



Carbon Removal Certification Framework

Analysis of the Legislative Proposal



The Commission has proposed a greenwashing tool with potentially disastrous implications for climate, nature and citizens

Europe's land carbon sink is shrinking and projected to decrease significantly by 2030 due to intensive wood harvesting and degradation of peatlands and agricultural soils. A recently adopted EU target foresees an increase in land sink by 20% by 2030 (to -310Mt CO₂ eq). **Biodiversity, too, is in a dire state across Europe.** The EU's newly proposed Nature Restoration Law aims to restore at least 20% of the EU land and sea area by 2030, including many carbon-rich habitats. It is clear that the **biodiversity and climate crises are deeply connected** and there is a growing agreement amongst experts that **real solutions must address both simultaneously.**

On 30 November 2022, the Commission published the Proposal for a Regulation establishing a Union certification framework for carbon removals (CRCF). **Regrettably, this proposal falls woefully short of what is needed to tackle the climate and biodiversity crises.** This paper gives an initial analysis of the proposal and proposes key solutions for a reliable, robust, and trustworthy certification framework.

1 Offsetting will not provide benefits for land managers or for the climate – instead it will lead to greenwashing

The Commission has kept it unclear what the intended use of the certificates is. The explanatory memorandum makes it clear that emission reductions must be the first priority, but the recitals explaining the provisions imply that **they are aimed at voluntary carbon markets to be used as offsets, which is highly problematic from climate and social perspectives**. The articles of the act themselves do not address this question.

Offsetting is the idea of “compensating” or “neutralising” the emissions with removals (or sometimes “insetting” if the emissions are offset within the value chain, but it is essentially the same approach). According to the 6th IPCC Report, unabatable residual emissions (mostly emissions inherent to the industrial process itself and not a consequence of burning fuel) stand at approximately 5-10% of current emissions, **meaning the other 90-95% of current emissions can and must be eliminated**.

Land-based carbon removals are vulnerable to “reversal”, meaning that changes in practices, extreme climate, or other unforeseen events (e.g. pests or fires) can provoke a release of the carbon back to the atmosphere. Carbon markets are not designed to tackle this issue, leaving the question of liability for reversals open. **Are several generations of land managers to be held liable for reversals of carbon credits sold by their ancestors?**

Additionally, the possibility for an entity to buy a carbon removal credit and to offset its emissions may lead to widespread greenwashing, such as corporate claims of carbon neutrality on the basis of removals, without actually reducing their emissions. To avoid that, **the EU policy should strictly and consistently require separate accounting and targets of emissions reductions and removals in all cases**.

Allowing offsetting would greatly deter the EU from reducing its actual emissions. EU climate policies **should not incentivise concealing emissions behind removals under the false pretence of climate action. Instead, they should clearly prioritise drastic reductions of gross greenhouse gas emissions** in agriculture, industry, transport, and the energy sector.

2 Carbon farming should be based on improving biodiversity - the best strategy to ensure long-term removals

We welcome the fact that carbon removal activities must take into consideration sustainability objectives, such as climate change adaptation, the transition to a circular economy, pollution prevention and control. **It is regrettable, however, that the proposal does not require carbon farming activities to provide positive impacts on biodiversity and ecosystems**, but merely a “neutral impact”, which essentially nullifies the criteria for biodiversity.

Science is clear: **improving ecosystem integrity should be regarded as a prerequisite for high-quality removals** and not solely as an optional co-benefit. The duration of carbon storage in terrestrial systems (and therefore the likelihood of it being released back into the atmosphere, i.e. “reversal”) is directly linked to the integrity of ecosystems. Ecosystem integrity also vastly increases the resilience of land to the existing and future impacts of climate change.

3 Fundamental questions for a trustworthy certification framework have been disregarded

The proposal establishes a very basic framework for certification, whereby many issues inherent to such a system are left unaddressed, and many key decisions postponed to the future under a number of delegated and implementing acts. **Rules on liability in case of reversals, minimum timelines of storage, and requirements for monitoring and reporting must be thoroughly assessed and set out as part of this regulation**, in order to establish a robust and trustworthy certification framework. Unless these rules are set out in the basic act, the democratic legitimacy of the proposed legislation is at stake.

