



2022/0394(COD)

10.5.2023

*****I**

DRAFT REPORT

on the proposal for a regulation of the European Parliament and of the Council
establishing a Union certification framework for carbon removals
(COM(2022)0672 – C9-0399/2022 – 2022/0394(COD))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Lídia Pereira

Rapporteurs for the opinion (*):
Martin Hlaváček, Committee on Agriculture and Rural Development
Cristian Silviu Buşoi, Committee on Industry, Research and Energy

(*)Associated committees – 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 establishing a Union certification framework for carbon removals (COM(2022)0672 – C9-0399/2022 – 2022/0394(COD))

(Ordinary legislative procedure: first reading)

The European Parliament,

- having regard to the Commission proposal to Parliament and the Council (COM(2022)0672),
 - 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 (C9-0399/2022),
 - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
 - having regard to the opinion of the European Economic and Social Committee of 22 March 2023¹,
 - having regard to the opinion of the Committee of the Regions of 8 February 2023²,
 - having regard to Rules 59 of its Rules of Procedure,
 - having regard to the opinion of the Committee on Agriculture and Rural Development,
 - having regard to the letter from the Committee on Industry, Research and Energy,
 - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A9-0000/2023),
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 [OJ C 0, 0.0.0000, p. 0/Not yet published in the Official Journal].

² [OJ C 0, 0.0.0000, p. 0/Not yet published in the Official Journal] .

Amendment 1

Proposal for a regulation Recital 1 a (new)

Text proposed by the Commission

Amendment

(1a) According to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change (IPCC), drastic and immediate greenhouse gas emission reductions are essential, but effectively all emission reduction pathways that limit warming to 1,5°C with no or limited overshoot, as well as those that limit warming to 2°C, will also require a significant scale-up of carbon removals between 2020 and 2100^{1a}, in particular for sectors such as agriculture, aviation, shipping and industrial processes. For the Union, corresponding carbon removal levels have been estimated to need to reach ranges of between 300 and 500 MtCO₂, depending on the emission reduction pathway^{1b}.

^{1a} IPCC AR6 Synthesis Report (2023).
(Longer Report).

^{1b} Staff Working Document “Sustainable carbon cycles for a 2050 climate-neutral EU - Technical Assessment”.

Or. en

Amendment 2

Proposal for a regulation Recital 1 b (new)

Text proposed by the Commission

Amendment

(1b) Afforestation, reforestation, improved forest management, agroforestry and soil carbon sequestration are currently the only widely practiced carbon removal methods according to the

IPCC and other scientific evidence, while the current global deployment of novel carbon removal methods, such as bioenergy with carbon capture and storage (BECCS) or direct air carbon capture and storage (DACCS), is far below that required for modelled pathways limiting global warming to between 1,5°C and 2°C and would need to grow by four to six orders of magnitude by mid-century to meet the Paris Agreement temperature goals^{1a, 1b}.

^{1a} *IPCC AR6 Synthesis Report (2023).*

^{1b} *The State of Carbon Dioxide Removal. A Global, Independent Scientific Assessment of Carbon Dioxide Removal. (2023).*

<https://static1.squarespace.com/static/633458017a1ae214f3772c76/t/63e3d4602156db24bc18c91c/1675875445298/SoCDR-1st-edition.pdf>

Or. en

Amendment 3

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) At a global scale, the latest report²³ by the International Panel on Climate Change (IPCC) points towards a decreasing likelihood of limiting global warming to 1.5 °C unless rapid and deep cuts in global greenhouse gas (GHG) emissions occur throughout the forthcoming decades. The IPCC report also clearly states that ‘the deployment of carbon dioxide removal to counterbalance hard-to-abate residual emissions is unavoidable if net-zero carbon dioxide (CO₂) or GHG emissions are to be achieved’. This will require the large-scale

Amendment

(2) At a global scale, the latest report²³ by the International Panel on Climate Change (IPCC) points towards a decreasing likelihood of limiting global warming to 1.5 °C unless rapid and deep cuts in global greenhouse gas (GHG) emissions occur throughout the forthcoming decades. The IPCC report also clearly states ***that carbon removal can fulfil three complementary roles: lowering net carbon dioxide (CO₂) or net greenhouse gas emissions in the near term; counterbalancing ‘hard-to-abate’ residual emissions to help reach net zero***

deployment of sustainable activities for capturing CO₂ from the atmosphere and durably storing it in geological reservoirs, terrestrial and marine ecosystems, or products. Today and with current policies, the Union is not on track to deliver the required carbon removals: carbon removals in terrestrial ecosystems have been decreasing in recent years, and no significant industrial carbon removals are currently taking place in the Union.

²³ IPCC (2023). Sixth Assessment Report (AR 6 Synthesis Report).

CO₂ or greenhouse gas emissions, and achieving net negative CO₂ or greenhouse gas emissions if deployed at levels exceeding annual residual emissions^{23a} and that ‘the deployment of carbon dioxide removal to counterbalance hard-to-abate residual emissions is unavoidable if net-zero carbon dioxide (CO₂) or GHG emissions are to be achieved’. This will require the large-scale deployment of sustainable activities for capturing CO₂ from the atmosphere and durably storing it in geological reservoirs, terrestrial and marine ecosystems, or products. Today and with current policies, the Union is not on track to deliver the required carbon removals: carbon removals in terrestrial ecosystems have been decreasing in recent years, and no significant industrial carbon removals are currently taking place in the Union.

²³ IPCC (2023). Sixth Assessment Report (AR 6 Synthesis Report).

^{23a} *ibidem*

Or. en

Amendment 4

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) The aim of this Regulation is to develop a voluntary Union certification framework for carbon removals, with the view to incentivise the uptake of high-quality carbon removals, in full respect of the biodiversity and the zero-pollution objectives. It is a tool to support the achievement of the Union objectives under the Paris Agreement, notably the goal of collective climate neutrality by 2050 laid down in Regulation (EU) 2021/1119 of the

Amendment

(3) The aim of this Regulation is to develop a voluntary Union certification framework for carbon removals, with the view to incentivise the uptake of high-quality carbon removals, in full respect of the biodiversity and the zero-pollution objectives. It is a tool to support the achievement of the Union objectives under the Paris Agreement, notably the goal of collective climate neutrality by 2050 laid down in Regulation (EU) 2021/1119 of the

European Parliament and of the Council²⁴. The Union also committed to generate negative emissions after 2050. An important instrument to enhance carbon removals in terrestrial ecosystems is Regulation (EU) 2018/841 of the European Parliament and of the Council²⁵, which **is currently under review**. The objective of the review is to set out a Union net removals target of 310 Mt CO₂ eq by 2030, and to allocate respective targets to each Member State.

²⁴ 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).

²⁵ 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).

European Parliament and of the Council²⁴. The Union also committed to generate negative emissions after 2050. ***In accordance with Regulation (EU) 2021/1119, priority should be given to reductions in direct emissions, which will have to be complemented by increased carbon removals in order to achieve climate neutrality. Regulation (EU) 2021/1119 recognises that carbon sinks include natural and technological solutions.*** An important instrument to enhance carbon removals in terrestrial ecosystems is Regulation (EU) 2018/841 of the European Parliament and of the Council²⁵, which ***was recently amended***. The objective of the review is to set out a Union net removals target of 310 Mt CO₂ eq by 2030, and to allocate respective targets to each Member State.

²⁴ 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).

²⁵ 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).

Or. en

Amendment 5

Proposal for a regulation Recital 4

Text proposed by the Commission

(4) The Union certification framework will support the development of carbon removal activities in the Union that result in an unambiguous net carbon removal benefit, while avoiding greenwashing. In the case of carbon farming, such certification framework should also encourage the uptake of carbon removal activities that generate co-benefits for biodiversity, therefore achieving the nature restoration targets set out in Union law on nature restoration. The Union certification framework will be instrumental in meeting the Union climate change mitigation objectives set in international agreements and in the Union legislation.

Amendment

(4) The Union certification framework will support the development of carbon removal activities in the Union that result in an unambiguous net carbon removal benefit, while avoiding greenwashing. ***In the case of geological storage, the potential for carbon storage has been extensively explored and is available in third countries such as Norway and Iceland. The Union certification framework should therefore also allow the certification of carbon removal activities where the geological storage takes place in third countries, on the condition that the carbon is captured in the Union and that those third countries apply the same legal requirements as provided for in Directive 2009/31/EC of the European Parliament and of the Council.*** In the case of carbon farming, such certification framework should also encourage the uptake of carbon removal activities that generate co-benefits for biodiversity, therefore achieving the nature restoration targets set out in Union law on nature restoration. The Union certification framework will be instrumental in meeting the Union climate change mitigation objectives set in international agreements and in the Union legislation.

Or. en

Amendment 6

**Proposal for a regulation
Recital 5**

Text proposed by the Commission

(5) In order to support operators willing to make additional efforts to increase carbon removals in a sustainable way, the Union certification framework

Amendment

(5) In order to support operators willing to make additional efforts to increase carbon removals in a sustainable way, the Union certification framework

should take into account the different types of carbon removal activities, their specificities and related environmental impacts. Therefore, this Regulation should provide clear definitions of carbon removal, carbon removal activities, and other elements of the Union certification framework.

should take into account the different types of carbon removal activities, their specificities and related environmental impacts. Therefore, this Regulation should provide clear definitions of carbon removal ***which are consistent with scientific and international standards under the IPCC^{1a}, and of*** carbon removal activities, and other elements of the Union certification framework.

