



PBL Netherlands Environmental  
Assessment Agency

# Climate legislation in Europe: work in progress

October 2018 | Pieter Boot



## What do we mean with 'climate law'?

In this presentation climate law implies:

- A (preferably binding) national post-2030 target
- A process on how to organize the way to attain this
- Establishment (in law) of a monitoring and reporting mechanism

This is a narrow description. E.g. Grantham Research Institute uses broader one, including all climate related policy instruments.

Some regions in federal states have climate laws (Germany) and even Catalonia aims at having one.



	<b>UK</b>	<b>Denmark</b>	<b>Finland</b>	<b>France</b>	<b>Sweden</b>	<b>Norway</b>
When adopted	2008	2014	2015	2015	2017	2017
2050 target	Min. - 80%/1990	Low emission society	Min. - 80%/1990	-75%/1990	Min. - 85%/1990 by 2045	-80-95%/1990
Carbon budgets	yes	no	yes	yes	No (targets for 2030, 2040)	no
Indep. committee	yes	yes	yes	yes	yes	yes
Also adaptation	yes	no	yes	no	no	no
Other targets	no	no	no	yes	yes	no
Scope	ETS sep. accounting	Emphasis on non-ETS	Non-ETS sectors	ETS in policies exempted	ETS sectors included	ETS sectors included



## For many countries UK is the example

- Clear feeling of value added by legislation
- Gradual impact of combination mitigation/adaptation
- Difficult treatment of emissions in ETS sectors (2050 target includes industry/power, but 'net' accounting includes computed UK share of ETS budget)
- Target -80% is at lower end of EU reduction range. Budgets more ambitious than EU targets (e.g. 2030) as this is a more cost-effective path towards 2050
- Law does not contain legal enforcement mechanism; Government answerable to Parliament
- Independent Committee advice science based
- Easy implementation has been done, now difficult part



## Sweden (2017) now among most ambitious ones

- Act based upon cross-party committee agreement
- By 2045 GHG in Swedish territory at least 85% lower than 1990; no net GHG emissions and thereafter negative (incl. supplementary measures)
- Specific targets for domestic transport and ETS sectors
- Government will present annual climate report in Budget Bill
- Government will develop action plan every four years to demonstrate delivery of goals
- Independent evaluation by Climate Policy Council



## Netherlands, majority proposal to Parliament, June 2018

- Target 95% GHG reduction compared to 1990 by 2050 and 100% renewable electricity; ambition 49% reduction by 2030 (no carbon budget)
- Government has to present 5 yr climate plan, annual document and bi-annual progress report
- Climate plan: sectoral targets and policies for next 5 years (incl. labour market, costs) and orientation for further 10 years
- Based upon annual progress report PBL and advice Council of State
- Aligned with European governance (national energy and climate reports)



# Governance and remaining questions

## *Governance*

- Existing climate laws met broad support in Parliaments
- Integral direction (combinations with regions, society) strengthens approach (Dutch combination of legislation and 'agreements')

## *Questions*

- Which role for courts (compare Urgenda case in the NL)?
- How is the independence and weight of advice by Committee described ( e.g. 'comply or explain')
- How to include ETS sectors?



## Conclusions

- Climate laws help to strengthen long-term direction of climate policies
- Legislation is not the only relevant factor in achieving low-carbon ambitions, but has value added
- UK Climate Change Act seems useful example, but Sweden more ambitious
- Especially after Paris Climate Agreement 2015 it seems worthwhile to aim for broad political support