



# Annex to: Closing the national ownership gap: An EU 'Fit for 55' requires the EU-27 to be 'Fit for Zero'

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# Proposals for EU governance to foster more consistent national ownership of the EU’s climate neutrality objective

This document is an Annex to the first policy paper from EJNI’s Climate Governance Observatory Project: Sharon Turner, Thomas L. Muinzer and Ciara Brennan, ‘Closing the national ownership gap: An EU ‘Fit for 55’ requires the EU-27 to be ‘Fit for Zero’’ (2021) EJNI Climate Governance Observatory, Policy Paper No. 1 available [here](#).

National Ownership Gap	Proposal for legislative revision	Possible location for the revision within EU Law
<p><b>TITLE OF EU LEGISLATION GOVERNING NATIONAL CLIMATE ACTION DOES NOT ASSIST PUBLIC UNDERSTANDING OF ITS PURPOSE</b></p>		
<p>Use of ‘technical titles’ for EU legislation governing national climate action weakens public understanding of the purpose and relevance of the legislation.</p>	<ul style="list-style-type: none"> <li>Title of Effort Sharing Regulation is changed to ‘Shared Climate Action Law Europe’</li> </ul> <p>This title enables the public to more easily understand the purpose and relevance of the legislation. The acronym for the new title (SCALE) also speaks directly to the objective of ‘scaled up’ national climate targets following the EU’s commitment to climate neutrality and increased 2030 target.</p> <ul style="list-style-type: none"> <li>Titles of the Governance Regulation &amp; LULUCF Regulation should also be changed for the same reason.</li> </ul>	<p>Amendment of the <b>Effort Sharing Regulation (ESR), Governance Regulation &amp; LULUCF Regulation</b></p>

<b>WEAK MS OWNERSHIP OF THE EU'S LONG-TERM CLIMATE OBJECTIVE</b>		
No clarity about individual MS' contribution to the EU's long-term climate target.	<ul style="list-style-type: none"> <li>MS required to adopt a specific and binding 2050 target for the whole economy, <b>OR</b></li> </ul>	Amendment of the <b>ESR</b>
	<ul style="list-style-type: none"> <li>When submitting updated NECPs in 2024 (required by Art 14 Gov Reg given the raising of the EU's 2030 and 2050 climate targets), MS should be required to quantify their proposed national contribution to the achievement of the EU's climate neutrality objective.</li> <li>The COM would also be empowered to assess if collectively these long-term national climate pledges are sufficient to ensure the achievement of the EU's 2050 target. If they are, national 2050 objectives would then become binding under EU law – OR, as a minimum, they could be used as the indicative objective for national LTSs (see below), which would significantly clarify the objective of national LTSs and improve national and EU transparency concerning 'consistency' tracking.</li> </ul>	Amendment of the <b>ESR</b> or <b>Governance Regulation</b> (Art 4 amended)
<b>LONG-TERM STRATEGIES (LTS) ARE A WEAK MECHANISM FOR ENSURING MS COMMITMENT TO ACHIEVING EU (or NATIONAL) 2050 OBJECTIVES</b>		
<p>EU rules on LTS do not clearly define the <i>national</i> long-term objective for which the national LTS is being formulated – which weakens the:</p> <p>(a) Incentive for MS to take seriously the need to address the pathways for transformational change,</p> <p>(b) Incentive on MS to provide more granular information about those pathways,</p>	<ul style="list-style-type: none"> <li>Article 15(4) of the Governance Regulation is amended to more specifically define the long-term objective for each country's LTS. There are a number of options for achieving this, for example: <ul style="list-style-type: none"> <li>(i) In the event the ESR or Governance Regulation contained national 2050 climate objectives or pledges (as outlined above), the agreed national 2050 target would become the objective for the formulation of the national LTS. <b>OR</b></li> <li>(ii) <i>As a minimum</i> the COM should be required to adopt an implementing act or EU Guidelines setting out an indicative country specific, long-term GHG emission reduction objective that would then inform the formulation of the national LTS. These would be consistent with any criteria or indicators adopted as recommended below.</li> </ul> </li> </ul>	<p><b>ESR</b> contains provisions amending Art15 of EU Governance Regulation, which would flow from the amendments proposed concerning national long-term targets.</p> <p><b>OR</b></p> <p><b>Governance Regulation</b> is amended together with the proposed amendment (above) to create a</p>