^{1a} *Van Diemen, R. et al. IPCC, 2022: Annex I: Glossary. in IPCC, 2022: Climate Change 2022: Mitigation of Climate Change. Contribution of Working Group III to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change (eds. Shukla, P. R. et al.) (Cambridge University Press, 2022). (IPCC_AR6_WGIII_Annex-I.pdf).*

Or. en

Amendment 7

Proposal for a regulation Recital 5 a (new)

Text proposed by the Commission

Amendment

(5a) The different types of carbon removal activities vary in terms of the removal process, the storage medium and the timescales of the storage, which can vary from decades to centuries for carbon farming or storage in certain products, to permanent storage in geological formations^{1a 1b} where it is estimated that the carbon can be permanently isolated from the atmosphere if the geological storage site is appropriately selected and managed^{1c}. Both permanent and temporary but long-term carbon removals can contribute to meeting climate goals, but under different conditions. Those conditions should be more strict for

temporary carbon removals, in terms of monitoring, expiry and liability requirements^{1d, 1e}.

^{1a} Babiker, M. et al. Cross-sectoral perspectives. in IPCC, 2022: Climate Change 2022: Mitigation of Climate Change. Contribution of Working Group III to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change (eds. Shukla, P. R. et al.) (Cambridge University Press, 2022).

^{1b} Smith, S. M., et al. (2023). *The State of Carbon Dioxide Removal - 1st Edition. The State of Carbon Dioxide Removal.* doi:10.17605/OSF.IO/W3B4Z

^{1c} IPCC (2023). *Sixth Assessment Report (AR 6 Synthesis Report).*

^{1d} Smith, S. M., et al. (2023). *The State of Carbon Dioxide Removal - 1st Edition. The State of Carbon Dioxide Removal.* doi:10.17605/OSF.IO/W3B4Z

^{1e} Matthews, D. H. et al. (2022). *Temporary nature-based carbon removal can lower peak warming in a well-below 2 °C scenario. Communications Earth & Environment.*

Or. en

Amendment 8

Proposal for a regulation Recital 5 b (new)

Text proposed by the Commission

Amendment

(5b) *There is currently no scientific consensus on durability of carbon removals in terms of the thresholds or timescales of storage. However, it is widely accepted that storage which re-releases carbon within a few years or less, such as direct air carbon capture used to*

produce fuels, or biomass used as food, does not constitute a form of carbon removal, while the IPCC and existing government and voluntary standard-setting schemes consider carbon removals as durable only if the carbon is stored for decades or more^{1a, 1b}.

^{1a} *Smith, S. M., et al. (2023). The State of Carbon Dioxide Removal - 1st Edition. The State of Carbon Dioxide Removal. doi:10.17605/OSF.IO/W3B4Z.*

^{1b} *Babiker, M. et al. Cross-sectoral perspectives. in IPCC, 2022: Climate Change 2022: Mitigation of Climate Change. Contribution of Working Group III to the Sixth Assessment Report of the Intergovernmental Panel on Climate Change (eds. Shukla, P. R. et al.) (Cambridge University Press, 2022).*

Or. en

Amendment 9

Proposal for a regulation Recital 5 c (new)

Text proposed by the Commission

Amendment

(5c) *Carbon stored in products should either be permanently chemically bound in a product or material so that it does not enter the atmosphere under normal use, including any normal activity taking place after the end of life of the product, in a manner consistent with the rules established under Directive 2003/87/EC of the European Parliament and of the Council^{1a}, such as CO₂ mineralisation to form stable carbonate minerals in cementitious construction products, or it should be stored for at least several decades in a long-lasting product which is clearly traceable up to and including the end of life of the product, such as durable*

harvested wood products used in construction, for example as panels and sawn wood, in a manner consistent with other Union environmental objectives, as well as IPCC Guidelines as adopted by the Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC) or the Conference of the Parties serving as the Meeting of the Parties to the Paris Agreement and Regulation (EU) 2018/841. Those construction products characteristically store carbon for decades after having captured it during tree growth. Furthermore, at the end of their use as products, the carbon could be transferred to another more durable form of storage, for instance if used for BECCS.

^{1a} Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).

Or. en

Amendment 10

Proposal for a regulation Recital 5 d (new)

Text proposed by the Commission

Amendment

(5d) The scope of carbon farming covered under the Union carbon removal certification framework should be consistent with the scope of Regulation (EU) 2018/841, as amended by Regulation (EU) 2023/839, and of the reporting under that Regulation in the national greenhouse gas inventories. Some of those carbon farming processes gradually

result in carbon removals after a certain period, for example in the case of peatland rewetting. Degraded peatland emits carbon formerly stored in peat. Such carbon release can, through well-managed restoration and rewetting of the peatland, gradually be reduced and halted, and subsequently result again in carbon removal once the peatland has been fully restored. Furthermore, conserving and restoring peatlands also has a very large potential for prevention of biodiversity loss and enhancement of water quality according to the IPCC guidelines on peatland rewetting^{1a}.

^{1a} IPCC: 2013 Supplement to the 2006 IPCC Guidelines for National Greenhouse Gas Inventories: Wetlands (2013).

Or. en

Amendment 11

Proposal for a regulation

Recital 6

Text proposed by the Commission

(6) This Regulation should set out the requirements under which carbon removals should be eligible for certification under the Union certification framework. To this end, carbon removals should be quantified in an accurate and robust way; **and** they should be generated only by carbon removal activities that generate a net carbon removal benefit, are additional, **aim to** ensure long-term storage of carbon, and have a neutral impact **or** co-benefit on sustainability objectives. Furthermore, carbon removals should be subject to independent third-party auditing in order to ensure the credibility and reliability of the certification process. Mandatory Union

Amendment

(6) This Regulation should set out the requirements under which carbon removals should be eligible for certification under the Union certification framework. To this end, carbon removals should be quantified in an accurate and robust way. ***The degree of conservatism in the quantification of carbon removals should be proportionate to the level of uncertainty in order to limit the risk of overestimating the quantity of CO₂ removed from the atmosphere.*** ***Moreover,*** they should be generated only by carbon removal activities that generate a net carbon removal benefit, are additional, ensure ***permanent or*** long-term storage of carbon, and have ***at least*** a neutral impact

carbon pricing rules established through Directive 2003/87/EC of the European Parliament and of the Council²⁶ are in place which regulate the treatment of emissions from activities covered by that Directive. This Regulation should be without prejudice to Directive 2003/87/EC, except in relation to the certification of removals of emissions from sustainable biomass which are zero-rated in accordance with Annex IV thereto.

and have a co-benefit on sustainability objectives. Furthermore, carbon removals should be subject to independent third-party auditing in order to ensure the credibility and reliability of the certification process, ***and should be publicly available through a Union registry in order to ensure that there is transparency concerning the certificates and underlying carbon removal units and that such certificates and carbon removal units are traceable.*** Mandatory Union carbon pricing rules established through Directive 2003/87/EC of the European Parliament and of the Council²⁶ are in place which regulate the treatment of emissions from activities covered by that Directive. This Regulation should be without prejudice to Directive 2003/87/EC, except in relation to the certification of removals of emissions from sustainable biomass which are zero-rated in accordance with Annex IV thereto.

²⁶ Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).

²⁶ Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).

Or. en

Amendment 12

Proposal for a regulation Recital 7

Text proposed by the Commission

(7) A carbon removal activity should result in a net carbon removal benefit showing that it delivers a positive climate impact. The net carbon removal benefit should be computed following two steps.

Amendment

(7) A carbon removal activity should result in a net carbon removal benefit showing that it delivers a positive climate impact. The net carbon removal benefit should be computed following two steps.

First, operators should quantify the amount of additional carbon removals that a carbon removal activity has generated in comparison to a baseline. A standardised baseline reflecting the standard performance of comparable activities in similar social, economic, environmental and technological circumstances and geographical locations should be preferred because it ensures objectivity, minimises compliance and other administrative costs, and positively recognises the action of first movers who have already engaged in carbon removal activities. In the context of carbon farming, the use of available digital technologies, including electronic databases and geographic information systems, remote sensing, artificial intelligence and machine learning, and of electronic maps should be promoted to decrease the costs of establishing baselines and of monitoring carbon removal activities. However, where it is not possible to set such a standardised baseline, a project-specific baseline based on the operator's individual performance may be used. In order to reflect the social, economic, environmental and technological developments and to encourage ambition over time in line with the Paris Agreement, baselines should be *periodically* updated.

First, operators should quantify the amount of additional carbon removals that a carbon removal activity has generated in comparison to a baseline. A standardised baseline reflecting the standard performance of comparable activities in similar social, economic, environmental and technological circumstances and geographical locations should be preferred because it ensures objectivity, minimises compliance and other administrative costs, and positively recognises the action of first movers who have already engaged in carbon removal activities. In the context of carbon farming, the use of available digital technologies, including electronic databases and geographic information systems, remote sensing, artificial intelligence and machine learning, and of electronic maps should be promoted to decrease the costs of establishing baselines and of monitoring carbon removal activities. However, where it is not possible to set such a standardised baseline, a project-specific baseline based on the operator's individual performance may be used. In order to reflect the social, economic, environmental and technological developments and to encourage ambition over time in line with the Paris Agreement, baselines should be ***regularly reviewed by the Commission and updated, at least every ten years.***

Or. en

Justification

The standardised baselines will be set out in the delegated acts establishing tailored certification methodologies, but should be regularly reviewed to reflect developments. On the other hand, a period less than 10 years may not be appropriate for several activities, e.g. DACCS or forestry activities.

Amendment 13

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) The second step for quantifying the net carbon removal benefit should consist of subtracting any increase in greenhouse gas emissions related to the implementation of the carbon removal activity. Relevant greenhouse gas emissions that should be taken into consideration include direct emissions, such as those resulting from the use of more fertilisers, fuel or energy, or indirect emissions, such as those resulting from land use change, with consequent risks for food security due to displacement of agricultural production. A reduction in greenhouse gas emissions resulting from the implementation of the carbon removal activity should not be taken into account to quantify the net carbon removal benefit, but should be considered as a co-benefit towards the sustainability objective of climate change mitigation; by being reported on the certificates, decreases in greenhouse gas emissions (like the other sustainability co-benefits) can increase the value of the certified carbon removals.

