



**2021/0201(COD)**

17.12.2021

**\*\*\*I**

## **DRAFT REPORT**

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

Committee on the Environment, Public Health and Food Safety

Rapporteur: Ville Niinistö

### ***Symbols for procedures***

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

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

### ***Amendments to a draft act***

#### **Amendments by Parliament set out in two columns**

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

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

#### **Amendments by Parliament in the form of a consolidated text**

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

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

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## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

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

**(Ordinary legislative procedure: first reading)**

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2021)0554),
  - having regard to Article 294(2) and Article 192 (1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0320/2021),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the reasoned opinion submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the French Senate, asserting that the draft legislative act does not comply with the principle of subsidiarity,
  - having regard to the opinion of the European Economic and Social Committee of 8 December 2021<sup>1</sup>,
  - having regard to the opinion of the Committee of the Regions of ...<sup>2</sup>,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the opinions of the Committee on Industry, Research and Energy, the Committee on Transport and Tourism and the Committee on Agriculture and Rural Development
  - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A9-0000/2021),
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.

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<sup>1</sup> Not yet published in the Official Journal.

<sup>2</sup> ....

## Amendment 1

### Proposal for a regulation Recital 1

*Text proposed by the Commission*

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

*Amendment*

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

Or. en

## Amendment 2

### Proposal for a regulation Recital 1 a (new)

*Text proposed by the Commission*

*Amendment*

***(1a) In its 2019 Global Assessment***

*Report on Biodiversity and Ecosystem Services, the Intergovernmental Science-Policy Platform on Biodiversity and Ecosystems Services (IPBES) provided the latest scientific evidence on the ongoing worldwide erosion of biodiversity, and stressed in particular that climate change is the third most important driver of biodiversity loss. The co-sponsored IPBES-IPCC workshop report on biodiversity and climate change of 10 June 2021<sup>1a</sup> also highlighted that previous policies have largely tackled the problems of climate change and biodiversity loss independently, and called for policies that simultaneously address synergies between mitigating biodiversity loss and climate change, while also considering their societal impacts, in order to offer the opportunity to maximize co-benefits and help meet development aspirations for all.*

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*<sup>1a</sup> IPBES-IPCC co-sponsored workshop report on biodiversity and climate change, 10 June 2021.*

Or. en

### **Amendment 3**

#### **Proposal for a regulation Recital 1 b (new)**

*Text proposed by the Commission*

*Amendment*

*(1b) In its resolution of 28 November 2019 on the climate and environment emergency<sup>1a</sup>, the European Parliament urged the Commission to take immediate and ambitious action to limit global warming to 1,5°C and to avoid massive biodiversity loss, including by addressing inconsistencies in current Union policies with the climate and environment emergency, in particular through a far-reaching reform of its agricultural, trade,*

*transport, energy and infrastructure investment policies, and by ensuring that all relevant future legislative and budgetary proposals are fully aligned with the objective of limiting global warming to under 1,5°C and that they do not contribute to biodiversity loss.*

<sup>1a</sup> OJ C 232, 16.6.2021, p. 28.

Or. en

#### Amendment 4

#### Proposal for a regulation

#### Recital 2

*Text proposed by the Commission*

(2) Tackling climate and environmental-related challenges and reaching the objectives of the Paris Agreement are at the core of the Communication on 'The European Green Deal', adopted by the Commission on 11 December 2019<sup>28</sup>. The necessity and value of the European Green Deal have only grown in light of the very severe effects of the COVID-19 pandemic on the health and economic well-being of the Union's citizens.

*Amendment*

(2) ***Taking a holistic approach to tackling climate and environmental-related challenges and reaching the objectives of the Paris Agreement while living up to the green oath to 'do no harm' to other environmental objectives of the Union are at the core of the Communication on 'The European Green Deal', adopted by the Commission on 11 December 2019<sup>28</sup>. The necessity and value of the European Green Deal and of its holistic approach have only grown in light of the very severe effects of the COVID-19 pandemic on the health and economic well-being of the Union's citizens. It is therefore necessary to complement the accounting of GHG emissions and removals from the land use, land use change and forestry (LULUCF) sector by introducing an obligation to do no significant harm to other environmental objectives, in particular the Union's biodiversity objectives as set out in the EU Biodiversity Strategy for 2030 and in the relevant Union legal acts, within the meaning of Article 17 of Regulation (EU) 2020/852 of the European Parliament and of the Council<sup>28a</sup>.***



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<sup>28</sup> COM(2019)640 final.

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<sup>28</sup> COM(2019)640 final.

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

Or. en

## Amendment 5

### Proposal for a regulation Recital 2 a (new)

*Text proposed by the Commission*

*Amendment*

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

Or. en

## Amendment 6

### Proposal for a regulation Recital 3

*Text proposed by the Commission*

*Amendment*

(3) *The Union committed to reducing the Union's economy-wide net greenhouse gas emissions by at least 55 % below 1990 levels by 2030 in the updated nationally determined reduction commitment submitted to the UNFCCC Secretariat on 17 December 2020<sup>29</sup>.*

*deleted*

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<sup>29</sup>

[https://www4.unfccc.int/sites/ndcstaging/PublishedDocuments/European%20Union%20First/EU\\_NDC\\_Submission\\_December%202020.pdf](https://www4.unfccc.int/sites/ndcstaging/PublishedDocuments/European%20Union%20First/EU_NDC_Submission_December%202020.pdf)

Or. en

## Amendment 7

### Proposal for a regulation Recital 4

*Text proposed by the Commission*

*Amendment*

(4) In Regulation (EU) 2021/1119 of the European Parliament and of the Council<sup>30</sup>, the Union has enshrined the target of economy-wide **climate neutrality** by 2050 in legislation. That Regulation also establishes a binding Union commitment to reduce net greenhouse gas emissions (emissions after deduction of removals) by at least 55 % below 1990 levels by 2030. All sectors of the economy are expected to contribute to achieving that target, including the land use, land use change and forestry sector. The contribution of net removals to the 2030 Union climate target is limited to 225 million tonnes of CO<sub>2</sub> equivalent. **In the**

(4) In Regulation (EU) 2021/1119 of the European Parliament and of the Council<sup>30</sup>, the Union has enshrined the target of **achieving an economy-wide balance between anthropogenic emissions by sources and removals by sinks of greenhouse gas emissions within the Union by 2050 at the latest** in legislation. That Regulation also establishes a binding Union commitment to reduce net greenhouse gas emissions (emissions after deduction of removals) by at least 55 % below 1990 levels by 2030. **All sectors of the economy are expected to contribute to achieving that target, including the land use, land use change and forestry sector.**

