

Land use, land use change and forestry - review of EU rules

Fields marked with * are mandatory.

Introduction

The [European Green Deal](#), adopted by the Commission in December 2019, has tackling climate change and reaching the objectives of the Paris agreement and other environmental issues at its core. One of its central elements is the 2050 climate neutrality objective, which [the Commission proposed in 2018](#) and the European Council and Parliament endorsed (see [European Council conclusions of 12 December 2019](#); [European Parliament resolution of 14 March 2019](#); [European Parliament resolution of 28 November 2019](#)). The Commission [has proposed](#) to enshrine climate neutrality into EU law. In order to set the EU on a sustainable path to achieve climate neutrality by 2050, the Commission has also proposed an EU-wide, economy-wide net greenhouse gas (GHG) emissions reduction target by 2030 compared to 1990 of at least 55% in its [Communication on stepping up Europe's 2030 climate ambition](#).

Building on the 'Communication on stepping up the Europe's 2030 climate ambition', and on the existing 2030 legislation, the Commission will review and propose to revise, where necessary, the key relevant legislation by June 2021. This will include a coherent set of changes to the existing 2030 climate, energy and transport framework, notably related to: the EU Emissions Trading System (ETS) Directive, the Effort Sharing Regulation (ESR), the Land Use, Land Use Change and Forestry Regulation (LULUCF), CO₂ Emissions Performance Standards for Cars and Vans, the Renewable Energy Directive and the Energy Efficiency Directive.

This consultation focuses on the revision of the [Land Use, Land Use Change and Forestry Regulation](#), which covers the GHG emissions (carbon dioxide (CO₂), methane (CH₄) and nitrous oxide (N₂O)) and CO₂ removals caused by the way we manage our land and forests. The Regulation sets out rules to ensure that only human-induced emissions and removals are taken into account in the achievement of climate targets (so-called 'accounting rules'). The consultation will ask views on: the wide set of policy options that can be envisaged to drive mitigation action in the LULUCF sector; the ways to set more ambitious rules for the LULUCF sector; the policy linkages between the LULUCF sector and the agricultural sector.

This public consultation invites citizens and organisations to contribute to the assessment of how to translate the increased EU 2030 emission reduction ambition into upgraded LULUCF rules. The results of the consultation (which will be summarised and published) will inform the Impact Assessment, accompanying the Commission proposal for revising the LULUCF Regulation.

There are (or shortly will be) additional parallel public consultations on the review of the Effort Sharing Regulation, the EU ETS Directive and the CO₂ standards for cars and vans regulation.

Guidance on the questionnaire

This public consultation consists of some introductory questions related to your profile, followed by a questionnaire. **Please note that you are not obliged to respond to all questions in the questionnaire.**

The Commission already held an open public consultation on increasing the 2030 climate ambition, which was open for 12 weeks from 31 March to 23 June 2020. Many high-level questions related to the increased climate ambition were asked in the context of that consultation. The present questionnaire therefore focuses on more specialised and detailed questions on the design of the LULUCF Regulation required to best achieve the revised target.

At the end of the questionnaire, you are invited to provide any additional comments and to upload additional information, position papers or policy briefs that express the position or views of yourself or your organisation.

The results of the questionnaire as well as the uploaded position papers and policy briefs will be published online. Please read the specific privacy statement attached to this consultation informing on how personal data and contributions will be dealt with.

In the interest of transparency, if you are replying on behalf of an organisation, please register with the register of interest representatives if you have not already done so. Registering commits you to complying with a Code of Conduct. If you do not wish to register, your contribution will be treated and published together with those received from individuals.