Amendment

(8) The second step for quantifying the net carbon removal benefit should consist of subtracting any increase in greenhouse gas emissions related to the implementation of the carbon removal activity. Relevant greenhouse gas emissions that should be taken into consideration include direct emissions, such as those resulting from the use of more fertilisers, **chemicals**, fuel or energy, or indirect emissions, such as those resulting from **materials or** land use change **within- or outside the Union**, with consequent risks for food security due to displacement of agricultural production. A reduction in greenhouse gas emissions resulting from the implementation of the carbon removal activity should not be taken into account to quantify the net carbon removal benefit, but should be considered as a co-benefit towards the sustainability objective of climate change mitigation; by being reported on the certificates, decreases in greenhouse gas emissions (like the other sustainability co-benefits) can increase the value of the certified carbon removals.

Or. en

Justification

Many existing and upcoming carbon removal technologies deploy chemicals, whose climate impact should also be taken into account in the overall GHG impact of the removal activity.

Amendment 14

Proposal for a regulation
Recital 10

Text proposed by the Commission

(10) Carbon removals should be quantified in a relevant, accurate,

Amendment

(10) Carbon removals should be quantified in a relevant, accurate,

complete, consistent and comparable manner. Uncertainties in the quantification should be duly reported and accounted in order to limit the risk of overestimating the quantity of carbon dioxide removed from the atmosphere. Carbon removals generated by carbon farming should be quantified with a high level of accuracy to assure the highest quality and minimise uncertainties. Moreover, in order to incentivise synergies between Union climate and biodiversity objectives, enhanced monitoring of land needs to be required, 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 need to closely reflect those approaches, and make the best use of advanced technologies available under Union programmes, such as Copernicus, making full use of already existing tools, and ensure consistency with the national greenhouse gas inventories.

complete, consistent and comparable manner. Uncertainties in the quantification should be duly reported and accounted ***in a manner that is conservative and is proportionate to the level of uncertainty***, in order to limit the risk of overestimating the quantity of carbon dioxide removed from the atmosphere. Carbon removals generated by carbon farming should be quantified with a high level of accuracy to assure the highest quality and minimise uncertainties. Moreover, in order to incentivise synergies between Union climate and biodiversity objectives, enhanced monitoring of land needs to be required, 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 need to closely reflect those approaches, and make the best use of advanced technologies available under Union programmes, such as Copernicus, making full use of already existing tools, and ensure consistency with the national greenhouse gas inventories.

Or. en

Amendment 15

Proposal for a regulation Recital 11

Text proposed by the Commission

(11) In order to ensure that the Union certification framework channels incentives toward carbon removals that go beyond the standard practice, carbon removal activities should be additional. Therefore, these activities should go beyond statutory requirements, that is, operators should carry out activities that are not already imposed upon them by the applicable law. ***Moreover, carbon removal***

Amendment

(11) In order to ensure that the Union certification framework channels incentives toward carbon removals that go beyond the standard practice, carbon removal activities should be additional. Therefore, these activities should go beyond statutory requirements, that is, operators should carry out activities that are not already imposed upon them by the

activities should take place due to the incentive effect provided by the certification. Such effect is present when the incentive created by the potential revenues, resulting from the certification, changes the behaviour of operators in such a way that they engage in the additional carbon removal activity to achieve additional carbon removals.

applicable law.

Or. en

Justification

It is unclear how the incentive effect of certification can be demonstrated before the certification has been applied. Moreover, all major pilot projects are partially incentivised through e.g. the Innovation Fund, and it is unclear how to distinguish between the incentive effect of this support and the incentive effect of certification.

Amendment 16

Proposal for a regulation **Recital 12**

Text proposed by the Commission

(12) A standardised baseline should reflect the statutory and market conditions in which the carbon removal activity takes place. If a carbon removal activity is imposed upon operators by the applicable law, or it does not need any incentives to take place, its performance will be reflected in the baseline. For this reason, a carbon removal activity that generates carbon removals in excess of such a baseline should be presumed to be additional. Hence, the use of a standardised baseline should simplify the demonstration of additionality for operators. Therefore, it should reduce the administrative burden of the certification process, which is particularly important in the case of small-scale land managers.

Amendment

(12) A **highly representative** standardised baseline should reflect the statutory and market conditions in which the carbon removal activity takes place. If a carbon removal activity is imposed upon operators by the applicable law, or it does not need any incentives to take place, its performance will be reflected in the baseline. For this reason, a carbon removal activity that generates carbon removals in excess of such a baseline should be presumed to be additional. Hence, the use of a standardised baseline should simplify the demonstration of additionality for operators. Therefore, it should reduce the administrative burden of the certification process, which is particularly important in the case of small-scale land managers.

Or. en

Justification

The EU baselines set out in the certification methodologies should be much more precise and representative of regional and local conditions compared to the usual national standardised baselines.

Amendment 17

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) Atmospheric and biogenic carbon that is captured and stored through a carbon removal activity risks being released back into the atmosphere (e.g. reversal) due to natural or anthropogenic causes. Therefore, operators should take all relevant preventive measures to mitigate those risks and duly monitor that carbon continues to be stored over the monitoring period laid down for the relevant carbon removal activity. The validity of the certified carbon removals should depend on the expected duration of the storage and the different risks of reversal associated with the given carbon removal activity. Activities that store carbon in geological formations provide enough certainties on the very long-term duration of several centuries for the stored carbon and can be considered as providing permanent storage of carbon. Carbon farming or carbon storage in products are more exposed to the risk of voluntary or involuntary release of carbon into the atmosphere. To account for this risk, the **validity** of the certified carbon removals generated by carbon farming and carbon storage in products should be subject to an expiry date matching with the end of the relevant monitoring period. Thereafter, the carbon should be assumed to be released into the atmosphere, unless the economic operator proves the maintenance of the carbon storage through uninterrupted monitoring activities.

Amendment

(13) Atmospheric and biogenic carbon that is captured and stored through a carbon removal activity risks being released back into the atmosphere (e.g. reversal) due to natural or anthropogenic causes. Therefore, operators should take all relevant preventive measures to mitigate those risks and duly monitor that carbon continues to be stored over the monitoring period laid down for the relevant carbon removal activity. The validity of the certified carbon removals should depend on the expected duration of the storage and the different risks of reversal associated with the given carbon removal activity. Activities that store carbon in geological formations **or through carbon mineralisation** provide enough certainties on the very long-term duration of several centuries for the stored carbon and can be considered as providing permanent storage of carbon. Carbon farming or carbon storage in products are more exposed to the risk of voluntary or involuntary release of carbon into the atmosphere. To account for this risk, the **monitoring period** of the certified carbon removals generated by carbon farming and carbon storage in products should **cover the entire duration of the activity or lifetime of the product, including the end of the activity or end of the life of the product, and those certified carbon removals should** be subject to an expiry date matching with the end of the

relevant monitoring period. Thereafter, ***or in the event that the monitoring is discontinued before the end of the monitoring period,*** the carbon should be assumed to be released into the atmosphere, unless the economic operator proves the maintenance of the carbon storage through uninterrupted monitoring activities.

Or. en

Justification

The IPCC and broader scientific research consider CO₂ to be permanently bound through carbon mineralisation to form stable carbonate minerals either through reaction with activated minerals in natural rocks or with activated minerals in industrial wastes.

Amendment 18

Proposal for a regulation

Recital 14

Text proposed by the Commission

(14) In addition to measures taken to minimise the risk of carbon release into the atmosphere during the monitoring period, appropriate liability mechanisms should be introduced to address cases of reversal. Such mechanisms *could* include e.g. discounting of carbon removal units, collective buffers or accounts of carbon removal units, and up-front insurance mechanisms. Since liability mechanisms in respect of geological storage and CO₂ leakage, and relevant corrective measures have already been laid down by Directive 2003/87/EC and Directive 2009/31/EC of the European Parliament and of the Council²⁷, those liability mechanisms and corrective measures should apply to avoid double regulation.

Amendment

(14) In addition to measures taken to minimise the risk of carbon release into the atmosphere during the monitoring period, appropriate liability mechanisms should be introduced to address cases of reversal ***and there should be a liable party at any moment of time.*** Such mechanisms *may* include e.g. discounting of carbon removal units, collective buffers or accounts of carbon removal units, and up-front insurance mechanisms. Since liability mechanisms in respect of geological storage and CO₂ leakage, and relevant corrective measures have already been laid down by Directive 2003/87/EC and Directive 2009/31/EC of the European Parliament and of the Council²⁷, those liability mechanisms and corrective measures should apply to avoid double regulation.

²⁷ Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006 (OJ L 140, 5.6.2009, p. 114).

²⁷ Directive 2009/31/EC of the European Parliament and of the Council of 23 April 2009 on the geological storage of carbon dioxide and amending Council Directive 85/337/EEC, European Parliament and Council Directives 2000/60/EC, 2001/80/EC, 2004/35/EC, 2006/12/EC, 2008/1/EC and Regulation (EC) No 1013/2006 (OJ L 140, 5.6.2009, p. 114).

Or. en

Amendment 19

Proposal for a regulation Recital 15

Text proposed by the Commission

(15) Carbon removal activities have a strong potential to deliver win-win solutions for sustainability, even if trade-offs cannot be excluded. Therefore, it is appropriate to establish minimum sustainability requirements to ensure that carbon removal activities have a neutral impact or generate co-benefits for the sustainability objectives of climate change mitigation and adaptation, the protection and restoration of biodiversity and ecosystems, the sustainable use and protection of water and marine resources, the transition to a circular economy, and pollution prevention and control. Those sustainability requirements should, as appropriate, and taking into consideration local conditions, build on the technical screening criteria **for Do Not Significant Harm** concerning forestry activities and underground permanent geological storage of CO₂, laid down in Commission Delegated Regulation (EU) 2021/2139²⁸, and on the sustainability criteria for forest and agriculture biomass raw material laid down in Article 29 of Directive (EU) 2018/2001 of the European Parliament and of the Council²⁹. Practices, such as forest

Amendment

(15) Carbon removal activities, ***in particular carbon farming***, have a strong potential to deliver win-win solutions for sustainability, even if trade-offs cannot be excluded. Therefore, it is appropriate to establish minimum sustainability requirements to ensure that carbon removal activities have ***at least*** a neutral impact or generate co-benefits for the sustainability objectives of climate change mitigation and adaptation, the protection and restoration of biodiversity and ecosystems, the sustainable use and protection of water and marine resources, the transition to a circular economy, and pollution prevention and control, ***taking into account the impacts in the Union and in third countries. Furthermore, carbon removal activities should not have a negative impact on or displace food production and food supply in the Union or in third countries.*** Those sustainability requirements should, as appropriate, and taking into consideration local conditions, ***respect the ‘do no significant harm’ principle and*** build on the technical screening criteria concerning forestry activities and underground permanent

monocultures, that produce harmful effects for biodiversity should not be eligible for certification.

geological storage of CO₂, laid down in Commission Delegated Regulation (EU) 2021/2139²⁸, and on the sustainability criteria for forest and agriculture biomass raw material laid down in Article 29 of Directive (EU) 2018/2001 of the European Parliament and of the Council²⁹. Practices, such as forest monocultures, that produce harmful effects for biodiversity should not be eligible for certification.

