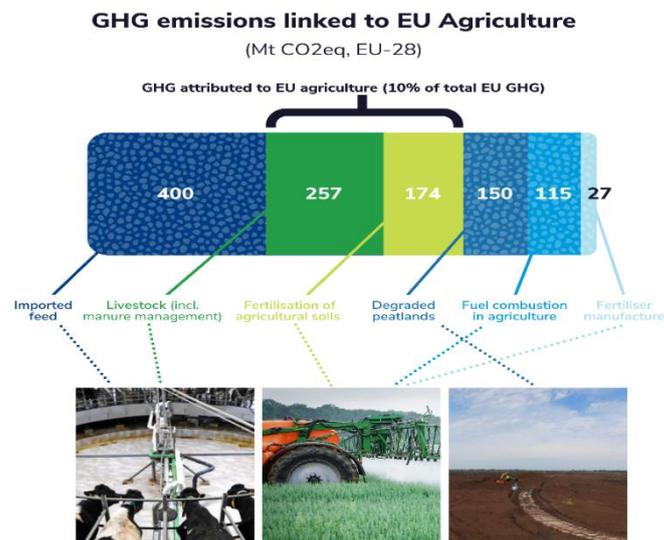


EEB’s additional information document to the questionnaires on the revision of the Effort Sharing and Land use, land use change and forestry regulations

The European Environmental Bureau (EEB) welcomes the European Commission’s effort to review the Effort Sharing regulation (ESR) and Land use, land use change and forestry (LULUCF) regulation as well as other climate legislation such as the EU ETS directive in order to achieve a higher greenhouse gas (GHG) emissions reduction target by 2030, of at least net 55 %. We would like to use this new opportunity to recall to the European Commission that science requires a target of at least 65% to respect its Paris Agreement’s commitments¹.

The EEB is pleased to participate in this review process and the present paper will provide additional information on our views on the future climate governance that is needed to better reduce the EU’s emissions in the agricultural sector in light with our answers to the questionnaires concerning the ESR and LULUCF regulation². This sector is crucial to limit global warming to 1.5 degrees and has high untapped potential of emissions reduction. Nowadays, the global food system, from farm to fork, is responsible for about 25-30% of global GHG emissions. In the EU, agricultural emissions from livestock farming and fertilizer use account for around 10% of total GHG emissions, although this only reflects a fraction of the overall climate impacts of agricultural activities, cf. Figure 1.

Figure 1 GHG emissions linked to EU Agriculture³:



While there is growing consensus among the scientific community that our food systems must become more sustainable to tackle the climate crisis and to respect our climate obligations, little has been done by the EU

¹ <https://meta.eeb.org/2020/12/16/emissions/>

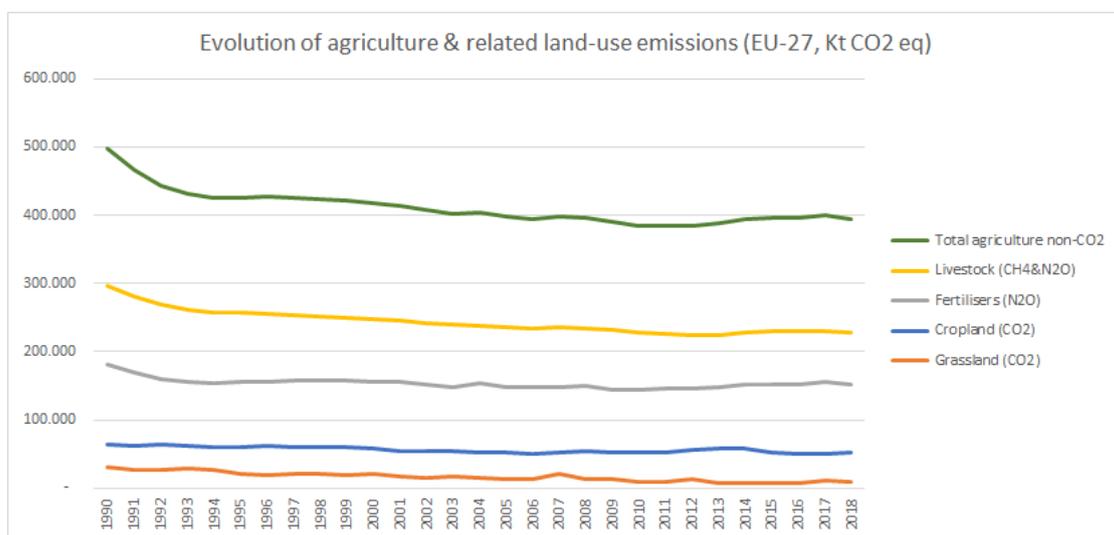
² The EEB also submitted a response to the questionnaire on the updating of the EU emissions trading system (ETS).

³ For more information, see our Briefing “A CAP for a climate neutral Europe”. Emissions data from GHG Emissions reported to the UNFCCC, 2020; for Degraded peatlands: Greifswald Mire Centrum; for Fuel combustion in agriculture: IDDRI Agroecology and carbon-neutrality in Europe by 2050; for Imported feed: Leip et al (2015).

in its agriculture policy to respond to this challenge. On this point, the proposals and current positions of other EU institutions on the future Common Agricultural Policy (CAP) are more than disappointing. Furthermore, while the EEB welcomed many aspects and announcements of the Farm to Fork strategy, the lack of commitments to tackle livestock emissions, which account for the majority of agriculture’s climate impacts is regrettable.