About you

* Language of my contribution

- Bulgarian
- Croatian
- Czech
- Danish
- Dutch
- English
- Estonian
- Finnish
- French
- German
- Greek
- Hungarian
- Irish
- Italian

- Latvian
- Lithuanian
- Maltese
- Polish
- Portuguese
- Romanian
- Slovak
- Slovenian
- Spanish
- Swedish

* I am giving my contribution as

- Academic/research institution
- Business association
- Company/business organisation
- Consumer organisation
- EU citizen
- Environmental organisation
- Non-EU citizen
- Non-governmental organisation (NGO)
- Public authority
- Trade union
- Other

* First name

Jukka

* Surname

Makkonen

* Email (this won't be published)

jukka.makkonen@energia.fi

* Organisation name

255 character(s) maximum

Finnish Energy

* Organisation size

- Micro (1 to 9 employees)
- Small (10 to 49 employees)
- Medium (50 to 249 employees)
- Large (250 or more)

Transparency register number

255 character(s) maximum

Check if your organisation is on the [transparency register](#). It's a voluntary database for organisations seeking to influence EU decision-making.

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* Country of origin

Please add your country of origin, or that of your organisation.

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| <input type="radio"/> Afghanistan | <input type="radio"/> Djibouti | <input type="radio"/> Libya | <input type="radio"/> Saint Martin |
| <input type="radio"/> Åland Islands | <input type="radio"/> Dominica | <input type="radio"/> Liechtenstein | <input type="radio"/> Saint Pierre and Miquelon |
| <input type="radio"/> Albania | <input type="radio"/> Dominican Republic | <input type="radio"/> Lithuania | <input type="radio"/> Saint Vincent and the Grenadines |
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| <input type="radio"/> Angola | <input type="radio"/> Equatorial Guinea | <input type="radio"/> Malawi | <input type="radio"/> Saudi Arabia |
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| <input type="radio"/> Antarctica | <input type="radio"/> Estonia | <input type="radio"/> Maldives | <input type="radio"/> Serbia |
| <input type="radio"/> Antigua and Barbuda | <input type="radio"/> Eswatini | <input type="radio"/> Mali | <input type="radio"/> Seychelles |
| <input type="radio"/> Argentina | <input type="radio"/> Ethiopia | <input type="radio"/> Malta | <input type="radio"/> Sierra Leone |

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- Azerbaijan
- Bahamas
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- Bangladesh
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- Belarus
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- Belize
- Benin
- Bermuda
- Bhutan
- Bolivia
- Bonaire Saint Eustatius and Saba
- Bosnia and Herzegovina
- Botswana
- Bouvet Island
- Brazil
- British Indian Ocean Territory
- British Virgin Islands
- Falkland Islands
- Faroe Islands
- Fiji
- Finland
- France
- French Guiana
- French Polynesia
- French Southern and Antarctic Lands
- Gabon
- Georgia
- Germany
- Ghana
- Gibraltar
- Greece
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- Grenada
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- Guinea
- Guinea-Bissau
- Guyana
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- Mexico
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- Mozambique
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- Namibia
- Nauru
- Nepal
- Netherlands
- New Caledonia
- New Zealand
- Nicaragua
- Niger
- Singapore
- Sint Maarten
- Slovakia
- Slovenia
- Solomon Islands
- Somalia
- South Africa
- South Georgia and the South Sandwich Islands
- South Korea
- South Sudan
- Spain
- Sri Lanka
- Sudan
- Suriname
- Svalbard and Jan Mayen
- Sweden
- Switzerland
- Syria
- Taiwan
- Tajikistan
- Tanzania
- Thailand
- The Gambia

- Brunei
- Bulgaria
- Burkina Faso
- Burundi
- Cambodia
- Cameroon
- Canada
- Cape Verde
- Cayman Islands
- Central African Republic
- Chad
- Chile
- China
- Christmas Island
- Clipperton
- Cocos (Keeling) Islands
- Colombia
- Comoros
- Congo
- Cook Islands
- Costa Rica
- Côte d'Ivoire
- Croatia
- Haiti
- Heard Island and McDonald Islands
- Honduras
- Hong Kong
- Hungary
- Iceland
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- Indonesia
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- Ireland
- Isle of Man
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- Jersey
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- Kosovo
- Kuwait
- Nigeria
- Niue
- Norfolk Island
- Northern Mariana Islands
- North Korea
- North Macedonia
- Norway
- Oman
- Pakistan
- Palau
- Palestine
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- Qatar
- Réunion
- Romania
- Timor-Leste
- Togo
- Tokelau
- Tonga
- Trinidad and Tobago
- Tunisia
- Turkey
- Turkmenistan
- Turks and Caicos Islands
- Tuvalu
- Uganda
- Ukraine
- United Arab Emirates
- United Kingdom
- United States
- United States Minor Outlying Islands
- Uruguay
- US Virgin Islands
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- Venezuela
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- Cuba
- Curaçao
- Cyprus
- Czechia
- Democratic Republic of the Congo
- Denmark
- Kyrgyzstan
- Laos
- Latvia
- Lebanon
- Lesotho
- Liberia
- Russia
- Rwanda
- Saint Barthélemy
- Saint Helena Ascension and Tristan da Cunha
- Saint Kitts and Nevis
- Saint Lucia
- Wallis and Futuna
- Western Sahara
- Yemen
- Zambia
- Zimbabwe