²⁸ Commission Delegated Regulation (EU) 2021/2139 of 4 June 2021 supplementing Regulation (EU) 2020/852 of the European Parliament and of the Council by establishing the technical screening criteria for determining the conditions under which an economic activity qualifies as contributing substantially to climate change mitigation or climate change adaptation and for determining whether that economic activity causes no significant harm to any of the other environmental objectives (OJ L 442, 9.12.2021, p. 1).

²⁹ 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).

²⁸ Commission Delegated Regulation (EU) 2021/2139 of 4 June 2021 supplementing Regulation (EU) 2020/852 of the European Parliament and of the Council by establishing the technical screening criteria for determining the conditions under which an economic activity qualifies as contributing substantially to climate change mitigation or climate change adaptation and for determining whether that economic activity causes no significant harm to any of the other environmental objectives (OJ L 442, 9.12.2021, p. 1).

²⁹ 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).

Or. en

Amendment 20

Proposal for a regulation Recital 17

Text proposed by the Commission

(17) Operators or groups of operators may report co-benefits that contribute to the sustainability objectives beyond the minimum sustainability requirements. To this end, their reporting should comply with the certification methodologies tailored to the different carbon removal

Amendment

(17) Operators or groups of operators may report co-benefits that contribute to the sustainability objectives beyond the minimum sustainability requirements. To this end, their reporting should comply with the certification methodologies tailored to the different carbon removal

activities, developed by the Commission. Certification methodologies should, as much as possible, incentivise the generation of co-benefits for biodiversity going beyond the minimum sustainability requirements. These additional co-benefits will give more economic value to the certified carbon removals and will result in higher revenues for the operators. In the light of these considerations, it is appropriate for the Commission to prioritise the development of tailored certification methodologies on carbon farming activities that provide significant co-benefits for biodiversity.

activities, developed by the Commission. Certification methodologies should, as much as possible, incentivise the generation of co-benefits for biodiversity going beyond the minimum sustainability requirements. ***The incentivisation of co-benefits is particularly important for biodiversity and ecosystem protection and restoration through carbon farming activities.*** These additional co-benefits will give more economic value to the certified carbon removals and will result in higher revenues for the operators. ***Therefore, the carbon removal certificate and the Union registry should clearly indicate whether a carbon removal activity has a positive or a neutral impact.*** In the light of these considerations, it is ***also*** appropriate for the Commission to prioritise the development of tailored certification methodologies on carbon farming activities that provide significant co-benefits for biodiversity.

Or. en

Amendment 21

Proposal for a regulation Recital 20 a (new)

Text proposed by the Commission

Amendment

(20a) A certified carbon removal unit should not be double counted at any given moment in time. Upon expiry of a carbon removal certificate, the corresponding carbon removal units should either be invalidated and deducted, or compensated through equivalent carbon removal units. In order to ensure there is transparency and traceability, all current and past holders and purposes for which a carbon removal unit is held should be registered in the Union registry.

Or. en

Amendment 22

Proposal for a regulation Recital 21

Text proposed by the Commission

(21) ***It is appropriate that carbon removal certificates underpin*** different end-uses, such as the compilation of national and corporate greenhouse gas inventories, including with regard to Regulation (EU) 2018/841 of the European Parliament and of the Council³¹, the proof of climate-related and other environmental corporate claims (including on biodiversity), or the exchange of verified carbon removal units through voluntary carbon offsetting markets. To this end, the certificate should contain accurate and transparent information on the carbon removal activity, including the total removals and net carbon removal benefit that comply with the quality criteria set out in this Regulation. The Commission should be also empowered to adopt delegated acts to further specify or amend Annex II which lists the minimum information to be contained in the certificates.

Amendment

(21) ***The different end-uses of certified carbon removal units***, such as the compilation of national and corporate greenhouse gas inventories, including with regard to Regulation (EU) 2018/841 of the European Parliament and of the Council³¹, the proof of climate-related and other environmental corporate claims (including on biodiversity), or the exchange of verified carbon removal units through voluntary carbon offsetting markets, ***should be regulated under the appropriate Union legal frameworks to ensure consistency and avoid regulatory duplication. More specifically, the rules and criteria on the use of carbon removal certificates for corporate climate-related and other environmental claims, including claims about offsets, climate neutrality or similar, are to be regulated in Directive 2023/... [on substantiation and communication of explicit environmental claims], while the rules and criteria on the use of carbon removal certificates for the compilation of corporate greenhouse gas inventories are regulated in Directive (EU) 2022/2464 of the European Parliament and of the Council^{31a}. In addition, the possible future use of carbon removal certificates towards compliance with greenhouse gas emission reduction targets at Union and national level is to be assessed in the context of the relevant reviews under Regulation (EU) 2018/842 of the European Parliament and of the Council^{31b} and Directive 2003/87/EC, and in the proposal on the 2040 targets to be presented in accordance with Regulation (EU) 2021/1119.*** To this end, the certificate

should contain accurate and transparent information on the carbon removal activity, including ***the storage medium and expected storage duration***, the total removals and net carbon removal benefit that comply with the quality criteria set out in this Regulation. The Commission should be also empowered to adopt delegated acts to further specify or amend Annex II which lists the minimum information to be contained in the certificates.

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).

^{31a} ***Directive (EU) 2022/2464 of the European Parliament and of the Council of 14 December 2022 amending Regulation (EU) No 537/2014, Directive 2004/109/EC, Directive 2006/43/EC and Directive 2013/34/EU, as regards corporate sustainability reporting (OJ L 322, 16.12.2022, p. 15).***

^{31b} ***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).***

Or. en

Justification

The CRCF establishes a monitoring, reporting and verification mechanism, while several other acts have already established (ETS, LULUCF) or are establishing (CSRD, Green Claims) review clauses or specific provisions on the different types of end-use of carbon removals in their appropriate context. These should not be mixed up.

Amendment 23

Proposal for a regulation Recital 26

Text proposed by the Commission

(26) **Certification schemes** should establish and maintain **interoperable public registries** in order to ensure transparency and full traceability of carbon removal certificates, and to avoid the risk of fraud and double counting. Fraud may occur if more than one certificate is issued for the same carbon removal activity because the activity has been registered under two different certification schemes or has been registered twice under the same scheme. Fraud may also occur when the same certificate is used several times to make the same claim based on a carbon removal activity or a carbon removal unit. **The registries should store the documents** resulting from the certification process of carbon removals, including **summaries of** certification audits and re-certification audit reports, the certificates and updated certificates, **and make them publicly available in electronic form. The registries should also record** the certified carbon removal units that meet the Union quality criteria. In order to ensure a level playing field within the single market, the Commission should be empowered to adopt implementing rules setting out standards and technical rules on the functioning and the inter-operability of those registries.

Amendment

(26) **By...[insert the date five years after the date of entry into force of this Regulation], the Commission** should establish and maintain **a public Union registry** in order to ensure transparency and full traceability of carbon removal certificates, and to avoid the risk of fraud and double counting. Fraud may occur if more than one certificate is issued for the same carbon removal activity because the activity has been registered under two different certification schemes or has been registered twice under the same scheme. Fraud may also occur when the same certificate is used several times to make the same claim based on a carbon removal activity or a carbon removal unit. **A certification scheme should provide to the Commission all information required to be stored and made publicly available in electronic form in the Union registry. Such information includes** the documents resulting from the certification process of carbon removals, including certification audits and re-certification audit reports, the certificates and updated certificates **and the information included therein, the current status of a certified carbon removal unit, for example whether active, retired/in use, or expired, log of transactions and, if applicable, the current holder and purpose for which a certified carbon removal unit is held and** the certified carbon removal units that meet the Union quality criteria. **The information should also be accessible in disaggregated form at the level of each carbon removal unit, as a certificate can provide proof of certification for several carbon removal units. In order to facilitate the swift**

implementation of this Regulation, in the interim period prior to the set-up of the Union registry, certification schemes recognised by the Commission should set up interoperable certification registries that should communicate automatically with other registries, with a view to tracing the certified carbon removal units and avoiding the risk of fraud and double counting. In order to ensure a level playing field within the single market, the Commission should be empowered to adopt implementing rules setting out standards and technical rules on the functioning and the inter-operability of those registries.

Or. en

Justification

A Union registry will ensure more transparency and comparability than separate registries, but will require some time to set up. In the interim period, certification schemes should be allowed to use their own registries.