*context of Regulation (EU) 2021/1119, the Commission reaffirmed in a corresponding statement its intention to propose a revision of Regulation (EU) 2018/841 of the European Parliament and of the Council<sup>31</sup>, in line with the ambition to increase net carbon removals to levels above 300 million tonnes of CO<sub>2</sub> equivalent in the land use, land use change and forestry sector by 2030.*

The contribution of net removals to the 2030 Union climate target is limited to 225 million tonnes of CO<sub>2</sub> equivalent. *When implementing the 2030 Union climate target, the relevant Union institutions and Member States also committed to prioritising swift and predictable emissions reductions and, at the same time, enhancing removals by natural sinks. In order to ensure that sufficient mitigation efforts are deployed by emitting sectors until 2030, the contribution of net removals to the 2030 Union climate target has been limited to 225 million tonnes of CO<sub>2</sub> equivalent, without prejudice to the objective of enhancing its net carbon sink beyond that level in 2030 in view of achieving climate-neutrality by 2050 at the latest.*

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<sup>30</sup> 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).'

<sup>31</sup> 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).

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<sup>30</sup> 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).'

<sup>31</sup> 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 8

### Proposal for a regulation Recital 5

(5) In order to **contribute** to the **increased ambition to reduce greenhouse gas net emissions from at least 40 % to at least 55 % below 1990 levels**, binding annual targets for net greenhouse gas removals should be set out for each Member State in the **land use, land use change and forestry** sector in the period from 2026 to 2030 (in analogy to the annual emission allocations set out in Regulation (EU) 2018/842 of the European Parliament and of the Council<sup>32</sup>), resulting in **a** target of **310** millions of tonnes CO<sub>2</sub> equivalent of net removals for the Union as a whole in 2030. The methodology used to establish the national targets for 2030 should take into account the average greenhouse gas emissions and removals from the years 2016, 2017 and 2018, reported by each Member State, and reflect the current mitigation performance of the land use, land use change and forestry sector, and each Member State's share of the managed land area in the Union, taking into account the capacity of that Member State to improve its performance in the sector via land management practices or changes in land use that benefit the climate and biodiversity.

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<sup>32</sup> 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).

(5) In order to **ensure that the LULUCF sector makes a sustainable and predictable long-term contribution** to the **EU climate-neutrality objective**, binding annual targets for net greenhouse gas removals should be set out for each Member State in the **LULUCF** sector in **the period up to at least 2050, starting with** the period from 2026 to 2030 (in analogy to the annual emission allocations set out in Regulation (EU) 2018/842 of the European Parliament and of the Council<sup>32</sup>), resulting in **an intermediary** target of **at least 490** millions of tonnes CO<sub>2</sub> equivalent of net removals for the Union as a whole in 2030. The methodology used to establish the national targets for 2030 should take into account the average greenhouse gas emissions and removals from the years 2016, 2017 and 2018, reported by each Member State, and reflect the current mitigation performance of the land use, land use change and forestry sector, and each Member State's share of the managed land area in the Union, taking into account the capacity of that Member State to improve its performance in the sector via land management practices or changes in land use that benefit the climate and biodiversity.

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<sup>32</sup> 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

## Amendment 9

### Proposal for a regulation Recital 6

#### *Text proposed by the Commission*

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

#### *Amendment*

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



Or. en

#### *Justification*

*Technical corrections should be subject to independent expert review. Only technical corrections reflecting an improvement in the accuracy of the data monitored and reported should be taken into account.*

## Amendment 10

### Proposal for a regulation Recital 6 a (new)

#### *Text proposed by the Commission*

#### *Amendment*

***(6a) In order to ensure that there is constant progress towards the target of reaching at least 490 millions of tonnes CO<sub>2</sub> equivalent of net removals for the***

***Union as a whole in 2030, Member States which fail to meet their annual targets in two consecutive years should revise their National Energy and Climate Plans and Long-term Strategies to ensure additional action is taken to enhance all sinks and reservoirs in a way that contributes to enhancing biodiversity, and to reduce the vulnerability of the land to natural disturbances.***

Or. en

## Amendment 11

### Proposal for a regulation Recital 7

*Text proposed by the Commission*

(7) The Communication of 17 September 2020 on Stepping up Europe's 2030 climate ambition<sup>33</sup> outlined ***an option to combine agriculture non-CO<sub>2</sub> greenhouse gas emissions with land use, land use change and forestry net removals, thus creating a newly regulated land sector. Such combination can promote synergies between land-based mitigation actions and enable more integrated policymaking and policy implementation at national and Union level. To this end, the obligation for Member States to submit integrated mitigation plans for the land sector should be reinforced.***

*Amendment*

(7) The Communication of 17 September 2020 on Stepping up Europe's 2030 climate ambition<sup>33</sup> outlined ***different pathways and policy options to reach the Union's increased 2030 climate target. It stressed that reaching climate neutrality will require Union action to be significantly stepped up in all sectors of the economy. Progress in one sector cannot compensate for the lack of progress in other sectors. Moreover, removals of GHGs by natural carbon sinks are fragile and potentially reversible, which leads to increased uncertainty in measuring emissions and removals in the land sector compared to other sectors. The risk of reversal of removals by natural carbon sinks is further aggravated by climate change. Climate science also shows that the climate response to emissions and removals is asymmetrical, meaning that one tonne of GHG emitted to the atmosphere cannot be compared to one tonne of GHG removed<sup>33a</sup>. Therefore the objective of enhancing removals by natural carbon sinks should be pursued***





***strictly separately from the objective of rapidly and drastically reducing GHG emissions from other sectors, including non-CO2 agricultural emissions.***

<sup>33</sup> COM(2020) 562 final.

<sup>33</sup> COM(2020) 562 final.

