



2020/0036(COD)

15.6.2020

AMENDMENTS

479 - 485

Draft opinion

Asger Christensen

(PE650.646v01-00)

Proposal for a regulation of the European Parliament and of the Council establishing the framework for achieving climate neutrality and amending Regulation (EU) 2018/1999 (European Climate Law)

Proposal for a regulation

(COM(2020)0080 – C9-0077/2020 – 2020/0036(COD))

Amendment 479
Michal Wiezik

Proposal for a regulation
Article 10 a (new)

Text proposed by the Commission

Amendment

Article 10a

Amendments to Regulation(EU) 2018/841

Or. en

Amendment 480
Michal Wiezik

Proposal for a regulation
Article 10 a (new) – paragraph 1 a (new)
Regulation (EU) No 2018/841
Article 4

Present text

Amendment

For the periods from 2021 to 2025 and from 2026 to 2030, taking into account the flexibilities provided for in Articles 12 and 13, each Member State shall ensure that emissions do not exceed removals, calculated as the sum of total emissions and total removals on its territory in all of the land accounting categories referred to in Article 2 combined, as accounted in accordance with this Regulation.

Article 4 is replaced by the following:

"For the periods from 2021 to 2025 and from 2026 to 2030, taking into account the flexibilities provided for in Articles 12 and 13, each Member State shall ensure that emissions do not exceed removals, calculated as the sum of total emissions and total removals on its territory in all of the land accounting categories referred to in Article 2 combined ***and that balance for the period 2026-2030 is net removal and total removals on EU territory in all of the land accounting categories calculated as the sum of total emissions***, as accounted in accordance with this Regulation.

The Commission shall propose by December 2021 at both Union and national level an ambitious target of net removals for the period 2026-2030 and after, based in particular on the potential for carbon removals, in synergy with restoration and strict protection targets of the Union and make amendments to this

Regulation.”

(applies throughout the text)

Or. en

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

Justification

With the nature restoration and protection targets, and the fact that emission reduction higher than 55% is unthinkable for many actors, the land use sector needs to do much more. EU LULUCF sector is at net removal, and LULUCF regulation suffices with 0 emissions target. Just EU agriculture has a potential of increased carbon sequestration, to 1566 Mton CO₂ annually (Joris Aertsens, Leo De Nocker, Anne Gobin, 2012). LULUCF sector needs to do its part.

Amendment 481

Michal Wiezik

Proposal for a regulation

Article 10 a (new) – paragraph 1 b (new)

Regulation (EU) No 2018/841

Article 5 – paragraph 4

Present text

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 aboveground biomass, dead wood and harvested wood products, in the land accounting category of managed forest land.

Amendment

in Article 5, paragraph 4 is replaced by following:

"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 aboveground biomass, dead wood and harvested wood products, in the land accounting category of managed forest land ***and soil organic carbon in all the accounting categories.***"

Or. en

Justification

Improved land management can have positive impact on soil organic carbon and make a difference in the accounts. Currently this is mandatorily accounted for only in case this carbon pool is source of emissions. With EU ecosystem restoration goals this could be a relevant carbon pool to mandatorily account for and see win-win situation for environment and climate.

Amendment 482
Michal Wiezik

Proposal for a regulation
Article 10 a (new) – paragraph 1 c (new)
Regulation (EU) No 2018/841
Article 8 – paragraph 2

Present text

Where the result of the calculation referred to in paragraph 1 of this Article is negative in relation to a Member State's forest reference level, the Member State concerned shall include in its managed forest land accounts total net removals of no more than the equivalent of 3,5 % of the emissions of that Member State in its base year or period as specified in Annex III, multiplied by five. Net removals resulting from the carbon pools of dead wood and harvested wood products, except the category of paper as referred to in point (a) of Article 9(1), in the land accounting category of managed forest land shall not be subject to this limitation.

Amendment

in Article 8, paragraph 2 is replaced by the following:

"Where the result of the calculation referred to in paragraph 1 of this Article is negative in relation to a Member State's forest reference level, the Member State concerned shall include in its managed forest land accounts total net removals of no more than the equivalent of 3,5 % of the emissions of that Member State in its base year or period as specified in Annex III, multiplied by five. Net removals resulting from the carbon pools of dead wood and harvested wood products, except the category of paper as referred to in point (a) of Article 9(1), ***and removals of all relevant carbon pools, including soil organic carbon, in the areas designated to fulfil the restoration and strict protection targets of the Union*** in the land accounting category of managed forest land shall not be subject to this limitation. "

Or. en

Justification

The Biodiversity Strategy aims to strictly protect 1/3 of the protected areas, and restore significant areas as well, including forests. CO2 removals in these areas not being subject to limitations, and being accounted for, provided that managed forest land is overall a net sink, could be a welcome incentive. MS which have all their forest land under accounting category managed forest land are home to some primary and old-growth forests (ecologically).