Amendment 24

Proposal for a regulation Recital 27

Text proposed by the Commission

(27) Certification schemes play an important role in providing evidence of compliance with the quality criteria for carbon removals. It is therefore appropriate for the Commission to require certification schemes to report regularly on their activity. Such reports should be made public, in full or where appropriate in an aggregated format, in order to increase transparency and to improve supervision by the Commission. Furthermore, such reporting would provide the necessary information for the Commission to report on the operation of the certification schemes with a view to identifying best

Amendment

(27) Certification schemes play an important role in providing evidence of compliance with the quality criteria for carbon removals. It is therefore appropriate for the Commission to require certification schemes to report regularly on their activity. Such reports should be made public, in full or where appropriate in an aggregated format, in order to increase transparency, **trust and traceability**, and to improve supervision by the Commission. Furthermore, such reporting would provide the necessary information for the Commission to report on the operation of the certification schemes with a view to

practices and submitting, if appropriate, a proposal to further promote such best practices. In order to ensure comparable and consistent reporting, the Commission should be empowered to adopt implementing acts setting out the technical details on the content and format of the reports drawn up by the certification schemes.

identifying best practices and submitting, if appropriate, a proposal to further promote such best practices. In order to ensure comparable and consistent reporting, the Commission should be empowered to adopt implementing acts setting out the technical details on the content and format of the reports drawn up by the certification schemes.

Or. en

Amendment 25

Proposal for a regulation

Article 1 – paragraph 1 – introductory part

Text proposed by the Commission

1. The objective of this Regulation is to facilitate the deployment of carbon removals by operators or groups of operators. To that end, this Regulation establishes a voluntary Union framework for the certification of carbon removals by laying down:

Amendment

1. The objective of this Regulation is to facilitate the deployment of carbon removals by operators or groups of operators ***while ensuring that those removals do not undermine the greenhouse gas emission reductions required pursuant to Article 4(1) of Regulation (EU) 2021/1119.*** To that end, this Regulation establishes a voluntary Union framework for the certification of carbon removals by laying down:

Or. en

Justification

Carbon removal needs significant upscaling in order to achieve the 2050 climate neutrality objective, but should not substitute the significant GHG emission reductions required pursuant to the European Climate Law.

Amendment 26

Proposal for a regulation

Article 1 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) quality criteria for carbon removal activities that take place in the Union;

(a) quality criteria for carbon removal activities that take place in the Union ***and for carbon removal activities that take place in the Union with geological storage in the Union or in third countries that have the same legal requirements as referred to in Directive 2009/31/EC;***

Or. en

Justification

Geological storage possibilities are well explored in countries such as Norway and Iceland. Therefore, carbon captured (removed) in the Union, but geologically stored in a third country under the same legal requirements should also be certifiable.

Amendment 27

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(ba) rules on the monitoring, validity and expiry, and liability for carbon removals;

Or. en

Amendment 28

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(bb) general criteria on the issuance and use of certified carbon removal units;

Or. en

Amendment 29

Proposal for a regulation

Article 2 – paragraph 1 – point a

Text proposed by the Commission

(a) ‘carbon removal’ means ***either the storage of atmospheric or biogenic carbon within geological carbon pools, biogenic carbon pools, long-lasting products and materials, and the marine environment, or the reduction of carbon release from a biogenic carbon pool to the atmosphere;***

Amendment

(a) ‘carbon removal’ means ***human activities capturing CO₂ from the atmosphere and durably storing it in geological reservoirs, terrestrial and marine ecosystems, or in products;***

Or. en

Justification

The definition of carbon removal has to be consistent with international and scientific standards to ensure compatibility. The IPCC defines carbon removal as "Human activities capturing CO₂ from the atmosphere and storing it durably in geological, land or ocean reservoirs, or in products."

Amendment 30

Proposal for a regulation

Article 2 – paragraph 1 – point b

Text proposed by the Commission

(b) ‘carbon removal activity’ means one or more practices or processes carried out by an operator resulting in permanent carbon storage, ***enhancing carbon capture in a biogenic carbon pool, reducing the release of carbon from a biogenic carbon pool to the atmosphere, or storing atmospheric or biogenic carbon in long-lasting products or materials;***

Amendment

(b) ‘carbon removal activity’ means one or more practices or processes carried out by an operator resulting in permanent carbon storage, ***or in carbon storage in products, or the activity of carbon farming;***

Or. en

Justification

The Commission proposal creates confusion between the definitions of ‘carbon storage in products’ and ‘carbon farming’ further down, and this definition of ‘carbon removal activity’

which duplicates and differentiates how those types of activities are described. The amendment streamlines and aligns with the detailed definitions further down.

Amendment 31

Proposal for a regulation

Article 2 – paragraph 1 – point g

Text proposed by the Commission

(g) ‘permanent carbon storage’ means a carbon removal activity that, under normal circumstances and using appropriate management practices, stores atmospheric or biogenic carbon for several centuries, including bioenergy with carbon capture and storage and direct air carbon capture and storage;

Amendment

(g) ‘permanent carbon storage’ means a carbon removal activity that ***captures and***, under normal circumstances and using appropriate management practices, ***physically*** stores atmospheric or biogenic carbon for several centuries ***for example through geological storage and carbon mineralisation***, including bioenergy with carbon capture and storage and direct air carbon capture and storage;

Or. en

Justification

Permanent carbon storage may consist of various types of removal (capture) and various types of storage. Carbon that is physically stored and isolated from the active carbon cycle, with reversal risk low enough such that it is expected to persist for multiple centuries, is considered to fall under the category of permanent carbon storage.

Amendment 32

Proposal for a regulation

Article 2 – paragraph 1 – point h

Text proposed by the Commission

(h) ‘carbon farming’ means a carbon removal activity related to land management that results in the increase of carbon storage in living biomass, dead organic matter and soils by enhancing carbon capture ***and/or reducing the release*** of carbon ***to the atmosphere***;

Amendment

(h) ‘carbon farming’ means a carbon removal activity related to land ***or coastal*** management that results in the increase of carbon storage in living biomass, dead organic matter and soils by enhancing carbon capture ***and that can also reduce*** carbon ***release, for example in the case of peatland rewetting***;

Justification

Some carbon farming processes gradually reduce and halt carbon release and subsequently result in carbon removal, for example in the case of peatland rewetting. All stages are an integral part of this process. In addition, coastal management has been added in line with p. 60 of the impact assessment, corresponding recitals and the new LULUCF Regulation (EU) 2023/839.

Amendment 33**Proposal for a regulation****Article 2 – paragraph 1 – point i***Text proposed by the Commission*

(i) ‘carbon storage in products’ means a carbon removal activity that **stores** atmospheric and biogenic carbon in long-lasting products or materials;

Amendment

(i) ‘carbon storage in products’ means a carbon removal activity that ***either permanently chemically binds atmospheric and biogenic carbon in products or materials, or that ensures long-term storage of*** atmospheric and biogenic carbon in long-lasting products or materials ***for at least several decades in a manner consistent with Regulation (EU) 2018/841 and 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, in particular harvested wood products;***

Justification

The amendment ensures regulatory consistency with the revised ETS Directive on the one hand, and with the revised LULUCF Regulation (EU) 2023/839 and IPCC Guidelines in terms of wood products used in construction on the other hand.

Amendment 34**Proposal for a regulation****Article 2 – paragraph 1 – point i a (new)**

Text proposed by the Commission

Amendment

(ia) ‘geological storage of CO₂’ means geological storage as defined in Article 3(1) of Directive 2009/31/EC;

Or. en

Amendment 35

Proposal for a regulation

Article 2 – paragraph 1 – point i b (new)

Text proposed by the Commission

Amendment

(ib) ‘permanently chemically bound in a product’ means a form of storage of carbon that prevents the carbon from entering the atmosphere under normal use, including any normal activity taking place after the end of the life of the product, in accordance with Article 12(3b) of Directive 2003/87/EC;

Or. en

Amendment 36

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(oa) ‘reversal’ means any release of the carbon removed, stored and certified occurring during the monitoring period; in the event that the monitoring is discontinued before the end of the monitoring period, the carbon shall also be considered to have been reversed.

Or. en

Amendment 37

Proposal for a regulation

Article 3 – paragraph 1 – introductory part

Text proposed by the Commission

Carbon removals shall be eligible for certification under this Regulation where they meet **both** of the following conditions:

Amendment

Carbon removals shall be eligible for certification under this Regulation where they meet **all** of the following conditions:

Or. en

Amendment 38

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(ba) the minimum information on the carbon removals to be included in the Union registry referred to in Article 12 has been provided by the certification scheme to the Commission in accordance with Annex 2a.

Or. en

Justification

A Union registry should be established to ensure full, transparent and comparable information on certified carbon removal units. Certification schemes should provide the minimum information to be included in this registry to the Commission.

Amendment 39

Proposal for a regulation

Article 4 – paragraph 1 – subparagraph 2 – point c

Text proposed by the Commission

Amendment

(c) GHG_{increase} is the increase in direct and indirect greenhouse gas emissions, other than those from biogenic carbon pools in the case of carbon farming, which

(c) GHG_{increase} is the increase in direct and indirect greenhouse gas emissions, other than those from biogenic carbon pools in the case of carbon farming, **which**

are due to the implementation of the carbon removal activity.

are already covered under CR_{total} pursuant to Regulation (EU) 2018/841 as amended by Regulation 2023/839, which are due to the implementation of the carbon removal activity.

Or. en

Justification

Clarification: LULUCF emissions are covered under the 'CR_{total}' variable. For example: soil emissions due to soil disturbance in the first years of an afforestation project are LULUCF emissions in the scope of carbon farming. This explains why increases in LULUCF emissions are not included under the 'GHG_{increase}' variable.

Amendment 40

Proposal for a regulation Article 4 – paragraph 4

Text proposed by the Commission

4. Carbon removals shall be quantified in a relevant, accurate, complete, consistent, comparable and transparent manner.

Amendment

4. Carbon removals shall be quantified in a relevant, accurate, complete, consistent, comparable and transparent manner. ***Uncertainties in the quantification of carbon removals shall be duly reported and accounted in a manner that is conservative, proportionate to the level of uncertainty.***

Or. en

Justification

Any uncertainties in carbon removals should be determined in a conservative manner proportionate to the uncertainties, in order to limit the risk of overestimating the quantity of carbon dioxide removed from the atmosphere. All major carbon crediting programmes apply these principles.