<p>(c) Enabling conditions for public engagement with the real policy options,</p> <p>(d) Enabling conditions for fostering cross-party understanding and support for more ambitious action,</p> <p>(e) Potential for transparency about the quality of policy consistency between NECP and LTS and between national policy and achievement of the EU's 2050 duty.</p>		<p>process for MS pledging and COM 'adding up' of MS pledges to long-term targets.</p>
<p>The EU template for national LTS is very under-developed; consequently:</p> <p>(a) The importance of LTS is undermined - MS do not take the process seriously.</p> <p>(b) national commitment to policy making consistent with EU or national 2050 objectives is weakened.</p> <p>(c) Public and cross-party engagement and support for ambitious climate action is weakened.</p> <p>(d) Transparency about policy consistency is undermined.</p>	<ul style="list-style-type: none"> <li>• EU template for national LTS should be significantly expanded to elaborate in much greater detail: <ul style="list-style-type: none"> <li>(i) the key dimensions of an effective LTS</li> <li>(ii) the specific data that must be shared in relation to those dimensions</li> </ul> </li> <li>• COM should be required to adopt implementing acts setting down specific indicators of or criteria for structural transformation that MS must take into account when formulating their national LTS.</li> </ul>	<p><b>ESR</b> amends Annex IV of the Governance Regulation</p> <p><b><u>OR</u></b></p> <p>The <b>Governance Regulation</b> is amended.</p>
<p>There are no EU controls on MS' discretion concerning whether an 'update' of a national LTS is required.</p>	<ul style="list-style-type: none"> <li>• The COM should be required to adopt implementing acts setting out the criteria MS must consider in deciding if an 'update' of the national LTS is 'necessary'.</li> <li>• MS should be required to submit a report every 5 years to the COM setting out whether an update is deemed necessary, the scope of any planned update, and if no update is deemed necessary – the reasons why.</li> </ul>	<p><b>ESR</b> amends either the Governance Regulation or the EU Climate Law or both files.</p> <p><b><u>OR</u></b></p> <p><b>Governance Regulation</b> is revised.</p>

	<ul style="list-style-type: none"> <li>• This report should also be published and/or a statement should be made to national parliament setting out whether the LTS will be updated (and how) and if not, the reasons why.</li> <li>• MS should in any event be required to undertake an update (and potentially a full review) if it receives a Recommendation from the COM under the Governance Regulation or EU Climate Law or EU Semester that highlights substantial inconsistency between the NECP and LTS or between the NECP, LTS and the achievement of the EU's climate neutrality objective.</li> </ul>	
<p><b>EU LAW DOES NOT DEFINE THE CONCEPT OF 'CONSISTENCY' WHICH WEAKENS PRESSURE FOR MS TO ENSURE NATIONAL POLICY CONSISTENCY WITH EU OR NATIONAL 2050 OBJECTIVES</b></p>		
<p>EU Gov Reg requires NECPs to be 'consistent' with LTS but does not define what the term means or how it will be assessed.</p> <p>Under the EU Climate Law, the COM is empowered to assess whether MS's NECP and LTS are 'consistent' with achieving the EU's 2050 target, but it does not define how consistency will be assessed.</p> <p>This weakens pressure on MS to invest in taking this duty seriously – which weakens:</p> <ol style="list-style-type: none"> <li>Transparency about the real policy options for NECP.</li> <li>Conditions for cross-party understanding of policy options.</li> </ol>	<p>Resolving this weakness will require reform across several areas:</p> <ul style="list-style-type: none"> <li>• The term 'consistency' for the purposes of Article 17(6) of the Governance Regulation and Article 6 of the EU Climate Law should be more specifically defined on the face of the legislation. <i>In addition</i>, the:</li> <li>• Governance Regulation should clarify the mandatory sequencing of the NECP and LTS formulation to ensure the LTS is done first and then the NECP and specify the earliest point at which work on the NECP (review) should commence in relation to the update or review of the LTS.</li> <li>• Governance Regulation should ensure that a decision to 'update' a LTS should also lead to an 'update' of the NECP to ensure there is no loss of consistency and <i>vice versa</i>.</li> <li>• NECP template should be amended to make 'policy consistency' a specific 'dimension' of the NECP and which requires MS to set out consistent and specific data demonstrating why the NECP is consistent with the LTS and how both of these are consistent with the achievement of the EU's 2050 objective.</li> </ul>	<p><b>ESR</b> amends the Governance Regulation</p> <p><b>OR</b></p> <p><b>Governance Regulation</b> is revised.</p>

