

Brussels, 25 June 2021
(OR. en)

Interinstitutional File:
2020/0036(COD)

10125/21
ADD 1

CODEC 958
CLIMA 160
ENV 457
ENER 300

'A' ITEM NOTE

From:	General Secretariat of the Council
To:	Council
Subject:	Draft REGULATION OF THE EUROPEAN PARLIAMENT AND OF THE COUNCIL establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law') (first reading) - Adoption of the legislative act = Statements

Statements by the Commission

LULUCF sink and 2030 target

The EU land use, land use change and forestry (LULUCF) sector both emits greenhouse gases and absorbs CO₂ in its soil and biomass. Restoring and growing our land carbon sink – the ability to absorb CO₂ by our natural environment such as trees - is crucial to our climate goals.

We need a growing sink in order for the EU to achieve climate neutrality by 2050. Reversing the current trend requires significant short-term action. The Commission Communication “Stepping up Europe’s 2030 climate ambition - Investing in a climate-neutral future for the benefit of our people” estimates that it is needed and possible to reverse the current trend and increase the carbon sink to levels above 300 million tons CO₂eq. by 2030.

The Commission will make proposals to revise the LULUCF Regulation, in line with this ambition.

Access to Justice

The EU and its Member States are parties to the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters of 25 June 1998 (the ‘Aarhus Convention’).

When performing their obligations under Regulation (EU) 2018/1999 concerning the involvement of the public in the preparation of the national energy and climate plans and the consultations on the long-term strategies, Member States should ensure that the public concerned is granted access to justice in case of breach of such obligations. This shall be in line with the relevant case law of the Court of Justice of the European Union related to access to justice in environmental matters and in full respect of the obligations Member States have undertaken as parties to the Aarhus Convention.¹

¹ See also Communication on ‘Improving access to justice in environmental matters in the EU and its Member States’ (11854/20 - COM(2020) 643).