be realistic, ambitious, based on the most up-to-date figures and scientific analysis. It should be in line with sustainable active forest management and incentivise sequestration, storage of carbon and substitution of fossil fuels. The LULUCF sector must not be used solely to compensate for emissions from other sectors, but should facilitate the eradication of fossil emissions and products.
- The creation of a land sector, thus the combination of CO₂ and non-CO₂ emissions from LULUCF and agriculture, is coherent and leads to a holistic policy framework. With the inclusion of methane, a reassessment of short-lived biogenic greenhouse gas emissions becomes necessary. In addition, an impact assessment on food security, bioeconomy, and fossil fuel substitution must be conducted. There must be no negative impacts or leakage effects.
- In order to reach climate-neutrality in the entire land sector by 2035, carbon removals should balance the greenhouse gas emissions from all land, livestock and fertilizer use. Sustainable and climate-resilient carbon cycles must be established through actions such as upscaling carbon removal solutions that capture CO₂ from the atmosphere and store it for the long term. A system of market-based and voluntary incentives at the level of the individual land manager to increase carbon removals must be created. The Commission should propose the necessary framework with a mix of public and private investment.
- Contributions to the 2030 target and the goal of climate neutrality should be fairly balanced among sectors and member states.

AMENDMENTS

The Committee on Agriculture and Rural Development calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) Tackling climate and environmental-related challenges and reaching the objectives of the Paris Agreement are at the core of the Communication on “The European Green Deal”, adopted by the Commission on 11 December 2019²⁸. The necessity and value of the European Green Deal have only grown in light of the very severe effects of the COVID-19 pandemic on the health and economic well-being of the Union’s citizens.

Amendment

(2) Tackling climate and environmental-related challenges and reaching the objectives of the Paris Agreement are at the core of the Communication on ‘The European Green Deal’, adopted by the Commission on 11 December 2019. ***The European Green Deal combines a comprehensive set of effective measures and equitable initiatives to achieve climate neutrality in the Union by 2050, while establishing the need for an efficient and fair transition in order to give investors predictability and ensure the irreversibility of the process of achieving climate neutrality.*** The necessity and value of the European Green Deal have only grown in light of the very severe effects of the COVID-19 pandemic on the health and economic well-being of the Union’s citizens.

²⁸ COM(2019)640 final.

Amendment 2

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) In Regulation (EU) 2021/1119 of

Amendment

(4) In Regulation (EU) 2021/1119 of

the European Parliament and of the Council³⁰, the Union has enshrined the target of economy-wide climate neutrality by 2050 in legislation. That Regulation also establishes a binding Union commitment to reduce net greenhouse gas emissions (emissions after deduction of removals) by at least 55 % below 1990 levels by 2030. All sectors of the economy are expected to contribute to achieving that target, **including** the land use, land use change and forestry sector. The contribution of net removals to the 2030 Union climate target is limited to 225 million tonnes of CO₂ equivalent. In the context of Regulation (EU) 2021/1119, the Commission reaffirmed in a corresponding statement its intention to propose a revision of Regulation (EU) 2018/841 of the European Parliament and of the Council³¹, in line with the ambition to increase net carbon removals to levels above 300 million tonnes of CO₂ equivalent in the **land use, land use change and forestry** sector by 2030.

the European Parliament and of the Council³⁰, the Union has enshrined the target of economy-wide climate neutrality by 2050 in legislation. That Regulation also establishes a binding Union commitment to reduce net greenhouse gas emissions (emissions after deduction of removals) by at least 55 % below 1990 levels by 2030. All sectors of the economy are expected to contribute **proportionately** to achieving that target **for all emissions, with the highest priority being the reduction of fossil emissions. As regards** the land use, land use change and forestry (**LULUCF**) sector, **it can contribute to climate change mitigation in several ways, in particular by reducing emissions, maintaining and enhancing sinks and carbon stocks, replacing fossil fuels with renewable energy and by harnessing the removal potential of organic materials from sustainable forestry management and their potential as a substitute for fossil fuels, taking into account the entire life cycle of those materials, from the production of the raw material to the processing and manufacturing stages. The bioeconomy and bioenergy constitute an indispensable path towards a fossil-free and green economy. Furthermore, local food production in the Union, and the stable supply of necessary materials, such as sustainably sourced natural resources produced in the Union, should be secured. That includes the Union's production of sustainable and recyclable vital growing media constituents.** The contribution of net removals to the 2030 Union climate target is limited to 225 million tonnes of CO₂ equivalent. In the context of Regulation (EU) 2021/1119, the Commission reaffirmed in a corresponding statement its intention to propose a revision of Regulation (EU) 2018/841 of the European Parliament and of the Council³¹, in line with the ambition to increase net carbon removals to levels above 300 million tonnes of CO₂ equivalent in the **LULUCF** sector by 2030. **This Regulation**

should set sink targets for the LULUCF sector as well as the relevant accounting rules, while the conditions for measures and the rules in that sector should be set in other related legislative acts.

³⁰ Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).'

³⁰ Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).'

³¹ Regulation (EU) 2018/841 of the European Parliament and of the Council of 30 May 2018 on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry in the 2030 climate and energy framework, and amending Regulation (EU) No 525/2013 and Decision No 529/2013/EU (OJ L 156, 19.6.2018, p. 1).

³¹ Regulation (EU) 2018/841 of the European Parliament and of the Council of 30 May 2018 on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry in the 2030 climate and energy framework, and amending Regulation (EU) No 525/2013 and Decision No 529/2013/EU (OJ L 156, 19.6.2018, p. 1).

Amendment 3

Proposal for a regulation Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) The substitution effect achieved through the use of agricultural and forestry raw materials, especially wood and wood-based products, instead of fossil-fuel raw materials, represents the climate protection performance of the sector, and is, as such, recognised and credited to the land use, land use change and forestry sector.

Amendment 4

Proposal for a regulation Recital 4 b (new)

(4b) The LULUCF sector has been a significant carbon sink since the beginning of the reporting period in 1990. Forestry alone has sequestered around 400 million tonnes of CO₂ equivalent annually within the Union in this period.

Amendment 5

Proposal for a regulation Recital 5

Text proposed by the Commission

(5) In order to contribute to the increased ambition to reduce greenhouse gas net emissions from at least 40 % to at least 55 % below 1990 levels, **binding annual** targets for net greenhouse gas removals should be set out for each Member State in the land use, land use change and forestry sector in the period from 2026 to 2030 (in analogy to the annual emission allocations set out in Regulation (EU) 2018/842 of the European Parliament and of the Council³²), resulting in a target of 310 millions of tonnes CO₂ equivalent of net removals for the Union as a whole in 2030. The methodology used to establish the national targets for 2030 should take into account the average greenhouse gas emissions and removals from the years 2016, 2017 **and** 2018, reported by each Member State, and reflect the current mitigation performance of the land use, land use change and forestry sector, and each Member State's share of the managed land area in the Union, taking into account the capacity of that Member State to improve its performance in the sector via land management practices or changes in land use that benefit the climate and biodiversity.

Amendment

(5) In order to contribute to the increased ambition to reduce greenhouse gas net emissions from at least 40 % to at least 55 % below 1990 levels, targets for net greenhouse gas removals should be set out for each Member State in the land use, land use change and forestry sector in the period from 2026 to 2030 (in analogy to the annual emission allocations set out in Regulation (EU) 2018/842 of the European Parliament and of the Council³²), resulting in a target of 310 millions of tonnes CO₂ equivalent of net removals for the Union as a whole in 2030 **and should take into account the most recent developments, as well as the principles of sustainable forest management 2020, as agreed by Forest Europe and FAO 2020, and the observed and expected impacts of climate change that are decisive for biomass growth, and therefore, the CO₂/ha generation target within a given timeframe. The target for 2030 should be in line with sustainable forest management which allows for the adaptation of forests to climate change in the long term, promotion of high substitution effects through the bioeconomy, an increase in sinks and the creation of carbon storage in products.** The methodology used to establish the national targets for 2030 should take into account the average greenhouse gas

emissions and removals from the years 2016, 2017, 2018 reported by each Member State, and reflect the current mitigation performance of the land use, land use change and forestry sector, and each Member State's share of the managed land area in the Union, taking into account the capacity of that Member State to improve its performance in the sector via land management practices or changes in land use that benefit the climate and biodiversity. ***The target for 2030 should be reviewed and, if necessary, adapted in 2025 and 2027.***

³² Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No 525/2013 (OJ L 156, 19.6.2018, p. 26).

³² Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No 525/2013 (OJ L 156, 19.6.2018, p. 26).

Amendment 6

Proposal for a regulation Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) Taking into account the fact that the capacity of agricultural and forest ecosystems to sequester carbon depends on the sustainable management of land, forests and agroforestry, which offers a form of climate protection as sustainable management enhances resilience to climate change, sustainable management of forests is one of the tools to ensure that their capacity to absorb CO₂ is increased. Those positive effects can be enhanced by harnessing the carbon sink potential of forest stands. In addition, the use of long-lived timber products can ensure

emissions are deferred.

Amendment 7

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) The ***binding annual*** targets for net greenhouse gas removals should be determined for each Member State by a linear trajectory. The trajectory should start in 2022, on the average of greenhouse gas emissions reported by that Member State during 2021, 2022 and 2023 and end in 2030 on the target set out for that Member State. For Member States that improve their methodology of calculating the emissions and removals, a concept of technical correction should be introduced. A technical correction should be added to the target of that Member State corresponding to the effect of the ***change in*** methodology on the targets and the efforts of the Member State to achieve them, in order to respect environmental integrity.

Amendment

(6) The targets for net greenhouse gas removals should be determined for each Member State by a linear trajectory, ***taking into account the particular circumstances in each Member State and following impact assessments***. The trajectory should start in 2022, on the average of greenhouse gas emissions reported by that Member State during 2021, 2022 and 2023 and end in 2030 on the target set out for that Member State. ***The Commission should assign specific support for improvement of calculation systems, and*** for Member States that improve their methodology of calculating the emissions and removals, a concept of technical correction should be introduced. A technical correction should be added to the target of that Member State corresponding to the effect of the ***degree of improved accuracy of the*** methodology ***used*** on the targets and the efforts of the Member State to achieve them, in order to respect environmental integrity.

Amendment 8

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) The Communication of 17 September 2020 on Stepping up Europe's 2030 climate ambition³³ outlined an option to combine agriculture non-CO₂ greenhouse gas emissions with land use, land use change and forestry net removals,

Amendment

(7) The Communication of 17 September 2020 on Stepping up Europe's 2030 climate ambition³³ outlined an option to combine agriculture non-CO₂ greenhouse gas emissions with land use, land use change and forestry net removals,

thus creating a newly regulated land sector. Such combination can promote synergies between land-based mitigation actions and enable more integrated ***polycymaking*** and policy implementation at national and Union level. ***To this end***, the obligation for Member States to submit integrated mitigation plans for the land sector ***should be*** reinforced.

³³ COM(2020) 562 final.

Amendment 9

Proposal for a regulation Recital 7 a (new)

Text proposed by the Commission

thus creating a newly regulated land sector. Such combination can promote synergies between land-based mitigation actions and enable more integrated ***policy making*** and policy implementation at national and Union level ***as well as strengthening the incentives to comply with reduction targets using carbon farming and CO₂ removals. However, considering the sensitivity of both the agriculture and the forestry sector, as well as the potential reversibility of greenhouse gas removals by natural carbon sinks, methods of calculating relative weights of emissions and removals should be considered after in-depth analysis, before*** the obligation for Member States to submit integrated mitigation plans for the land sector ***is*** reinforced. ***In addition, the reduction targets should be equitable and feasible for Member States. The fact that progress is made in one sector should not compensate for the lack of progress in other sectors, thus progress made in the LULUCF sector should not compensate for lack of progress in other sectors.***

³³ COM(2020) 562 final.

Amendment

(7a) In its Communication of 17 September 2020 on Stepping up Europe's 2030 climate ambition, the Commission indicated that the increased 2030 overall target can only be achieved with the contribution of all sectors offering specific feasible solutions, taking into account assessments of their distributional impact and their effects on competitiveness in the various sectors. In this respect, a balance should be struck

between action taken by Member States to achieve the objective of climate neutrality on the one hand and effective and adequate protection of forests on the other, ensuring more sustainable forest and soil management, together with the cultivation of sustainable and high quality products in sufficient quantities.

Amendment 10

Proposal for a regulation Recital 7 b (new)

Text proposed by the Commission

Amendment

(7b) In view of the continuing climate deterioration and the unabated release of fossil CO₂ through the exploitation of underground coal, oil and natural gas deposits, the focus of the agriculture and forestry sector needs to be urgently redirected towards the preservation of livelihoods in rural areas and securing food supply within the Union. All efforts should be directed towards stopping the annual release of 3 000 million tonnes of fossil CO₂ from the burning of coal, petroleum products and natural gas within the shortest possible time.

Amendment 11

Proposal for a regulation Recital 7 c (new)

Text proposed by the Commission

Amendment

(7c) The Commission should review the current system for reporting CO₂ and non-CO₂ greenhouse gas emissions within one reporting scheme before any new legislative proposal in that area is submitted. That review should reflect the difference between short lifecycle gases, such as methane, and long lifecycle gases, such as carbon, that remain in the

atmosphere for in excess of 1000 years. The cyclical nature of biogenic methane emissions also needs to be considered within the reporting framework and how biogenic methane emissions differ from mined fossil methane.

Justification

Methane is a short-lived gas that differs from CO₂ in its impact on global warming. There are furthermore ongoing scientific discussions about the impact of biogenic methane on global temperature. The new scope therefore requires an analysis by the Commission on the difference between biogenic and fossil methane emissions and its actual impact on global warming.

Amendment 12

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) The land sector has the potential to ***become rapidly climate-neutral*** by 2035 ***in a cost-effective manner***, and subsequently generate more greenhouse gas removals than emissions. A collective commitment aiming to achieve climate-neutrality in the land sector in 2035 at EU level can provide the needed planning certainty to drive land-based mitigation action in the short term, considering that it can take many years for such action to deliver the desired mitigation outcomes. Moreover, the land sector is projected to become the largest sector in the EU greenhouse gas flux profile in 2050. It is therefore particularly important to anchor that sector to a trajectory that can effectively deliver net zero greenhouse gas emissions by 2050. By mid-2024, the Member States should submit their updated integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999 of the European Parliament and of the Council³⁴. The plans should include relevant measures by which each Member

Amendment

(8) The land sector has the potential to ***move towards carbon neutrality by 2035 through carbon removals***, and to subsequently generate more greenhouse gas removals than emissions ***in the short and long term. Combining greenhouse gas removals and emissions from LULUCF and agricultural emissions in a single accounting system in accordance with the IPCC reporting guidelines, after carrying out a favourable impact assessment, could simplify greenhouse gas accounting and make it more efficient.*** A collective commitment ***with national contributions, taking into account efficient flexibilities and the specificities within Member States' territories***, aiming to achieve climate-neutrality in the land sector in 2035 at EU level can provide the needed planning certainty to drive land-based mitigation action in the short term, considering that it can take many years for such action to deliver the desired mitigation outcomes. Moreover, the land sector is projected to

State best contributes to the collective target of climate neutrality in the land sector at EU level in 2035. On the basis of *these* plans, the Commission should **propose national targets, ensuring** that the Union-wide greenhouse gas emissions and removals in the land use, land use change and forestry sector and the emissions from the agriculture non-CO2 sectors are at least balanced **by 2035. Contrary to the EU level target of climate neutrality for the land sector by 2035, such national targets will be binding and enforceable on each Member State.**

become the largest sector in the EU greenhouse gas flux profile in 2050. It is therefore particularly important to anchor that sector to a trajectory that can effectively deliver net zero greenhouse gas emissions by 2050, **while ensuring effective and adequate forest protection, and sustainable forest and soil management, together with the cultivation of sustainable and high quality raw materials in sufficient quantities, and taking into account the Union's Soil Strategy and measures to protect land from soil sealing, urbanisation and urban sprawls.** By mid-2024, the Member States should submit their updated integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999 of the European Parliament and of the Council³⁴. The plans should include relevant measures **for each sector, to ensure that increased carbon sequestration in forestry does not allow reduced ambition in other sectors,** by which **measures** each Member State best contributes to the collective target of climate neutrality in the land sector at EU level in 2035. On the basis of *those* plans, **and taking into account the findings of the European Scientific Advisory Board on Climate Change,** the Commission should **assess the aim of climate neutrality in the land sector in 2035 in light of the objectives laid down in Article 39 TFEU, the Union bioeconomy and the substitution of fossil fuels. Nevertheless, the first objective of Union agriculture should remain the production of high-quality and sustainable products. The Commission should then make proposals for national and Union measures aimed at achieving net zero greenhouse gas emissions in 2035, meaning** that the Union-wide greenhouse gas emissions and removals in the land use, land use change and forestry sector and the emissions from the agriculture non-CO2 sectors are at least balanced **and proportional by that year. Contributions to achieve that aim should**

be fairly distributed among sectors and Member States. The Commission should screen for unintended impacts of climate policy on the environment, biodiversity, and food production capacity as well as social impacts and effects on the income of land managers, foresters and farmers and associated businesses, in order to enable the Union's objectives to be achieved in a balanced manner.

³⁴ Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p.1).

³⁴ Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p.1).

Amendment 13

Proposal for a regulation Recital 8 a (new)

Text proposed by the Commission

Amendment

(8a) Forests provide important benefits for biodiversity, soil stabilisation, purification of air and water, carbon sequestration and storage and potentially provide long-lived wood products. However, the nature and function of forests is highly variable across the Union, notably from the north, where timber production is more prevalent, to the south, where soil conservation is a priority and other specific multifunctional forest types, such as Mediterranean forest or Dehesa, often need specific

conservation and ecological measures, as well as long time periods for sinking CO₂. Such Mediterranean forests are more vulnerable to climate change due to direct impacts, such as drought or temperature-induced forest dieback or evolution of aridity. In that context, an aridity index should be used as one of the tools needed to strengthen the resilience of the Union's forests.

Amendment 14

Proposal for a regulation Recital 9 a (new)

Text proposed by the Commission

Amendment

(9a) The contribution of agriculture and forestry to the substitution of fossil energy sources, which is achieved by using renewable raw materials, especially wood and wood-based products, instead of fossil raw materials, should be credited to the sector, because it also contributes to climate protection. At the same time, it is important to promote active sustainable forest management and the provision of agricultural products and by-products to promote the bioeconomy, i.e. replacement of fossil raw materials by renewable raw materials, while at the same time optimising carbon uptake.