* Publication privacy settings

The Commission will publish the responses to this public consultation. You can choose whether you would like your details to be made public or to remain anonymous.

Anonymous

Only your contribution, country of origin and the respondent type profile that you selected will be published. All other personal details (name, organisation name and size, transparency register number) will not be published.

Public

Your personal details (name, organisation name and size, transparency register number, country of origin) will be published with your contribution.

I agree with the [personal data protection provisions](#)

Part I: Mobilising the mitigation and business potential of the land sector and the bio-economy

The sector called Land Use, Land Use Change and Forestry (LULUCF) is important to reach the 2050 climate neutrality target because it can act as a carbon sink (i.e. it can sequester carbon from the atmosphere) and as a carbon storage (i.e. it can potentially store carbon for a long time). It can also contribute to preserving biodiversity, adapting to climate change (by providing ecosystems services that protect against floods and desertification) and avoiding emissions in other sectors (by providing bio-based materials that replace fossil-based ones, e.g. in the construction sector). These land functions are interconnected in a complex system that presents both synergies and trade-offs. Striking a good balance between these functions is important for a thriving bio-economy (i.e. the set of ecosystem services and

economic sectors that rely on the land system, such as the primary production sectors and sectors that use and process bio-based materials).

In the European Union, the LULUCF sector sequesters more carbon than it loses to the atmosphere (i.e. it is a net sink). However, the net sink has been steadily decreasing since 2008, and, according to Member States' projections in the National Energy and Climate Plans, this negative trend is set to continue in the next decade. Therefore, we need to **reverse this trend**, while striking the right balance between all land functions, in order to achieve the increased EU climate ambition (at least -55% of net emissions below 1990 levels by 2030 and climate neutrality by 2050).

Among the following drivers behind the decline of the land-based net carbon sink, which are the most important in your view

Please rate from 5 (most important) to 1 (least important). Not all need to be rated.

	1	2	3	4	5
Natural disturbances (weather events, fires, pest outbreaks...) that are caused or accelerated by climate change	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Unsustainable land management practices impacting carbon stocks and sinks	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Increase in wood harvests	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Slowdown in forest growth due to their age	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Slowdown in afforestation and reforestation activities	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Conversion of carbon-rich land (deforestation, draining of wetland or peatland), land take and soil sealing (expansion of built-up and artificial areas)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Use of biomass for bio-energy instead of long-lived products	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other...	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Among these potential EU policy approaches to promote climate change mitigation in land-related sectors, which do you think are the most relevant to achieve a higher climate ambition in 2030?

Please rate from 5 (most important) to 1 (least important). Not all need to be rated.

	1	2	3	4	5
EU sets national targets which Member States can achieve in different ways (e.g. Common Agricultural Policy, national forest policies, other national policies)	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
An improved EU framework on monitoring, reporting and verifying emissions and removals	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Reinforce the creation of relevant EU datasets (e.g. dedicated Copernicus service)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
EU labels for climate-neutral products or climate footprints	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>

EU taxes or subsidies	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
EU market-based policies (e.g. the use of emissions trading for land-related sectors)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
EU policies to promote more sustainable and healthier diets	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Other...	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

An important function of the land is to supply bio-based and renewable materials (wood, ligno-cellulosic products, bio-plastics, bio-chemicals, etc...) that can substitute fossil-based and non-renewable materials. In addition, the LULUCF rules recognise long-lived wood products (e.g. those used in the construction sector) as a form of temporary carbon storage. What is the best policy approach to harness this substitution effect and carbon storage potential?