Amendment 483 **Manuel Bompard**

Proposal for a regulation
Article 10 a (new)
Regulation (EU) No 1367/2006
Article

Text proposed by the Commission

Amendment

Article 10a

Amendments to Regulation (EU) 1367/2006

In order to ensure that the EU intervention referred to in this Regulation is in full accordance with the EU's obligations under the Aarhus Convention, Regulation (EU) 1367/2006 shall be amended as follows:

(1) In Article 2(1), point (g) shall be replaced by the following:

“(g) ‘administrative act’ means any measure of individual or general scope under environmental law, taken by a Community institution or body, and having legally binding and external effects;”

(2) in Article 9, paragraph 1 shall be replaced by the following:

“1. The public, particularly trade unions, youth organisations, nature-conservation societies, scientific associations and other civil society organisations, shall, at an early stage when all options are still open, assist EU bodies and institutions in drawing up, amending or reviewing

environment-related plans and programmes by means of practical and/or other appropriate provisions, particularly in the drawing up, amending or reviewing of the advance planning arrangements referred to in Articles 3 and 4 of Regulation .../... (the Climate Act). In particular, whenever the Commission draws up a proposal for a given plan or programme to be submitted to other EU institutions or bodies for a decision, it shall be obliged to take full account of proposals from the public, particularly trade unions, youth organisations, nature-conservation societies, scientific associations and other civil society organisations.”

(3) in Article 9, paragraph 5 shall be replaced by the following:

“5. In taking a decision on an environment-related plan or programme, particularly the advance planning arrangements referred to in Articles 3 and 4 of Regulation .../... (The Climate Act), EU institutions and bodies shall take full and meaningful account of the outcome of the public’s participation. The EU institutions and bodies shall inform the public of that plan or programme, including its text, and of the reasons and considerations upon which the decision is based, particularly any divergences from the proposals made by the public.”

(4) Article 10 shall be replaced by the following:

“1. Private individuals, non-governmental organisations meeting the criteria set out in Article 11, regional and local authorities and national parliaments shall be entitled to make a request for internal review to the EU institution or body that has adopted an administrative act under environmental law or, in the event of an alleged administrative omission, should have adopted such an act. Such a request must be made in writing and within a time

limit not exceeding six weeks after the administrative act was adopted, notified or published, whichever is the latest, or, in the event of an alleged omission, six weeks after the date when the administrative act was required. The request shall state the grounds for the review.

2. The EU institution or body referred to in paragraph 1 shall consider any such request, unless it is clearly unsubstantiated. The EU institution or body shall state its reasons in a written reply as soon as possible, but no later than 12 weeks after receipt of the request.

3. Where the EU institution or body is unable, despite exercising due diligence, to act in accordance with paragraph 2, it shall inform the non-governmental organisation which made the request as soon as possible and at the latest within the period mentioned in that paragraph, of the reasons for its failure to act and when it intends to do so. In any event, the EU institution or body shall act within 18 weeks from receipt of the request.”

(5) In Article 12, paragraph 1 shall be replaced by the following:

“1. Any private individual, non-governmental organisation, regional or local authority, and national parliament having made the request for internal review pursuant to Article 10 may institute proceedings before the Court of Justice in accordance with the relevant provisions of the Treaty.”

Or. fr

Amendment 484
Sylvia Limmer, Ivan David

Proposal for a regulation
Article 11 – paragraph 1

Text proposed by the Commission

This **Regulation** shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

Amendment

This **Directive** shall enter into force on the twentieth day following that of its publication in the Official Journal of the European Union.

Or. en

Amendment 485

Sylvia Limmer, Ivan David

**Proposal for a regulation
Article 11 – paragraph 2**

Text proposed by the Commission

This **Regulation shall be binding in its entirety and directly applicable in all** Member States.

Amendment

This **Directive is addressed to the** Member States.

Or. en