4 Certifying emission reductions as removals is counterfactual and incorrect

The Impact Assessment finds that the emission reductions should not be covered by the certification framework. Notwithstanding, the definition of carbon farming in the proposal itself stipulates that even emission reductions from the land sector can be certified as removals, which is highly misleading and false. Depending on the intended use of the certificates, it may also lead to double counting. **Emission reductions are not removals and must not be included in the CRCF.**

5 With such a framework, widespread greenwashing is imminent

The rapid acceleration of climate pledges put forward by companies and governments, combined with the fragmentation of approaches to fulfil them, makes it ever more difficult to distinguish between real climate action and unsubstantiated claims. The challenge to prevent greenwashing has not been sufficiently addressed in EU policy, and this proposal is no exception.

If the proposal is to be a reliable and integral part of the European Green Deal and thus provide means for real climate action, it should be well integrated into the overall EU environmental and climate policy, and **should support Member State and EU targets set out in other EU legislation**. Nevertheless, it provides no apparent links with related policies such as the Land use, land use change and forestry (the LULUCF) Regulation, the Common Agricultural Policy (CAP), the Nature Restoration Law (NRL), the long-announced yet constantly delayed Green Claims Initiative (GCI), and the forthcoming Soil Health Law (SHL). **The proposal, as it currently stands, acts as a standalone piece of legislation, providing a tool for widespread greenwashing with little to no real climate action.**

6 Not all carbon removal activities are suitable for certification – yet the proposal makes no distinction

Some carbon farming approaches, if done appropriately, offer excellent benefits for nature, farmers, and climate – such as rewetting of wetlands and peatlands, agroforestry, and close-to-nature forestry. It is, however, crucial to understand that absorbing carbon in the land sector can merely compensate for previous emissions of biogenic carbon, but never for GHG emissions from burning fossil fuels in other sectors. Land-based removals therefore need to be promoted, but one must remain cautious: **not all carbon farming activities are suitable for certification due to various risks.**

Soil organic carbon, for instance, is highly reversible. Soil types and climate conditions make measurements of soil organic carbon exceedingly uncertain and precise monitoring prohibitively expensive. **Soil carbon sequestration should therefore not be pursued as a carbon removal solution,**

but rather as a proxy of overall soil health and a crucial strategy to increase the resilience and fertility of our land.

Carbon farming as a whole should be tackled and incentivised through a holistic and comprehensive policy package (such as through the NRL, SHL, and CAP) and not exclusively through the CRCF.

Similarly, technology-based solutions that are neither safe nor viable are not the answer. In general, technology-based solutions for carbon removals will likely have limited scale and play a limited role in EU climate policy to keep global warming below 1.5°C, as shown in the 6th IPCC Report. The Report warns against the reliance on large-scale deployment of those solutions given the uncertainties surrounding their effectiveness and potential negative impacts. The proposal must ensure that carbon removal activities are only admitted if environmentally, socially and economically safe and viable and result in proven net removals.

The deployment of **Bioenergy with carbon capture and storage (BECCS)**, for instance, is constrained by the availability of biomass. The production of biomass for this purpose **would raise major concerns regarding land take, biodiversity, and competition with food production.** Implying that BECCS can be certified as a removal hinges on the false and simplistic assumption that burning biomass is carbon neutral – a myth that has repeatedly been punctured. Intensive harvesting of biomass is highly likely to induce additional carbon release into the atmosphere from soils, thus adding a further carbon debt.

The carbon content in products diminishes over time, with the carbon being gradually re-released into the atmosphere, or the products are ultimately burned or deposited in landfills where they decay, releasing the carbon back into the atmosphere. **The very nature of carbon storage in products makes this solution only a delayed emission, but not a removal.**

The proposal must set out a clear list of carbon removal activities that are not suitable for certification.

Find out more ...

Also see the EEB's [comprehensive and more detailed Policy Recommendations](#) for the Carbon Removal Certification Framework.