RESPONSE TO THE PUBLIC CONSULTATION ON THE REVISION OF THE EFFORT SHARING REGULATION

The European Environmental Bureau (EEB) welcomes the European Commission for its effort to review its Regulation (EU) 2018/842. In this Inception Impact Assessment, the Commission recalls that it proposed an "EU-wide net greenhouse gas emissions reduction target by 2030 compared to 1990 at least 55%". While the institutions of the EU have not yet taken a final decision on the level of this target, the EEB would like to recall that this target should be at least of 65% net GHG reduction to have a chance to limit the global temperature rise to 1.5C by 2050 on pre-industrial levels. To achieve climate neutrality by 2050 in the EU as well as the highest possible GHG emissions reduction target by 2030, the agricultural sector must play a crucial role. Indeed, the global food system, from farm to fork, is responsible for about 25-30% of global GHG emissions. Many key solutions must be implemented by the EU to reduce the impacts of the agricultural sector on climate, including aligning the CAP with the climate objectives of the Green Deal.

When it comes to the European climate-related policy instruments concerned by the present public consultation, the EEB emphasizes that the Commission must work on defining a single and specific GHG net reduction target by 2030 concerning only the European agricultural, forestry and land use sector (AFOLU sector). Contrary to many other sectors, the AFOLU sector has the particularity to emit three different GHG, with different impact and different lifetimes in the atmosphere: carbon dioxide, methane, and nitrous oxide. As the AFOLU sector presents such a particularity, it deserves a specific target. Such a target must include all the GHG emissions of the sector (CO_2 and non-CO_2). This European target should be declined for each Member States under legally binding national targets. Also, in this revision process, the Commission should study how to make the EU policies concerning the impacts of the AFOLU sector on climate more coherent – including between the relevant climate-related policy instruments. A single and coherent legal framework is needed to oblige Member States to take all GHG emissions from the AFOLU sector into account and link farm management systems and practices to land use.

Among the three options presented in this Inception Impact Assessment, the EEB notes that the most ambitious one is Option 3 because it implies to combine agriculture with LULUCF while maintaining the ESR. For us, the agriculture sector must be integrated within LULUCF. Thus, the Commission must study deeply the opportunities and the impacts of implementing an AFOLU regulation. However, we consider that such a new regulation must remain separate of the ETS rules and sectors - the AFOLU sector should not be used to compensate emissions in the ETS sectors. It seems that this risk could occur under option 1. Therefore, we cannot support this option. The EEB is also convinced that the application of the "no debit rule" of the LULUCF regulation should apply to the agricultural sector. This means that negative emissions within the AFOLU sector must be compensated by positive practices to maintain net zero emissions for the whole sector at the national level. Besides, any negative emissions shall not compensate for other sectors emissions. The Commission should ensure that (non-permanent) removals of GHG emissions from activities that fall within the AFOLU sectors cannot be used to offset increases in GHG emissions within those sectors (or with other sectors).

Finally, we also encourage the Commission to take into consideration in its impact assessment the following: effects and impacts of its trade policy and other ongoing legislative initiatives on climate (such as the carbon border adjustment mechanism) in order to fully assess how the different options under the revision of the ESR will impact carbon leakage; and an analysis on the potential impacts of the different scenarios on key environmental indicators.