Multiple answers are possible.

- Promote carbon storage in wood products via a modification of the LULUCF rules
- Promote carbon storage in wood products via carbon farming approaches (e.g. using wood products in the construction sector leads to issuing carbon credits that can be sold on voluntary carbon markets)
- Promote carbon storage in wood products via tax incentives or financial support
- Support for research and innovation into more sustainable production of woody biomass and more sustainable use of wood-based materials, products and by-products
- Training (e.g. for land managers, engineers, architects) and awareness raising
- Other...

In which areas should the EU focus efforts to enhance carbon sinks and protect carbon stocks?

Please rate from 5 (most important) to 1 (least important). Not all need to be rated.

	1	2	3	4	5
Afforestation, reforestation, forest restoration	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Agro-ecology and agro-forestry	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>
Bioenergy coupled with carbon capture and storage (BECCS)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Soil carbon increase in agricultural lands	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Protection and restoration of wetland and peatland ecosystems	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>	<input type="radio"/>

Grassland management	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>
Carbon storage in long-lived wood-based materials and products	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other...	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>

Please specify:

1000 character(s) maximum

National differences should be noted. Paris Agreement imposes member states to decide whether to decrease emissions or increase sinks (forest, agro etc). It is clear that all sectors will have to do their share in climate change mitigation, but some parts of the LULUCF reacts rather slowly to policy changes.

How should more ambitious climate action in land-related sectors be financed?

Please rate from 5 (most important) to 1 (least important). Not all need to be rated.

	1	2	3	4	5
Subsidies (e.g. Common Agricultural Policy or national policies)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Higher product prices (e.g. via label mechanisms that allow producers to set a higher price)	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
A dedicated EU or national fund	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>
Revenues from selling land-based carbon credits	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input checked="" type="radio"/>	<input type="radio"/>
Other...	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>	<input type="radio"/>

Part II: Overall policy approach

Which is your preferred policy approach to revise the LULUCF Regulation in view of the increased 2030 climate ambition?

Multiple answers are possible.

- Strengthen the current LULUCF Regulation and increase its ambition in line with the 2030 Climate Target Plan.
- Strengthen the flexibility with the Effort Sharing Regulation.
- Combine the emissions from agriculture and LULUCF sectors into a single climate policy pillar with a separate target.
- Other...

Please specify:

1000 character(s) maximum

The inclusion of waste management and WtE plants into the LULUCF should be considered when ESR discontinues in 2030s.

Part III: Setting more ambitious rules for the Land Use, Land Use Change and Forestry sector

The land use, land use change and forestry (LULUCF) Regulation sets out rules to ensure that only human-induced changes in the net carbon sink are taken into account in the achievement of climate targets (so-called '**accounting rules**'). For instance, the rule for existing forests (which are by far the largest component of the LULUCF sector) is to only take into account changes in the net carbon sink with respect to the sink that would have occurred under the continuation of past management practices; this baseline is called a Forest Reference Level.

If, after the application of these rules, the net sink is larger than in the accounting baseline, Member States generate **credits** which can be used to achieve national emission reduction targets under the Effort Sharing Regulation (ESR); if, instead, it is smaller, Member States generate **debits**. Member States have committed, under the current legislation, to not creating any debits ("**no-debit rule**") - if they do, the other ESR sectors must make a bigger climate effort to compensate for these debits and achieve the national climate targets.

This approach is now being reviewed to make it fit for the higher 2030 climate target of at least -55% and a climate neutral EU in 2050.

In your opinion, should there be more stringent targets for the LULUCF sector?

- Yes, there should be more stringent targets than the current "no-debit" rule
- No, continue with the current no-debit rule
- Other...

In case there would be national targets for the LULUCF sector, what criterion should these targets be based on?

- The Member State's wealth (GDP per capita)
- The Member State's potential to increase the net sink in a cost-efficient way
- A percentage increase compared to the Member State's past net sink
- A percentage increase compared to the Member State's net sink in a baseline that is specific to each land use category (historic baseline for agricultural land, the Forest Reference Level for existing forests)
- The Member State's share of agricultural land, forest land and wetland
- Other...

