

Public Submission on the Delegated Act

The Member States' reference levels show a clear trend: Over the next five years less carbon will be stored in European forests.

This is the second way the LULUCF regulation has permitted carbon loss in forests. First, it negotiated how much carbon dioxide (CO₂) was considered stored in forests from 2000-2009. This starting point, or baseline, allowed for around 40 million tons of CO₂ worth of increased harvesting compared to actual emissions.

Now the reference levels presented in the delegated act will allow Member States and the UK to further reduce the CO₂ stored in their forest by another 40 million tons over the first half of this decade. Taken together these amount to an **18.7 per cent drop in the carbon sink** from early 2000s levels. This jeopardizes the integrity of the EU's 2030 climate target for and is not in line with goals to maintain or enhance the carbon stored in forests.

The LULUCF sink reduction comes at the same time as many EU voices – citizens, Member States and Members of the European Parliament (MEPs) are calling for a significant increase of the EU's greenhouse gas cutting target, which the Commission President has committed to.

In addition to the allowed decreased in harvesting there are other flaws that impact the construction of the reference level that Fern and FANC – members of the LULUCF Expert Group - outlined:

- **Countries are allowed to increase harvesting of old trees with minimal justification:** Older forests are vital not just as carbon stocks and ongoing carbon sinks, but also for their biodiversity and social value. Cutting old trees is not in line with climate objectives or the EU Biodiversity Strategy, which outlines the need to protect 'remaining primary and old-growth forests'.
- **Little of the estimated reduction in the carbon sink will be accounted for, even if it is used as bioenergy:** The LULUCF Regulation aimed to ensure emissions from increased biomass energy use would be accounted for. This is a founding idea behind the sustainability criteria in the Renewable Energy Directive, but it does not seem to be accounted for in the Member State National Forest Accounting Plans (NFAPs). The 'constant ratio' principle (maintaining the percentage of wood used for energy and wood used for materials) in the LULUCF Regulation is of little solace given that many countries increase their amount of wood harvested and admit that the 2000-2009 baseline ratio is based on patchy data. This ratio has been little scrutinised by the EU Expert Group.
- **Countries can define forest management intensity, a key parameter for establishing reference levels, in differing ways:** The Commission has identified seven differing interpretations, which for some forested countries, like Finland and Estonia, have allowed for significant drops in carbon storage over the next five years.

As the reference levels in the Delegated Act and [recent analysis](#) confirm, LULUCF is not a sufficient instrument to ensure countries enhance the contribution of the land sector to reach 1.5°C. It will at best maintain current logging practices over this upcoming decade without regard for their intensity, which is currently having [serious impacts](#) on forest health.

Countries are more likely to increase their ambition level in the land-use sector if there is a closer connection between improved management practices, co-benefits of other policy targets (e.g. area of organic farming, hectares of restored ecosystems) and greenhouse gas inventories. **There is a clear need for a carbon removals target to increase ambition in the land sector.**

Such a carbon removals target should be the central debate when reviewing climate and land-use policy to increase Europe's ambition. We need to take older forests out of the line of fire, carve a pathway for biodiversity-friendly management practices and support foresters to enhance the biodiversity and carbon stored in their forests.



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