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MEETING DOCUMENT

From:	General Secretariat of the Council
To:	Coreper I
Subject:	Non-ETS (LULUCF): Coreper 1 on 16 November - DE comments on Art 8 and 12

With a view to the Coreper 1 meeting on 16 November delegations will find attached comments from Germany on the above.

Anlage 1

German comments on the Presidency's preparation for the trilogue regarding the

Proposal for a Regulation of the European Parliament and of the Council on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework and amending Regulation No 525/2013 of the European Parliament and the Council on a mechanism for monitoring and reporting greenhouse gas emissions and other information relevant to climate change

Article 8

2. Where the result of the calculation referred to in paragraph 1 is negative in relation to a Member State forest reference level, the Member State concerned shall include in its managed forest land accounts total net removals of no more than the equivalent of 3,5 % of the [...] emissions of that Member State in its base year or period as specified in Annex III, multiplied by five.

The carbon pools of harvested wood products and deadwood are included in the land category managed forest land. If net removals from the carbon pools listed in Annex I B (a-c; e) exceed the equivalent of 3.5 %, net removals resulting from the carbon pools of harvested wood products and deadwood of managed forest land shall not be subject to this limitation.

Justification

It should be clarified that the exception regarding the 3.5% cap does not change the accounting rule for harvested wood products and deadwood. Both carbon pools still need to be accounted within the land category managed forest land based on the Forest Reference Level.

Article 12

2a. The Commission shall report in 2027, for the period from 2021 to 2025, and in 2032, for the period 2026 to 2030, on the Union's total emissions and removals of greenhouse gases for each of the land accounting categories referred to in Article 2 calculated as the total reported emissions and removals for the period minus the value obtained by multiplying by five the Union's average annual reported emissions and removals in the period 2000 to 2009.

If the balance is negative, [...] the Commission shall assess how sinks can be restored and, if appropriate, make a proposal how to introduce incentives for decreasing emissions and increasing removals in the LULUCF sector.

Justification

The Commission shall be obliged to carry out an analysis. Based on this analysis, it is the Commission's responsibility to decide if a proposal to introduce incentives for decreasing emissions and increasing removals in the LULUCF sector will be tabled.