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### **Fern's response to the draft Effort Sharing Regulation Rapporteur's report**

9<sup>th</sup> January 2017 - Today, the Effort Sharing Regulation (ESR) Rapporteur (Gerben-Jan Gerbrandy (ALDE, The Netherlands)) issued his draft report on establishing binding annual greenhouse gas emission targets for Member States for the period 2021-2030 for the agriculture, transport, buildings and waste sectors. Fern, the forest and rights NGO believes it improves the Commission's proposal, but could go further.

The [Commission's ESR proposal, issued last summer](#), links the ESR and the controversial [Land Use, Land Use Change and Forestry \(LULUCF\) Regulation](#). Fern and others have pointed out a number of flaws with the LULUCF Regulation, which Mr Gerbrandy's report takes steps to improve.

Hannah Mowat, Fern's Forest and Climate campaigner responded: "We congratulate Mr Gerbrandy for taking the first step to right the climate wrongs of the Commission's Effort Sharing Regulation.

The LULUCF loophole in Article 7 was the weakest link in the Commission's ESR proposal, but Mr Gerbrandy has made crucial improvements which reduces this harm, without removing it altogether. The Environment Committee can and must go further.

Discussions may be jargon heavy and seem removed from everyday life, but decisions around LULUCF make a real difference to the global response to climate change. With the [Arctic melting faster than scientists ever thought possible](#), Fern calls on Environment Committee MEPs to accept the Rapporteur's changes. They should further strengthen the ESR by removing the possibility that Member States use LULUCF as a loophole to get out of real emissions reductions, and ensure that action in the LULUCF sector is additional to the EU's greenhouse gas reduction target."

The main improvements to the LULUCF-ESR connection (Article 7 of the ESR proposal) are as follows:

- It proposes reducing the loophole to use LULUCF as an offset from 280 Megatons (MT) down to 190 MT of carbon dioxide
- It proposes that by 2019 the Commission presents a report summarising how Member States will ensure land or forest removals of carbon dioxide are permanent
- It strengthens the requirement that countries can only use the LULUCF credits 'if they are needed' by requiring that Member States prove the LULUCF credits are needed in each 5 year period. This means their starting point must be to look at what emissions reductions they can make without the use of controversial credits.
- It clarifies that if Forest Management credits are included in the ESR, the overall flexibility that countries are allowed will not increase beyond 190 MT.

[NGOs have issued a united position on LULUCF](#), stating that forestry sequestration should not undermine the EU's greenhouse gas target, but be used to raise ambition to achieve reductions compatible with climate change science. The UN Paris Climate Agreement aims to keep global temperature rises to a maximum of 1.5 degrees – this cannot be achieved without a strong Forest and Climate regulation that includes consideration of forests' central role in halting climate change.



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Fern is a non-governmental organisation (NGO) and a Dutch Stichting created in 1995 to make the EU work for forests and people. Our work centres on forests and forest peoples' rights and the issues that affect them such as EU consumption, trade, investment and climate change. All of our work is done in close collaboration with social and environmental organisations and movements across the world.