Amendment 15

Proposal for a regulation Recital 10

Text proposed by the Commission

Amendment

(10) In order to enhance greenhouse gas removals, individual farmers or forest managers need a direct incentive to store more carbon on their land and their forests. New business models based on carbon

(10) In order to enhance greenhouse gas removals, individual farmers or forest managers need a direct incentive to store more carbon on their land and their forests *which at the same time provides other*

farming incentives and on the certification of carbon removals need to be increasingly deployed in the period until 2030. Such incentives and business models will enhance climate mitigation in *the* bio-economy, including through the use of durable harvested wood products, in full respect of ecological principles fostering biodiversity and the circular economy. **Hence, new categories** of carbon storage products should be introduced in addition to *the* harvested wood products. The emerging business models, farming and land management practices to enhance removals contribute to a balanced territorial development and economic growth in rural areas. They also create opportunities for new jobs and provide incentives for relevant training, reskilling and upskilling.

societal benefits and protects biodiversity. New business models based on carbon farming incentives and on the certification of carbon removals need to be increasingly deployed in the period until 2030 ***and beyond.*** ***The financial incentives should come from public or private sources, and reward land managers for their management practice or the actual amount of carbon sequestered, or for increasing the storage of atmospheric carbon. Public funding under the Common Agricultural Policy (CAP) and other Union programs, such as the LIFE programme, the Cohesion Fund, the Horizon Europe programme, the Recovery and Resilience Facility, the Just Transition Fund, can already support carbon sequestering and biodiversity-friendly approaches in forests and agricultural lands and should be increased. CAP-funding should, however, mainly remain targeted at food production and ensure food security in the Union. In 2022, the Commission should present a legal framework with a clear financial framework, accounting rules and a market-based design. The new business models should be voluntary and should be based on clear and enforceable rules with high-quality certificates which can ensure the achievement of criteria of additionality, permanence, no double counting, sustainability and authenticity to ensure credibility and prevent fraudulent payments. Accounting should be in line with Article 6 of the Paris Agreement and outcomes of the 2021 Glasgow Summit to avoid double counting and enhance the development of robust and harmonized global accounting of carbon removals. Any proposals of the Commission on carbon farming should be based on a solid body of peer-reviewed science as regards the effectiveness of the component practices to sequester and retain carbon or reduce emissions of greenhouse gases.*** Such incentives and business models will enhance climate

mitigation in ***a circular and sustainable*** bio-economy, including through the use of durable harvested wood products ***and by replacing fossil fuel-based raw materials*** in full respect of ecological principles fostering biodiversity and the circular economy. ***A new category*** of carbon storage products, should be introduced in addition to harvested wood products, ***including relevant bio-based products and innovative products, also made from by-products and residues, where there is a scientifically proven, genuine and verifiable carbon sequestration effect, as well as the development of bio-energy with carbon capture and storage (BECCS) technologies. The Commission should also assess the substitution potential of carbon storage products. The sustainable use of biomass and the increased demand for renewable products makes sustainable forest management indispensable.*** The emerging business models, farming and land management practices to enhance removals ***in line with incentives for biodiversity-friendly approaches*** contribute to a balanced territorial development and economic growth in rural areas. They also create opportunities for new jobs and provide incentives for relevant training, reskilling and upskilling.

Amendment 16

Proposal for a regulation Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) In order to provide the necessary financial support for farmers in the Union, Member States, when drafting their respective national Strategic Plans in line with the legal framework for the common agriculture policy (CAP) for the years 2023-2027 within which the support for Strategic Plans is to be drawn up by Member States and financed by the

EAGF and by the EAFRD, should set out their specific objectives and concrete actions to ensure the achievement of climate change adaptation and mitigation. This means creating a clear link between LULUCF objectives and substantial financial incentives from the CAP in tailor-made solutions for the farmers in each Member State to select their best possible approach: within eco-schemes and rural development agri-environmental measures or investments, the European Innovation Partnership for Agricultural Productivity and Sustainability (EIP-AGRI), as well as support for farm advisory services. To develop and sustain financial incentives in sufficient quantity and in the long-term, additional budgetary lines need to be unlocked through financial instruments and public funds, such as the LIFE programme and the Horizon Europe programme. The Commission, Member States and national competent authorities should assign specific budgets for funds and investments in infrastructure for new decarbonisation and climate mitigation technologies, including specific funds for small and medium farms and forest owners. Union and national competent authorities should work closely with relevant stakeholders to develop an enabling environment and adequate financial support mechanisms for the transition to carbon neutrality.

Amendment 17

Proposal for a regulation Recital 10 b (new)

Text proposed by the Commission

Amendment

(10b) In line with the Union objective of net zero land take by 2050, conversion of natural and agricultural land into built-up areas should be avoided. Therefore, Member States should introduce

measures in their land-use plans orientated to compensate for any reduction of land resulting from urbanisation.

Amendment 18

Proposal for a regulation Recital 10 c (new)

Text proposed by the Commission

Amendment

(10c) There are evident benefits of sustainable forest management in increasing the carbon sink targets by enhancing carbon sinks, preventing natural disturbances and increasing biodiversity.

Amendment 19

Proposal for a regulation Recital 11

Text proposed by the Commission

Amendment

(11) Considering the specificities of the land use, land use change and forestry sector in each Member State, as well as the fact that Member States need to increase their performance to achieve their national binding targets, a range of flexibilities should remain at the disposal of the Member States, including trading surpluses and the extension of forest-specific flexibilities, while respecting the environmental integrity of the targets.

(11) Considering the specificities of the land use, land use change and forestry sector in each Member State ***caused by natural disturbances, economic volatilities and demographic or social changes***, as well as the fact that Member States need to increase their performance to achieve their national binding targets ***cost-efficiently***, a range of flexibilities ***within LULUCF sector and between LULUCF and ESR Regulation*** should remain at the disposal of the Member States, including trading surpluses and the extension of forest-specific flexibilities, while respecting the environmental integrity of the targets.

Amendment 20

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) **Discontinuing the current accounting rules after 2025 creates a** need for alternative provisions for natural disturbances such as fire, pest, and storms, in order to address uncertainties due to natural processes or as a result of climate change in the land use, land use change and forestry sector. A flexibility mechanism linked to natural disturbances should be available to Member States in 2032, provided that they have exhausted all other flexibilities at their disposal, put in place appropriate measures to reduce the vulnerability of their land to such disturbances and that the achievement by the Union of the 2030 target for the land use, land use change and forestry sector is completed.

Amendment 21

Proposal for a regulation
Recital 13

Text proposed by the Commission

(13) With the setting of binding **national annual** targets for greenhouse gas removals based on the reported greenhouse gas emissions and removals from 2026 onwards, the rules for target compliance should be set out. The principles laid down in Regulation (EU) 2018/842 should apply mutatis mutandis, with a penalty for non-compliance calculated in the following way: **108%** of the gap between the assigned target and the net removals reported in **the given year** will be added to the greenhouse gas emission figure reported in the **subsequent year by the Member State**.

Amendment

(12) **The Commission should assess the** need for alternative provisions for natural disturbances such as fire, pest, and storms, in order to address uncertainties due to natural processes or as a result of climate change in the land use, land use change and forestry sector. A flexibility mechanism linked to **increasingly frequent** natural disturbances should be available to Member States in 2032, provided that they have exhausted all other flexibilities at their disposal **and** put in place appropriate measures to reduce the vulnerability of their land to such disturbances and that the achievement by the Union of the 2030 target for the land use, land use change and forestry sector is completed.

Amendment

(13) With the setting of binding **2030** targets for greenhouse gas removals based on the reported greenhouse gas emissions and removals from 2026 onwards, the rules for target compliance should be set out. The principles laid down in Regulation (EU) 2018/842 should apply mutatis mutandis, with a penalty for non-compliance calculated in the following way: **103%** of the gap between the assigned target and the net removals reported in **2030** will be added to the greenhouse gas emission **removals** figure reported in the **compliance period after 2030**.

Amendment 22

Proposal for a regulation Recital 13 a (new)

Text proposed by the Commission

Amendment

(13a) Achieving the ambitious targets for doubling the share of renewable energies in the Union requires the extremely dynamic expansion of all renewable energy technologies, as well as the increased use of biogenic energy sources in particular. Biogenic energy sources, especially wood, represent the largest contribution to the renewable energy portfolio, where 60 % of renewables in the EU-27 come from bioenergy and 80 % of bioenergy is wood-based, and will continue to do so in the future to achieve the renewable energy targets.

Amendment 23

Proposal for a regulation Recital 15

Text proposed by the Commission

Amendment

(15) In view of setting out the net greenhouse gas removals ***targets*** for the Member States for the period from 2026 to 2030, the Commission should exercise a comprehensive review to verify the greenhouse gas inventory data for the years 2021, 2022 and 2023. ***For this purpose***, a comprehensive review should be carried out in 2025, ***in addition to the comprehensive reviews that the Commission is to carry out in 2027 and 2032 in accordance with Article 38 of Regulation (EU) 2018/1999.***

(15) In view of setting out the net greenhouse gas removals ***linear trajectory*** for the Member States for the period from 2026 to 2030, the Commission should exercise a comprehensive review to verify the greenhouse gas inventory data for the years 2021, 2022 and 2023. A comprehensive review should be carried out in 2025, ***2027 and 2032 to review the target set for 2030, the climate neutrality aim in 2035 and the overall trajectory to the 2050 commitment of the Paris Agreement and adapt it, making sure that there is no negative impact on security of supply, food security, the bioeconomy, biodiversity, or creation of displacement effects.***

Amendment 24

Proposal for a regulation Recital 16

Text proposed by the Commission

(16) Due to the change to reporting-based targets, the greenhouse gas emissions and removals need to be estimated with a higher level of accuracy. Moreover, the Communication from the Commission on EU Biodiversity Strategy for 2030³⁸, the Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system³⁹, the EU Forest Strategy⁴⁰, the revised Directive (EU) 2018/2001 of the European Parliament and of the Council⁴¹ and the Communication from the Commission on Forging a climate-resilient Europe - the new EU Strategy on Adaptation to Climate Change⁴² will all require enhanced monitoring of land, thereby helping to protect and enhance the resilience of nature-based carbon removals throughout the Union. The monitoring and reporting of emissions and removals needs to be upgraded, using advanced technologies available under Union programmes, such as Copernicus, and digital data collected under the Common Agricultural Policy, applying the twin transition of green and digital innovation.

³⁸ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions EU Biodiversity Strategy for 2030 - Bringing nature back into our lives (COM(2020) 380 final).

³⁹ COM/2020/381 final.

⁴⁰ [...]

⁴¹ Directive (EU) 2018/2001 of the

Amendment

(16) Due to the change to reporting-based targets, the greenhouse gas emissions and removals need to be estimated with a higher level of accuracy. Moreover, **the updated EU Bioeconomy Strategy**, the Communication from the Commission on EU Biodiversity Strategy for 2030³⁸, the Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system³⁹, the EU Forest Strategy⁴⁰, the revised Directive (EU) 2018/2001 of the European Parliament and of the Council⁴¹ and the Communication from the Commission on Forging a climate-resilient Europe - the new EU Strategy on Adaptation to Climate Change⁴² will all require enhanced monitoring of land, thereby helping to protect and enhance the resilience of nature-based carbon removals throughout the Union. The monitoring and reporting of emissions and removals needs to be upgraded, using advanced technologies available under Union programmes, such as Copernicus, and digital data collected under the Common Agricultural Policy, applying the twin transition of green and digital innovation.

³⁸ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions EU Biodiversity Strategy for 2030 - Bringing nature back into our lives (COM(2020) 380 final).

³⁹ COM/2020/381 final.

⁴⁰ [...]

⁴¹ Directive (EU) 2018/2001 of the

European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).

⁴² COM/2021/82 final.

European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).

⁴² COM/2021/82 final.

Amendment 25

Proposal for a regulation Recital 17 a (new)

Text proposed by the Commission

Amendment

(17a) In implementing this Regulation, account should be taken of Article 349 TFEU, which acknowledges the particular vulnerability of the outermost regions arising from their remoteness from mainland regions, insularity, small size, difficult topography and climate and economic dependence on a few products, a combination that severely restrains their development and generates substantial extra costs in many areas, particularly for transport. Efforts being made and targets set at Union level for greenhouse gas reduction need to be adapted to this difficult situation, balancing environmental objectives against the high social costs for these regions.

Amendment 26

Proposal for a regulation Article 1 – paragraph 1 – point 1 Regulation (EU) 2018/841 Article 1 – paragraph 1 – point d

Text proposed by the Commission

Amendment

(d) ***targets*** for net greenhouse gas removals in the land use, land use change and forestry sector for Member States for the period from 2026 to 2030;

(d) ***linear trajectories*** for net greenhouse gas removals in the land use, land use change and forestry sector for Member States for the period from 2026 to 2030;

Amendment 27

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) 2018/841

Article 2 – paragraph 2 – point g a (new)

Text proposed by the Commission

Amendment

(ga) carbon storage products;

Amendment 28

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) 2018/841

Article 2 – paragraph 3 – subparagraph 1 – introductory part

Text proposed by the Commission

Amendment

3. This Regulation also applies to emissions and removals of the greenhouse gases listed in Section A of Annex I, reported pursuant to Article 26(4) of Regulation (EU) 2018/1999 and occurring on the territories of Member States from 2031 and onwards, in any of the land categories listed in paragraph 2, points (a) to (j) and in any of the following sectors:

3. This Regulation also applies, ***subject to the requirements referred to in the second subparagraph***, to emissions and removals of the greenhouse gases listed in Section A of Annex I, reported pursuant to Article 26(4) of Regulation (EU) 2018/1999 and occurring on the territories of Member States from 2031 and onwards, in any of the land categories listed in paragraph 2, points (a) to (j) and in any of the following sectors:

Amendment 29

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) 2018/841

Article 2 – paragraph 3 – subparagraph 1 – point (j)

Text proposed by the Commission

Amendment

(j) ***‘other’.***

deleted

Amendment 30

Proposal for a regulation
Article 1 – paragraph 1 – point 2
Regulation (EU) 2018/841
Article 2 – paragraph 3 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

Before 2025, the Commission shall:

- (a) assess the extent of agricultural methane emission and publish what practices can be used to achieve such emission reduction;***
- (b) assess the difference between the sources and cycles of biogenic and fossil methane emissions;***
- (c) propose a methane calculation model based on net global warming impact, rather than on emission input figures, which do not take account of the cooling effect of reductions in cyclical methane emissions, in line with the Paris Agreement;***
- (d) explore the development of a methane efficiency index that would compare kilos of methane generated per unit of output produced for different agricultural products;***
- (e) conduct an impact assessment on the scope set out in Article 2(3) of this Regulation with regard to the objectives of Article 39 TFEU, the Union bio economy and the substitution of fossil fuels, including an assessment at Member State level and down to farm level, to identify implications regarding administrative requirements, cost of efforts to be undertaken, likely effects on income from incentives, as well as the specific provisions, governance and targets to be adopted.***

Member States shall ensure a fair distribution between the sectors through appropriate policies. The Commission shall establish fair and feasible distribution among Member States and analyse the national measures States,

making sure that there is no negative impact on security of supply, food security, the bioeconomy biodiversity, or creating displacement effects.

Amendment 31

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The 2030 Union target for net greenhouse gas removals is 310 million tonnes CO₂ equivalent as a sum of the Member States targets established in accordance with paragraph 3 of this Article, and shall be based on the average of its greenhouse gas inventory data for the years 2016, 2017 and 2018.

Amendment

The 2030 Union target for net greenhouse gas removals is 310 million tonnes CO₂ equivalent as a sum of the Member States targets established in accordance with paragraph 3 of this Article, and shall be based on the average of its greenhouse gas inventory data for the years 2016, 2017 and 2018 *and shall be reviewed in accordance with Article 4(4a).*

Amendment 32

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 2 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

This Regulation sets the sink targets for the LULUCF sector including precise rules and criteria for accounting of greenhouse gas emissions and removals in line with IPCC guidelines.

Amendment 33

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Each Member State shall ensure that, taking into account the flexibilities provided for in Articles 12 **and** 13 and 13b, the **annual** sum of its greenhouse gas emissions and removals on its territory and in all of the land reporting categories referred to in Article 2(2), points (a) to (j), **in each year** in the period from 2026 to 2030 does not exceed the limit established by a linear trajectory, ending in 2030 on the target set out for that Member State in Annex IIa. The linear trajectory of a Member State shall start in 2022.

Amendment

Each Member State shall ensure that, taking into account the flexibilities provided for in Articles 12, 13 and 13b, the sum of its greenhouse gas emissions and removals, **using existing accounting methods**, on its territory and in all of the land reporting categories referred to in Article 2(2), points (a) to (j), in the period from 2026 to 2030 does not exceed the limit established by a linear trajectory, ending in 2030 on the target set out for that Member State in Annex IIa. The linear trajectory of a Member State shall start in 2022.

Amendment 34

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 3 – subparagraph 1

Text proposed by the Commission

The Commission shall adopt implementing acts setting out **the annual targets based on the** linear trajectory for net greenhouse gas removals for each Member State, for **each year in** the period from 2026 to 2029 in terms of tonnes CO₂ equivalent. These national trajectories shall be based on the average greenhouse gas inventory data for the years 2021, 2022 and 2023, reported by each Member State. The value of the 310 million tonnes CO₂ equivalent net removals as a sum of the targets for Member States set out in Annex IIa may be subject to a technical correction due to a change of methodology by Member States. The method for determination of the technical correction to be added to the targets of the Member States, shall be set out in these implementing acts. For the purpose of those implementing acts, the Commission shall carry out a comprehensive review of

Amendment

The Commission shall adopt implementing acts setting out linear trajectory for net greenhouse gas removals for each Member State, for the period from 2026 to 2029 in terms of tonnes CO₂ equivalent. These national trajectories shall be based on the average greenhouse gas inventory data for the years 2021, 2022 and 2023, reported by each Member State. The value of the 310 million tonnes CO₂ equivalent net removals as a sum of the targets for Member States set out in Annex IIa may be subject to a technical correction due to a change of methodology by Member States. The method for determination of the technical correction to be added to the targets of the Member States, shall be set out in these implementing acts. For the purpose of those implementing acts, the Commission shall carry out a comprehensive review of the most recent

the most recent national inventory data for the years 2021, 2022 and 2023 submitted by Member States pursuant to Article 26(4) of Regulation (EU) 2018/1999.

national inventory data for the years 2021, 2022 and 2023 submitted by Member States pursuant to Article 26(4) of Regulation (EU) 2018/1999.