Amendment 41

Proposal for a regulation Article 4 – paragraph 5

Text proposed by the Commission

Amendment

5. The baseline shall correspond to the standard carbon removal performance of comparable activities in similar social, economic, environmental and technological circumstances and take into account the geographical context.

5. The baseline shall correspond to the **highly representative** standard carbon removal performance of comparable activities in similar social, economic, environmental and technological circumstances and take into account the geographical context.

Or. en

Justification

The EU baselines set out in the certification methodologies should be much more precise and representative of regional and local conditions compared to the usual national standardised baselines.

Amendment 42

Proposal for a regulation
Article 4 – paragraph 6

Text proposed by the Commission

Amendment

6. By way of derogation from paragraph 5, where duly justified, the baseline may be based on the individual carbon removal performance of that activity.

6. By way of derogation from paragraph 5, where duly justified **in the applicable certification methodology**, the baseline may be based on the individual carbon removal performance of that activity.

Or. en

Justification

When a standardised baseline has not been set up in the certification methodology (e.g. due to the lack of data), that same methodology should define the rules for setting up activity/project specific baselines.

Amendment 43

Proposal for a regulation
Article 4 – paragraph 7

Text proposed by the Commission

Amendment

7. The baseline shall be **periodically** updated.

7. The baseline shall be **regularly reviewed and updated by the Commission at least every ten years**.

Or. en

Justification

The standardised baselines will be set out in the delegated acts establishing tailored certification methodologies, but should be regularly reviewed to reflect developments. On the other hand, a period less than 10 years may not be appropriate for several activities, e.g. DACCS or forestry activities.

Amendment 44

Proposal for a regulation

Article 5 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. A carbon removal activity shall be additional. To that end, the carbon removal activity shall meet **both of** the following **criteria**:

1. A carbon removal activity shall be additional. To that end, the carbon removal activity shall meet the following **criterion**:

Or. en

Amendment 45

Proposal for a regulation

Article 5 – paragraph 1 – point a

Text proposed by the Commission

Amendment

(a) it goes beyond Union and national statutory requirements;

(a) it goes beyond Union and national statutory requirements **at the level of the individual operator**.

Or. en

Justification

In accordance with recital 11 of the Commission proposal, regulatory additionality concerns any activities already imposed upon the operators by the applicable law, not Member State targets or requirements which are outside of the control of the individual operator and do not apply directly to the individual operator.

Amendment 46

Proposal for a regulation

Article 5 – paragraph 1 – point b

Text proposed by the Commission

Amendment

(b) *it takes place due to the incentive effect of the certification.* **deleted**

Or. en

Justification

It is unclear how the incentive effect of certification can be demonstrated before the certification has been applied. Moreover, all major pilot projects are partially incentivised through e.g. the Innovation Fund and it is unclear how to distinguish between the incentive effect of this support and the incentive effect of certification.

Amendment 47

Proposal for a regulation

Article 5 – paragraph 2

Text proposed by the Commission

Amendment

2. Where the baseline is established pursuant to Article 4(5), additionality as referred to in paragraph 1 is considered to be complied with. Where the baseline is established pursuant to Article 4(6), additionality as referred to in paragraph 1, **points (a) and (b)**, shall be demonstrated through specific tests.

2. Where the baseline is established pursuant to Article 4(5), additionality as referred to in paragraph 1 is considered to be complied with. Where the baseline is established pursuant to Article 4(6), additionality as referred to in paragraph 1 shall be demonstrated through specific tests.

Or. en

Amendment 48

Proposal for a regulation Article 6 – title

Text proposed by the Commission

Long-term storage

Amendment

Storage, ***monitoring, validity and expiry, and liability***

Or. en

Amendment 49

Proposal for a regulation Article 6 – paragraph 1

Text proposed by the Commission

1. An operator or group of operators shall demonstrate that a carbon removal activity ***aims at ensuring the long-term storage of carbon.***

Amendment

1. An operator or group of operators shall demonstrate that a carbon removal activity ***ensures that carbon is permanently stored or is stored temporarily but on a long-term basis.***

Or. en

Justification

The verb “aim” indicates that the legislator does not establish a legal obligation and should therefore be deleted. Demonstrating permanent or long-term storage is a key component to ensure trust and transparency.

Amendment 50

Proposal for a regulation Article 6 – paragraph 2 – introductory part

Text proposed by the Commission

2. For the purposes of paragraph 1, an operator or group of operators shall comply with ***both of the following criteria:***

Amendment

2. For the purposes of paragraph 1, an operator or group of operators shall comply with ***the minimum requirements on monitoring, expiry and liability for carbon removals set out in paragraphs 2a to 2c:***

Justification

Permanent and temporary carbon storage can both contribute to climate policy, but under different conditions and requirements to avoid overaccounting of removals. The requirements on monitoring, rules on expiry and liability therefore need to be much stricter in case of non-permanent carbon storage.

Amendment 51**Proposal for a regulation****Article 6 – paragraph 2 – point a**

Text proposed by the Commission

Amendment

(a) they shall monitor and mitigate any risk of release of the stored carbon occurring during the monitoring period; **deleted**

Amendment 52**Proposal for a regulation****Article 6 – paragraph 2 – point b**

Text proposed by the Commission

Amendment

(b) they shall be subject to appropriate liability mechanisms in order to address any release of the stored carbon occurring during the monitoring period. **deleted**

Justification

Replaced by following amendments.

Amendment 53**Proposal for a regulation****Article 6 – paragraph 2 a (new)**

2a. An operator or group of operators shall monitor and mitigate any risk of release of the stored carbon occurring during the monitoring period, which shall be set as follows:

(a) for permanent carbon storage, the monitoring period shall be consistent with the monitoring as set out in Articles 13 and 18 of Directive 2009/31/EC;

(b) for carbon permanently chemically bound in products, the monitoring period shall be consistent with the delegated act concerning the requirements for considering that greenhouse gases have become permanently chemically bound adopted in accordance with Article 12(3b) of Directive 2003/87/EC;

(c) for carbon storage in long-lasting products, the monitoring period shall cover the entire lifetime of the product until and including the end of life of the product;

(d) for carbon farming, the monitoring period shall cover the entire duration of the activity until and including the end of the activity;

Or. en

Justification

Carbon stored through carbon farming and storage in long-lasting products is more likely to be released back into the atmosphere at some point in time and should therefore be monitored and traced during the entire storage lifetime or activity (e.g. until and including disposal of a harvested wood product used in construction).

Amendment 54

**Proposal for a regulation
Article 6 – paragraph 2 b (new)**

Text proposed by the Commission

Amendment

2b. Unless an operator or group of operators demonstrates that the carbon storage is ongoing through continuous monitoring activities, the validity of the underlying carbon removal units shall expire:

(a) for permanent carbon storage and carbon permanently chemically bound in products, in case of reversal;

(b) for carbon storage in long-lasting products and carbon farming, in case of reversal or at the end of the monitoring period, at which point the carbon stored by a carbon removal activity shall be considered released to the atmosphere.

Or. en

Justification

Certificates related to carbon farming activities and long-term carbon storage in long-lasting products should only be valid as long as there is effective storage. In case of uncertainty or the end of storage, they should expire and result in invalidation, compensation or renewal of their use (see new article 7a).

Amendment 55

Proposal for a regulation

Article 6 – paragraph 2 c (new)

Text proposed by the Commission

Amendment

2c. An operator or group of operators shall be subject to appropriate liability mechanisms and appoint a liable party to be responsible for addressing any reversal from the carbon removal activity at any time:

(a) for permanent carbon storage, the liability mechanism shall be consistent with the mechanism referred to in Directive 2009/31/EC;

(b) for carbon permanently chemically bound in products, the liability mechanism shall be consistent with the delegated act concerning the requirements for considering that greenhouse gases have become permanently chemically bound adopted in accordance with Article 12(3b) of Directive 2003/87/EC;

(c) for carbon storage in long-lasting products and carbon farming and, the liability mechanism shall be one or more of the following options, as duly justified in the applicable certification methodology: up-front insurance, collective buffers or accounts of carbon removal units, or discounting of carbon removal units.

Or. en

Justification

In case of expiration, there should always be a liability mechanism, including a liable party, to remediate intentional or unintentional reversals.

Amendment 56

**Proposal for a regulation
Article 6 – paragraph 3**

Text proposed by the Commission

Amendment

3. For carbon farming and carbon storage in products, the carbon stored by a carbon removal activity shall be considered released to the atmosphere at the end of the monitoring period. **deleted**

Or. en

Justification

Moved to the new paragraphs 2a to 2c above.

Amendment 57

Proposal for a regulation

Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

1. A carbon removal activity shall have a neutral impact on ***or generate co-benefits for*** all the following sustainability objectives:

Amendment

1. A carbon removal activity shall have ***at least*** a neutral impact on all the following sustainability objectives ***and may generate positive co-benefits for one or more of the following sustainability objectives***:

Or. en

Justification

Each carbon removal activity should comply with all minimum sustainability objectives, but it is unreasonable to expect each activity to generate a positive co-benefit for all of these activities.

Amendment 58

Proposal for a regulation

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

Text proposed by the Commission

Amendment

(fa) food security.

Or. en

Justification

Carbon removals should not displace food production and jeopardise the supply of food.

Amendment 59

Proposal for a regulation

Article 7 – paragraph 2

Text proposed by the Commission

Amendment

2. For the purposes of paragraph 1, a carbon removal activity shall comply with

2. For the purposes of paragraph 1, a carbon removal activity shall comply with

minimum sustainability requirements laid down in the certification methodologies, set out in the delegated acts adopted pursuant to Article 8.

minimum sustainability requirements laid down in the certification methodologies, set out in the delegated acts adopted pursuant to Article 8. ***Those minimum sustainability requirements shall, as appropriate, and taking into consideration local conditions, build on the technical screening criteria for the ‘do no significant harm’ principle concerning forestry activities and underground permanent geological storage of CO₂, laid down in Delegated Regulation (EU) 2021/2139, and on the sustainability criteria for forest and agriculture biomass raw material laid down in Article 29 of Directive (EU) 2018/2001.***

Or. en

Justification

Sustainability requirements should be consistent with the relevant technical screening criteria and sustainability criteria in RED.