<sup>33a</sup> *Zickfeld K., Azevedo D., Mathesius S. et al. Asymmetry in the climate–carbon cycle response to positive and negative CO2 emissions. Nature Climate Change 11, 613–617 (2021).*

Or. en

## Amendment 12

### Proposal for a regulation Recital 8

#### *Text proposed by the Commission*

(8) The *land* sector has the potential to ***become rapidly climate-neutral by 2035*** in a cost-effective manner, ***and subsequently generate more greenhouse gas removals than emissions. A collective commitment aiming to achieve climate-neutrality in the land sector in 2035 at EU level can provide the needed planning certainty to drive land-based mitigation action*** in the short term, ***considering that it can take many years for such action to deliver the desired mitigation outcomes. Moreover, the land sector is projected to become the largest sector in the EU greenhouse gas flux profile in 2050. It is therefore particularly important to anchor that sector to a trajectory that can effectively deliver net zero greenhouse gas emissions by 2050.*** By mid-2024, the Member States should submit their updated integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999 of the European Parliament and of the Council<sup>34</sup>. The plans should include relevant measures by which

#### *Amendment*

(8) The ***LULUCF*** sector has the potential to ***substantially increase the amount of net-removals*** in a cost-effective manner ***both*** in the short ***and longer term.*** ***However, realising such potential requires a clear vision to be set out and concrete action to be stepped up already over the coming decade, otherwise the changes required after 2030 would have to happen unrealistically fast.*** By mid-2024, the Member States should submit their updated integrated national energy and climate plans in accordance with Article 14 of Regulation (EU) 2018/1999 of the European Parliament and of the Council<sup>34</sup>. The plans should include relevant measures by which each Member State best contributes to the ***objective of ensuring a sustainable and predictable long-term contribution of natural carbon sinks to the Union’s climate-neutrality objective by 2050 at the latest.*** On the basis of these plans, ***and after taking into account the advice of the European Scientific Advisory Board on Climate Change and***



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

**the Union GHG budget set out in Regulation (EU) 2021/1119**, the Commission should propose **Union and Member States targets for net GHG removals from the LULUCF sector for 2035, 2040, 2045 and 2050**. Such national targets will be binding and enforceable on each Member State.



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

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

Or. en

## Amendment 13

### Proposal for a regulation Recital 8 a (new)

*Text proposed by the Commission*

*Amendment*

**(8a) Forests in particular are hugely important for biodiversity, soil stabilisation, the purification of air and water, carbon sequestration and storage, and the provision of sustainably sourced long-lived wood products. The forests in**



*the Union are home to around 80% of Union terrestrial biodiversity, but intensive forestry activities are the second largest reported pressure category for species. Many forest-dependent species are negatively affected by the removal of dead, dying and old trees<sup>1a</sup>, the reduction of old-growth forests and certain forest management methods such as clear-cutting. The Communication of the Commission of 16 July 2021 on the New EU Forest Strategy for 2030 set out a vision and specific actions to improve the quantity and quality of forests in the Union and strengthen their protection, restoration and resilience. It highlighted the urgent need for adaptive forest restoration and ecosystem-based management approaches that strengthen the resilience of forests in the Union in light of the climate and biodiversity crises. As such, the Strategy contributes both to the Union's biodiversity and climate objectives.*

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*<sup>1a</sup> Report from the Commission of 15 October 2020 entitled 'The state of nature in the European Union – Report on the status and trends in 2013–2018 of species and habitat types protected by the Birds and Habitats Directives' (COM(2020)0635).*

Or. en

## **Amendment 14**

### **Proposal for a regulation Recital 8 b (new)**

*Text proposed by the Commission*

*Amendment*

*(8b) Cropland, grassland and wetlands are currently net emitters of greenhouse gases in the Union, but have the potential to become a source of net removals of*

*greenhouse gases, in particular through the upscaling of agroforestry, organic farming, and the restoration of wetlands and peatlands.*

Or. en

## Amendment 15

### Proposal for a regulation

#### Recital 10

*Text proposed by the Commission*

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

*Amendment*

(10) In order to enhance greenhouse gas removals, individual farmers or forest managers ***should be allowed to benefit from incentives*** to store more carbon on their land and their forests ***while ensuring the protection of biodiversity and other societal co-benefits, through the promotion of ecosystem-based approaches and biodiversity-friendly practices.*** ***Public funding under the Common Agricultural Policy (CAP) and other EU programs – LIFE, the Cohesion Funds, Horizon Europe, the Recovery and Resilience Fund, the Just Transition Fund – can already support ecosystem-based approaches in forests and agricultural lands and should be increased.*** Such incentives ***should also*** enhance climate mitigation in ***a fully circular and sustainably sourced*** bio-economy, including through the use of durable harvested wood products, in full respect of ecological principles fostering biodiversity. They also create opportunities for new jobs and provide incentives for relevant training, reskilling and upskilling. ***In line with the increased ambition in the LULUCF sector, additional public support should be provided to individual farmers and forest managers for implementing ecosystem-based approaches and biodiversity-friendly practices on their land according to***

*common rules provided by the Commission, by using public revenues generated from the auctioning of EU ETS allowances.*



Or. en

## Amendment 16

### Proposal for a regulation Recital 11

*Text proposed by the Commission*

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

*Amendment*

(11) **In order to incentivise increased efforts to overachieve their national targets, and** considering the specificities of the land use, land use change and forestry sector in each Member State, Member States should **be allowed to continue trading surpluses, while respecting the environmental integrity of the targets by setting out a minimum price for such trading and ensuring revenues generated from such trading are allocated to climate change mitigation and adaptation by promoting ecosystem-based approaches, and to protect and restore biodiversity in line with the Union's Biodiversity Strategy for 2030.**



Or. en

## Amendment 17

### Proposal for a regulation Recital 12

*Text proposed by the Commission*

(12) Discontinuing the current accounting rules after 2025 creates a need for alternative provisions for natural disturbances such as fire, pest, and storms, in order to address uncertainties **due to**

*Amendment*

(12) Discontinuing the current accounting rules after 2025 creates a need for alternative provisions for natural disturbances such as fire, pest, and storms, in order to address uncertainties as a result

*natural processes or* as a result of climate change in the land use, land use change and forestry sector. A flexibility mechanism linked to natural disturbances should be available to Member States in 2032, provided that they have exhausted all other flexibilities at their disposal, put in place appropriate measures to **reduce** the vulnerability of their land to such disturbances and that the achievement by the Union of the 2030 target for the land use, land use change and forestry sector is completed.

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

Or. en

## Amendment 18

### Proposal for a regulation

#### Recital 13

##### *Text proposed by the Commission*

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

##### *Amendment*

(13) With the setting of binding national annual targets for greenhouse gas removals based on the reported greenhouse gas emissions and removals from 2026 onwards, the rules for target compliance should be set out. The principles laid down in Regulation (EU) 2018/842 should apply mutatis mutandis, with a penalty for non-compliance calculated in the following way: **a financial penalty of EUR 375 per tonne of CO<sub>2</sub> equivalent in excess of the annual national target in the given year, in addition to** 108% of the gap between the assigned target and the net removals reported in the given year **being** added to the greenhouse gas emission figure reported in the subsequent year by the Member State.