<p>(c) Meaningful public participation in NECP formulation.</p> <p>(d) Quality of the NECP adopted,</p> <p>(e) Credible national contribution to the achievement of the EU's 2050 target.</p>	<ul style="list-style-type: none"> <li>• MS biennial reports on NECP should include a specific report on how policy consistency with the national LTS and the EU's 2050 duty is being maintained.</li> <li>• COM is required to adopt implementing or delegated Acts setting down minimum criteria and/or indicators that will be used by the COM to assess the: <ul style="list-style-type: none"> <li>(i) consistency between NECPs and national LTS for the purposes of Article 17(6) of the Gov Reg.</li> <li>(ii) whether NECP/LTS are consistent with the achievement of the EU's climate neutrality objective.</li> </ul> </li> <li>• COM should be required to obtain the (published) advice of the EU expert advisory body on climate concerning the criteria and/or indicators that should be adopted by the COM for these purposes.</li> <li>• MS should be required to 'update' or 'review' its NECP and/or its LTS where it receives a Recommendation under the Gov Regulation, or the EU Climate Law or the EU Semester that indicates a lack of consistency between its NECP and LTS or between its NECP/LTS and the achievement of the EU's climate neutrality objective.</li> <li>• The COM should be required to specify in its Recommendation(s) which approach (update or review of NECP/LTS) is most appropriate for the MS to take - the final decision being left to MS but with a duty to provide a reasoned explanation if MS deviates from the COM's recommended approach.</li> <li>• Following receipt of the 2-year progress reports from MS under Article 17 of the Governance Regulation, the COM should report to the European Parliament and Council on the quality of consistency being achieved between NECP and national LTS (as a prelude to the 5-yearly report on NECP/LTS consistency with the EU's 2050 objectives).</li> </ul>	
<p>EU rules do not require consistency between NECP/LTS on the one hand and national plans agreed with the EU for (pandemic) recovery, which weakens MS</p>	<ul style="list-style-type: none"> <li>• COM is required to adopt delegated acts or publish EU guidelines setting out the criteria that will be used for assessing consistency between NECPs, LTS and national pandemic recovery plans.</li> </ul>	<p>ESR amends the Governance Regulation and/or the EU Climate Law</p> <p><b><u>OR</u></b></p>

<p>pressure to deliver a climate aligned recovery.</p>	<ul style="list-style-type: none"> <li>• COM should be required to seek the advice of the EU climate advisory body concerning the criteria that should be used in this context.</li> </ul>	<p><b>Gov Regulation</b> is revised and creates amendments to the EU Climate law.</p>
<p>EU rules do not provide transparency concerning the criteria that will be used by the COM to ensure Recommendations issued under the Governance Regulation and EU Climate Law are 'complimentary' with those issued under the EU Semester.</p>	<ul style="list-style-type: none"> <li>• COM is required to adopt delegated acts or publish EU guidelines setting out the criteria that will be used by the COM to establish if its Recommendations for the purposes of climate governance are complementary to those issued for the purposes of the EU Semester.</li> </ul>	<p><b>ESR</b> revised to create this duty or amends the Governance Reg to create the duty.</p> <p><b>OR</b></p> <p><b>Governance Regulation</b> is amended to create the duty.</p>
<p>EU Just Transition Mechanism does not require policy consistency between Territorial Transition Plans and EU funding and NECPs/LTS and national contribution to the achievement of the EU's 2050 objective.</p>	<ul style="list-style-type: none"> <li>• Just Transition Mechanism is amended to ensure Territorial Transition Plans and EU funding under the Mechanism must be consistent with an optimised national contribution to the achievement of the EU's 2050 objective.</li> <li>• COM is required to adopt delegated legislation or implementing acts setting out the criteria that it will use to assess how EU funding under the JT Mechanism and the Territorial Transition Plans will support optimised national contribution to the achievement of the EU's 2050 objective.</li> </ul>	<p><b>ESR</b> revised to contain these provisions</p> <p><b>OR</b></p> <p><b>Governance Regulation</b> is revised to do so</p> <p><b>OR</b></p> <p>Rules governing the <b>Just Transition Mechanism</b> are revised to create these provisions.</p>
<p><b>THERE IS NO NATIONAL OVERSIGHT OF ESR IMPLEMENTATION AND NO LINK BETWEEN ESR AND NECP GOVERNANCE</b></p>		
<p>EU rules do not ensure strong public and cross-party political awareness of national progress in GHG emission reduction and the link to the quality of the NECP.</p>	<ul style="list-style-type: none"> <li>• MS should be required to publish an annual report concerning its implementation of the ESR including any national correction plan submitted to the COM under the ESR.</li> <li>• COM should be required to publish any Opinions issued to MS under the ESR concerning country-specific compliance.</li> </ul>	<p><b>ESR</b> revised to contain these rules.</p>