Amendment 60

Proposal for a regulation Article 7 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. Certificates shall clearly indicate whether the carbon removal activity has a neutral impact on or generates positive co-benefits for each of the sustainability objectives.

Or. en

Justification

Activities with positive co-benefits are expected to generate a higher value. To facilitate this, the certificates and the Union registry should clearly distinguish between activities with positive versus neutral impacts.

Amendment 61

Proposal for a regulation Article 8 – paragraph 2

Text proposed by the Commission

2. The Commission **is empowered to** adopt delegated acts in accordance with Article 16 to establish the technical certification methodologies referred to in paragraph 1 for activities related to permanent carbon storage, carbon farming and carbon storage in products. Those certification methodologies shall include at least the elements set out in Annex I.

Amendment

2. The Commission, **after consulting the Expert Group on Carbon Removals, shall** adopt delegated acts in accordance with Article 16 to establish the technical certification methodologies referred to in paragraph 1 for activities related to permanent carbon storage, carbon farming and carbon storage in products. Those certification methodologies shall include at least the elements set out in Annex I.

Or. en

Amendment 62

Proposal for a regulation Article 8 – paragraph 2 – subparagraph 1 a (new)

Text proposed by the Commission

Amendment

The Commission shall prioritise the development of technical certification methodologies for types of activities that are the most mature, have the largest potential for carbon storage and, in the case of carbon farming activities, that have the largest potential to provide positive co-benefits for biodiversity.

Or. en

Amendment 63

Proposal for a regulation Article 8 – paragraph 2 – subparagraph 1 b (new)

Text proposed by the Commission

Amendment

The technical certification methodologies for activities related to carbon permanently chemically bound in products or materials shall be consistent with the delegated act to be adopted in accordance with Article 12(3b), second subparagraph, of Directive 2003/87/EC.

Or. en

Amendment 64

Proposal for a regulation

Article 8 – paragraph 2 – subparagraph 1 c (new)

Text proposed by the Commission

Amendment

The technical certification methodologies for activities related to carbon storage in long-lasting products or materials shall be consistent with the Commission report on the possible benefits and trade-offs of the inclusion of sustainably sourced long-lived carbon storage products that have a net-positive carbon sequestration effect in accordance with Article 17(3) of Regulation (EU) 2018/841.

Or. en

Justification

Not all methodologies can be presented at the same time or in the short term. The Commission should prioritise the methodologies for the most mature and promising activities. Methodologies for carbon storage in products should await the relevant delegated acts and assessments in ETS and LULUCF to ensure consistency.

Amendment 65

Proposal for a regulation

Article 8 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3a. The Commission shall make the certification methodologies publicly available.

Or. en

Justification

It is important to ensure transparency on the underlying certification methodology in order to ensure trust, transparency and traceability of certified activities and certified carbon units.

Amendment 66

Proposal for a regulation Article 8 a (new)

Text proposed by the Commission

Amendment

Article 8a

General criteria on the issuance and use of carbon removal units

- 1. A carbon removal unit shall not be double counted.**
- 2. Past and current holders and purposes for which a carbon removal unit is held shall be registered in the Union registry referred to in Article 12.**
- 3. Upon expiry of a carbon removal certificate in accordance with Article 6(2b), the corresponding carbon removal units shall either be invalidated and deducted or compensated for at an equivalent level for the purpose for which the unit is held.**

Or. en

Justification

To avoid unsubstantiated uses of carbon removals for any purpose, any carbon removal units whose certificates have expired due to reversal, the end of storage or uncertainties on storage (see Article 6(2b)(new) should be invalidated or compensated at equivalent levels for the use.

Amendment 67

Proposal for a regulation Article 9 – paragraph 2

Text proposed by the Commission

2. The certification body shall conduct a certification audit to verify the information submitted in accordance with paragraph 1 and to confirm compliance of the carbon removal activity with Articles 4 to 7. As a result of that certification audit, the certification body shall issue a certification audit report, that includes a summary, and a certificate containing, as a minimum, the information set out in Annex II. The certification scheme shall control the certification audit report and the certificate, and make the **summary of the** certification audit report and the certificate publicly available in **a** registry referred to in Article 12.

Amendment

2. The certification body shall conduct a certification audit to verify the information submitted in accordance with paragraph 1 and to confirm compliance of the carbon removal activity with Articles 4 to 7. As a result of that certification audit, the certification body shall issue a certification audit report, that includes a summary, and a certificate containing, as a minimum, the information set out in Annex II. The certification scheme shall control the certification audit report and the certificate, and make the certification audit report and the certificate publicly available in **full or, where necessary to preserve the confidentiality of commercially sensitive information, in an abridged form, in the Union** registry referred to in Article 12.

Or. en

Justification

In order to ensure trust, transparency and traceability of certified activities and certified carbon units, it is important to ensure transparency on the certification audits, while respecting the privacy of commercially sensitive business information.

Amendment 68

Proposal for a regulation Article 9 – paragraph 3

Text proposed by the Commission

3. The certification body shall carry out periodic re-certification audits to reconfirm compliance of the carbon removal activity with Articles 4 to 7 and verify the generated carbon benefit. As a

Amendment

3. The certification body shall carry out periodic re-certification audits to reconfirm compliance of the carbon removal activity with Articles 4 to 7 and verify the generated carbon benefit. As a

result of that re-certification audit, the certification body shall issue a re-certification audit report, that includes a summary, and an updated certificate. The certification scheme shall control the re-certification audit report and the updated certificate, and make the **summary of the** re-certification audit report, the updated certificate and the certified carbon removal units publicly available in **a** registry referred to in Article 12.

result of that re-certification audit, the certification body shall issue a re-certification audit report, that includes a summary, and an updated certificate. The certification scheme shall control the re-certification audit report and the updated certificate, and make the re-certification audit report, the updated certificate and the certified carbon removal units publicly available in **full or, where necessary to preserve the confidentiality of commercially sensitive information, in an abridged form, in the Union** registry referred to in Article 12.

Or. en

Justification

In order to ensure trust, transparency and traceability of certified activities and certified carbon units, it is important to ensure transparency on the certification audits, while respecting the privacy of commercially sensitive business information.

Amendment 69

Proposal for a regulation Article 9 – paragraph 4

Text proposed by the Commission

4. The operator or a group of operators shall support the certification body during certification and re-certification audits, notably by giving access to the activity premises and providing **relevant** data and documentation.

Amendment

4. The operator or a group of operators shall support the certification body during certification and re-certification audits, notably by giving access to the activity premises and providing **any required** data and documentation.

Or. en

Amendment 70

Proposal for a regulation Article 10 – paragraph 1

Text proposed by the Commission

1. Certification bodies appointed by certification schemes shall be accredited by a national accreditation authority pursuant to Regulation (EC) No 765/2008 of the European Parliament and of the Council³⁷.

³⁷ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).

Amendment

1. Certification bodies appointed by certification schemes shall be accredited by a national accreditation authority pursuant to Regulation (EC) No 765/2008 of the European Parliament and of the Council³⁷.
The list of accredited certification bodies shall be made publicly available in the Union registry referred to in Article 12.

³⁷ Regulation (EC) No 765/2008 of the European Parliament and of the Council of 9 July 2008 setting out the requirements for accreditation and market surveillance relating to the marketing of products and repealing Regulation (EEC) No 339/93 (OJ L 218, 13.8.2008, p. 30).

Or. en

Justification

In order to ensure trust, transparency and traceability of certified activities and certified carbon units, it is important to ensure transparency on the accredited certification bodies.

Amendment 71

**Proposal for a regulation
Article 10 – paragraph 4**

Text proposed by the Commission

4. Member States shall supervise the operation of certification bodies. Certification bodies shall submit, upon request by the national competent authorities, all relevant information necessary to supervise their operation, including date, time and location of the audits referred to in Article 9. Where Member States find issues of non-conformity, they shall inform the certification body and the relevant certification scheme thereof without delay.

Amendment

4. Member States shall supervise the operation of certification bodies. Certification bodies shall submit, upon request by the national competent authorities, all relevant information necessary to supervise their operation, including date, time and location of the audits referred to in Article 9. Where Member States find issues of non-conformity, they shall inform the certification body and the relevant certification scheme thereof without delay

and the corresponding information shall be made publicly available through the Union registry referred to in Article 12.

Or. en

Justification

In order to ensure trust, transparency and traceability of certified activities and certified carbon units, it is important to ensure transparency on any issues of non-conformity of an accredited certification body.

Amendment 72

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

Text proposed by the Commission

2. Certification schemes shall operate on the basis of reliable and transparent rules and procedures, in particular with regard to internal management and monitoring, handling of complaints and appeals, stakeholder consultation, transparency and publication of information, appointment and training of certification bodies, addressing non-conformity issues, development and management of registries.

Amendment

2. Certification schemes shall operate on the basis of reliable and transparent rules and procedures, in particular with regard to internal management and monitoring, handling of complaints and appeals, stakeholder consultation, transparency and publication of information, appointment and training of certification bodies, addressing non-conformity issues, development and management of registries. ***Certification schemes shall provide the information on those rules and procedures to the Commission to be made publicly available in the Union registry referred to in Article 12.***

Or. en

Justification

In order to ensure trust, transparency and comparability of certified activities and certified carbon units, it is important to ensure transparency on the rules and procedures applied by certification schemes.

Amendment 73

Proposal for a regulation Article 11 – paragraph 4

Text proposed by the Commission

4. **Certification schemes** shall publish, at least annually, a list of the appointed certification bodies, stating for each certification body by which entity or national public authority it was recognised and which entity or national public authority is monitoring it.