Or. en

## Amendment 19

### Proposal for a regulation Recital 14

*Text proposed by the Commission*

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

*Amendment*

(14) In order to ***specify the requirements set out in this Regulation, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission to supplement this Regulation in respect of setting out annual target allocations for Member States for the LULUCF sector as well as the method for determination of the technical correction to be added to the targets of the Member States and for the independent expert review [AM 30], specifying common rules and methodologies to ensure that measures taken to meet the Member States national targets do not significantly harm other EU environmental objectives [AM34], specifying common criteria for the selection of projects to support land managers implementing ecosystem-based approaches in forests and agricultural land [AM35], and setting out the means for collecting excess premiums [AM61]. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level, and that those consultations be conducted in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016<sup>1a</sup>. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and the Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.***

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

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<sup>1a</sup> *OJ L 123, 12.5.2016, p. 1*

Or. en

## Amendment 20

### Proposal for a regulation Recital 17

#### *Text proposed by the Commission*

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

#### *Amendment*

(17) Anthropogenic changes to **GHG emissions and removals in** marine, coastal and freshwaters *ecosystems can be significant, and are expected to vary in the future as a result of changes in use through*, for instance, planned expansion of offshore energy, potential increase in aquaculture production and the increasing levels of nature protection *required* to meet the EU Biodiversity Strategy targets. Currently these emissions and removals are not included in the standard reporting tables to the UNFCCC. Subsequently to the adoption of the reporting methodology, the Commission will consider extending the *scope of this Regulation to include GHG emissions and removals from the* marine, coastal and freshwater *ecosystems* based on the latest scientific evidence of these fluxes *and their causes, and apply specific targets to those*, when carrying out the review in accordance with Article 17(2) of this Regulation.

Or. en

## Amendment 21

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 1

Regulation (EU) 2018/841

Article 1 – paragraph 1 – point (c)

*Text proposed by the Commission*

(c) a Union target for net greenhouse gas removals in the land use, land use change and forestry sector for the period from 2026 to 2030;

*Amendment*

(c) a Union target for net greenhouse gas removals in the land use, land use change and forestry sector for the period from 2026 to 2030, **including a sub-target for reaching a balance at Union level between emissions and removals from cropland, grassland and wetlands by 2030 and achieving negative emissions in those categories thereafter;**

Or. en

*Justification*

*Cropland, grassland and wetlands are currently net emitters of GHG emissions at Union level. To ensure a long-term, sustainable and predictable contribution of natural carbon sinks to the EU climate-neutrality objective, those land categories should progressively deliver net greenhouse gas removals.*

## Amendment 22

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 1

Regulation (EU) 2018/841

Article 1 – paragraph 1 – point (d)

*Text proposed by the Commission*

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

*Amendment*

(d) targets for net greenhouse gas removals in the land use, land use change and forestry sector for Member States for the period from 2026 to 2030, **including sub-targets concerning cropland, grassland and wetlands;**

Or. en



### *Justification*

*All Member States should contribute to ensuring that cropland, grassland and wetlands progressively deliver net GHG removals.*

### **Amendment 23**

#### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 1**

Regulation (EU) 2018/841

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

*Text proposed by the Commission*

*Amendment*

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

Or. en

### *Justification*

*The Union institutions and Member States should guarantee a sustainable and predictable long-term contribution of natural carbon sinks to the EU climate-neutrality objective.*

### **Amendment 24**

#### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 1**

Regulation (EU) 2018/841

Article 1 – paragraph 1 – point (e)

*Text proposed by the Commission*

*Amendment*

***(e) commitments of Member States to take the necessary measures aiming***      ***deleted***



*towards the collective achievement of climate-neutrality in the Union by 2035 in the land use, land use change and forestry sector including emissions by the non-CO<sub>2</sub> agriculture.’;*

Or. en

*Justification*

*All sectors must contribute to the EU climate-neutrality objective by delivering rapid and drastic GHG emissions reduction. Progress in one sector should not be used to compensate the lack of progress in other sectors of the economy.*

**Amendment 25**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/841

Article 2 – paragraph 2 – introductory part

*Text proposed by the Commission*

2. This Regulation also applies to emissions and removals of the greenhouse gases listed in Section A of Annex I, reported pursuant to Article 26(4) of Regulation (EU) 2018/1999 and occurring on the territories of Member States in the period from 2026 **to 2030**, in any of the following land reporting categories and/or sectors:

*Amendment*

2. This Regulation also applies to emissions and removals of the greenhouse gases listed in Section A of Annex I, reported pursuant to Article 26(4) of Regulation (EU) 2018/1999 and occurring on the territories of Member States in the period from 2026 **onwards**, in any of the following land reporting categories and/or sectors:

Or. en

*Justification*

*Technical amendment linked to the deletion of Article 2(3).*

**Amendment 26**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 2**

Regulation (EU) 2018/841

Article 2 – paragraph 3

*Text proposed by the Commission*

*Amendment*

- 3. This Regulation also applies to emissions and removals of the greenhouse gases listed in Section A of Annex I, reported pursuant to Article 26(4) of Regulation (EU) 2018/1999 and occurring on the territories of Member States from 2031 and onwards, in any of the land categories listed in paragraph 2, points (a) to (j) and in any of the following sectors:**
- (a) enteric fermentation;**
  - (b) manure management;**
  - (c) rice cultivation;**
  - (d) agricultural soils;**
  - (e) prescribed burning of savannas;**
  - (f) field burning of agricultural residues;**
  - (g) liming;**
  - (h) urea application;**
  - (i) ‘other carbon-containing fertilizers’;**
  - (j) ‘other’.**

Or. en

*Justification*

*The necessary reduction of agricultural non-CO2 emissions should be pursued separately from the objective of increasing net GHG removals from the LULUCF sector.*

## **Amendment 27**

### **Proposal for a regulation**

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

Regulation (EU) 2018/841

**Article 3 – paragraph 1 – point 10 a (new)**

*Text proposed by the Commission*

*Amendment*

**(2a) in Article 3, the following point**

*10a is added:*

*(10a) 'ecosystem-based approaches' mean strategies for the integrated management of land, water and living resources that promotes conservation, restoration and sustainable use in an equitable way as part of an overall strategy and which aspires to maintaining the natural structure and functioning of ecosystems;*

Or. en

## **Amendment 28**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 3**

Regulation (EU) 2018/841

Article 4 – paragraph 2 – subparagraph 1

*Text proposed by the Commission*

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

*Amendment*

The 2030 Union target for net greenhouse gas removals is **at least 490** million tonnes CO<sub>2</sub> equivalent as a sum of the Member States targets established in accordance with paragraph 3 of this Article, and shall be based on the average of its greenhouse gas inventory data for the years 2016, 2017 and 2018. ***To contribute to that target, emissions and removals of greenhouse gases from cropland, grassland and wetlands shall be balanced at Union level by 2030, and reach negative levels thereafter.***