Amendment 35

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The relevant Union institutions and the Member States shall take the necessary measures at Union and national level, respectively, to continue increasing net greenhouse gas removals in the LULUCF sector from 2031 so as to contribute to Article 5(1) of the Paris Agreement and ensure a sustainable and predictable long-term contribution of natural sinks to the Union’s climate-neutrality objective by 2050 at the latest, as set out in Regulation (EU) 2021/1119.

By 1 January 2025, the Commission shall, taking into account the advice of the European Scientific Advisory Board on Climate Change and the Union greenhouse gas budget set out in Regulation (EU) 2021/1119, and on the basis of the integrated national energy and climate plans submitted by Member States by 30 June 2024 pursuant to Article 14(2) of Regulation (EU) 2018/1999, submit a proposal to amend this Regulation to set out Union and Member States targets for net greenhouse gas removals in the land use, land use change and forestry at least for 2035, 2040, 2045 and 2050.

Amendment 36

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 4 – subparagraph 1

Text proposed by the Commission

The Union-wide greenhouse gas emissions in the sectors set out in Article 2(3), points (a) to **(j)**, shall aim to be net zero by 2035 **and the Union shall achieve negative emissions thereafter**. The Union and the Member States shall take the necessary measures to enable the collective achievement of the target for 2035.

Amendment

The Union-wide greenhouse gas emissions in the sectors set out in Article 2(3), points (a) to **(i)**, shall aim to be net zero by 2035. The Union and the Member States shall take the necessary **fair and proportionate** measures to enable the collective achievement of the **net-zero** target for 2035, **while ensuring the achievement of the objectives set out in Article 39 TFEU, prioritising substitution of fossil fuels and achieving a balance between emission reductions and removals**.

Amendment 37

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 4 – subparagraph 2

Text proposed by the Commission

The Commission shall, by 31 December 2025 and on the basis of integrated national energy and climate plans submitted by each Member State pursuant to Article 14 of Regulation (EU) 2018/1999 by 30 June 2024, **make proposals for the contribution of each Member State to the net emissions reduction**.

Amendment

The Commission shall, by 31 December 2025 and on the basis of integrated national energy and climate plans submitted by each Member State pursuant to Article 14 of Regulation (EU) 2018/1999 by 30 June 2024:

Amendment 38

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 4 – subparagraph 2 – points a to e (new)

- (a) conduct an impact assessment of the net zero greenhouse gas emissions target for 2035 in light of the objectives laid down in Article 39 TFEU, the Union bioeconomy and the substitution of fossil fuels;***
- (b) based on the impact assessment referred to in point (a) of this subparagraph, make proposals for the contribution of each Member State for the net emissions reduction, as well as for policies which equally incentivise balanced emission removals and reductions to ensure contributions by all sectors set out in Article 2(3), points (a) to (i), in order to move towards the collective achievement of net zero in 2035;***
- (c) in order to ensure a fair, feasible and proportionate distribution among Member States, the Commission shall, based on its impact assessment, assess the feasibility of introducing flexibilities permitting the transfer of allowances between Member States taking into account national specificities in agricultural production and forestry;***
- (d) introduce a fair, market-based and voluntary compensation mechanism for a carbon certification trading system, which promotes high-quality carbon certificates that can ensure the achievement of the criteria of additionality, permanence, no double counting and authenticity, and to incentivise improved land management practices, resulting in enhanced carbon capture;***
- (e) monitor the land use change and any reduced sinking capacity resulting, in particular, from expansion of urban areas and use of land for transport facilities and other infrastructure, not related to the sectors set out in Article 2(3), and ensure separate calculations for the***

consequences of such land use change from the calculations for those sectors set out in Article 2(3).

Amendment 39

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. The targets set out in Article 4(3) and (4) shall be subject to reviews in 2025, 2027 and 2032 and shall be adapted if negative impacts on the objectives of Article 39 TFEU, the bioeconomy or the substitution of fossil fuels are detected.

Amendment 40

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

4b. The Member States shall ensure that CO₂ uptake from the atmosphere is optimally aimed to keep forest stands in a high-growth age phase through climate-smart and sustainable management, as such management together with growth-increasing measures actively contribute to carbon uptake.

Amendment 41

Proposal for a regulation

Article 1 – paragraph 1 – point 7 – point b

Regulation (EU) 2018/841

Article 9 – paragraph 2

Text proposed by the Commission

2. The Commission shall adopt delegated acts in accordance with Article 16 in order to amend paragraph 1 of this Article and Annex V by adding **new categories** of carbon storage products, including **harvested wood** products, that have a carbon sequestration effect, based on IPCC Guidelines as adopted by the Conference of the Parties to the UNFCCC or the Conference of the Parties serving as the Meeting of the Parties to the Paris Agreement, and ensuring environmental integrity.

Amendment

2. The Commission shall adopt delegated acts **by ... [3 months after the date of entry into force of this amending Regulation]** in accordance with Article 16 in order to amend paragraph 1 of this Article and Annex V by adding **a new category** of carbon storage products, including **relevant bio-based** products that have a **scientifically proven, genuine, verifiable** carbon sequestration effect **with accurate calculation methods to ensure credibility and to prevent fraud, and by introducing a holistic life-cycle assessment of those products, including the potential of side streams and residues, and the inclusion of bioenergy carbon capture, storage and utilisation technologies in carbon storage products based on scientific evidence and** on IPCC Guidelines as adopted by the Conference of the Parties to the UNFCCC or the Conference of the Parties serving as the Meeting of the Parties to the Paris Agreement, and ensuring environmental integrity.

Amendment 42

Proposal for a regulation

Article 1 – paragraph 1 – point 7 – point b

Regulation (EU) 2018/841

Article 9 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. The Commission shall furthermore calculate the substitution effect of carbon storage products using scientific evidence. When IPCC Guidelines are available, they shall also be taken into account.

Amendment 43

Proposal for a regulation

Article 1 – paragraph 1 – point 10 – point a

Regulation (EU) 2018/841

Article 12 – paragraph 3

Text proposed by the Commission

(a) paragraph 3 is *deleted*;

Amendment

(a) paragraph 3 is *replaced by the following*:

“3. To the extent that total removals exceed total emissions in a Member State in the period from 2021 to 2025, and after subtraction of any quantity taken into account under Article 7 of Regulation (EU) 2018/842 or transferred to another Member State pursuant to paragraph 2 of this Article, that Member State may bank the remaining quantity of removals to the period from 2026 to 2030.”;

Justification

Member States should be able to use the flexibilities, as the annual fluctuations caused by the changes in the nature and demand in the economy and society. That is why the paragraph 3 is important to keep as it stands in the current legislation.

Amendment 44

Proposal for a regulation

Article 1 – paragraph 1 – point 11

Regulation (EU) 2018/841

Article 13 – paragraph 4

Text proposed by the Commission

4. Member States shall submit evidence to the Commission concerning the impact of natural disturbances calculated pursuant to Annex VI in order to be eligible for compensation of remaining sinks accounted for as emissions against its forest reference level, up to the full amount of unused compensation by other Member States set out in Annex VII for the period from 2021 to 2025. In case the demand for compensation exceeds the amount of unused compensation available, the

Amendment

4. Member States shall submit evidence to the Commission concerning the impact of natural disturbances, ***extreme weather incidents and climate impacts, which may impede the increase of natural sinks***, calculated pursuant to Annex VI in order to be eligible for compensation of remaining sinks accounted for as emissions against its forest reference level, up to the full amount of unused compensation by other Member States set out in Annex VII for the period from 2021 to 2025. In case

compensation shall be distributed proportionally among the Member States concerned.

the demand for compensation exceeds the amount of unused compensation available, the compensation shall be distributed proportionally among the Member States concerned.

Amendment 45

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU) 2018/841

Article 13a – paragraph 2 – point b

Text proposed by the Commission

(b) the emissions created by historical change from forest land to any other land use category that occurred no later than 31 December 2017;

Amendment

(b) the emissions created by historical change from forest land **or wetlands** to any other land use category that occurred no later than 31 December 2017;

Justification

A number of Member States have a high share of peatland forests that should be included due to legacy effects that result in net emissions.

Amendment 46

Proposal for a regulation

Article 1 – paragraph 1 – point 14

Regulation (EU) 2018/841

Article 13c – paragraph 1 – introductory part

Text proposed by the Commission

If the reviewed greenhouse gas emissions and removals of a Member State in 2032 exceed the **annual targets** of that Member State for **any specific year of the period 2026 to 2030**, taking into account the flexibilities used pursuant to Articles 12 and 13b, the following measure shall apply:

Amendment

If the reviewed greenhouse gas emissions and removals of a Member State in 2032 exceed the **target** of that Member State for **the year 2030**, taking into account the flexibilities used pursuant to Articles 12 and 13b, the following measure shall apply:

Amendment 47

Proposal for a regulation

Article 1 – paragraph 1 – point 14

Regulation (EU) 2018/841

Article 13c – paragraph 1

Text proposed by the Commission

An amount equal to the amount in tonnes of CO₂ equivalent of the excess greenhouse gas net emissions, multiplied by a factor of **1,08**, shall be added to the greenhouse gas emission figure reported by that Member State in the following year, in accordance with the measures adopted pursuant to Article 15.

Amendment

An amount equal to the amount in tonnes of CO₂ equivalent of the excess greenhouse gas net emissions, multiplied by a factor of **1,03**, shall be added to the greenhouse gas emission figure reported by that Member State in the following year, in accordance with the measures adopted pursuant to Article 15.

Amendment 48

Proposal for a regulation

Article 1 – paragraph 1 – point 15

Regulation (EU) 2018/841

Article 14 – paragraph 1 – subparagraph 2 – point a

Text proposed by the Commission

a) the policies and measures regarding trade-offs;

Amendment

(a) the policies and measures regarding ***possible*** trade-offs ***with the objectives of Article 39 TFEU, the Union bioeconomy or substitution of fossil fuels***;

Amendment 49

Proposal for a regulation

Article 1 – paragraph 1 – point 15

Regulation (EU) 2018/841

Article 14 – paragraph 1 – subparagraph 2 – point c a (new)

Text proposed by the Commission

Amendment

(ca) synergies between climate mitigation and the development of the bioeconomy, including estimates of greenhouse gas savings associated with the substitution effects of carbon- and fossil-fuel intensive materials compared to bio-based materials.

Amendment 50

Proposal for a regulation

Article 1 – paragraph 1 – point 18

Regulation (EU) 2018/841

Article 17 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The Commission shall submit a report to the European Parliament and to the Council, no later than six months after [...] global stocktake agreed under Article 14 of the Paris Agreement, on the operation of this Regulation, including, where relevant, an assessment of the impacts of the flexibilities referred to in Article 11, as well as on the contribution of this Regulation to the Union's overall 2030 greenhouse gas emission reduction target and its contribution to the goals of the Paris Agreement, in particular with regard to the need for additional Union policies and measures, in view of the necessary increase in greenhouse gas emissions reductions and removals in the Union.

Amendment

The Commission shall submit a report to the European Parliament and to the Council, no later than six months after [...] global stocktake agreed under Article 14 of the Paris Agreement, on the operation of this Regulation, including, where relevant, an assessment of the impacts of the flexibilities referred to in Article 11, as well as on the contribution of this Regulation to the Union's overall 2030 greenhouse gas emission reduction target and its contribution to the goals of the Paris Agreement, in particular with regard to the need for additional Union policies and measures, ***particularly taking into account any future improvement of the monitoring, data collection and reporting system***, in view of the necessary increase in greenhouse gas emissions reductions and removals in the Union. ***That report shall take into account the best available and most recent scientific evidence, including the latest reports of the IPCC, IPBES and of the European Scientific Advisory Board on Climate Change referred to in Article 3 of Regulation (EU) 2021/1119. In addition, the Commission shall in the years 2025, 2027 and 2032, in accordance with Article 4(4a) of this Regulation, review the progress towards the target set out in Article 4(3) and (4) of this Regulation.***

Following the report, the reviews and the impact assessment carried out pursuant to Article 4(4a), the Commission shall make a legislative proposal if it deems it appropriate. That proposal shall establish the governance system with a view to

achieving the 2035 climate-neutrality target as laid down in Article 4(4), in view of the necessary increase in greenhouse gas emissions reductions and removals in the Union.

Amendment 51

Proposal for a regulation

Article 2 – paragraph 1 – point 2

Regulation (EU) 2018/1999

Article 4 – point a – point 1 – point ii

Text proposed by the Commission

the Member State's commitments and national targets for net greenhouse gas removals pursuant to Article 4(1) and (2) of Regulation (EU) 2018/841 and its contributions aim towards reaching the Union objective of reducing greenhouse gas emissions to net zero by 2035 **and achieving negative emissions thereafter** pursuant to Article 4(4) of that Regulation;

Amendment

the Member State's commitments and national targets for net greenhouse gas removals pursuant to Article 4(1) and (2) of Regulation (EU) 2018/841 and its contributions aim towards reaching the Union objective of reducing greenhouse gas emissions to net zero by 2035 **and towards pursuing the overall trajectory of the 2050 commitment of the Paris Agreement** pursuant to Article 4(4) of that Regulation;

Amendment 52

Proposal for a regulation

Article 2 – paragraph 1 – point 2 a (new)

Regulation (EU) 2018/1999

Article 16 – paragraph 1

Present text

Given the high global warming potential and relatively short atmospheric lifetime of methane, the Commission shall analyse the implications for implementing policies and measures for the purpose of reducing the short- and middle-term impact of methane emissions on Union greenhouse gas emissions. Taking into account the circular

Amendment

(2a) In Article 16, paragraph 1 is replaced by the following:

“Given the high global warming potential and relatively short atmospheric lifetime of methane, the Commission shall analyse the implications for implementing policies and measures for the purpose of reducing the short- and middle-term impact of methane emissions on Union greenhouse gas emissions. Taking into account the circular

economy objectives as appropriate, the Commission shall consider policy options for rapidly addressing methane emissions and shall put forward a Union strategic plan for methane as an integral part of the Union's long-term strategy referred to in Article 15.

economy objectives as appropriate, the Commission shall consider policy options for rapidly addressing methane emissions and shall put forward a Union strategic plan for methane as an integral part of the Union's long-term strategy referred to in Article 15. ***The Commission shall conduct a review of the current accounting system for methane to assess the difference between sources and cycles of biogenic and fossil methane emissions and to accurately reflect their global warming potential, taking into account lifecycle emissions and sink effects.***";

(32018R1999)

Amendment 53

Proposal for a regulation

Article 2 – paragraph 1 – point 3 – point a

Regulation (EU) 2018/1999

Article 38 – paragraph 1a

Text proposed by the Commission

In 2025, the Commission shall carry out a comprehensive review of the national inventory data submitted by Member States pursuant to Article 26(4) of this Regulation, in order to determine the **annual** targets of net greenhouse gas emissions reduction of the Member States pursuant to Article 4(3) of Regulation (EU) 2018/841 and in order to determine the **annual** emission allocations of the Member States pursuant to Article 4(3) of Regulation (EU) 2018/842

Amendment

In 2025, the Commission shall carry out a comprehensive review of the national inventory data submitted by Member States pursuant to Article 26(4) of this Regulation, in order to ***assess the target set out in Article 4(3) of Regulation (EU) 2018/842 in accordance with Article 4(4a) of that Regulation and to*** determine the targets of net greenhouse gas emissions reduction of the Member States pursuant to Article 4(3) of Regulation (EU) 2018/841 and in order to determine the emission allocations of the Member States pursuant to Article 4(3) of Regulation (EU) 2018/842.

Amendment 54

Proposal for a regulation
Annex III – paragraph 1
Regulation (EU) 2018/1999
Annex V – Part 3 – paragraph 1 – introductory part

Text proposed by the Commission

Geographically explicit land-use conversion data in accordance with the 2006 IPCC Guidelines for national GHG inventories. **The** greenhouse gas inventory **shall** operate on the basis of electronic databases and geographic information systems, and comprise:

Amendment

Geographically explicit land-use conversion data in accordance with the 2006 IPCC Guidelines for national GHG inventories. **Member States shall be encouraged to further develop a** greenhouse gas inventory **to** operate on the basis of electronic databases and geographic information systems, and comprise:

Amendment 55

Proposal for a regulation
Annex III – paragraph 1
Regulation (EU) 2018/1999
Annex V – Part 3 – paragraph 4

Text proposed by the Commission

Member States shall from 2026 for all carbon pool emission and removal estimates falling in areas of high carbon stock land use units referred to in point (c) above, areas of land use units under protection or under restoration referred to in points (d) and (e) above, and areas of land use units under high future climate risks referred to in point (f) above, **apply Tier 3 methodology, in accordance with the 2006 IPCC guidelines for national GHG inventories.**?

Amendment

Member States shall **aim to apply Tier 3 methodology, in accordance with the 2006 IPCC guidelines for national GHG inventories** from 2026 for all carbon pool emission and removal estimates falling in areas of high carbon stock land use units referred to in point (c) above, areas of land use units under protection or under restoration referred to in points (d) and (e) above, and areas of land use units under high future climate risks referred to in point (f) above.

The Commission shall ensure collection and analyses of GIS geo-spatial data at the Union level in cooperation with, and using data from, the European Environmental Agency, the European Scientific Advisory Board on Climate Change, the Commission's Joint Research Centre and other bodies, as well as the European Earth Observation

Programme Copernicus, and provide assistance to the Member States to aim for Tier 3 methods, in order to ensure that the data from 2026 onwards are consistent and transparent.