In the current LULUCF Regulation, emissions and removals from existing forests are compared to a Forest Reference Level. The concept of reference levels was chosen to ensure a smooth transition from a similar concept under the Kyoto Protocol. Should the EU continue with the reference level concept?

- Yes, continue to compare the net sink from existing forests to a Forest Reference Level which is based on the continuation of past management practices
- Yes, continue to use Forest Reference Levels, but harmonise the methodology to establish them across Member States
- No, compare the net sink in existing forests to a historic baseline (“net-net” accounting); such a baseline corresponds to a larger sink than the Forest Reference Level.
- No, take into account the entire net sink in existing forests, without comparing it to any baseline (“gross-net” accounting)
- Other...

Among these options to reinforce the LULUCF monitoring, reporting and verification (MRV) rules, which are your preferred ones?

Multiple answers are possible.

- Use more precise emission factors or emission modelling (i.e. tier 2 or tier 3)
- Use high resolution and wall-to-wall satellite imagery to identify where land use change happens
- Make the uptake of up-to-date data and advanced reporting methodologies a precondition for flexibilities with other sectors
- Introduce new requirements to report estimates for all carbon pools and greenhouse gases
- Reinforce biodiversity, ecosystem and adaptation considerations into the reporting requirements
- Other...

Part IV: Links between land use and agriculture

EU climate policy covers emissions from agricultural land use under the LULUCF Regulation, and methane and nitrous oxide emissions from agricultural activities under the Effort Sharing Regulation. There is some flexibility between these two Regulations: if a Member State generates LULUCF credits, they can use them to achieve their Effort Sharing target.

The Commission estimates that the agriculture, forestry and other land use sectors, taken together (referred to as “AFOLU” in the technical jargon, and as “the land sector” in the following), could achieve climate neutrality already in 2035. The de facto very close link between agriculture activities and land use is sometimes used as an argument for integrating them more strongly in the climate policy architecture. Conversely, other stakeholders may consider that it is necessary to maintain a separation between emissions from agriculture and removals from the land sector.

How should the architecture of EU climate policy be designed when it comes to agriculture and land use?

- Continue to include agricultural non-CO₂ emissions under the Effort Sharing Regulation; continue to allow for the use of LULUCF credits in the Effort Sharing Regulation up to the current limit.
- Continue to include agricultural non-CO₂ emissions under the Effort Sharing Regulation; increase the possibility to use LULUCF credits in the Effort Sharing Regulation, independent of a change to Effort Sharing Regulation target levels.
- Continue to include non-CO₂ agricultural emissions under the Effort Sharing Regulation; increase the possibility to use LULUCF credits in the Effort Sharing Regulation, but only in case Effort Sharing Regulation targets are increased.
- Create a new policy strand, which covers agricultural non-CO₂ and land use emissions together.
- Other...

In case there were to be a single policy strand covering emissions from the land sector (agriculture, forestry and other land use), should there then be a specific target for this sector?

- Yes, there should be an EU-wide target, and then Member States should be required to 'pledge' their contribution to this target
- Yes, there should be legally-binding national targets
- No
- Other...

In case there were to be national targets for the land sector (agriculture, forestry and other land use), what criterion should these targets be based on?

- The importance of land-related activities in the Member State's economy
- The Member State's potential to achieve climate neutrality in the EU land sector in a cost-efficient way
- A percentage increase compared to the Member State's past emissions and removals from the land sector
- The Member State's share of agricultural land, forest land and wetland
- Other...

Additional feedback

Should you wish to provide additional information (for example a position paper) or raise specific points not covered by the questionnaire, you can upload your additional document here.

Please note that the uploaded document will be published alongside your response to the questionnaire which is the essential input to this public consultation. The document is an optional complement and serves as additional background reading to better understand your position.

Please upload your file

The maximum file size is 1 MB

Only files of the type pdf,txt,doc,docx,odt,rtf are allowed

Contact

CLIMA-LULUCF@ec.europa.eu