Or. en

## **Amendment 29**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 3**

Regulation (EU) 2018/841

Article 4 – paragraph 2 – subparagraph 2

*Text proposed by the Commission*

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

*Amendment*

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

Or. en

**Amendment 30**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 3**

Regulation (EU) 2018/841

Article 4 – paragraph 3 – subparagraph 1

*Text proposed by the Commission*

The Commission shall adopt **implementing acts** setting out the annual targets based on the linear trajectory for net greenhouse gas removals for each Member State, for each year in the period from 2026 to 2029 in terms of tonnes CO<sub>2</sub> equivalent. These national trajectories shall be based on the average greenhouse gas inventory data for the years 2021, 2022 and 2023, reported by each Member State. The value of the **310** million tonnes CO<sub>2</sub> equivalent net removals as a sum of the targets for Member States set out in Annex IIa may be subject to a technical correction due to a change of methodology by Member States. The method for determination of the technical correction to be added to the targets of the Member States, shall be set out in these **implementing** acts. For the purpose of

*Amendment*

The Commission shall adopt **delegated acts in accordance with Article 16 to supplement this Regulation by** setting out the annual targets **for the LULUCF sector, including annual sub-targets for cropland, grassland and wetlands**, based on the linear trajectory for net greenhouse gas removals for each Member State, for each year in the period from 2026 to 2029 in terms of tonnes CO<sub>2</sub> equivalent. These national trajectories shall be based on the average greenhouse gas inventory data for the years 2021, 2022 and 2023, reported by each Member State. The value of the **at least 490** million tonnes CO<sub>2</sub> equivalent net removals as a sum of the targets for Member States set out in Annex IIa may be subject to a technical correction due to a change of methodology by Member States,

those **implementing** acts, the Commission shall carry out a comprehensive review of the most recent national inventory data for the years 2021, 2022 and 2023 submitted by Member States pursuant to Article 26(4) of Regulation (EU) 2018/1999.

***subject to independent expert review confirming the necessity and proportionality of the technical correction based on the improved accuracy of the data monitored and reported.*** The method for determination of the technical correction to be added to the targets of the Member States ***and for the independent expert review*** shall be set out in these ***delegated*** acts. For the purpose of those ***delegated*** acts, the Commission shall carry out a comprehensive review of the most recent national inventory data for the years 2021, 2022 and 2023 submitted by Member States pursuant to Article 26(4) of Regulation (EU) 2018/1999.

Or. en

### **Amendment 31**

#### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 3**

Regulation (EU) 2018/841

Article 4 – paragraph 3 – subparagraph 2

*Text proposed by the Commission*

*Amendment*

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

***deleted***

Or. en

### **Amendment 32**

#### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 3**

Regulation (EU) 2018/841

Article 4 – paragraph 3 a (new)

*Text proposed by the Commission*

*Amendment*

***3 a. The relevant Union institutions and the Member States shall take the***

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

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

Or. en

## **Amendment 33**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 3**

Regulation (EU) 2018/841

Article 4 – paragraph 4

*Text proposed by the Commission*

*Amendment*

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

**deleted**

2035.

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

Or. en

#### **Amendment 34**

##### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 3**

Regulation (EU) 2018/841

Article 4 – paragraph 4 a (new)

*Text proposed by the Commission*

*Amendment*

*4a. Member States shall ensure that measures taken to meet their national targets as referred to in paragraph 2 do not significantly harm other Union environmental objectives, in particular Union biodiversity objectives as set out in the EU Biodiversity Strategy for 2030 and in the relevant legislation, within the meaning of Article 17 of Regulation (EU) 2020/852. The Commission is empowered to adopt delegated acts in accordance with Article 16 to supplement this Regulation by specifying common rules and methodologies to achieve the objective set out in this paragraph, including minimum criteria for the inclusion of biodiversity monitoring in National Forest Inventories or other land monitoring systems.*

Or. en

## Amendment 35

### Proposal for a regulation

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

Regulation (EU) 2018/841

Article 4 a (new)

*Text proposed by the Commission*

*Amendment*

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

#### **‘Article 4a**

#### **Financial support for ecosystem-based approaches**

- 1. By... [six months after the entry into force of this Regulation], the Commission shall submit a report to the European Parliament and the Council assessing the consistency of different funding instruments under the Union budget and the European Union Recovery Instrument, including the national CAP Strategic Plans, with the commitments and targets set out in Article 4 of this Regulation, and shall identify ways of increasing financial support for ecosystem-based approaches in forests and agricultural land.**
- 2. In addition, Member States shall commit to using at least 5% of the public revenues generated from the auctioning of EU ETS allowances under Directive 2003/87/EC to support land managers implementing ecosystem-based approaches in forests and agricultural land. Projects shall be selected on the basis of objective, science-based and transparent common criteria and reward practices whose climate and environmental benefits are scientifically proven and that lead to the sustainable and long-term increase of carbon sequestration in soils and biomass while ensuring societal co-benefits.**
- 3. The Commission is empowered to adopt delegated acts in accordance with Article 16 to supplement this Regulation concerning common criteria for the**



*selection of projects referred to in paragraph 2, based, inter alia, on the Commission's guidelines on biodiversity-friendly afforestation and reforestation and closer-to-nature-forestry practices. The Commission shall consult the European Scientific Advisory Board on Climate Change referred to in Article 3 of Regulation (EU) 2021/1119, as well as civil society and relevant stakeholders, before the adoption of the delegated acts referred to in this paragraph.'*

Or. en

### **Amendment 36**

#### **Proposal for a regulation**

**Article 1 – paragraph 1 – point 7– point a**

Regulation (EU) 2018/841

Article 9 – Title

*Text proposed by the Commission*

*Amendment*

**(7) Article 9 is amended as follows:**

**deleted**

**(a) the title is replaced by the following:**

**Carbon storage products;**

Or. en

### **Amendment 37**

#### **Proposal for a regulation**

**Article 1 – paragraph 1 – point 7– point b**

Regulation (EU) 2018/841

Article 9 – paragraph 2

*Text proposed by the Commission*

*Amendment*

**(b) paragraph 2 is replaced by the following:**

**deleted**

**2. The Commission shall adopt delegated acts in accordance with Article**

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

Or. en

### **Amendment 38**

#### **Proposal for a regulation**

**Article 1 – paragraph 1 – point 9 – point a**

Regulation (EU) 2018/841

Article 11 – Title

*Text proposed by the Commission*

*Amendment*

***Flexibilities and*** governance;

Governance;