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Amending Regulations (EU) 2018/841 as regards the scope, simplifying the compliance rules, setting out the targets of the Member States for 2030 and committing to the collective achievement of climate neutrality by 2035 in the land use, forestry and agriculture sector, and (EU) 2018/1999 as regards improvement in monitoring, reporting, tracking of progress and review
References	COM(2021)0554 – C9-0320/2021 – 2021/0201(COD)
Committee responsible Date announced in plenary	ENVI 13.9.2021
Opinion by Date announced in plenary	AGRI 13.9.2021
Associated committees - date announced in plenary	11.11.2021
Rapporteur for the opinion Date appointed	Norbert Lins 27.9.2021
Discussed in committee	25.1.2022
Date adopted	31.3.2022
Result of final vote	+: 32 –: 9 0: 5
Members present for the final vote	Mazaly Aguilar, Clara Aguilera, Atidzhe Alieva-Veli, Álvaro Amaro, Attila Ara-Kovács, Carmen Avram, Adrian-Dragoș Benea, Benoît Biteau, Mara Bizzotto, Daniel Buda, Isabel Carvalhais, Asger Christensen, Angelo Ciocca, Dacian Cioloș, Ivan David, Paolo De Castro, Jérémy Decerle, Salvatore De Meo, Herbert Dorfmann, Luke Ming Flanagan, Dino Giarrusso, Martin Häusling, Martin Hlaváček, Elsi Katainen, Camilla Laureti, Gilles Lebreton, Julie Lechanteux, Norbert Lins, Chris MacManus, Colm Markey, Marlene Mortler, Ulrike Müller, Bronis Ropé, Bert-Jan Ruissen, Anne Sander, Petri Sarvamaa, Simone Schmiedtbauer, Annie Schreijer-Pierik, Marc Tarabella, Veronika Vrecionová, Sarah Wiener
Substitutes present for the final vote	Anna Deparnay-Grunenberg, Anja Hazekamp, Tonino Picula, Michaela Šojdrová, Tom Vandenkendelaere

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

32	+
ECR	Mazaly Aguilar, Bert-Jan Ruissen, Veronika Vrecionová
NI	Dino Giarrusso
PPE	Álvaro Amaro, Daniel Buda, Salvatore De Meo, Herbert Dorfmann, Norbert Lins, Colm Markey, Marlene Mortler, Anne Sander, Petri Sarvamaa, Simone Schmiedtbauer, Annie Schreijer-Pierik, Michaela Šojdrová, Tom Vandenkendelaere
Renew	Atidzhe Alieva-Veli, Asger Christensen, Dacian Cioloș, Jérémy Decerle, Martin Hlaváček, Elsi Katainen, Ulrike Müller
S&D	Clara Aguilera, Carmen Avram, Adrian-Dragoș Benea, Isabel Carvalhais, Paolo De Castro, Camilla Laureti, Tonino Picula, Marc Tarabella

9	-
ID	Ivan David
The Left	Luke Ming Flanagan, Anja Hazekamp, Chris MacManus
Verts/ALE	Benoît Biteau, Anna Deparnay-Grunenberg, Martin Häusling, Bronis Ropé, Sarah Wiener

5	0
ID	Mara Bizzotto, Angelo Ciocca, Gilles Lebreton, Julie Lechanteux
S&D	Attila Ara-Kovács

Key to symbols:

+ : in favour

- : against

0 : abstention

7.4.2022

OPINION OF THE COMMITTEE ON TRANSPORT AND TOURISM

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a regulation of the European Parliament and of the Council amending Regulations (EU) 2018/841 as regards the scope, simplifying the compliance rules, setting out the targets of the Member States for 2030 and committing to the collective achievement of climate neutrality by 2035 in the land use, forestry and agriculture sector, and (EU) 2018/1999 as regards improvement in monitoring, reporting, tracking of progress and review (COM(2021)0554 – C9-0320/2021 – 2021/0201(COD))

Rapporteur for opinion: Andris Ameriks

SHORT JUSTIFICATION

The overall aim of this Commission proposal is to amend the Land Use, Land Use Change and Forestry (LULUCF) Regulation to provide stronger incentives for Member States to increase and enhance their natural carbon sinks, as set out in the European Climate Law.

The initial regulatory framework for the land use, land use change and forestry (LULUCF) sector was laid down in Regulation (EU) 2018/841 and covers CO₂ emissions and removals and greenhouse gas emissions of CH₄ and N₂O resulting from the management of land, forests and biomass during the period from 2021 to 2030. It contributes to the previous Union's emission reduction target of at least 40% by 2030 compared to 1990, by ensuring that the sum of total emissions does not exceed the sum of total removals generated by the sector after the application of the accounting rules and of the flexibility with the "effort sharing" sector (Effort Sharing Regulation (EU) 2018/842). Under the current LULUCF rules, the minimum amount of removals that the LULUCF sector should provide at the EU level in 2030 is around -225 million tonnes of CO₂ equivalent.

The 'European Climate Law' adopted in 2020 set out new, more ambitious target on reducing GHG emissions of at least 55% below 1990 levels by 2030, compared to the previous EU reduction target of 40%, and enshrined in law the Union's objective of becoming climate neutral by 2050 at the latest. As part of The 'Fit for 55' package, this proposal aims to make the LULUCF Regulation fit for reaching the new 2030 target. In this regard, the proposal sets out the overall Union target of net greenhouse gas removals in the LULUCF sector to -310 million tonnes of CO₂ equivalent in 2030, raising the target on removals by 15% compared to the one set in the previous Regulation (EU) 2018/841. The proposal also aims at simplifying the accounting rules by making them more transparent and at making the land sector climate neutral by 2035 (combining the LULUCF sector and the non-CO₂ agricultural sector).

The Rapporteur welcomes the revised framework, which provides regulatory stability whilst at the same time it sets the path for a climate neutral land sector. The Rapporteur has taken an

approach focussing on the aspects of the Commission proposal relevant to the activities and remit of the Transport Committee.

All sectors of the economy are expected to contribute to achieving the Union objective of climate neutrality by 2050 at the latest, including the transport sector, which consequently should reduce its emissions by at least 90 % by 2050. The Union's increased efforts to shift to a sustainable and smart transport system has the potential to reduce both greenhouse gas emissions as well as air, water and soil pollution. As part of these efforts, fossil fuels should be phased out and substituted by sustainable renewable fuels produced in the Union's bioeconomy sectors.

Moreover, it is imperative that Member States fully consider the possible effects of transport infrastructure on land use and ensure that the planning, permitting and deployment of transport infrastructure is carried out in line with the required greenhouse gas removals.

The Rapporteur welcomes the new monitoring and reporting obligations by Member States that include the use of digital land monitoring technologies, such as Copernicus, which will guide mitigation actions to the areas with the highest potential for emission reductions while at the same time will introduce a level playing field for all Member States in respect of a comparable and standardized approach.

The Rapporteur also recognises the importance of the flexibility mechanisms provided for in articles 12 and 13 to facilitate the Member States' compliance with the increased ambition after 2025. In particular, the newly proposed compensation mechanism for Member States hit by natural disturbances is welcomed.

However, as a matter of principle, the Rapporteur believes that all Member States should continuously increase their efforts and achieve climate neutrality in the land sector on their territory by 2035. This is both a matter of justice and equity in the efforts required, as well as an opportunity to ensure a level playing field between Member States.

AMENDMENTS

The Committee on Transport and Tourism calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation

Recital 1

Text proposed by the Commission

Amendment

(1) The Paris Agreement, adopted in

(1) The Paris Agreement, adopted in

December 2015 under the United Nations Framework Convention on Climate Change (UNFCCC) entered into force in November 2016 (“the Paris Agreement”). Its Parties *have agreed to hold* the increase in the global average temperature *well below 2 °C above pre-industrial levels and to pursue efforts to limit the temperature increase* to 1,5 °C above pre-industrial levels.

December 2015 under the United Nations Framework Convention on Climate Change (UNFCCC) entered into force in November 2016 (“the Paris Agreement”). *In its 2018 Special Report on the impacts of global warming of 1,5°C above pre-industrial levels, in its 2019 Special Reports on Climate Change and Land, and on the Ocean and Cryosphere in a Changing Climate, and in its 2021 Report on the Physical Science Basis, the Intergovernmental Panel on Climate Change (IPCC) provided the latest scientific evidence on the impacts of climate change and underlined the need to urgently reduce greenhouse gas (GHG) emissions in all sectors of the economy and to enhance carbon sinks, in order to limit global warming to 1,5°C. By adopting the Glasgow Climate Pact, its Parties recognised that limiting the increase in the global average temperature to 1,5 °C above pre-industrial levels would significantly reduce the risks and impacts of climate change, and committed to strengthen their 2030 targets by the end of 2022 to close the ambition gap.*

Amendment 2

Proposal for a regulation Recital 4

Text proposed by the Commission

(4) In Regulation (EU) 2021/1119 of the European Parliament and of the Council³⁰, the Union has enshrined the target of economy-wide climate neutrality by 2050 in legislation. That Regulation also establishes a binding Union commitment to reduce net greenhouse gas emissions (emissions after deduction of removals) by at least 55 % below 1990 levels by 2030. All sectors of the economy are expected to contribute to achieving that target, *including the land use, land use change and forestry sector. The*

Amendment

(4) In Regulation (EU) 2021/1119 of the European Parliament and of the Council³⁰ the Union has enshrined the target of economy-wide climate neutrality by 2050 *at the latest* in legislation. That Regulation also establishes a binding Union commitment to reduce net greenhouse gas emissions (emissions after deduction of removals) by at least 55 % below 1990 levels by 2030. All sectors of the economy are expected to contribute to achieving that target, *with the highest priority being the reduction of fossil fuel*

contribution of net removals to the 2030 Union climate target is limited to 225 million tonnes of CO₂ equivalent. In the context of Regulation (EU) 2021/1119, the Commission reaffirmed in a corresponding statement its intention to propose a revision of Regulation (EU) 2018/841 of the European Parliament and of the Council³¹, in line with the ambition to increase net carbon removals to levels above 300 million tonnes of CO₂ equivalent in the land use, land use change and forestry sector by 2030.

³⁰ Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).'

³¹ Regulation (EU) 2018/841 of the European Parliament and of the Council of 30 May 2018 on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry in the 2030 climate and energy framework, and amending Regulation (EU) No 525/2013 and Decision No 529/2013/EU (OJ L 156, 19.6.2018, p. 1).

emissions. This, therefore, also concerns the transport sector, which consequently should reduce its emissions by at least 90 % by 2050, as set out in the Commission's communication entitled 'Sustainable and Smart Mobility Strategy – putting European transport on track for the future'. The strategy sets out a roadmap for a sustainable and smart future for European transport, with an action plan having an objective of delivering the required reduction in emissions from the transport sector.

³⁰ Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).'

³¹ Regulation (EU) 2018/841 of the European Parliament and of the Council of 30 May 2018 on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry in the 2030 climate and energy framework, and amending Regulation (EU) No 525/2013 and Decision No 529/2013/EU (OJ L 156, 19.6.2018, p. 1).

Amendment 3

Proposal for a regulation

Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) The Union's increased efforts to shift to a sustainable and smart transport system has the potential to reduce both greenhouse gas emissions as well as air, water and soil pollution. As part of those efforts, fossil fuels in gaseous or liquid form should be phased out and substituted by sustainable renewable fuels, including

advanced biofuels produced from the forestry sector, in accordance with the provisions laid down in Directive (EU) 2018/2001.

Amendment 4

Proposal for a regulation Recital 4 b (new)

Text proposed by the Commission

Amendment

(4b) The construction of new transport infrastructure is needed to enhance the connections between, on the one hand, urban areas and, on the other, rural and remote areas across the Union and between Member States. However, such construction can, at the same time, contribute to land artificialisation which, in turn, can reduce the capacity of soil to absorb greenhouse gases. Any such land use should be considered in terms of its potential for emissions reduction and its climate impact, while taking account of the need to keep a balance between economic, social and environmental dimensions. Member States should be encouraged to ensure that the planning, authorisation and deployment of transport and tourism infrastructure contributes to the sustainable fulfilment of the objectives of this Regulation, and to ensure good maintenance of existing infrastructure and efficient land use from the climate perspective, especially in road transport networks.

Amendment 5

Proposal for a regulation Recital 4 c (new)

Text proposed by the Commission

Amendment

(4c) More than 75% of the Union's

greenhouse gas emissions are energy related^{1a}, of which a relevant proportion is due to the different transport modes. Therefore, all measures to improve energy efficiency, including switching to public transport, active mobility and electrifying transport, and to reduce the overall energy demand should be prioritised, promoted and duly integrated in climate policy actions in all sectors, including the transport and tourism sector.

1a

*<https://ec.europa.eu/eurostat/web/products-eurostat-news/-/ddn-20210507-1>;
https://ec.europa.eu/eurostat/statistics-explained/index.php?title=Energy_statistics_-_an_overview*

Amendment 6

Proposal for a regulation Recital 4 d (new)

Text proposed by the Commission

Amendment

(4d) The land use, land use change and forestry (LULUCF) sector plays an essential role in achieving the Union's climate objectives and should contribute to climate change mitigation in several ways, in particular, by reducing emissions, by maintaining and enhancing sinks and carbon stocks and by harnessing the removal potential of organic materials from sustainable forestry management and their potential as a substitute for fossil fuels, taking into account the entire life cycle of those materials, from the production of the raw material to the processing and manufacturing stages. The bioeconomy and bioenergy constitute an indispensable path towards a climate-neutral and sustainable economy. Consequently, the production of raw materials for biofuels, bioliquids and biomass fuels should be in

line with the sustainability and greenhouse gas emissions saving criteria laid down in Directive (EU) 2018/2001.

Amendment 7

Proposal for a regulation Recital 4 e (new)

Text proposed by the Commission

Amendment

(4e) Sustainable forest management is crucial for continuous greenhouse gas absorption from the atmosphere and also makes it possible to provide renewable and climate-friendly raw materials for wood products, which store carbon and can act as a substitute for fossil-based materials and fuels. The triple role of forests, namely as carbon sinks, in carbon capture and storage and in material substitution, contributes to the reduction of carbon emissions released into the atmosphere, while ensuring that forests continue to grow and provide many other services.

Amendment 8

Proposal for a regulation Recital 4 f (new)

Text proposed by the Commission

Amendment

(4f) The contribution of net removals to the 2030 Union climate target is limited to 225 million tonnes of CO2 equivalent. When implementing the 2030 Union climate target, the relevant Union institutions and the Member States have committed to prioritising swift and predictable emissions reductions and, at the same time, enhancing removals by natural sinks. In the context of Regulation (EU) 2021/1119, the Commission reaffirmed in a

corresponding statement its intention to propose a revision of Regulation (EU)2018/841 of the European Parliament and of the Council in line with the ambition to increase net carbon removals to levels above 300 million tonnes of CO₂ equivalent in the land use, land use change and forestry sector by 2030. It is imperative that Regulation (EU)2018/841 continue as a climate accounting framework for carbon emissions and removals in accordance with the IPCC reporting guidelines.

Amendment 9

Proposal for a regulation

Recital 5

Text proposed by the Commission

(5) In order to contribute to the increased ambition to reduce greenhouse gas net emissions from at least 40 % to at least 55 % below 1990 levels, binding annual targets for net greenhouse gas removals should be set out for each Member State in the land use, land use change and forestry sector in the period from 2026 to 2030 (in analogy to the annual emission allocations set out in Regulation (EU) 2018/842 of the European Parliament and of the Council³²), resulting in a target of 310 millions of tonnes CO₂ equivalent of net removals for the Union as a whole in 2030. The methodology used to establish the national targets for 2030 should take into account the average greenhouse gas emissions and removals from the years 2016, 2017 and 2018, reported by each Member State, and reflect the current mitigation performance of the land use, land use change and forestry sector, and each Member State's share of the managed land area in the Union, taking into account the capacity of that Member State to improve its performance in the sector via land management practices or

Amendment

(5) In order to contribute to the increased ambition to reduce greenhouse gas net emissions from at least 40 % to at least 55 % below 1990 levels, binding annual targets for net greenhouse gas removals should be set out for each Member State in the land use, land use change and forestry sector in the period from 2026 to 2030 (in analogy to the annual emission allocations set out in Regulation (EU) 2018/842 of the European Parliament and of the Council³²), resulting in a target of 310 millions of tonnes CO₂ equivalent of net removals for the Union as a whole in 2030 ***and should take into account the principles of sustainable forest management as agreed by Forest Europe and FAO.*** The methodology used to establish the national targets for 2030 should take into account the average greenhouse gas emissions and removals from the years 2016, 2017 and 2018, reported by each Member State, and reflect the current mitigation performance of the land use, land use change and forestry sector, and each Member State's share of the managed land area in the Union, taking

changes in land use that benefit the climate and biodiversity.

into account the capacity of that Member State to improve its performance in the sector via land management practices or changes in land use that benefit the climate and biodiversity.

³² Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No 525/2013 (OJ L 156, 19.6.2018, p. 26).

³² Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No 525/2013 (OJ L 156, 19.6.2018, p. 26).

Amendment 10

Proposal for a regulation Recital 6

Text proposed by the Commission

(6) The binding annual targets for net greenhouse gas removals should be determined for each Member State by a linear trajectory. The trajectory should start in 2022, on the average of greenhouse gas emissions reported by that Member State during 2021, 2022 and 2023 and end in 2030 on the target set out for that Member State. For Member States that improve their methodology of calculating the emissions and removals, a concept of technical correction should be introduced. A technical correction should be added to the target of that Member State corresponding to the effect of the change in methodology on the targets and the efforts of the Member State to achieve them, in order to respect environmental integrity.

Amendment

(6) The binding annual targets for net greenhouse gas removals should be determined for each Member State by a linear trajectory. The trajectory should start in 2022, on the average of greenhouse gas emissions reported by that Member State during 2021, 2022 and 2023 and end in 2030 on the target set out for that Member State. For Member States that improve their methodology of calculating the emissions and removals, a concept of technical correction should be introduced. A technical correction should be added to the target of that Member State corresponding to the effect of the change in ***the methodology used*** on the targets and the efforts of the Member State to achieve them, in order to respect environmental integrity.

Amendment 11

Proposal for a regulation
Recital 7 a (new)

Text proposed by the Commission

Amendment

(7a) *The Commission should review the current system of reporting CO₂ and non-CO₂ greenhouse gas emissions within one reporting scheme before any new legislative proposal in that area is submitted. That review should reflect the difference between short-lifecycle gases, such as methane, and long-lifecycle gases such as carbon. The review should also take into account the potential of capturing biogenic methane as an energy source for transport.*

Amendment 12

Proposal for a regulation
Recital 8

Text proposed by the Commission

Amendment

(8) The land sector has the potential to become rapidly climate-neutral by 2035 in a cost-effective manner, and subsequently generate more greenhouse gas removals than emissions. A collective commitment aiming to achieve climate-neutrality in the land sector in 2035 at EU level can provide the needed planning certainty to drive land-based mitigation action in the short term, considering that it can take many years for such action to deliver the desired mitigation outcomes. Moreover, the land sector is projected to become the largest sector in the EU greenhouse gas flux profile in 2050. It is therefore particularly important to anchor that sector to a trajectory that can effectively deliver net zero greenhouse gas emissions by 2050. By mid-2024, the Member States should submit their updated integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999 of the European Parliament and

(8) The land sector has the potential to become rapidly climate-neutral by 2035 in a cost-effective manner, and subsequently generate more greenhouse gas removals than emissions. ***Member States should realise that potential in a balanced and cooperative way.*** A collective commitment ***with national contributions taking into account efficient flexibilities and the specificities within Member States territories,*** aiming to achieve climate-neutrality in the land sector in 2035 at EU level can provide the needed planning certainty to drive land-based mitigation action in the short term, considering that it can take many years for such action to deliver the desired mitigation outcomes. Moreover, the land sector is projected to become the largest sector in the EU greenhouse gas flux profile in 2050. It is therefore particularly important to anchor that sector to a trajectory that can effectively deliver net zero greenhouse gas

of the Council³⁴. The plans should include relevant measures by which each Member State best contributes to the collective target of climate neutrality in the land sector at EU level in 2035. On the basis of these plans, the Commission should propose national targets, ensuring that the Union-wide greenhouse gas emissions and removals in the land use, land use change and forestry sector and the emissions from the agriculture non-CO2 sectors are at least balanced by 2035. Contrary to the EU level target of climate neutrality for the land sector by 2035, such national targets will be binding and enforceable on each Member State.

emissions by 2050. By mid-2024, the Member States should submit their updated integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999 of the European Parliament and of the Council³⁴. The plans should include relevant measures by which each Member State best contributes to the collective target of climate neutrality in the land sector at EU level in 2035. On the basis of these plans, the Commission should propose national targets, ensuring that the Union-wide greenhouse gas emissions and removals in the land use, land use change and forestry sector and the emissions from the agriculture non-CO2 sectors are at least balanced by 2035. Contrary to the EU level target of climate neutrality for the land sector by 2035, such national targets will be binding and enforceable on each Member State.

