



Frans Timmermans,
Executive Vice President, Green New Deal

Virginijus Sinkevičius
Commissioner Environment, Oceans and Fisheries

European Commission
Rue de la Loi / Wetstraat 200
1049 Brussels

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Subject: LULUCF Regulation: opportunity to tighten implementation

Dear Mr Timmermans and Mr Sinkevičius,

We are writing to you as members of the LULUCF Expert Group, which is advising the EU in the implementation of the EU LULUCF Regulation. We greatly appreciate the opportunity to take part in this Expert Group as civil society representatives. We have been impressed by the open, inclusive and thoughtful way in which DG Clima have facilitated this group. We want to take this opportunity to thank the relevant individuals both on, and behind, the scene; we recognise it has been a lot of hard work.

The purpose of this letter is to draw your attention to a startling, and we believe, very worrying finding: the projected estimation that the forest sink will reduce by 20% in the coming five years. We are concerned about this because climate scientists are saying that we need to increase removals in the coming decades, and this trend takes us in the opposite direction. Furthermore, it comes as a result of increased levels of harvesting, often of older trees, often to meet increased demand for energy.

The reduction of the LULUCF sink comes at the same time as many EU voices – citizens, Member States and MEPs are calling for a significant increase of the EU's greenhouse gas cutting target. In response, the Commission President has committed to a significant increase in this target. In this context, a reduction of the LULUCF sink is completely at odds with this new climate optimism.

Though there are some voices that argue that increasing harvesting is a positive climate strategy, there is little evidence that this wood would be used to substitute fossil fuel use; carbon savings from 'substitution' are genuinely [highly uncertain and even unlikely](#).¹ Furthermore, since the most authoritative scientific body in the world (IPCC) states that globally, we need to enter a period of net negative emissions between 2040 and 2050, it is clear that we need to reduce fossil fuel emissions while *at the same time* increasing the natural carbon sink. Hence, strategies that reduce fossil fuel emissions *at the expense of* the forest carbon sink will mean that we will overshoot the carbon budget estimated to keep atmospheric temperatures below 2 degrees, let alone 1.5 degrees.

¹ Seppälä, et al 2019 : <https://www.sciencedirect.com/science/article/pii/S0301479719308333?via%3Dihub>

At the time the LULUCF Regulation was issued, [we drew attention to](#) what we believe to be structural flaws in the regulation which weaken the climate integrity of the Regulation. These include:

- **Countries can increase harvesting if their forests reach ‘harvesting age’, even if this leads to a decrease in the sink.** We continue to see this as a flaw: older forests are absolutely vital not just as carbon stocks (that keep carbon out of the atmosphere) and ongoing carbon sinks, but also for their biodiversity and social value. Furthermore, our experience in the LULUCF Expert Group confirms our suspicion that the accounting system that has been designed is highly complex and makes it, in many cases, practically impossible to know if the increase in harvesting that is built into the draft forest reference levels is truly linked to age of forests alone or also policy assumptions.
- **Little of the estimated reduction in the carbon sink will be accounted for, even if it is used as bioenergy.** As the LULUCF Regulation was drafted the aim was to ensure emissions from increased biomass energy use would be accounted for. This is a founding idea behind the sustainability criteria in the Renewable Energy Directive. However it does not seem to be the case in the Member State NFAPs. The ‘constant ratio’ principle is of little solace given that many countries increase their harvesting levels and admit the baseline ratio (taken from 2000-2009) is based on patchy data. This ratio has been little scrutinised by the EU Expert Group.
- **Countries can define forest management intensity, a key parameter for ensuring continuation of forest management practice, in very differing ways.** The Commission has identified seven differing interpretations. Especially in the case of Finland and Estonia this seems to lead to inaccurate reference levels.

For these reasons, we look forward to the upcoming review of the 2030 climate and energy package and urge you to correct these structural deficiencies in the system.

That being said, within the current Regulation, there is an upcoming opportunity for the Commission to make sure that that forest reference levels are as robust as possible. Specifically, we want to draw your attention to the following countries whose reference levels, in our view, build in new policy assumptions that lead to an increase in harvesting:

- Finland projects it will increase forest logging by 23 percent which would lead to a reduction of the forest sink of 22.5 percent (or 8 Mt CO₂) compared to 2000-2009. The model used by Finland allows for this despite the apparent discontinuity between historical management practices in the reference period and commitment period, particularly regarding the “area of maturing/mature forest stands”. This implies a major accuracy issue, possibly far exceeding the correction suggested by the Commission. As a result, in the mature stands the stem volume per hectare declines from reference period to commitment period while the harvest volume increases from reference period to commitment period. The expert group has scrutinised several other points of the plan as well.
- Latvia’s plan is to reduce its forest sink by 85 percent without accounting for the emissions. According to the simulations after 2036, Latvia’s forests are not sinks anymore and become a source of carbon between 2041-2055. In their proposal for forest management reference level Latvia does not consider the aim of the Regulation to maintain or strengthen the long-term carbon sinks (Art. 8(5)) in relation to the reference period. A growth on the carbon stock does not fulfil this criterion.
- Ireland plans to log its forest so heavily that they would become a source of carbon during 2021-2025. They fail to demonstrate how the goal of achieving a balance between anthropogenic emissions and removals will be achieved in the second half of the century as required by the regulation.

- Estonia is logging its forests at a rate that would reduce its forest sink by more than a half. It has not been able to explain the discrepancy between the areas used in the modelling and the increase in harvesting.
- Sweden's forest sink (including harvested wood products) would go down by 11 percent based on the latest plan. We have reason to believe that they have underestimated the historical sink by 2-3MT CO₂e/a (see figure 4 in updated NFAP). Furthermore the Swedish national material shows that the area of age-classes coming into maturity for final harvesting in 2021-2025 are around 10 percent lower than during 2000-2009, yet this appears not to be reflected in the FRL.
- Germany's forest carbon sink is set to significantly decline. Germany's forests would only remove 7 million tons of carbon dioxide equivalent per year, a major reduction on historic levels ([see p.4 of their 2017 LULUCF inventory](#)). We believe there are still serious accuracy issues, for example that the base period they use is not representative of the full base period and leads to an under estimation of the sink. There is a complete lack of explanation of management practices which makes it very difficult to assess the adequacy of many claims throughout the document.

We rely on the European Commission to intensely work with the Member States to address these issues or alternatively, to set a more realistic reference level, thereby safeguarding some climate integrity in the Regulation. It is important in the short-term that loopholes are minimized, but to achieve the objectives of the European Green Deal it is important to look towards increasing the climate ambition of the sector out to 2030 and beyond. We would welcome meeting with your cabinets to discuss this matter further.

Yours Sincerely,



Hannah Mowat

Campaigns Coordinator, Fern

Hanna Aho

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