Or. en

### **Amendment 39**

#### **Proposal for a regulation**

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

Regulation (EU) 2018/841

Article 11 – paragraph -1 (new)

*Text proposed by the Commission*

*Amendment*

***(aa) the following paragraph -1 is added:***

***‘-1. If a Member State fails to meet its annual target as set out in Article 4(3) for two consecutive years, it shall amend its National Energy and Climate Plan and Long-term Strategy as referred to in Articles 3 and 15 of Regulation (EU) 2018/1999, and adopt additional measures***

*to enhance all land sinks and reservoirs in a way that contributes to enhancing biodiversity, and to reduce the vulnerability of the land to natural disturbances. Such amendment shall be completed within six months of the second year in which the Member State concerned failed to meet its annual target.*

*The Commission may issue recommendations identifying how the National Energy and Climate Plans and the Long-term Strategy of the Member State concerned should be revised. The Commission shall make such recommendations publicly available.*

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

*Where the Commission finds that the revised National Energy and Climate Plan or the Long-term Strategy have been insufficiently amended to meet the annual targets of the Member State concerned, the Commission may open an infringement procedure in accordance with the TEU and TFEU.'*

Or. en

#### *Justification*

*Additional action should be taken in the LULUCF sector if Member States deviate from their trajectories, in order to avoid a lock-in in low performance until 2030.*

#### **Amendment 40**

##### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 9 – point b**

Regulation (EU) 2018/841

Article 11 – paragraph 1 – subparagraph 1 – introductory part

*Text proposed by the Commission*

*Amendment*

A Member State may use:

***Without prejudice to paragraph 1a***, a Member State may use:

Or. en

#### **Amendment 41**

##### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 9 – point b**

Regulation (EU) 2018/841a

Article 11 – paragraph 1 – subparagraph 1 – point (b)

*Text proposed by the Commission*

*Amendment*

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

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

Or. en

#### **Amendment 42**

##### **Proposal for a regulation**

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

Regulation (EU) 2018/841

Article 12 – paragraph 1

*Text proposed by the Commission*

*Amendment*

***(-a) paragraph 1 is deleted;***

Or. en

#### **Amendment 43**

##### **Proposal for a regulation**

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

Regulation (EU) 2018/841

Article 12 – paragraph 2

*Present text*

*Amendment*

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

***(-aa) paragraph 2 is replaced by the following:***

‘2. To the extent that total removals exceed total emissions in a Member State ***for the period from 2021 to 2025, or that net greenhouse gas removals in 2030 in a Member State exceed the 2030 target set out for that Member State in Annex IIa***, that Member State ***may transfer the remaining quantity of removals to another Member State subject to the payment by the recipient Member State of at least EUR 250 per tonne of transferred removals***. The quantity transferred shall be taken into account when assessing the recipient Member State's compliance with ***its 2030 target as set out in Annex IIa***.’

Or. en

#### **Amendment 44**

##### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 10 – point b**

Regulation (EU) 2018/841

Article 12 – paragraph 5

*Text proposed by the Commission*

*Amendment*

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

5. Member States ***shall use all*** revenues generated by transfers pursuant to paragraph 2 to ***reduce emissions by sources and increase removals by sinks of greenhouse gases and to adapt to climate change by promoting ecosystem-based approaches, and to protect and restore biodiversity***, in the Union or in third countries and shall inform the Commission ***as to the use of those revenues and to the actions taken in the reports referred to in Article 19 of Regulation (EU) 2018/1999***.

Or. en

## Amendment 45

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 11

Regulation (EU) 2018/841

Article 13 – paragraph 2 – subparagraph 1 – point (a)

#### *Text proposed by the Commission*

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

#### *Amendment*

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

Or. en

## Amendment 46

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 11

Regulation (EU) 2018/841

Article 13 – paragraph 2 – subparagraph 1 – point a (new)

#### *Text proposed by the Commission*

#### *Amendment*

***(aa) there is a positive trend in relation to the Member State and its conservation of habitats under Council Directive 92/43/EEC<sup>1a</sup> and Directive 2009/147/EC of the European Parliament and of the Council<sup>1b</sup>;***

***<sup>1a</sup> Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).***

***<sup>1b</sup> Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of***

## Amendment 47

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 11

Regulation (EU) 2018/841

Article 13 – paragraph 2 – subparagraph 2

#### *Text proposed by the Commission*

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

#### *Amendment*

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

## Amendment 48

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 12

Regulation (EU) 2018/841

Article 13a – paragraph 1 – subparagraph 1 – point a

#### *Text proposed by the Commission*

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

#### *Amendment*

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

## Amendment 49

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 12

Regulation (EU) 2018/841

Article 13a – paragraph 1 – subparagraph 1 – point a a (new)

*Text proposed by the Commission*

*Amendment*

***(aa) there is a positive trend in relation to Finland concerning the conservation of habitats under Directives 92/43/EEC and 2009/147/EC;***

Or. en

## Amendment 50

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 13

Regulation (EU) 2018/841

Article 13b – title

*Text proposed by the Commission*

*Amendment*

***Land use flexibility*** mechanism for the period 2026 to 2030

***Natural disturbances solidarity*** mechanism for the period 2026 to 2030

Or. en

## Amendment 51

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 13

Regulation (EU) 2018/841

Article 13b – paragraph 1

*Text proposed by the Commission*

*Amendment*

1. A ***land use flexibility*** mechanism corresponding to a quantity of up to ***178*** million tonnes of CO<sub>2</sub> equivalent shall be

1. A ***natural disturbances solidarity*** mechanism corresponding to a quantity of up to ***89*** million tonnes of CO<sub>2</sub> equivalent



established in the Union Registry established pursuant to Article 40 of Regulation (EU) No 2018/1999, subject to the fulfilment of the Union target referred to in Article 4(2). The **flexibility** mechanism shall be available in addition to the flexibilities provided for in Article 12.

shall be established in the Union Registry established pursuant to Article 40 of Regulation (EU) No 2018/1999, subject to the fulfilment of the Union target referred to in Article 4(2). The **natural disturbances** mechanism shall be available in addition to the flexibilities provided for in Article 12.