³⁴ Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p.1).

³⁴ Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p.1).

Amendment 13

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) In order to enhance greenhouse gas

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Amendment

(10) In order to enhance greenhouse gas

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removals, individual farmers or forest managers need a direct incentive to store more carbon on their land and their forests. New business models based on carbon farming incentives and on the certification of carbon removals need to be increasingly deployed in the period until 2030. Such incentives and business models will enhance climate mitigation in the bio-economy, including through the use of durable harvested wood products, in full respect of ecological principles fostering biodiversity and the circular economy. Hence, new categories of carbon storage products should be introduced in addition to the harvested wood products. The emerging business models, farming and land management practices to enhance removals contribute to a balanced territorial development and economic growth in rural areas. They also create opportunities for new jobs and provide incentives for relevant training, reskilling and upskilling.

removals, **and overall emissions reduction across all sectors**, individual farmers or forest managers **and owners** need a direct incentive to store more carbon on their land and their forests **to implement sustainable forest management practices. The Union should align the LULUCF accounting framework to Article 6 of the Paris Agreement and outcomes of the Glasgow Summit to avoid double counting, and should enhance the development of robust and harmonized global accounting of carbon removals.** New business models based on carbon farming incentives and on the certification of carbon removals need to be increasingly deployed in the period until 2030. Such incentives and business models will enhance climate mitigation in the bio-economy, including through the use of durable harvested wood products in full respect of ecological principles fostering biodiversity and the circular economy **and have a high potential to deliver innovative and sustainable products such as lignin-based battery materials, advanced biofuels and bio-composites which can be used also in the transport sector, and facilitate decarbonisation in other sectors also.** Hence, new categories of carbon storage products should be introduced in addition to the harvested wood products. The emerging business models, farming and land management practices to enhance removals contribute to a balanced territorial development and economic growth in rural areas. They also create opportunities for new jobs and provide incentives for relevant training, reskilling and upskilling.

Amendment 14

Proposal for a regulation

Recital 11

Text proposed by the Commission

(11) Considering the specificities of the

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Amendment

(11) Considering the specificities of the

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land use, land use change and forestry sector in each Member State, as well as the fact that Member States need to increase their performance to achieve their national binding targets, a range of flexibilities should remain at the disposal of the Member States, including trading surpluses and the extension of forest-specific flexibilities, while respecting the environmental integrity of the targets.

land use, land use change and forestry sector in each Member State ***caused by fluctuations in nature, the economy and society***, as well as the fact that Member States need to increase their performance to achieve their national binding targets, a ***maximum*** range of flexibilities ***within the LULUCF-sector and between LULUCF and Regulation (EU) 2018/842*** should remain at the disposal of the Member States, including trading surpluses and the extension of forest-specific flexibilities, while respecting the environmental integrity of the targets.

Amendment 15

Proposal for a regulation Recital 16

Text proposed by the Commission

(16) Due to the change to reporting-based targets, the greenhouse gas emissions and removals need to be estimated with a higher level of accuracy. Moreover, the Communication from the Commission on EU Biodiversity Strategy for 2030³⁸, the Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system³⁹, the EU Forest Strategy⁴⁰, the revised Directive (EU) 2018/2001 of the European Parliament and of the Council⁴¹ and the Communication from the Commission on Forging a climate-resilient Europe - the new EU Strategy on Adaptation to Climate Change⁴² will all require enhanced monitoring of land, thereby helping to protect and enhance the resilience of nature-based carbon removals throughout the Union. The monitoring and reporting of emissions and removals needs to be upgraded, using advanced technologies available under Union programmes, such as Copernicus, and digital data collected under the Common Agricultural Policy, applying the twin

Amendment

(16) Due to the change to reporting-based targets, the greenhouse gas emissions and removals need to be estimated with a higher level of accuracy. Moreover, the Communication from the Commission on EU Biodiversity Strategy for 2030³⁸, ***the updated EU Bioeconomy Strategy^{1a}***, the Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system³⁹, the EU Forest Strategy⁴⁰, the revised Directive (EU) 2018/2001 of the European Parliament and of the Council⁴¹ and the Communication from the Commission on Forging a climate-resilient Europe - the new EU Strategy on Adaptation to Climate Change⁴² will all require enhanced monitoring of land, thereby helping to protect and enhance the resilience of nature-based carbon removals throughout the Union. The monitoring and reporting of emissions and removals needs to be upgraded, using advanced technologies available under Union programmes, such as Copernicus, and digital data collected under the Common Agricultural Policy, applying the twin

transition of green and digital innovation.

transition of green and digital innovation.

³⁸ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions EU Biodiversity Strategy for 2030 - Bringing nature back into our lives (COM(2020) 380 final).

³⁹ COM/2020/381 final.

⁴⁰ [...]

⁴¹ Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).

⁴² COM/2021/82 final.

^{37a} ***European Commission, Directorate-General for Research and Innovation, A sustainable bioeconomy for Europe : strengthening the connection between economy, society and the environment : updated bioeconomy strategy, Publications Office, 2018, <https://data.europa.eu/doi/10.2777/478385>***

³⁸ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions EU Biodiversity Strategy for 2030 - Bringing nature back into our lives (COM(2020) 380 final).

³⁹ COM/2020/381 final.

⁴⁰ [...]

⁴¹ Directive (EU) 2018/2001 of the European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).

⁴² COM/2021/82 final.

Amendment 16

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) 2018/841

Article 2 – paragraph 2 – point g a (new)

Text proposed by the Commission

Amendment

(ga) carbon storage products;

Amendment 17

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 2 – subparagraph 1

Text proposed by the Commission

The 2030 Union target for net greenhouse gas removals is 310 million tonnes CO₂ equivalent as a sum of the Member States targets established in accordance with paragraph 3 of this Article, and shall be based on the average of its greenhouse gas inventory data for the years 2016, 2017 and 2018.

Amendment

The 2030 Union target for net greenhouse gas removals is 310 million tonnes CO₂ equivalent as a sum of the Member States targets established in accordance with paragraph 3 of this Article, and shall be based on the average of its greenhouse gas inventory data for the years 2016, 2017 and 2018. ***The conditions for adopting measures for achieving those targets in the land use, land use change and forestry sectors shall be set in other related legislation both at Union and at national level. This Regulation shall set the accounting rules and the overall ambition ensuring that Member States reduce their net greenhouse gas emissions and increase carbon sinks accordingly.***

Amendment 18

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 4 – subparagraph 1

Text proposed by the Commission

The Union-wide greenhouse gas emissions in the sectors set out in Article 2(3), points (a) to (j), shall aim to be net zero by 2035 and the Union shall achieve negative emissions thereafter. The Union and the Member States shall take the necessary measures to enable the collective achievement of the target for 2035.

Amendment

The Union-wide greenhouse gas emissions in the sectors set out in Article 2(3), points (a) to (j), shall aim to be net zero by 2035 and the Union shall achieve negative emissions thereafter. The Union and the Member States shall take the necessary measures to enable the collective achievement of the target for 2035, ***while prioritising substitution of fossil fuels and achieving a balance between emission reductions and removals.***

Amendment 19

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Text proposed by the Commission

The Commission shall, by 31 December 2025 and on the basis of integrated national energy and climate plans submitted by each Member State pursuant to Article 14 of Regulation (EU) 2018/1999 by 30 June 2024, make proposals for the contribution of each Member State to the net emissions reduction.’;

Amendment

The Commission shall, by 31 December 2025 and on the basis of integrated national energy and climate plans submitted by each Member State pursuant to Article 14 of Regulation (EU) 2018/1999 by 30 June 2024, make proposals for the contribution of each Member State to the net emissions reduction. ***In so doing, the Commission shall, in order to ensure a fair and proportionate distribution among Member States, assess the feasibility of introducing flexibilities permitting the transfer of allowances between and within Member States taking into account national specificities in agricultural production and forestry;***

Amendment 20

Proposal for a regulation

Article 1 – paragraph 1 – point 7 – point b

Regulation (EU) 2018/841

Article 9 – paragraph 2

Text proposed by the Commission

2. The Commission shall adopt delegated acts in accordance with Article 16 in order to amend paragraph 1 of this Article and Annex V by adding new categories of carbon storage products, including harvested wood products, that have a carbon sequestration effect, based on IPCC Guidelines as adopted by the Conference of the Parties to the UNFCCC or the Conference of the Parties serving as the Meeting of the Parties to the Paris Agreement, and ensuring environmental integrity.;

Amendment

2. ***By ... [three months after the date of entry into force of this regulation]*** the Commission shall adopt delegated acts in accordance with Article 16 in order to amend paragraph 1 of this Article and Annex V by adding new categories of carbon storage products, including harvested wood ***products and all relevant bio-based*** products, that have a carbon sequestration effect, based on IPCC Guidelines as adopted by the Conference of the Parties to the UNFCCC or the Conference of the Parties serving as the Meeting of the Parties to the Paris Agreement, and ensuring environmental integrity. ***The Commission shall take into account life cycle analysis, the***

substitution effect, the potential of side streams and residues and the inclusion of bioenergy carbon capture, storage and utilization technologies in carbon storage products;

Amendment 21

Proposal for a regulation

Article 1 – paragraph 1 – point 18

Regulation (EU) 2018/841

Article 17 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Following the report, the Commission shall make legislative proposals where it deems it appropriate. In particular, the proposals shall set out annual targets and governance aiming towards the 2035 climate-neutrality target as laid down in Article 4(4), additional Union policies and measures, and a post-2035 framework, ***including in the scope of the Regulation greenhouse gas emissions and removals from additional sectors, such as the marine and freshwater environment.***;

Amendment

Following the report, the Commission shall make legislative proposals where it deems it appropriate. In particular, the proposals shall set out annual targets and governance aiming towards the 2035 climate-neutrality target as laid down in Article 4(4), additional Union policies and measures, and a post-2035 framework;

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Amending Regulations (EU) 2018/841 as regards the scope, simplifying the compliance rules, setting out the targets of the Member States for 2030 and committing to the collective achievement of climate neutrality by 2035 in the land use, forestry and agriculture sector, and (EU) 2018/1999 as regards improvement in monitoring, reporting, tracking of progress and review
References	COM(2021)0554 – C9-0320/2021 – 2021/0201(COD)
Committee responsible Date announced in plenary	ENVI 13.9.2021
Opinion by Date announced in plenary	TRAN 13.9.2021
Rapporteur for the opinion Date appointed	Andris Ameriks 4.11.2021
Discussed in committee	25.1.2022
Date adopted	31.3.2022
Result of final vote	+: 34 –: 5 0: 10
Members present for the final vote	Magdalena Adamowicz, Andris Ameriks, José Ramón Bauzá Díaz, Izaskun Bilbao Barandica, Paolo Borchia, Karolin Braunsberger-Reinhold, Marco Campomenosi, Jakop G. Dalunde, Karima Delli, Anna Deparnay-Grunenberg, Ismail Ertug, Gheorghe Falcă, Giuseppe Ferrandino, Carlo Fidanza, Mario Furore, Søren Gade, Jens Gieseke, Elsi Katainen, Elena Kountoura, Julie Lechanteux, Bogusław Liberadzki, Peter Lundgren, Benoît Lutgen, Elżbieta Katarzyna Łukacijewska, Marian-Jean Marinescu, Cláudia Monteiro de Aguiar, Caroline Nagtegaal, Jan-Christoph Oetjen, Philippe Olivier, João Pimenta Lopes, Rovana Plumb, Tomasz Piotr Poręba, Dominique Riquet, Massimiliano Salini, Vera Tax, Barbara Thaler, István Ujhelyi, Henna Virkkunen, Petar Vitanov, Elissavet Vozemberg-Vrionidi, Lucia Vuolo, Roberts Zīle, Kosma Zlotowski
Substitutes present for the final vote	Leila Chaibi, Ignazio Corrao, Maria Grapini, Roman Haider, Jutta Paulus, Patrizia Toia

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

34	+
ECR	Carlo Fidanza, Peter Lundgren, Roberts Zīle
NI	Mario Furore
PPE	Magdalena Adamowicz, Karolin Braunsberger-Reinhold, Gheorghe Falcă, Jens Gieseke, Elżbieta Katarzyna Łukacijewska, Benoît Lutgen, Marian-Jean Marinescu, Cláudia Monteiro de Aguiar, Massimiliano Salini, Barbara Thaler, Henna Virkkunen, Elissavet Vozemberg-Vrionidi, Lucia Vuolo
Renew	José Ramón Bauzá Díaz, Izaskun Bilbao Barandica, Søren Gade, Elsi Katainen, Caroline Nagtegaal, Jan-Christoph Oetjen, Dominique Riquet
S&D	Andris Ameriks, Ismail Ertug, Giuseppe Ferrandino, Maria Grapini, Bogusław Liberadzki, Rovana Plumb, Vera Tax, Patrizia Toia, István Ujhelyi, Petar Vitanov

5	-
ID	Paolo Borchia, Marco Campomenosi, Roman Haider, Julie Lechanteux, Philippe Olivier

10	0
ECR	Tomasz Piotr Poręba, Kosma Złotowski
The Left	Leila Chaïbi, Elena Kountoura, João Pimenta Lopes
Verts/ALE	Ignazio Corrao, Jakop G. Dalunde, Karima Delli, Anna Deparnay-Grunenberg, Jutta Paulus

Key to symbols:

+ : in favour

- : against

0 : abstention

23.3.2022

OPINION OF THE COMMITTEE ON INDUSTRY, RESEARCH AND ENERGY

for the Committee on the Environment, Public Health and Food Safety

on the proposal for a regulation of the European Parliament and of the Council amending Regulations (EU) 2018/841 as regards the scope, simplifying the compliance rules, setting out the targets of the Member States for 2030 and committing to the collective achievement of climate neutrality by 2035 in the land use, forestry and agriculture sector, and (EU) 2018/1999 as regards improvement in monitoring, reporting, tracking of progress and review (COM(2021)0554 – C9-0320/2021 – 2021/0201(COD))

Rapporteur for opinion: Henna Virkkunen

SHORT JUSTIFICATION

The main goal of the European Union climate policy is to reduce greenhouse gas emissions and make Europe the first climate-neutral continent by 2050. Sinks and removals provided by the LULUCF sector play an important but limited role in reaching this goal. The objective of The European Commission proposal for a ‘Review of the Land Use, Land Use Change and Forestry (LULUCF) Regulation’ is to improve the rules on how the land use, land use change and forestry sector, combined with agriculture non-CO₂ greenhouse gas emissions, contribute to the EU climate policy framework.

The Rapporteur welcomes the Commission's proposal and believes that the move from reference levels to reported greenhouse gas emissions and removals will simplify the accounting processes and lead to improved data transparency and availability. The Member States should be further encouraged to improve methodologies for measuring carbon flows, including calculation of substitution effects. Improvements in methodologies should be reflected in the assessment of target fulfilment. Especially with regard to agricultural emissions, more research investments are needed to identify the most sustainable agricultural practices and the most cost-efficient ways to monitor and report emissions and removals from the sector. Overall, for ensuring proper implementation of the LULUCF rules and avoiding unnecessary regulatory burden, the scope of the Regulation should remain as an accounting framework for carbon emissions and removals.

The Rapporteur notes that the land use and forestry sector contribute to climate policies in a unique two-fold way - both through carbon sinks and as a source of renewable raw materials and products. Expertise and innovative possibilities offered by the forest industry play a crucial role in substituting fossil fuels and in the transition towards a circular bioeconomy. The LULUCF framework should recognise this and take fully into account the climate and environmental benefits of substitution.

While strengthening carbon sinks the Regulation should simultaneously acknowledge the role

sustainable bioenergy production plays in phasing-out fossil fuels. Bioenergy accounts for around 60 per cent of the total renewable energy production in the European Union (Eurostat 2020). As sustainable bioenergy production primarily relies on residues and waste production from other forestry activities, unnecessary high LULUCF targets could considerably hinder renewable energy production in Europe. Furthermore, over proportional targets within the European Union could increase the pressure on the use of forests outside Europe and contribute to carbon leakage.

Overall, according to the Rapporteur it is crucial to recognise the benefits of active forest management for both climate mitigation and adaptation. The LULUCF accounting framework should encourage the Member States to pursue active and innovative measures to increase their carbon sinks and removals in the long-term perspective.

AMENDMENTS

The Committee on Industry, Research and Energy calls on the Committee on the Environment, Public Health and Food Safety, as the committee responsible, to take into account the following amendments:

Amendment 1

Proposal for a regulation

Recital 1

Text proposed by the Commission

(1) The Paris Agreement, adopted in December 2015 under the United Nations Framework Convention on Climate Change (UNFCCC) entered into force in November 2016 (“the Paris Agreement”). Its Parties *have agreed to hold* the increase in the global average temperature well below 2 °C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1,5 °C above pre-industrial levels.

Amendment

(1) The Paris Agreement, adopted in December 2015 under the United Nations Framework Convention on Climate Change (UNFCCC) entered into force in November 2016 (“the Paris Agreement”). ***By adopting the Glasgow Climate Pact, its Parties recognised that limiting the increase in the global average temperature well below 2 °C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1,5 °C above pre-industrial levels would significantly reduce the risks and impacts of climate change, and committed to strengthen their 2030 targets by the end of 2022 to close the ambition gap.***

Amendment 2

Proposal for a regulation

Recital 1 a (new)

(1a) The Glasgow Climate Pact, signed in November 2021 by 197 countries, emphasises the importance of protecting, conserving and restoring nature and ecosystems to achieve the goal of the Paris Agreement to limiting the increase in global warming to 1,5 °C , including through forests and other terrestrial and marine ecosystems acting as sinks and reservoirs of greenhouse gases and by protecting biodiversity, while ensuring social and environmental safeguards. With the Glasgow Leaders' Declaration on Forests and Land Use, signed in November 2021, 141 countries committed to working collectively to halt and reverse forest loss and land degradation by 2030, while delivering sustainable development and promoting an inclusive rural transformation.