Emissions from agricultural activities (non-CO₂ emissions) and related land use (CO₂ emissions) are currently governed by different legislations (respectively the ESR and LULUCF regulation). In both cases, they are grouped with other sectors which have born the bulk of the emissions reduction efforts over the past decade. According to the European Environment Agency, while agriculture is the third largest source of emissions in the ESR sectors, its emissions have been constant since 2005 and the sector has hardly contributed to the reductions in the ESR⁴. Further to that, the sector is still a net source of CO₂ from land use (cf. Figure 2), despite having the potential to achieve negative emissions. Projections of non-CO₂ emissions from agriculture are expected to fall by less than 5% by 2030⁵, while the LULUCF sink is expected to substantially shrink over the next decade⁶. This strongly jeopardises the achievement of the Paris Agreement targets and must therefore be addressed through a much more ambitious climate framework covering agriculture and LULUCF. The revision of the 2030 climate and energy framework offers a crucial opportunity to start a real decrease of the emissions from agricultural activities and related land use, and obviously through the revision of the ESR and LULUCF regulation.

Figure 2 Evolution of agricultural and related land-use emissions:



Source: EEA, GHG inventory reported to the UNFCCC in 2020

In addition to our response to the two questionnaires on these regulations, the EEB would like to stress our key concerns and priorities for the reform of the climate legislative framework, which we urge the European Commission to take into due consideration:

⁴ European Environmental Agency, “National action across all sectors needed to reach greenhouse gas Effort Sharing targets”, 10 March 2020.

⁵ [Climate measures in agriculture | CAP Reform](#)

⁶ [Commission's 2030 Climate Target Plan proposes radical changes in the rules governing agricultural and land GHG emissions | CAP Reform](#)

Specific, binding EU-level and national GHG reduction targets for agriculture and related land use (i.e. non-CO₂ and CO₂ emissions from agriculture) are paramount.

The lack of a specific target for agricultural emissions has de facto given the sector a free pass in the fight against climate change for the last decade, placing an unfair burden on other sectors, while low hanging fruits in terms of emissions reductions remain in agriculture. Binding national emissions reduction targets are required to drive the urgent transition to climate-friendly farming in a fair and sustainable way. This is especially crucial as several climate mitigation measures can also have significant benefits for climate adaptation in agriculture and biodiversity. Such measures, which should be prioritised, include agroforestry, agronomic practices that increase soil organic carbon and reduce mineral fertiliser use, conservation grazing, and peatland rewetting and restoration. Climate action in agriculture can therefore bring triple wins, but it needs to be driven by binding targets. According to the study “A survey of GHG mitigation policies for the agriculture, forestry and other land use sector”⁷ of the Organisation for Economic Co-Operation and Development (OECD) published in October 2020, only one Member State (Ireland) set a legally binding AFOLU-specific target while a small number of Member States have also set non-binding targets for the sector. This approach must be pursued at the EU level to avoid unfairness between Member States and to ensure a level-playing field between them. Thus, we urge the European Commission to establish binding GHG emissions reduction targets for agricultural activities and related land use for the EU as a whole and for each Member State, taking into consideration the national structure of the sector.

There cannot be flexibility between removals and emissions reductions.

In order to limit global warming to 1,5°C, enhancing removals and cutting emissions are not an “either-or” choice, but two parallel top priorities. It is therefore crucial that the revised climate legislative framework drives action on both fronts simultaneously and does not allow underperformance in emitting sectors to be compensated by natural sinks. In other words, the introduction of an AFOLU regulation could be a positive step only if it increases the EU’s climate ambitions. This means first that it should not create new offsets between AFOLU and other sectors, especially those covered by the EU ETS. Second, to achieve the required efforts in agriculture, this regulation should not allow agricultural emissions to be compensated by forestry and land use that are not related to agricultural activities, until agriculture has reached its full emissions reduction potential.

The ESR and its binding national targets are key climate tools and must not be phased out, whether or not agriculture remains included in the ESR.

In this revision process and starting by the Communication “Stepping up Europe’s 2030 climate ambition” and its accompanying impact assessment, the European Commission suggested that the ESR could be phased out, notably in the options of reducing its scope. The EEB considers this regulation as an important instrument that helped to start the EU climate transition. Its repeal could jeopardize the new European climate ambitions, including reaching climate-neutrality by 2050. Setting national binding emission reduction targets under the ESR is crucial. They must be retained and at a minimum be increased to be in line with at least the new 2030 emissions reduction target. Binding national GHG emissions reduction targets are key instruments, and

⁷ Henderson, B., C. Frezal and E. Flynn (2020-10-15), “A survey of GHG mitigation policies for the agriculture, forestry and other land use sector”, OECD Food, Agriculture and Fisheries Papers, No. 145, OECD Publishing, Paris. <http://dx.doi.org/10.1787/59ff2738-en>.

certainly the best solution, to push the Member States to achieve their climate obligations. Phasing out the ESR would mean therefore to reduce incentives for effective national measures. Finally, maintaining the ESR while introducing a new legislation – such as a new Agriculture, Forestry and Land Use (AFOLU) instrument - increasing climate ambitions are two elements that are not contradictory.

If these conditions are met, combining agriculture non- CO₂ emissions and LULUCF emissions under one regulatory instrument can become the most effective solution.

In this review process, the European Commission has suggested this via the creation of a new AFOLU regulation. This option has merit and could become the relevant climate instrument to set binding national sub-targets covering all emissions from agricultural activities and related land use. Given the right safeguards, it could be a well-designed tool to recognize and achieve the efforts needed to reduce GHG emissions and increase removals in agriculture, in particular by promoting the creation of policies that consider all emissions linked to farm management systems and practices (for example, soil management practices have impacts both on nitrous oxide and carbon dioxide emissions, so climate policies must consider the combined effect on both gases to be effective). Such an instrument could therefore make more sense from farmers' perspectives because their own decisions impact both CO₂ and non-CO₂ agricultural emissions.