Or. en

## Amendment 52

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 13

Regulation (EU) 2018/841

Article 13b – paragraph 3 – subparagraph 1 – introductory part

#### *Text proposed by the Commission*

Where, in the period from 2026 to 2030, the result of the calculation referred to in paragraph 2 is positive, the Member State **concerned shall be entitled to compensate the excess emissions** provided that the following conditions are fulfilled:

#### *Amendment*

Where, in the period from 2026 to 2030, the result of the calculation referred to in paragraph 2 is positive, the Member State **may use the natural disturbances solidarity mechanism set out in this Article** provided that the following conditions are fulfilled:

Or. en

## Amendment 53

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 13

Regulation (EU) 2018/841

Article 13b – paragraph 3 – subparagraph 1 – point –a (new)

#### *Text proposed by the Commission*

#### *Amendment*

**(-a) the Member State has demonstrated that the positive result is directly linked to the impact of natural disturbances. The Commission may reject the evidence submitted by the Member State if it deems it is insufficiently**

*justified or disproportionate;*

Or. en

#### **Amendment 54**

##### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 13**

Regulation (EU) 2018/841

Article 13b – paragraph 3 – subparagraph 1 – point a

##### *Text proposed by the Commission*

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

##### *Amendment*

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

Or. en

#### **Amendment 55**

##### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 13**

Regulation (EU) 2018/841

Article 13b – paragraph 3 – subparagraph 1 – point b

##### *Text proposed by the Commission*

(b) the Member State has exhausted all other flexibilities available pursuant to this Article 12 of this Regulation ***or Article 7(1) of Regulation (EU) 2018/842;***

##### *Amendment*

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

Or. en

## Amendment 56

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 13

Regulation (EU) 2018/841

Article 13b – paragraph 3 – subparagraph 1 – point b a (new)

*Text proposed by the Commission*

*Amendment*

***(ba) there is a positive trend in relation to the Member State concerning the conservation status of habitats under Directives 92/43/EEC and 2009/147/EC;***

Or. en

## Amendment 57

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 13

Regulation (EU) 2018/841

Article 13b – paragraph 3 – subparagraph 1 – point c

*Text proposed by the Commission*

*Amendment*

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

(c) the difference in the Union between the annual sum of all greenhouse gas emissions and removals on its territory and in all of the land reporting categories referred to in Article 2(2), points (a) to (j), and the Union target ***of at least 490 million tonnes CO<sub>2</sub> equivalent of net removals, after exhausting all the other flexibilities available pursuant to Article 12,*** is negative, in the period from 2026 to 2030.

Or. en

### *Justification*

*In order to avoid double counting and to protect the environmental integrity of the LULUCF Regulation, a Member State may only use the natural disturbances solidarity mechanism if the Union net removals target for 2030 is overachieved, after deduction of any removals transferred according to Article 12.*

## Amendment 58

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 13

Regulation (EU) 2018/841

Article 13b – paragraph 3 – subparagraph 2

*Text proposed by the Commission*

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

*Amendment*

*In case the demand for compensation exceeds the amount of 89 million tonnes of CO<sub>2</sub> equivalent available under the natural disturbances solidarity mechanism, the compensation shall be distributed proportionally among the Member States concerned.*

Or. en

## Amendment 59

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 13

Regulation (EU) 2018/841

Article 13b – paragraph 5

*Text proposed by the Commission*

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

*Amendment*

*deleted*

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

Or. en

#### *Justification*

*Evidence of natural disturbances should be primary condition for the use of the natural disturbances solidarity mechanism, as included in paragraph 3.*

### **Amendment 60**

#### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 14**

Regulation (EU) 2018/841

Article 13c – paragraph 1

#### *Text proposed by the Commission*

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

#### *Amendment*

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

Or. en

### **Amendment 61**

#### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 14**

Regulation (EU) 2018/841  
Article 13c – paragraph 1 – point a (new)

*Text proposed by the Commission*

*Amendment*

**(a) the Commission shall impose, in any relevant year of the period from 2026 to 2030, an excess premium on that Member State equivalent to the amount in tonnes of CO<sub>2</sub> equivalent of the sum of greenhouse gas emissions and removals in excess of the limit established by the linear trajectory set out pursuant to Article 4(3) multiplied by EUR 375;**

Or. en

## Amendment 62

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

*Text proposed by the Commission*

*Amendment*

**An** amount equal to the amount in tonnes of CO<sub>2</sub> equivalent of the excess greenhouse gas net emissions, multiplied by a factor of 1,08, shall be added to the greenhouse gas emission figure reported by that Member State in the following year, in accordance with the measures adopted pursuant to Article 15.;

**(b) an** amount equal to the amount in tonnes of CO<sub>2</sub> equivalent of the excess greenhouse gas net emissions, multiplied by a factor of 1,08, shall be added to the greenhouse gas emission figure reported by that Member State in the following year, in accordance with the measures adopted pursuant to Article 15.;

Or. en

## Amendment 63

**Proposal for a regulation**  
**Article 1 – paragraph 1 – point 14**  
Regulation (EU) 2018/841  
Article 13c – subparagraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

***The Commission is empowered to adopt delegated acts in accordance with Article 16 in order to supplement this Regulation by setting out the means for collecting excess premiums imposed under point (a) of the first subparagraph.***

Or. en

#### **Amendment 64**

##### **Proposal for a regulation**

##### **Article 1 – paragraph 1 – point 14**

Regulation (EU) 2018/841

Article 13c – subparagraph 2 b (new)

*Text proposed by the Commission*

*Amendment*

***The amount of the excess premium shall be transferred to the financial support established under Article 4a(2) .***

Or. en

#### **Amendment 65**

##### **Proposal for a regulation**

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

Regulation (EU) 2018/841

Article 13d (new)

*Text proposed by the Commission*

*Amendment*

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

##### ***Article 13d***

##### ***International cooperation***

***Where a Member State decides to authorise the use of carbon credits from the LULUCF sector for offsetting by public or private entities, including***

*through Articles 6.2 or 6.4 of the Paris Agreement, the amount of removals transferred or used shall not be taken into account for the objective of meeting the annual targets of that Member State as set out in Article 4(3) of this Regulation.*

Or. en

## **Amendment 66**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 16 a (new)**

Regulation (EU) 2018/841

Article 16 – paragraph 2

#### *Present text*

2. The power to adopt delegated acts referred to in Articles 3(2), 5(6), 8(8) and (9), 9(2), 10(3) and 15(1) shall be conferred on the Commission for a period of five years from 9 July 2018. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

#### *Amendment*

***(16 a) in Article 16, paragraphs 2, 3 and 6 are amended as follows:***

2. The power to adopt delegated acts referred to in Articles 3(2), ***4(3), 4 (4a), 4a(3)***, 5(6), 8(8) and (9), 9(2), 10(3), ***13c*** and 15(1) shall be conferred on the Commission for a period of five years from 9 July 2018. The Commission shall draw up a report in respect of the delegation of power not later than nine months before the end of the five-year period. The delegation of power shall be tacitly extended for periods of an identical duration, unless the European Parliament or the Council opposes such extension not later than three months before the end of each period.