Amendment 3

Proposal for a regulation

Recital 4

Text proposed by the Commission

(4) In Regulation (EU) 2021/1119 of the European Parliament and of the Council³⁰, the Union has enshrined the target of economy-wide climate neutrality by 2050 in legislation. That Regulation also establishes a binding Union commitment to reduce net greenhouse gas emissions (emissions after deduction of removals) by at least 55 % below 1990 levels by 2030. All sectors of the economy are expected to contribute to achieving that target, ***including the land use, land use change and forestry sector***. The contribution of net removals to the 2030 Union climate target is limited to 225 million tonnes of CO₂ equivalent. In the context of Regulation (EU) 2021/1119, the

Amendment

(4) In Regulation (EU) 2021/1119 of the European Parliament and of the Council³⁰, the Union has enshrined the target of ***achieving*** economy-wide climate neutrality, ***which means achieving a balance between anthropogenic emissions by sources and removals by sinks of greenhouse gas emissions within the Union*** by 2050 in legislation. That Regulation also establishes a binding Union commitment to reduce net greenhouse gas emissions (emissions after deduction of removals) by at least 55 % below 1990 levels by 2030. All sectors of the economy are expected to contribute to achieving that target, ***with the highest priority being the reduction of fossil***

Commission reaffirmed in a corresponding statement its intention to propose a revision of Regulation (EU) 2018/841 of the European Parliament and of the Council³¹, in line with the ambition to increase net carbon removals to levels above 300 million tonnes of CO₂ equivalent in the land use, land use change and forestry sector by 2030.

emissions. When implementing the Union's 2030 climate target, the relevant Union's institutions and Member States committed to prioritising swift yet gradual and predictable emissions reductions and, at the same time, enhancing removals by natural sinks. That underlying ambition should respect the principle of subsidiarity and balance national competence on forestry with the Union's overarching targets regarding increased net uptake of greenhouse gases and the Union policy on environment under Articles 191 and 192 of the Treaty on the Functioning of the European Union (TFEU). Furthermore, measures should primarily target sectors where the efforts are most cost-efficient, as determined by each Member State. The contribution of net removals to the 2030 Union climate target is limited to 225 million tonnes of CO₂ equivalent ***without prejudice to the objective of enhancing the Union's net carbon sink with a view to achieving climate-neutrality by 2050.*** In the context of Regulation (EU) 2021/1119, the Commission reaffirmed in a corresponding statement its intention to propose a revision of Regulation (EU) 2018/841 of the European Parliament and of the Council³¹, in line with the ambition to increase net carbon removals to levels above 300 million tonnes of CO₂ equivalent in the land use, land use change and forestry sector by 2030.

³⁰ Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).'

³¹ Regulation (EU) 2018/841 of the European Parliament and of the Council of 30 May 2018 on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry

³⁰ Regulation (EU) 2021/1119 of the European Parliament and of the Council of 30 June 2021 establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (OJ L 243, 9.7.2021, p. 1).'

³¹ Regulation (EU) 2018/841 of the European Parliament and of the Council of 30 May 2018 on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry

in the 2030 climate and energy framework, and amending Regulation (EU) No 525/2013 and Decision No 529/2013/EU (OJ L 156, 19.6.2018, p. 1).

in the 2030 climate and energy framework, and amending Regulation (EU) No 525/2013 and Decision No 529/2013/EU (OJ L 156, 19.6.2018, p. 1).

Amendment 4

Proposal for a regulation Recital 4 a (new)

Text proposed by the Commission

Amendment

(4a) The Union’s forests deliver a considerable net uptake of carbon dioxide as well as economic value, export revenues, and employment throughout the Union. Since the beginning of the reporting period from 1990 onwards, the Union’s forests alone have sequestered around 400 million tonnes of CO₂ equivalent annually within the Union. However, the Union’s total net LULUCF removals declined between 2013 and 2019. The Union’s forests can be developed further and they can provide a wide range of bio-based products substituting fossil-based products that contribute to net reductions of carbon dioxide emissions. However, forestry and forestry industry are long-term activities with investment cycles that span several decades. Forest management is highly dependent on geographical factors and furthermore interlinked with industrial structures, which differ between Member States. Abrupt changes in forestry policies or increased regulatory burden, whether at Union or national level, could undermine the sector’s contribution towards carbon removals.

Amendment 5

Proposal for a regulation Recital 5

(5) In order to **contribute** to the increased ambition to reduce greenhouse gas net emissions from at least 40 % to at least 55 % below 1990 levels, binding annual targets for net greenhouse gas removals should be set out for each Member State in the land use, land use change and forestry sector in the period from 2026 to 2030 (in analogy to the annual emission allocations set out in Regulation (EU) 2018/842 of the European Parliament and of the Council³²), resulting in a target of 310 millions of tonnes CO₂ equivalent of net removals for the Union as a whole in 2030. The methodology used to establish the national targets for 2030 should take into account the average greenhouse gas emissions and removals from the years 2016, 2017 and 2018, reported by each Member State, and reflect the current mitigation performance of the land use, land use change and forestry sector, and each Member State's share of the managed land area in the Union, taking into account the capacity of that Member State to improve its performance in the sector via land management practices or changes in land use that benefit the climate and biodiversity.

³² Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement

(5) In order to **enable the land use, land use change and forestry sector to make a sustainable and predictable long-term contribution to the Union's climate-neutrality objective and to contribute** to the increased ambition to reduce greenhouse gas net emissions from at least 40 % to at least 55 % below 1990 levels, binding annual targets for net greenhouse gas removals should be set out for each Member State in the land use, land use change and forestry sector in the period from 2026 to 2030 (in analogy to the annual emission allocations set out in Regulation (EU) 2018/842 of the European Parliament and of the Council³²), resulting in a target of 310 millions of tonnes CO₂ equivalent of net removals for the Union as a whole in 2030. The methodology used to establish the national targets for 2030 should take into account the average greenhouse gas emissions and removals from the years 2016, 2017 and 2018, reported by each Member State, and reflect the current mitigation performance of the land use, land use change and forestry sector, and each Member State's share of the managed land area in the Union, taking into account the capacity of that Member State to improve its performance in the sector via land management practices or changes in land use that benefit the climate and biodiversity **and should strengthen sustainable forest management respecting biodiversity and ecosystem resilience which allows for the adaptation of forests to climate change in the long term.**

³² Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement

and amending Regulation (EU) No 525/2013 (OJ L 156, 19.6.2018, p. 26).

and amending Regulation (EU) No 525/2013 (OJ L 156, 19.6.2018, p. 26).

Amendment 6

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) The binding annual targets for net greenhouse gas removals should be determined for each Member State by a linear trajectory. The trajectory should start in 2022, on the average of greenhouse gas emissions reported by that Member State during 2021, 2022 and 2023 and end in 2030 on the target set out for that Member State. For Member States that improve their methodology of calculating the emissions and removals, a concept of technical correction should be introduced. A technical correction should be added to the target of that Member State corresponding to the effect of *the change in* methodology on the targets and the efforts of the Member State to achieve them, in order to respect environmental integrity.

Amendment

(6) The binding annual targets for net greenhouse gas removals should be determined for each Member State by a linear trajectory. The trajectory should start in 2022, on the average of greenhouse gas emissions reported by that Member State during 2021, 2022 and 2023 and end in 2030 on the target set out for that Member State. *It should take into consideration that the fact that there was a large-scale land use, land use change and forestry uptake of greenhouse gases in the past does not guarantee that there will be a high capacity in the future, as an increasing percentage of the Union's forests are reaching maturity.* For Member States that improve their methodology of calculating the emissions and removals, a concept of technical correction should be introduced, *subject to independent scientific review.* A technical correction should be added to the target of that Member State corresponding to the effect of *improved accuracy in the* methodology on the targets and the efforts of the Member State to achieve them, in order to respect environmental integrity.

Amendment 7

Proposal for a regulation

Recital 7

Text proposed by the Commission

(7) The Communication of 17 September 2020 on Stepping up Europe's

Amendment

(7) The Communication of 17 September 2020 on Stepping up Europe's

2030 climate ambition³³ *outlined an option to combine agriculture non-CO₂ greenhouse gas emissions with land use, land use change and forestry net removals, thus creating a newly regulated land sector. Such combination can promote synergies between land-based mitigation actions and enable more integrated policymaking and policy implementation at national and Union level. To this end, the obligation for Member States to submit integrated mitigation plans for the land sector should be reinforced.*

³³ COM(2020)0562.

2030 climate ambition³³ *stressed that reaching climate neutrality will require Union action to be significantly stepped up in all sectors of the economy. The fact that progress is made in one sector should not compensate for the lack of progress in other sectors. The latter sectors should be supported in their conversion to more environmentally sustainable activities. Moreover, removals of greenhouse gases by natural carbon sinks are fragile and potentially reversible, which leads to increased uncertainty in measuring emissions and removals in the land sector compared to other sectors.*

³³ COM(2020)0562.

Amendment 8

Proposal for a regulation Recital 8

Text proposed by the Commission

(8) The land sector has the potential to ***become rapidly climate-neutral by 2035*** in a cost-effective manner, ***and*** subsequently generate more greenhouse gas removals than emissions. ***A collective commitment aiming to achieve climate-neutrality in the land sector in 2035 at EU level can provide the needed planning certainty to drive land-based mitigation action*** in the short term, ***considering that it can take many years for such action to deliver the desired mitigation outcomes. Moreover, the land sector is projected to become the largest sector in the EU greenhouse gas flux profile in 2050. It is therefore particularly important to anchor that sector to a trajectory that can effectively deliver net zero greenhouse gas emissions by 2050. By mid-2024, the Member States should submit their updated integrated national energy and climate plans in accordance with Article 14 of Regulation***

Amendment

(8) The land sector has the potential to ***transition towards climate neutrality*** in a cost-effective manner, ***through reducing emissions, maintaining and enhancing sinks and carbon stocks, gradually replacing fossil fuels with renewable energy from forest biomass and by harnessing the removal potential of organic materials from sustainable forest management. The bioeconomy and bioenergy are indispensable for a fossil-free economy.*** Subsequently, ***the sector will*** generate more greenhouse gas removals than emissions, ***both*** in the short ***and longer*** term.

(EU) 2018/1999 of the European Parliament and of the Council³⁴. The plans should include relevant measures by which each Member State best contributes to the collective target of climate neutrality in the land sector at EU level in 2035. On the basis of these plans, the Commission should propose national targets, ensuring that the Union-wide greenhouse gas emissions and removals in the land use, land use change and forestry sector and the emissions from the agriculture non-CO2 sectors are at least balanced by 2035. Contrary to the EU level target of climate neutrality for the land sector by 2035, such national targets will be binding and enforceable on each Member State.

³⁴ *Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action, amending Regulations (EC) No 663/2009 and (EC) No 715/2009 of the European Parliament and of the Council, Directives 94/22/EC, 98/70/EC, 2009/31/EC, 2009/73/EC, 2010/31/EU, 2012/27/EU and 2013/30/EU of the European Parliament and of the Council, Council Directives 2009/119/EC and (EU) 2015/652 and repealing Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 328, 21.12.2018, p.1).*

Amendment 9

Proposal for a regulation Recital 9

Text proposed by the Commission

(9) The accounting rules set out in Articles 6, 7, 8 and 10 of Regulation (EU) 2018/841 were designed to determine the extent to which mitigation performance in

Amendment

(9) The accounting rules set out in Articles 6, 7, 8 and 10 of Regulation (EU) 2018/841 were designed to determine the extent to which mitigation performance in

the land use, land use change and forestry sector could contribute to the 2030 EU target for reduction of greenhouse gas net emissions of 40 %, which did not include the land use, land use change and forestry sector. In order to simplify the regulatory framework for that sector, the current accounting rules should not apply after 2025, and the compliance with national targets of the Member States should be verified on the basis of reported greenhouse gas emissions and removals. This ensures methodological consistency with Directive 2003/87/EC of the European Parliament and of the Council³⁵ , Regulation (EU) 2018/842 of the European Parliament and of the Council³⁶ , and the determination of the new target for reduction of greenhouse gas net emissions of at least 55 %, which also includes the land use, land use change and forestry sector).

³⁵ Directive 2003/87/EC of the European Parliament and of the Councils of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading with the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32) as amended by Directive (EU) 2018/410 of the European Parliament and of the Council of 14 March 2018 amending Directive 2003/87/EC to enhance cost-effective emission reductions and low-carbon investments, and Decision (EU) 2015/1814 (OJ L 76, 19.3.2018, p. 3).

³⁶ Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet

the land use, land use change and forestry sector could contribute to the 2030 EU target for reduction of greenhouse gas net emissions of 40 %, which did not include the land use, land use change and forestry sector. In order to simplify the regulatory framework for that sector, the current accounting rules should not apply after 2025, and the compliance with national targets of the Member States should be verified on the basis of reported greenhouse gas emissions and removals. This ensures methodological consistency with Directive 2003/87/EC of the European Parliament and of the Council³⁵ , Regulation (EU) 2018/842 of the European Parliament and of the Council³⁶ , and the determination of the new target for reduction of greenhouse gas net emissions of at least 55 %, which also includes the land use, land use change and forestry sector). ***In order to ensure better regulation and a predictable operating environment for industry, the accounting rules should only apply to greenhouse gas accounting for the land use, land use change and forestry sector.***

³⁵ Directive 2003/87/EC of the European Parliament and of the Councils of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading with the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32) as amended by Directive (EU) 2018/410 of the European Parliament and of the Council of 14 March 2018 amending Directive 2003/87/EC to enhance cost-effective emission reductions and low-carbon investments, and Decision (EU) 2015/1814 (OJ L 76, 19.3.2018, p. 3).

³⁶ Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet

commitments under the Paris Agreement and amending Regulation (EU) No 525/2013 (OJ L 156, 19.6.2018, p. 26).

commitments under the Paris Agreement and amending Regulation (EU) No 525/2013 (OJ L 156, 19.6.2018, p. 26).

Amendment 10

Proposal for a regulation

Recital 10

Text proposed by the Commission

(10) In order to enhance greenhouse gas removals, individual farmers *or* forest ***managers need a*** direct ***incentive*** to store more carbon on their land ***and*** their forests. New business models based on carbon farming incentives and on the certification of carbon removals need to be increasingly deployed in the period until 2030. Such incentives and business models will enhance climate mitigation in ***the*** bio-economy, including through the use of durable harvested wood products, in full respect of ecological principles fostering biodiversity and the circular economy. ***Hence, new categories of carbon storage products should be introduced in addition to the harvested wood products. The emerging business models, farming and land management practices to enhance removals contribute to a balanced territorial development and economic growth in rural areas. They also create opportunities for new jobs and provide incentives for relevant training, reskilling and upskilling.***

Amendment

(10) In order to enhance greenhouse gas removals, individual farmers ***and*** forest ***owners need*** direct ***and indirect incentives*** to store more carbon on their land, ***in*** their forests ***and in carbon storage products.*** ***Forest owners should be encouraged to implement sustainable forest management practices and while the protection of biodiversity and societal benefits should be ensured. Public funding under the Common Agricultural Policy (CAP) and other Union programmes can already support ecosystem-based approaches in forests and agricultural lands and should be increased. To increase carbon sequestration in their lands and to enable the forestation and greenhouse gas emission reduction goals of the Union, individual farmers and forest owners need fit-for-purpose growing media produced in the Union, supporting local food production and food security. As outlined in the Commission Communication of 15 December 2021 on Sustainable Carbon Cycles,*** new business models based on carbon farming incentives and on the certification of carbon removals need to be increasingly deployed in the period until 2030. Such incentives and business models will enhance climate mitigation in ***a fully circular and sustainably sourced*** bio-economy, including through the ***production and*** use of durable harvested wood products ***and through gradual substitution of fossil-based raw materials,*** in full respect of ecological principles fostering biodiversity and the circular

economy. *That potential, however, could be restricted if the forestry sector becomes overregulated.*

Amendment 11

Proposal for a regulation Recital 10 a (new)

Text proposed by the Commission

Amendment

(10a) Renewable bio-based materials and products contribute to having a circular bioeconomy by gradually substituting fossil-based alternatives and alternatives with a larger environmental footprint in various industries. A Union's bioeconomy can increase the production of carbon storage products while strengthening carbon sinks and improving forest health. Increasing the usage of carbon storage products is important together with reducing the usage of fossil emission intensive products and to achieve the goals of the European Green Deal. Hence, new categories of all sustainable carbon storage products, based on IPCC Guidelines, including in particular new innovative solutions, should be introduced in addition to the harvested wood products to promote voluntary carbon market measures on the land use sector. The life cycle of carbon storage products should not significantly harm the Union's environmental objectives in accordance with Article 17 of Regulation (EU) 2020/852. As per Commission Communication on of 15 December 2021^{1a}, carbon removals should be accounted for in a transparent way and by considering criteria such as the duration of the storage and the risk of reversal. Estimates on the mitigation potential of substituting fossil emission intensive materials with wood should also be provided by Member States.

1^a Communication from the Commission to the European Parliament and the Council - Sustainable Carbon Cycles (COM(2021)0800).

Amendment 12

Proposal for a regulation Recital 10 b (new)

Text proposed by the Commission

Amendment

(10b) Emerging business models, further development of bio-energy with carbon capture and storage or utilisation (BECCSU) technologies, and farming and land management practices to enhance removals and long-term investment in the bioeconomy contribute to balanced territorial development and economic growth in rural areas where SMEs and family businesses are increasingly facing locational disadvantage due to inadequate infrastructure and lack of investment. A fair transition requires maintaining the industrial SME sector as a social stabiliser in such areas, creating opportunities for new jobs and providing incentives for relevant training, reskilling and upskilling. In line with the increased ambition in the land use, land use change and forestry sector, additional support should be provided to individual farmers and forest owners for implementing ecosystem-based approaches and biodiversity-friendly practices on their land in accordance with common rules laid down by the Commission. Member States should be able to consider using revenues generated from the auctioning of allowances through the European Union Emissions Trading Scheme (EU ETS) allowances for this purpose.

Amendment 13

Proposal for a regulation
Recital 10 c (new)

Text proposed by the Commission

Amendment

(10c) Considering that active sustainable forest management has the potential to enhance carbon sequestration and counter forest ageing and natural disasters, which are among the factors contributing to the decreasing carbon removals in the land sector in recent years, sustainable forest management practices that respect biodiversity and ecosystem resilience and contribute to climate mitigation and adaptation, as outlined in the EU Forest strategy^{1a}, should be encouraged.