Amendment

4. **The Commission** shall publish, at least annually, a list of the appointed certification bodies ***in the Union registry referred to in Article 12***, stating for each certification body by which entity or national public authority it was recognised and which entity or national public authority is monitoring it. ***The certification schemes shall provide the list of the appointed certification bodies to the Commission.***

Or. en

Justification

In order to ensure trust, transparency and traceability of certified activities and certified carbon units, it is important to ensure transparency on the appointed certification bodies.

Amendment 74

Proposal for a regulation Article 12 – title

Text proposed by the Commission

Registries

Amendment

Union registry

Or. en

Amendment 75

Proposal for a regulation Article 12 – paragraph 1

Text proposed by the Commission

1. **A certification scheme** shall establish and duly maintain a public

Amendment

1. **The Commission** shall establish and duly maintain a public registry

registry to make publicly accessible the information related to the certification process, including the certificates and updated certificates, and the quantity of carbon removal units certified in accordance with Article 9. ***Those registries shall use automated systems, including electronic templates, and shall be interoperable.***

(‘Union registry’) to make publicly accessible the information related to the certification process ***containing, as a minimum, the information set out in Annex 2a***, including the certificates and updated certificates ***and the information included therein***, and the quantity of carbon removal units certified in accordance with Article 9. ***The Union registry shall use automated systems, including electronic templates. Certification schemes shall require the relevant operator to enter into the Union registry all information that is required to be included in the Union registry and that is necessary to verify compliance with the requirements laid down in this Regulation.***

Or. en

Justification

A Union registry will avoid concerns on interoperability and facilitate the monitoring, verification and comparability of the information contained. The Regulation should furthermore provide clear guidance in a new Annex on the minimum information to be included in the registry.

Amendment 76

Proposal for a regulation Article 12 – paragraph 2

Text proposed by the Commission

2. The Commission may adopt implementing acts setting out the structure, format, and technical details of the ***public registries***, ***and*** of the recording, holding or use of carbon removal units, as referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 17.

Amendment

2. The Commission may adopt implementing acts setting out the structure, format, and technical details of the ***Union registry, the information to be provided to the Union registry and the procedure for providing such information and the technical details*** of the recording, holding or use of carbon removal units, as referred to in paragraph 1. Those implementing acts shall be adopted in accordance with the examination procedure referred to in Article 17.

Amendment 77

Proposal for a regulation

Annex 1 – paragraph 1 – point j

Text proposed by the Commission

(j) rules on the minimum sustainability requirements referred to in Article 7(2);

Amendment

(j) rules on the minimum sustainability requirements referred to in Article 7(2) ***consistent with the technical screening criteria for the ‘do no significant harm’ principle concerning forestry activities and underground permanent geological storage of CO₂, laid down in Delegated Regulation (EU) 2021/2139, and the sustainability criteria for forest and agricultural biomass raw material laid down in Article 29 of Directive (EU) 2018/2001;***

Or. en

Justification

Sustainability requirements should be consistent with the relevant technical screening criteria and sustainability criteria in RED.

Amendment 78

Proposal for a regulation

Annex 2 – paragraph 1 – point n

Text proposed by the Commission

(n) duration of the monitoring period of the carbon removal activity;

Amendment

(n) ***storage medium, expected storage duration and corresponding*** duration of the monitoring period of the carbon removal activity, ***and concerning the liability mechanism in accordance with Article 6;***

Or. en

Amendment 79

Proposal for a regulation

Annex 2 – paragraph 1 – point n a (new)

Text proposed by the Commission

Amendment

(na) quantity of carbon removal units certified by the certificate in accordance with Article 9;

Or. en

Amendment 80

Proposal for a regulation

Annex 2 – paragraph 1 – point o

Text proposed by the Commission

Amendment

(o) any sustainability co-benefits referred to in Article 7(3);

(o) whether the carbon removal activity generates co-benefits for any of the sustainability objectives referred to in Article 7;

Or. en

Amendment 81

Proposal for a regulation

Annex 2 a (new)

Text proposed by the Commission

Amendment

ANNEX 2a

Minimum information to be included in the Union registry referred to in Article 12

The Union registry shall include the following minimum information:

(a) the certification methodology for each carbon removal activity, in accordance with Article 8;

(b) information on the certificates and updated certificates, including

disaggregated for each carbon removal unit, in accordance with Article 9;

(c) the current status of the carbon removal unit (active, retired/in use, expired), log of transactions of the unit and, if applicable, the current holder and purpose for which a unit is held;

(d) the certification audit report and, where applicable, updated audit report, in accordance with Article 9;

(e) the list of certification bodies accredited in accordance with Article 10(1), the applicable certification body for a certificate, and any notification of non-conformity of a certification body, in accordance with Article 10(4);

(f) the rules and procedures of certification schemes, in accordance with Article 11(2);

(g) the annual report about the operations of certification schemes, in accordance with Article 14;

Or. en

EXPLANATORY STATEMENT

"The deployment of carbon dioxide removal (CDR) to counterbalance hard-to-abate residual emissions is unavoidable if net zero CO₂ or GHG emissions are to be achieved."

IPCC, Sixth Assessment Report

Climate Change has become a hot topic and at the core of the European Parliament. This report underscores the importance of carbon removals in achieving global net zero goals and highlights the need for robust certification frameworks to ensure that carbon removals are deployed effectively and responsibly.

First of all, the **definition of carbon removal in the Carbon Removal Certification Framework shall be consistent with international and scientific standards** to ensure compatibility, particularly with the IPCC definition.

The challenge of climate change is one that requires a multifaceted approach. **While reducing emissions remains our top priority**, it is clear, and internationally recognized, that **we will also need to employ other strategies such as carbon removal to achieve net zero emissions**. Carbon removal can be effective in capturing and storing carbon dioxide from the atmosphere, helping to mitigate the impact of hard-to-abate residual emissions.

However, it is crucial that we approach the deployment of carbon removals seriously and addressing its risks. **The European Parliament needs to adequately regulate carbon removal certifications to prevent low-quality removals and greenwashing**, which could ultimately undermine our efforts to combat climate change. This is why the establishment of a robust carbon removal certification framework is so important and the steps taken in this report regarding **monitoring, validity, liability, transparency and the information to be made public** are so important. The Parliament must go further than the Commission **regarding the introduction of appropriate monitoring, expiration and liability mechanisms** to address cases of reversal and there should be a liable party at any moment of time.

The framework should be designed to support high quality, long-term carbon removals that are able to achieve meaningful emissions removals from the atmosphere. At the same time, **it should encourage innovation in carbon removal technologies and practices, and investment from the private sector, including in carbon farming**. This is why it is important, to also include activities that reduce carbon release and thereby lead to carbon removals, such as in rewetting of peatlands. In addition, to incentivise long-term storage, we shall **be open to permanent carbon storage outside of the Union** if the carbon is captured in the Union and storage under similar rules to the EU. For instance, geological storage possibilities are recognized in countries such as Norway and Iceland. Therefore, carbon removed in the Union, but geologically stored in a third country under the same legal requirements should also be certifiable.

One of the critical aspects of a successful carbon removal certification framework is the ability to differentiate between high-quality and low-quality removals. This is essential to ensure that carbon removals actually contribute to emissions reductions and do not simply provide a way

for companies to claim carbon neutrality without actually reducing emissions. Therefore, it is important that the framework include **rigorous standards for carbon removal projects, including verification of carbon removals, and monitoring of project activities over the long-term**. Both permanent and temporary carbon removals can contribute to meeting climate goals, but under different conditions, which should be much more strict for temporary carbon removals, in terms of monitoring, expiry and liability requirements, in order to ensure public trust and climate integrity.

To avoid creating unnecessary bureaucracy, the framework shall also operate efficiently and effectively. This could involve streamlining the certification process, reducing the administrative burden on project developers and ensuring easily comparable and transparent information, **including a single Union registry**. At the same time, the framework should be designed to encourage innovation and allow for the development of new and more effective carbon removal technologies and practices. It provides a high-quality monitoring, verification and reporting framework, and should not pre-empt decisions on the use of carbon removals, which will be regulated under the appropriate legal frameworks. This approach ensures consistency, avoids regulatory duplication, and most importantly allows in-depth, dedicated assessments on the use of carbon removals in different contexts before taking the regulatory decisions on the use, notably through the upcoming reviews in the context of the EU ETS and LULUCF agreed in the recent reviews of those acts, in the Green Claims proposal recently presented, or in the upcoming 2040 climate target proposals.

A successful carbon removal certification framework would also need to be interesting for the private sector. This could involve creating incentives for companies to invest in carbon removal projects.

In conclusion, the establishment of a robust carbon removal certification framework is essential to achieving our net zero emissions goals and shall not substitute the needed GHG emission reductions. Such a framework must prioritize emissions reductions, support high quality, long-term carbon removals, foster innovation, and attract investment from the private sector. By doing so, we can create a transparent and reliable marketplace for carbon removals that supports our efforts to combat climate change while creating new opportunities for investment and innovation.

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 in the preparation of the draft report:

| Entity and/or person |
|--|
| Associação Zero |
| ATIC |
| Barilla |
| Bellona |
| BioEnergy Europe |
| CAN Europe |
| Carboculture |
| Carbon Gap |
| Carbon Market Watch |
| Cembureau |
| CEPI |
| CEPS |
| Clean Air Task Force |
| Concito |
| Copa-cogeca |
| Corporate Europe Observatory |
| Drax Group |
| E3G |
| ECOS |
| Ecostandard |
| European Biochar Industry Consortium |
| European Confederation of Woodworking Industries |
| European Environmental Bureau |
| European Forest Owners |
| Fern |
| FoodDrink Europe |
| Gevo |
| Hydro |
| I4CE |
| ILO |
| Indigo |
| Negative Emissions Platform |
| Paebbl |
| Permanent Representation of the Kingdom of the Netherlands to the European Union |
| PlasticsRecyclers Europe |
| Potsdam Institute |
| Stockholm Exergi |
| Swedenergy |

| |
|--|
| SWP |
| The European Lime Association - EuLA |
| The Swedish Forest Industries Federation |
| UNDRR |