Or. en

## **Amendment 67**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 16 a (new)**

Regulation (EU) 2018/841

Article 16 – paragraph 3



*Present text*

3. The delegation of powers referred to in Articles 3(2), 5(6), 8(8) and (9), 9(2), 10(3) and 15(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

*Amendment*

3. The delegation of powers referred to in Articles 3(2), **4(3), 4 (4a), 4a(3)**, 5(6), 8(8) and (9), 9(2), 10(3), **13c** and 15(1) may be revoked at any time by the European Parliament or by the Council. A decision to revoke shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Or. en

**Amendment 68**

**Proposal for a regulation**

**Article 1 – paragraph 1 – point 16 a (new)**

Regulation (EU) 2018/841

Article 16 – paragraph 6

*Present text*

6. A delegated act adopted pursuant to Articles 3(2), 5(6), 8(8) and (9), 9(2), 10(3) and 15(1) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

*Amendment*

6. A delegated act adopted pursuant to Articles 3(2), **4(3), 4 (4a), 4a(3)**, 5(6), 8(8) and (9), 9(2), 10(3), **13c** and 15(1) shall enter into force only if no objection has been expressed either by the European Parliament or by the Council within a period of two months of notification of that act to the European Parliament and to the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or of the Council.

Or. en

## **Amendment 69**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 17**

Regulation (EU) 2018/841

Article 16a (new)

*Text proposed by the Commission*

*Amendment*

**(17) the following Article 16a is inserted:**

**deleted**

‘

#### **Article 16a**

##### **Committee procedure**

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

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

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

Or. en

## **Amendment 70**

### **Proposal for a regulation**

#### **Article 1 – paragraph 1 – point 18**

Regulation (EU) 2018/841

Article 17 – paragraph 2 – subparagraph 1

*Text proposed by the Commission*

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

*Amendment*

The Commission shall submit a report to the European Parliament and to the Council, no later than six months after **each** global stocktake agreed under Article 14 of the Paris Agreement, on the operation of this Regulation, including an assessment of the impacts of the flexibilities referred to in Article 11 **on the necessary increase in greenhouse gas emissions reductions and removals in the Union**, as well as on the contribution of this Regulation to the Union's **climate neutrality objective and intermediary climate targets set out in Regulation (EU) 2021/1119**, to the goals of the Paris Agreement, **and its contribution to other Union objectives and measures such as the 8th Environmental Action Programme, the EU Biodiversity Strategy for 2030 and the EU nature restoration targets. The report shall assess** in particular the need for additional Union policies and measures, **in particular taking into account any future improvement of the monitoring, data collection and reporting system concerning forests in the Union as announced under the New EU Forest Strategy for 2030, and** in view of the necessary increase in greenhouse gas emissions reductions and removals in the Union **and of the objective to protect and restore biodiversity and to ensure healthy ecosystems. The report shall take into account the best available and most recent scientific evidence, including the latest reports of the IPCC, IPBES and of the European Scientific Advisory Board on Climate Change referred to in Article 3 of Regulation (EU) 2021/1119.**

Or. en

## Amendment 71

### Proposal for a regulation

#### Article 1 – paragraph 1 – point 18

Regulation (EU) 2018/841

Article 17 – paragraph 2 – subparagraph 2

*Text proposed by the Commission*

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

*Amendment*

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

Or. en

## Amendment 72

### Proposal for a regulation

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

Regulation (EU) 2018/841

Article 17 – paragraph 2 a (new)

*Text proposed by the Commission*

*Amendment*

**(18a) in Article 17, the following paragraph 2a is inserted:**

**‘2a. No later than six months after the entry into force of Regulation (EU) .../... [EU Nature Restoration Law], the Commission shall submit a report to the European Parliament and to the Council assessing the consistency of this Regulation, in particular of the targets set out in Article 4(2), with the restoration targets set out in that Regulation. The report shall be accompanied, where appropriate, by legislative proposals to**

*amend this Regulation.'*

Or. en

### **Amendment 73**

#### **Proposal for a regulation**

#### **Article 2 – paragraph 1 – point 2**

Regulation (EU) 2018/1999

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

#### *Text proposed by the Commission*

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

#### *Amendment*

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

Or. en

### **Amendment 74**

#### **Proposal for a regulation**

#### **Annex II a**

Regulation (EU) 2018/841

Annex II a – table

#### *Text proposed by the Commission*

Member State	Value of the net greenhouse gas emissions reduction in <i>kt</i> of CO <sub>2</sub> equivalent in 2030
Belgium	<b>-1 352</b>
Bulgaria	<b>-9 718</b>
Czechia	<b>-1 228</b>
Denmark	<b>5 338</b>
Germany	<b>-30 840</b>
Estonia	<b>-2 545</b>
Ireland	<b>3 728</b>

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

*Amendment*

Member State	Value of the net greenhouse gas emissions reduction in <i>Mt</i> of CO <sub>2</sub> equivalent in 2030
Belgium	<b>-2,7</b>
Bulgaria	<b>-14,7</b>
Czechia	<b>-4,7</b>
Denmark	<b>3,5</b>
Germany	<b>-46,8</b>
Estonia	<b>-4,4</b>
Ireland	<b>1,1</b>
Greece	<b>-9,3</b>
Spain	<b>-66,2</b>

France	-62,5
Croatia	-8,0
Italy	-49,2
Cyprus	-0,6
Latvia	-3,4
Lithuania	-7,65
Luxembourg	-0,5
Hungary	-9,7
Malta	0,0
Netherlands	2,7
Austria	-9,64
Poland	-52,0
Portugal	-5,5
Romania	-35,9
Slovenia	-1,0
Slovakia	-8,9
Finland	-30,0
Sweden	-64,1
EU-27	-490

Or. en

*Justification*

*The amended Member State targets reflect the increase in ambition in the EU net removals target for 2030, using the same methodology as the one used in the Commission's proposal.*

## EXPLANATORY STATEMENT

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

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

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

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

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

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



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

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

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

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

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

## **3. Preserving the environmental integrity of the LULUCF Regulation**

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

The rapporteur sees no benefit for bringing non-CO<sub>2</sub> emissions of agriculture into LULUCF, as proposed by the European Commission. On the contrary, by doing so a risk of hiding emissions from the agricultural sector behind forest sink would be established, without incentives for the agricultural sector to decrease emissions.

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

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

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

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