^{1a} Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - New EU Forest Strategy for 2030 (COM(2021)0572).

Amendment 14

Proposal for a regulation
Recital 10 d (new)

Text proposed by the Commission

Amendment

(10d) The construction sector has the potential to use forestry products in large quantities and store carbon for many decades. Thus, measures should be taken to further encourage wood as a construction material and also to ensure that the resulting uptake of emissions is accounted for in the total emissions balance of the Member State in question.

Amendment 15

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) Discontinuing the current accounting rules after 2025 creates a need for alternative provisions for natural disturbances such as fire, pest, and storms, in order to address uncertainties due to natural processes or as a result of climate change in the land use, land use change and forestry sector. A flexibility mechanism linked to natural disturbances should be available to Member States in 2032, provided that they have exhausted all other flexibilities at their disposal, put in place appropriate measures to reduce the vulnerability of their land to such disturbances and that the achievement by the Union of the 2030 target for the land use, land use change and forestry sector is completed.

Amendment

(12) Discontinuing the current accounting rules after 2025 creates a need for alternative provisions for natural disturbances such as fire, pest, and storms, in order to address uncertainties due to natural processes or as a result of climate change in the land use, land use change and forestry sector. A flexibility mechanism linked to natural disturbances should be available to Member States in 2032, provided that they have exhausted all other flexibilities at their disposal, put in place appropriate measures to ***enhance natural carbon sinks in a way that contributes to enhancing biodiversity and to*** reduce the vulnerability of their land to such disturbances and that the achievement by the Union of the 2030 target for the land use, land use change and forestry sector is completed.

Amendment 16

Proposal for a regulation

Recital 14

Text proposed by the Commission

(14) In order to ***ensure uniform conditions for the implementation of the provisions of Regulation (EU) 2018/841 concerning the*** setting out of the annual target allocations for Member States, ***implementing powers should be conferred on*** the Commission. Those ***powers*** should be ***exercised*** in accordance with ***Regulation (EU) No 182/2011 of the European Parliament and of the Council***³⁷.

Amendment

(14) In order to ***specify the requirements set out in this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to supplement this Regulation in respect of*** setting out of the annual target allocations for Member States ***for the land use, land use change and forestry sector as well as the method for determination of the technical correction to be added to the targets of the Member States and for the independent expert review, specifying common rules and methodologies to ensure that measures taken to meet the***

Member States' national targets do not significantly harm the Union's other environmental objectives. The Commission should carry out appropriate consultations during its preparatory work, including at expert level, and those consultations should be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016^{36a}. To ensure equal participation in the preparation of delegated acts, the European Parliament and the Council should receive all documents at the same time as the Member States' experts, and their experts should systematically have access to the Commission's expert group meetings dealing with the preparation of delegated acts.

^{36a} OJ L 123, 12.5.2016, p. 1.

³⁷ Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).

Amendment 17

Proposal for a regulation

Recital 16

Text proposed by the Commission

(16) Due to the change to reporting-based targets, the greenhouse gas emissions and removals need to be estimated with a higher level of accuracy. Moreover, the Communication from the Commission on EU Biodiversity Strategy for 2030³⁸, the Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system³⁹, the EU Forest Strategy⁴⁰,

Amendment

(16) Due to the change to reporting-based targets, the greenhouse gas emissions and removals need to be estimated with a higher level of accuracy. Moreover, the Communication from the Commission on EU Biodiversity Strategy for 2030³⁸, the Farm to Fork Strategy for a fair, healthy and environmentally-friendly food system³⁹, the EU Forest Strategy⁴⁰,

the revised Directive (EU) 2018/2001 of the European Parliament and of the Council⁴¹ and the Communication from the Commission on Forging a climate-resilient Europe - the new EU Strategy on Adaptation to Climate Change⁴² will all require enhanced monitoring of land, thereby helping to protect and enhance the resilience of nature-based carbon removals throughout the Union. The monitoring and reporting of emissions and removals needs to be upgraded, using advanced technologies available under Union programmes, such as Copernicus, and digital data collected under the Common Agricultural Policy, applying the twin transition of green and digital innovation.

³⁸ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions EU Biodiversity Strategy for 2030 - Bringing nature back into our lives (COM(2020)0380).

³⁹ COM(2020)0381.

⁴⁰ [...]

⁴¹ Directive (EU) 2018/2001 of the

the updated EU Bioeconomy Strategy, the EU Soil Strategy^{40a}, the revised Directive (EU) 2018/2001 of the European Parliament and of the Council⁴¹ and the Communication from the Commission on Forging a climate-resilient Europe - the new EU Strategy on Adaptation to Climate Change⁴² will all require enhanced monitoring of land, thereby helping to protect and enhance the resilience of nature-based carbon removals throughout the Union. The ***satellite and on-site*** monitoring and reporting of emissions and removals needs to be upgraded, ***making full use of already existing tools such as the LUCAS statistical survey***, using advanced technologies available under Union programmes, such as Copernicus, and digital data collected under the Common Agricultural Policy, applying the twin transition of green and digital innovation.

³⁸ Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions EU Biodiversity Strategy for 2030 - Bringing nature back into our lives (COM(2020)0380).

³⁹ COM(2020)0381.

⁴⁰ ***Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions - New EU Forest Strategy for 2030 (COM(2021)0572).***

^{40a} ***Communication from the Commission to the European Parliament, the Council, the European Economic and Social Committee and the Committee of the Regions EU Soil Strategy for 2030 Reaping the benefits of healthy soils for people, food, nature and climate COM(2021)0699.***

⁴¹ Directive (EU) 2018/2001 of the

European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).

⁴² COM(2021)0082.

European Parliament and of the Council of 11 December 2018 on the promotion of the use of energy from renewable sources (OJ L 328, 21.12.2018, p. 82).

⁴² COM(2021)0082.

Amendment 18

Proposal for a regulation

Recital 17

Text proposed by the Commission

(17) The expected anthropogenic changes to marine and freshwaters environment use though, for instance, planned expansion of offshore energy, potential increase in aquaculture production and the increasing levels of nature protection to meet the EU Biodiversity Strategy targets will influence greenhouse gas emissions and their sequestration. Currently these emissions and removals are not included in the standard reporting tables to the UNFCCC. Subsequently to the adoption of the reporting methodology, the Commission will consider reporting on the progress, feasibility of analysis and impact of extending the reporting to marine and freshwater environment based on the latest scientific evidence of these fluxes when carrying out the review in accordance with Article 17(2) of this Regulation.

Amendment

(17) The expected anthropogenic changes to marine and freshwaters environment use though, for instance, planned expansion of offshore energy, potential increase in aquaculture production and the increasing levels of nature protection to meet the EU Biodiversity Strategy targets will influence greenhouse gas emissions and their sequestration. Currently these emissions and removals are not included in the standard reporting tables to the UNFCCC. Subsequently to the adoption of the reporting methodology, the Commission will consider reporting on the progress, feasibility of analysis and impact of extending the reporting to marine, *coastal* and freshwater environment based on the latest scientific evidence of these fluxes when carrying out the review in accordance with Article 17(2) of this Regulation.

Amendment 19

Proposal for a regulation

Recital 17 a (new)

Text proposed by the Commission

Amendment

(17a) Given that the changes to the accounting rules generate additional compliance costs for the land use, land

use change and forestry sector, compensatory actions need to be taken in order to prevent the total level of regulatory burden from increasing. The Commission should therefore present, before the application of this Regulation, proposals offsetting the regulatory burdens introduced by this Regulation, through the revision or repeal of provisions in other Union legislative acts that generate compliance costs in the affected sector.

Amendment 20

Proposal for a regulation

Article 1 – paragraph 1 – point 1

Regulation (EU) 2018/841

Article 1 – paragraph 1 – point e

Text proposed by the Commission

Amendment

(e) commitments of Member States to take the necessary measures aiming towards the collective achievement of climate-neutrality in the Union by 2035 in the land use, land use change and forestry sector including emissions by the non-CO₂ agriculture.’;

deleted

Amendment 21

Proposal for a regulation

Article 1 – paragraph 1 – point 2

Regulation (EU) 2018/841

Article 2 – paragraph 3

Text proposed by the Commission

Amendment

3. This Regulation also applies to emissions and removals of the greenhouse gases listed in Section A of Annex I, reported pursuant to Article 26(4) of Regulation (EU) 2018/1999 and occurring on the territories of Member States from 2031 and onwards, in any of the land categories listed in paragraph 2,

deleted

points (a) to (j) and in any of the following sectors:

- (a) enteric fermentation;*
- (b) manure management;*
- (c) rice cultivation;*
- (d) agricultural soils;*
- (e) prescribed burning of savannas;*
- (f) field burning of agricultural residues;*
- (g) liming;*
- (h) urea application;*
- (i) ‘other carbon-containing fertilizers’;*
- (j) ‘other’.*

Amendment 22

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2a. By 30 June 2024, each Member State may present a national contribution to the 2030 net greenhouse gas removals target referred to in paragraph 2 of this Article that is higher than the national target set out in Annex IIa. Such contribution may be included in the integrated national energy and climate plans submitted pursuant to Article 14 of Regulation (EU) 2018/1999.

Amendment 23

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 3 – subparagraph 1

3. The Commission shall adopt ***implementing acts*** setting out the annual targets based on the linear trajectory for net greenhouse gas removals for each Member State, for each year in the period from 2026 to 2029 in terms of tonnes CO₂ equivalent. These national trajectories shall be based on the average greenhouse gas inventory data for the years 2021, 2022 and 2023, reported by each Member State. The value of the 310 million tonnes CO₂ equivalent net removals as a sum of the targets for Member States set out in Annex IIa may be subject to a technical correction due to a change of methodology by Member States. ***The method for determination of the technical correction to be added to the targets of the Member States, shall be set out in these implementing acts.*** For the purpose of those ***implementing acts***, the Commission shall carry out a comprehensive review of the most recent national inventory data for the years 2021, 2022 and 2023 submitted by Member States pursuant to Article 26(4) of Regulation (EU) 2018/1999.

3. The Commission shall adopt ***delegated acts in accordance with Article 16 to supplement this Regulation by*** setting out the annual targets based on the linear trajectory for net greenhouse gas removals for each Member State, for each year in the period from 2026 to 2029 in terms of tonnes CO₂ equivalent. These national trajectories shall be based on the average greenhouse gas inventory data for the years 2021, 2022 and 2023, reported by each Member State. The value of the ***Member State target set out in Annex IIa and the*** 310 million tonnes CO₂ equivalent net removals as a sum of the targets for Member States set out in Annex IIa may be subject to a technical correction due to a change of methodology by Member States, ***subject to an independent expert review confirming the necessity and proportionality of the technical correction based on the improved accuracy of the data monitored and reported.*** The technical correction to be added to the ***target of a Member State shall correspond to the effect of the change in methodology on the targets and shall be set out in these delegated acts and published.*** For the purpose of those ***delegated acts***, the Commission shall carry out a comprehensive review of the most recent national inventory data for the years 2021, 2022 and 2023 submitted by Member States pursuant to Article 26(4) of Regulation (EU) 2018/1999.

Amendment 24

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 3 – subparagraph 2

Text proposed by the Commission

Amendment

Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 16a.

deleted

Amendment 25

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 4

Text proposed by the Commission

Amendment

4. The Union-wide greenhouse gas emissions in the sectors set out in Article 2(3), points (a) to (j), shall aim to be net zero by 2035 and the Union shall achieve negative emissions thereafter. The Union and the Member States shall take the necessary measures to enable the collective achievement of the target for 2035.

deleted

The Commission shall, by 31 December 2025 and on the basis of integrated national energy and climate plans submitted by each Member State pursuant to Article 14 of Regulation (EU) 2018/1999 by 30 June 2024, make proposals for the contribution of each Member State to the net emissions reduction.’;

Amendment 26

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 4 a (new)

Text proposed by the Commission

Amendment

4a. Member States shall ensure that carbon removal from the atmosphere is

encouraged through sustainable forest management that takes into account biodiversity and ecosystem resilience, as sustainable forest management actively contributes to carbon uptake.

Amendment 27

Proposal for a regulation

Article 1 – paragraph 1 – point 3

Regulation (EU) 2018/841

Article 4 – paragraph 4 b (new)

Text proposed by the Commission

Amendment

4b. Member States shall ensure that measures taken to meet their national targets as referred to in paragraph 2 do not significantly harm Union biodiversity or other environmental objectives.

Amendment 28

Proposal for a regulation

Article 1 – paragraph 1 – point 3 a (new)

Regulation (EU) 2018/841

Article 5 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

(3a) in Article 5, the following paragraph is inserted:

‘5a. Data collection shall be further enhanced by Union-wide harmonised monitoring of the evolution in soil organic carbon content and factors which impact soil condition and its carbon stocks via annual LUCAS surveys.’

Amendment 29

Proposal for a regulation

Article 1 – paragraph 1 – point 7 – point a

Regulation (EU) 2018/841

Article 9 – title

Text proposed by the Commission

Carbon storage products;

Amendment

Sustainable carbon storage products;

Amendment 30

Proposal for a regulation

Article 1 – paragraph 1 – point 7 – point b

Regulation (EU) 2018/841

Article 9 – paragraph 2

Text proposed by the Commission

2. The Commission shall adopt delegated acts in accordance with Article 16 in order to amend paragraph 1 of this Article and Annex V by adding new categories of carbon storage products, including ***harvested wood*** products, that have a carbon sequestration effect, based on IPCC Guidelines as adopted by the Conference of the Parties to the UNFCCC or the Conference of the Parties serving as the Meeting of the Parties to the Paris Agreement, and ensuring environmental integrity.;

Amendment

2. The Commission shall ***by 2023*** adopt delegated acts in accordance with Article 16 in order to amend paragraph 1 of this Article and Annex V by adding new categories of ***sustainably sourced*** carbon storage products ***of all relevant bio-based product categories***, including ***innovative bio-based*** products, ***by-products and residues substituting fossil-fule based raw materials*** that have a carbon sequestration effect, ***and by introducing a lifecycle assessment of those products, including recycled products***, based on IPCC Guidelines as adopted by the Conference of the Parties to the UNFCCC or the Conference of the Parties serving as the Meeting of the Parties to the Paris Agreement, and ensuring environmental integrity. ***The Commission shall, by 2025, assess the inclusion of Bio-Energy Carbon Capture and Storage or Utilisation (BECCSU) processes in carbon storage products, taking into consideration the ‘do no significant harm’ principle laid down in Article 17 of Regulation (EU) 2020/852. The categories of carbon storage products shall be aligned with relevant Union law, in order to ensure a coherent overall policy framework for carbon storage and removals.***

Amendment 31

Proposal for a regulation

Article 1 – paragraph 1 – point 7 – point b a (new)

Regulation (EU) 2018/841

Article 9 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(ba) in Article 9, the following paragraph is added:

‘3a. In the delegated acts adopted pursuant to paragraph 2, the Commission shall ensure that the life cycles of harvested wood products do not significantly harm Union environmental objectives.’

Amendment 32

Proposal for a regulation

Article 1 – paragraph 1 – point 10 – point a

Regulation (EU) 2018/841

Article 12 – paragraph 3

Text proposed by the Commission

Amendment

(a) paragraph 3 is deleted;

deleted

Amendment 33

Proposal for a regulation

Article 1 – paragraph 1 – point 10 – point b

Regulation (EU) 2018/841

Article 12 – paragraph 5

Text proposed by the Commission

Amendment

5. Member States **may** use revenues generated by transfers pursuant to paragraph 2 to tackle climate change in the Union or in third countries and shall inform the Commission **of any such** actions taken.

5. Member States **shall** use revenues generated by transfers pursuant to paragraph 2 to tackle climate change, **protect biodiversity and ecosystem resilience, to ensure the conservation or enhancement, as appropriate, of land sinks and reservoirs, and to reduce the vulnerability of the land to natural**

disturbances in the Union or in third countries and shall inform the Commission *as to the use of those revenues and to the actions taken in the reports referred to in Article 19 of Regulation (EU) 2018/1999.*

Amendment 34

Proposal for a regulation

Article 1 – paragraph 1 – point 11

Regulation (EU) 2018/841

Article 13 – paragraph 2 – point a

Text proposed by the Commission

(a) the Member State has included in its strategy submitted in accordance with Article 15 of Regulation (EU) 2018/1999 ongoing or planned specific measures to ensure the conservation or enhancement, as appropriate, of forest sinks and reservoirs;
and

Amendment

(a) the Member State has included in its strategy submitted in accordance with Article 15 of Regulation (EU) 2018/1999 ongoing or planned specific measures to ensure the conservation or enhancement, as appropriate, of forest sinks and reservoirs *in a way that contributes to protecting biodiversity, and reduces the vulnerability of the land to natural disturbances;*

Amendment 35

Proposal for a regulation

Article 1 – paragraph 1 – point 12

Regulation (EU) 2018/841

Article 13a – paragraph 1 – point a

Text proposed by the Commission

(a) Finland included in its strategy submitted in accordance with Article 15 of Regulation (EU) 2018/1999 ongoing or planned specific measures to ensure the conservation or enhancement, as appropriate, of forest sinks and reservoirs;

Amendment

(a) Finland included in its strategy submitted in accordance with Article 15 of Regulation (EU) 2018/1999 ongoing or planned specific measures to ensure the conservation or enhancement, as appropriate, of forest sinks and reservoirs *in a way that contributes to protecting biodiversity, and reduces the vulnerability of the land to natural disturbances;*

Amendment 36

Proposal for a regulation
Article 1 – paragraph 1 – point 14
Regulation (EU) 2018/841
Article 13c – paragraph 1

Text proposed by the Commission

If the reviewed greenhouse gas emissions and removals of a Member State in 2032 exceed the annual targets of that Member State for any specific year of the period 2026 to 2030, taking into account the flexibilities used pursuant to Articles 12 and 13b, the following ***measure shall*** apply:

Amendment 37

Proposal for a regulation
Article 1 – paragraph 1 – point 14 a (new)
Regulation (EU) 2018/841
Article 13 d (new)

Text proposed by the Commission

Amendment

If, as a result of the comprehensive review it carries out in 2032, pursuant to Article 14(2), the Commission finds that the reviewed greenhouse gas emissions and removals of a Member State in 2032 exceed the annual targets of that Member State for any specific year of the period 2026 to 2030, taking into account the flexibilities used pursuant to Articles 12 and 13b, the following ***measures shall*** apply:

(14a) the following Article is inserted:

‘Article 13d

International cooperation

Member States may decide to authorise the use of carbon credits from the land use, land use change and forestry sector for offsetting by public or private entities, including through the means provided for in Articles 6(2) or 6(4) of the Paris Agreement. In order to remove market barriers and to avoid double counting the Union shall demonstrate how Internationally Transferred Mitigation Outcomes (ITMOs) originating from the Union are aligned with the LULUCF accounting framework.’

