



**Why co-legislators should call
for a rejection of the
proposed CRCF Delegated Act**

Sofia Ghezzi, WWF EU – 19th February 2026

The Commission power to adopt delegated acts



The power of delegation granted to the EU Commission (Article 8.2 CRCF).

The power to adopt delegated acts is subject to **strict limits** (Article 290 TFEU):

- **the delegated act cannot change the essential elements of the law**
- the legislative act must define the objectives, content, scope, and duration of the delegation of power
- Parliament and Council may revoke the delegation or express objections to the delegated act

The "spirit" of the law (the CRCF) matters!

- ➔ Avoid greenwashing. (Recital 7)
- ➔ Do No Significant Harm to the environment (Recital 11)
- ➔ Result in a net carbon removal benefit (Recital 13)

The Commission does not respect its mandate



- Article 2(1): Failure to distinguish removals from storage.
- Article 4: Failure to correctly account for all associated emissions in the quantification of the net removal benefit.
- Article 6: Failure to implement MRV and liability requirements for biochar activities.
- Article 7: Failure to comply with the principle of Do No Significant Harm.
- Article 8(3): Failure to comply with the requirement for the protection and restoration of biodiversity and ecosystems.



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Article 4 CRCF:

Failure to correctly account for all associated emissions in the quantification of the net carbon removal benefit

4(1) [...] permanent net carbon removal benefit = $CR_{baseline} - CR_{total} - GHG_{associated} > 0$ [...]

4(1)(c) $GHG_{associated}$ is the increase in **direct and indirect greenhouse gas emissions over the entire lifecycle of the activity** which are attributable to its implementation, **including indirect land use change**, calculated, where applicable, in accordance with the protocols set forth in the 2006 IPCC Guidelines for National Greenhouse Gas Inventories and any further refinement to these 2006 IPCC Guidelines.

4(7): [...] shall be quantified in a **relevant, conservative, accurate, complete, consistent, transparent and comparable manner, in accordance with the latest available scientific evidence.**
[...]

Article 4 CRCF:

Failure to correctly account for all associated emissions in the quantification of the net carbon removal benefit

GHG emissions not included in the calculation: foregone sequestration, ILUC impact, reduction of carbon stocks in the forest, emissions produced by harvesting.



The Delegated Act assumes compliance with Article 4 CRCF because it links to the biomass sustainability criteria in the Renewable Energy Directive (Article 29).

The Renewable Energy Directive **does not account for all the required GHG emissions nor is 'best available science'**.

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