



Council of the
European Union

Brussels, 9 September 2014
(OR. en)

12769/14

AGRI 563
CLIMA 79
ENV 719
ENER 378
IND 226
COMPET 486
MI 610
ECOFIN 795
TRANS 405

NOTE

From: Presidency
To: Special Committee on Agriculture

No. Cion doc.: 5644/14 - COM(2014) 15 final

Subject: Communication from the Commission to the European Parliament, the Council, the European Economic the Social Committee and the Committee of the Regions "A policy framework for climate and energy in the period 2020 to 2030"
- Presidency questionnaire

With a view to structuring the debate in the Special Committee on Agriculture on 12 September 2014, delegations will find attached in the Annex a Presidency questionnaire on the agricultural aspects of the EU policy framework for climate and energy in the period 2020 to 2030.

I. Background

In the context of international climate negotiations under the United Nations Framework Convention on Climate Change (UNFCCC), **greenhouse gas emissions and removals from agricultural and other land**, forestry and from the conversion of land use are referred to as emissions and removals from **land use, land use change and forestry (LULUCF)**.

LULUCF covers greenhouse gas (GHG) **emissions into and removal** of carbon from the atmosphere resulting from the use of soils, trees (including timber) and other plants, and other types of biomass. This means in principle all human activities that take place on land, such as agricultural land, forested land, wetland and peat land etc., and which result directly in emissions or removals of greenhouse gases: e.g. draining of peat land, felling of forest or ploughing up grassland generates emissions; rewetting of organic soils, afforestation, conversion of arable land into grassland can result in protection of carbon stocks or even carbon sequestration. In the EU, the LULUCF sector currently removes an amount of carbon from the atmosphere equal to about 9 % of the EU's total greenhouse gas emissions in other sectors although the overall trend in the EU is for this to decrease.

Greenhouse gas emissions that are attributed to agriculture are the non-CO₂ emissions, which result mainly from the fertilisation of crops and from livestock production. About 10 % of the total EU's greenhouse gas emissions are from agriculture.

II. Current legislative framework of LULUCF emissions

Greenhouse gas emissions and removals from the LULUCF sector are not covered by the Union's emission reduction target for 2020. These emissions and removals however do count towards the Union's commitment under the Kyoto Protocol to the UNFCCC¹, for the periods from 2008 to 2012

¹ Council Decision 2002/358/EC

and from 2013 to 2020. It is expected that only a marginal positive balance – less than 1% of EU emissions – would remain under the applicable accounting rules for the whole sector in this latter period.

Non-CO2 emissions from agriculture (methane and nitrous oxide) on the other hand are treated in the Effort Sharing Decision (ESD). The Effort Sharing Decision aims to cover most sectors outside the EU ETS, by governing emissions from six greenhouse gases²: carbon dioxide (CO₂), methane (CH₄), nitrous oxide (NO₂), hydrofluorocarbons (HFCs), perfluorocarbons (PFCs) and sulphur hexafluoride (SF₆).

Under the **2009 climate and energy package**, the goal of reducing EU greenhouse gas emissions to 20% below 1990 levels by 2020 is implemented as follows:

- a 21% reduction in emissions from sectors covered by EU ETS compared to 2005 levels;
- an around 10% reduction from most other sectors compared to 2005. These sectors are covered by the Effort Sharing Decision (ESD).

As a rule, it is up to Member States to define and implement their own policies and measures to reduce emissions from the ESD sectors. Nevertheless, a number of EU-level measures have also been taken in order to contribute to emission reductions in the sectors covered, of which the Common Agricultural Policy is an example.

III. Climate and Energy Framework from 2021 to 2030: agriculture aspects

The Commission published its Communication “*A policy framework for climate and energy in the period 2020 to 2030*” on 21 January 2014. In the Communication, the Commission recognises that the combined activities under LULUCF both emit and remove greenhouse gases from the atmosphere. It notes that all sectors should contribute in a cost-effective way to the mitigation efforts, and therefore LULUCF should be included in the GHG reduction target for 2030.

² Those gases are controlled by the Kyoto Protocol during its first commitment period (2008-2012)

Although there are no specific recommendations in the Communication, there are several proposals open for consideration as to how to treat greenhouse gas emissions from agriculture and LULUCF. First, the EU could develop a future Effort Sharing Decision which covers all non-ETS GHG emissions and removals, including LULUCF. Alternatively, the EU could establish an explicit separate pillar and develop a distinct legal framework for LULUCF and agriculture, combined. Thirdly, a combination of both could also be considered.

In light of the above, the Presidency invites delegations to consider the following questions:

1. As of 2021, emissions from land use, land use change and forestry (LULUCF) should be included in the EU's climate change framework. What advantages and/or disadvantages would Member States see in the different ways in which LULUCF and the agriculture sector could be incorporated within a future EU policy framework on climate change?
2. Which would be suitable policy measures, post-2020, to enhance the contribution to climate change mitigation from agriculture and LULUCF?