Amendment 38

Proposal for a regulation

Article 1 – paragraph 1 – point 15

Regulation (EU) 2018/841

Article 14 – paragraph 1 – point c a (new)

Text proposed by the Commission

Amendment

ca) synergies between climate mitigation and the bioeconomy.

Amendment 39

Proposal for a regulation

Article 1 – paragraph 1 – point 15 a (new)

Regulation (EU) 2018/841

Article 14 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

(15a) In Article 14, the following paragraph is inserted:

‘3a. The compliance report shall be based on annual datasets obtained from LUCAS surveys and national or regional soil monitoring systems. If previous LULUCF records are modified as a result of the LUCAS surveys, the Member State targets set out in Annex IIa shall be subject to technical correction as set out in Article 4(2).’

Amendment 40

Proposal for a regulation

Article 1 – paragraph 1 – point 18

Regulation (EU) 2018/841

Article 17 – paragraph 2 – subparagraph 1

Text proposed by the Commission

Amendment

2. The Commission shall submit a report to the European Parliament and to the Council, no later than six months after [...] global stocktake agreed under Article

2. The Commission shall submit a report to the European Parliament and to the Council, no later than six months after [...] **each** global stocktake agreed under

14 of the Paris Agreement, on the operation of this Regulation, including, **where relevant**, an assessment of the impacts of the flexibilities referred to in Article 11, as well as on the contribution of this Regulation to the Union's **overall 2030 greenhouse gas emission reduction target and its contribution** to the goals of the Paris Agreement, in particular **with regard to** the need for additional Union policies and measures, in view of the necessary increase in greenhouse gas emissions reductions and removals in the Union.

Article 14 of the Paris Agreement, on the operation of this Regulation, including an assessment of the impacts of the flexibilities referred to in Article 11 **on greenhouse gas emissions reductions and removals in the Union**, as well as on the contribution of this Regulation to the Union's **climate neutrality objective and intermediary climate targets set out in Regulation (EU) 2021/1119**, to the goals of the Paris Agreement. **The report shall assess** in particular the need for additional Union policies and measures, **in particular taking into account any future improvement of the monitoring, data collection and reporting system concerning forests in the Union as announced under the New EU Forest Strategy for 2030**, and in view of the necessary increase in greenhouse gas emissions reductions and removals in the Union. **The report shall take into account the best available and most recent scientific evidence, including the latest reports of the IPCC, IPBES and of the European Scientific Advisory Board on Climate Change referred to in Article 3 of Regulation (EU) 2021/1119.**

Amendment 41

Proposal for a regulation

Article 1 – paragraph 1 – point 18

Regulation (EU) 2018/841

Article 17 – paragraph 2 – subparagraph 2

Text proposed by the Commission

Following the report, the Commission shall make legislative proposals where it deems it appropriate. In particular, the proposals shall **set out annual targets and governance aiming towards the 2035 climate-neutrality target as laid down in Article 4(4), additional Union policies and measures, and a post-2035 framework, including** in the scope of the Regulation greenhouse gas emissions and removals

Amendment

Following the report, the Commission shall make legislative proposals where it deems it appropriate. In particular, the proposals shall **include** in the scope of the Regulation greenhouse gas emissions and removals from additional sectors, such as the marine, **coastal** and freshwater environment, **based on robust scientific methodologies. As appropriate, the proposals shall update methodologies for data collection,**

from additional sectors, such as the marine and freshwater environment.;

monitoring and reporting in the land use, land use change and forestry sector, in particular concerning soils in the Union as announced under the New EU Soil Strategy for 2030.

Amendment 42

Proposal for a regulation

Article 1 – paragraph 1 – point 18 a (new)

Regulation (EU) 2018/841

Article 17 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

(18a) in Article 17, the following paragraph is inserted:

'2a. The Commission shall report to the European Parliament and the Council every third year from the entry into force of this Regulation until 2050, the results of an evaluation on the functioning of this Regulation, including its effects on the functioning of the internal market, the competitiveness of and job creation in affected sectors and the magnitude of carbon leakage.

The Commission shall report to the European Parliament and the Council, by 1 January 2030, and every fifth year until 2050, the results of a comprehensive evaluation of the aggregated macroeconomic impact of the Regulations that form the Fit for 55 package^{1a}.

The Commission shall consider possible amendments to this Regulation with regards to regulatory simplification as stated in the 2021 Commission Communication on Better Regulation^{1b}. The Commission and the competent authorities shall continuously adapt to best practice administrative procedures and take all measures to simplify the enforcement of this Regulation, keeping the administrative burden to a minimum.'

*^{1a} Communication from the Commission
(COM(2021)(0550), 14 July 2021.*

*^{1b} Communication from the Commission
(COM(2021)(0021), 29 April 2021.*

Amendment 43

Proposal for a regulation

Annex III – paragraph 1

Regulation (EU) 2018/1999

Annex V – part 3 – subparagraph 1

Text proposed by the Commission

‘Geographically explicit land-use conversion data in accordance with the 2006 IPCC Guidelines for national GHG inventories. **The** greenhouse gas inventory shall operate on the basis of electronic databases and geographic information systems, and comprise:

Amendment

Geographically explicit land-use conversion data in accordance with the 2006 IPCC Guidelines for national GHG inventories. **Member States are encouraged to develop a** greenhouse gas inventory **that** shall operate on the basis of electronic databases and geographic information systems, and comprise:

Amendment 44

Proposal for a regulation

Annex III – paragraph 1

Regulation (EU) 2018/1999

Annex V – part 3 – subparagraph 1 – point a a (new)

Text proposed by the Commission

Amendment

(aa) LUCAS datasets generated by annual, harmonised surveys across all Member States to gather information on land cover and land use, measure soil carbon stocks and analyse all relevant parameters affecting the potential of soil to sequester carbon and soil health; Member States are encouraged to increase the depth of the sampling of soil organic carbon content and carbon stocks, i.e. to use the 30 cm from the LUCAS soils 2022 protocol as a

minimum.

Amendment 45

Proposal for a regulation

Annex III – paragraph 1

Regulation (EU) 2018/1999

Annex V – part 3 – subparagraph 4

Text proposed by the Commission

Member States shall from 2026 for all carbon pool emission and removal estimates falling in areas of high carbon stock land use units referred to in point (c) above, areas of land use units under protection or under restoration referred to in points (d) and (e) above, and areas of land use units under high future climate risks referred to in point (f) above, apply Tier 3 methodology, in accordance with the 2006 IPCC guidelines for national GHG inventories.’.

Amendment

Member States shall **aim**, from 2026 for all carbon pool emission and removal estimates falling in areas of high carbon stock land use units referred to in point (c) above, areas of land use units under protection or under restoration referred to in points (d) and (e) above, and areas of land use units under high future climate risks referred to in point (f) above, **to** apply Tier 3 methodology, in accordance with the 2006 IPCC guidelines for national GHG inventories.’.

**ANNEX: LIST OF ENTITIES OR PERSONS
FROM WHOM THE RAPPORTEUR HAS RECEIVED INPUT**

The following list is drawn up on a purely voluntary basis under the exclusive responsibility of the rapporteur. The rapporteur has received input from the following entities or persons in the preparation of the opinion, until the adoption thereof in committee:

Entity and/or person
Academy of Finland
Bioenergy Europe
Confederation of European Forest Owners (CEPF)
Confederation of European Paper Industries (CEPI)
European Commission, DG CLIMA
European Forest Institute
Finnish Forest Industries
Metsä Group
Ministry of Agriculture and Forestry of Finland
Natural Resources Institute Finland (Luke)
Permanent Representation of Finland to the EU
Statistics Finland
Stora Enso Oyj
St1 Oy
Swedish Forest Industries Federation
The Central Union of Agricultural Producers and Forest Owners (MTK)
The Finnish Association for Nature Conservation
The Finnish Environment Institute (SYKE)

PROCEDURE – COMMITTEE ASKED FOR OPINION

Title	Amending Regulations (EU) 2018/841 as regards the scope, simplifying the compliance rules, setting out the targets of the Member States for 2030 and committing to the collective achievement of climate neutrality by 2035 in the land use, forestry and agriculture sector, and (EU) 2018/1999 as regards improvement in monitoring, reporting, tracking of progress and review
References	COM(2021)0554 – C9-0320/2021 – 2021/0201(COD)
Committee responsible Date announced in plenary	ENVI 13.9.2021
Opinion by Date announced in plenary	ITRE 13.9.2021
Rapporteur for the opinion Date appointed	Henna Virkkunen 17.9.2021
Discussed in committee	26.1.2022
Date adopted	22.3.2022
Result of final vote	+: 48 –: 13 0: 16
Members present for the final vote	Nicola Beer, François-Xavier Bellamy, Hildegard Bentele, Tom Berendsen, Vasile Blaga, Michael Bloss, Manuel Bompard, Paolo Borchia, Marc Botenga, Markus Buchheit, Martin Buschmann, Cristian-Silviu Buşoi, Jerzy Buzek, Maria da Graça Carvalho, Ignazio Corrao, Ciarán Cuffe, Josianne Cutajar, Nicola Danti, Pilar del Castillo Vera, Martina Dlabajová, Christian Ehler, Valter Flego, Niels Fuglsang, Lina Gálvez Muñoz, Claudia Gamon, Jens Geier, Nicolás González Casares, Bart Groothuis, Christophe Grudler, András Gyürk, Henrike Hahn, Robert Hajšel, Ivo Hristov, Ivars Ijabs, Romana Jerković, Eva Kaili, Seán Kelly, Izabela-Helena Kloc, Łukasz Kohut, Zdzisław Krasnodębski, Andrius Kubilius, Miapetra Kumpula-Natri, Thierry Mariani, Marisa Matias, Eva Maydell, Georg Mayer, Joëlle Mélin, Iskra Mihaylova, Dan Nica, Angelika Niebler, Niklas Nienaa, Ville Niinistö, Aldo Patriciello, Mauri Pekkarinen, Mikuláš Peksa, Tsvetelina Penkova, Morten Petersen, Pina Picierno, Markus Pieper, Clara Ponsatí Obiols, Manuela Ripa, Robert Roos, Sara Skytvedal, Maria Spyrali, Jessica Stegrud, Beata Szydło, Riho Terras, Grzegorz Tobiszowski, Patrizia Toia, Evžen Tošenovský, Marie Toussaint, Isabella Tovaglieri, Viktor Uspaskich, Henna Virkkunen, Pernille Weiss, Carlos Zorrinho
Substitutes present for the final vote	Gianna Gancia

FINAL VOTE BY ROLL CALL IN COMMITTEE ASKED FOR OPINION

48	+
NI	Viktor Uspaskich
PPE	François-Xavier Bellamy, Hildegard Bentele, Tom Berendsen, Vasile Blaga, Cristian-Silviu Buşoi, Jerzy Buzek, Maria da Graça Carvalho, Pilar del Castillo Vera, Christian Ehler, Seán Kelly, Andrius Kubilius, Eva Maydell, Angelika Niebler, Aldo Patriciello, Markus Pieper, Sara Skytvedal, Maria Spyraiki, Riho Terras, Henna Virkkunen, Pernille Weiss
Renew	Nicola Beer, Nicola Danti, Martina Dlabajová, Valter Flego, Claudia Gamon, Bart Groothuis, Christophe Grudler, Ivars Ijabs, Iskra Mihaylova, Mauri Pekkarinen, Morten Petersen
S&D	Josianne Cutajar, Niels Fuglsang, Lina Gálvez Muñoz, Jens Geier, Nicolás González Casares, Robert Hajšel, Ivo Hristov, Romana Jerković, Eva Kaili, Łukasz Kohut, Miapetra Kumpula-Natri, Dan Nica, Tsvetelina Penkova, Pina Picierno, Patrizia Toia, Carlos Zorrinho

13	-
ECR	Robert Roos
ID	Markus Buchheit, Georg Mayer
NI	András Gyürk
Verts/ALE	Michael Bloss, Ignazio Corrao, Ciarán Cuffe, Henrike Hahn, Niklas Nienaa, Ville Niinistö, Mikuláš Peksa, Manuela Ripa, Marie Toussaint

16	0
ECR	Izabela-Helena Kloc, Zdzisław Krasnodębski, Jessica Stegrud, Beata Szydło, Grzegorz Tobiszowski, Evžen Tošenovský
ID	Paolo Borchia, Gianna Gancia, Thierry Mariani, Joëlle Mélin, Isabella Tovaglieri
NI	Martin Buschmann, Clara Ponsatí Obiols
The Left	Manuel Bompard, Marc Botenga, Marisa Matias

Key to symbols:

+ : in favour

- : against

0 : abstention

PROCEDURE – COMMITTEE RESPONSIBLE

Title	Amending Regulations (EU) 2018/841 as regards the scope, simplifying the compliance rules, setting out the targets of the Member States for 2030 and committing to the collective achievement of climate neutrality by 2035 in the land use, forestry and agriculture sector, and (EU) 2018/1999 as regards improvement in monitoring, reporting, tracking of progress and review			
References	COM(2021)0554 – C9-0320/2021 – 2021/0201(COD)			
Date submitted to Parliament	14.7.2021			
Committee responsible Date announced in plenary	ENVI 13.9.2021			
Committees asked for opinions Date announced in plenary	BUDG 13.9.2021	ITRE 13.9.2021	IMCO 13.9.2021	TRAN 13.9.2021
	AGRI 13.9.2021			
Not delivering opinions Date of decision	BUDG 31.8.2021	IMCO 1.9.2021		
Associated committees Date announced in plenary	AGRI 11.11.2021			
Rapporteurs Date appointed	Ville Niinistö 13.9.2021			
Discussed in committee	11.10.2021	26.1.2022		
Date adopted	17.5.2022			
Result of final vote	+	44		
	-	37		
	0	6		
Members present for the final vote	Mathilde Androuët, Margrete Auken, Simona Baldassarre, Marek Paweł Balt, Traian Băsescu, Aurélie Beigneux, Monika Beňová, Hildegard Bentele, Sergio Berlato, Alexander Bernhuber, Malin Björk, Simona Bonafè, Delara Burkhardt, Pascal Canfin, Sara Cerdas, Mohammed Chahim, Tudor Ciuhodaru, Nathalie Colin-Oesterlé, Esther de Lange, Christian Doleschal, Marco Dreosto, Bas Eickhout, Cyrus Engerer, Agnès Evren, Pietro Fiocchi, Raffaele Fitto, Andreas Glück, Catherine Griset, Jytte Guteland, Teuvo Hakkarainen, Martin Hojsík, Pär Holmgren, Jan Huitema, Yannick Jadot, Adam Jarubas, Petros Kokkalis, Ewa Kopacz, Peter Liese, Sylvia Limmer, Javi López, César Luena, Marian-Jean Marinescu, Fulvio Martusciello, Liudas Mažylis, Joëlle Mélin, Tilly Metz, Silvia Modig, Dolors Montserrat, Alessandra Moretti, Ville Niinistö, Ljudmila Novak, Grace O’Sullivan, Jutta Paulus, Stanislav Polčák, Jessica Polfjård, Nicola Procaccini, Luisa Regimenti, Frédérique Ries, María Soraya Rodríguez Ramos, Sándor Rónai, Rob Rooken, Silvia Sardone, Christine Schneider, Günther Sidl, Ivan Vilibor Sinčić, Linea Sjøgaard-Lidell, Maria Spyraiki, Nicolae Ștefănuță, Nils Torvalds, Edina Tóth, Véronique Trillet-Lenoir, Petar Vitanov, Alexandr Vondra, Mick Wallace, Pernille Weiss, Emma Wiesner, Michal Wiezik, Tiemo Wölken, Anna Zalewska			

Substitutes present for the final vote	Michael Bloss, Manuel Bompard, Milan Brglez, Stelios Kypouropoulos, Manuela Ripa, Christel Schaldemose, Vincenzo Sofo, Idoia Villanueva Ruiz
Date tabled	24.5.2022

FINAL VOTE BY ROLL CALL IN COMMITTEE RESPONSIBLE

44	+
NI	Ivan Vilibor Sinčić
Renew	Pascal Canfin, Martin Hojsík, Jan Huitema, Frédérique Ries, María Soraya Rodríguez Ramos, Nicolae Ștefănuță, Linea Søgaard-Lidell, Nils Torvalds, Véronique Trillet-Lenoir, Emma Wiesner, Michal Wiezik
S&D	Marek Paweł Balt, Monika Beňová, Simona Bonafè, Milan Brglez, Delara Burkhardt, Sara Cerdas, Mohammed Chahim, Tudor Ciuhodaru, Cyrus Engerer, Jytte Guteland, Alessandra Moretti, Sándor Rónai, Christel Schaldemose, Günther Sidl, Petar Vitanov, Tiemo Wölken
The Left	Malin Björk, Manuel Bompard, Petros Kokkalis, Silvia Modig, Idoia Villanueva Ruiz, Mick Wallace
Verts/ALE	Margrete Auken, Michael Bloss, Bas Eickhout, Pär Holmgren, Yannick Jadot, Tilly Metz, Ville Niinistö, Grace O'Sullivan, Jutta Paulus, Manuela Ripa

37	-
ECR	Sergio Berlato, Pietro Fiocchi, Raffaele Fitto, Nicola Procaccini, Rob Rooken, Vincenzo Sofò, Alexandr Vondra, Anna Zalewska
ID	Mathilde Androuët, Aurélia Beigneux, Catherine Griset, Teuvo Hakkarainen, Sylvia Limmer, Joëlle Mélin
NI	Edina Tóth
PPE	Traian Băsescu, Hildegard Bentele, Alexander Bernhuber, Nathalie Colin-Oesterlé, Christian Doleschal, Agnès Evren, Adam Jarubas, Ewa Kopacz, Stelios Kypouropoulos, Esther de Lange, Peter Liese, Marian-Jean Marinescu, Fulvio Martusciello, Liudas Mažylis, Dolores Montserrat, Ljudmila Novak, Stanislav Polčák, Jessica Polfjård, Luisa Regimenti, Christine Schneider, Maria Spyrali, Pernille Weiss

6	0
ID	Simona Baldassarre, Marco Dreosto, Silvia Sardone
Renew	Andreas Glück
S&D	Javi López, César Luena

Key to symbols:

+ : in favour

- : against

0 : abstention