	<ul style="list-style-type: none"> <li>MS should be required to undertake a review of their NECP where a MS breaches its annual ESR targets in any two consecutive years.</li> </ul>	
<b>ADVISORY BODY ROLE IN SUPPORTING NATIONAL TRANSPARENCY ABOUT REAL POLICY OPTIONS &amp; PROGRESS</b>		
<p>The EU Climate Law invites MS to create expert advisory bodies on climate, but EU rules do not provide guidelines about best practice in doing so. This undermines the seriousness of the EU ‘invitation’ and likelihood these bodies will be created – which undermines a key mechanism for enabling an informed national dialogue about the real policy options for NECP/LTS and options for ensuring national consistency with 2050 objective.</p>	<ul style="list-style-type: none"> <li>COM (or EEA) is required to publish guidelines setting out best practice in mandating national climate advisory bodies and emphasising the value of non-political/independent advice. In particular guidelines should emphasise the value to national climate governance of a mandate requiring the advisory body to publish: <ul style="list-style-type: none"> <li>(i) An annual independent expert report of national progress in implementing national ESR targets and implementation of NECP.</li> <li>(ii) Recommendations for policy options for any corrective action needed to meet national ESR targets or to ensure national consistency with achievement of the EU’s 2050 target.</li> <li>(iii) Recommendations on the revision or updating of the NECP or LTS.</li> <li>(iv) Reports of its engagement with the EU’s independent climate advisory body and with other national equivalents.</li> </ul> </li> </ul>	<p><b>ESR</b> amends the EU Climate Law to create this duty</p> <p><b>OR</b></p> <p><b>Governance Regulation</b> revision amends the EU Climate Law to do so or Governance Regulation is revised to contain these provisions.</p>
<p>No EU mechanism to monitor and report on the quality of MS uptake of the EU Climate Law ‘invitation’ to create these bodies</p>	<p>EEA or COM required to publish a biennial report for the European Parliament and Council setting out the scale and quality of MS engagement with the invitation in the EU Climate Law to create expert national advisory bodies on climate.</p> <p>If it does not already exist - EEA should be required to create a platform for sharing best practice and national experiences in the creation of independent, expert climate advisory bodies.</p>	<p><b>ESR</b> contains this duty or amends the EU Climate Law to create these provisions.</p> <p><b>OR</b></p> <p><b>Governance Regulation</b> is revised to amend the EU Climate Law to contain this duty.</p>



WEAK EU RULES ON PUBLIC ENGAGEMENT IN POLICY MAKING WEAKEN THE ENABLING CONDITIONS FOR BUILDING PUBLIC OWNERSHIP & CONSENSUS BUILDING		
<p>EU rules on participation fail to address the problem of uneven public capacity to engage in climate policy development in different EU countries.</p>	<ul style="list-style-type: none"> <li>• Template for NECP and LTS should be amended to require MS to provide the COM with: <ul style="list-style-type: none"> <li>(i) A summary of the socio-economic and cultural barriers to effective public and civil society participation in NECP/LTS formulation</li> <li>(ii) A summary of socio-economic and cultural barriers to public and civil society engagement in the deliberative process required for the Multi-level Dialogue</li> <li>(iii) A statement of what action has been taken by the government to mitigate these barriers.</li> </ul> </li> <li>• MS biennial reports should require MS to update the COM on progress to mitigate these barriers and the impact of those measures.</li> <li>• COM’s annual State of the Energy Union should include an assessment of the quality of public and civil society engagement in NECP/LTS and Multilevel Dialogue.</li> <li>• Climate Pact should be mandated to make recommendations on what action should be taken at EU level to support effective public engagement in all EU countries.</li> </ul>	<p><b>ESR</b> is amended to create these provisions</p> <p><b>OR</b></p> <p><b>ESR</b> amends the Governance Regulation and EU Climate Pact rules.</p>
<p>EU rules enable MS to ignore the views expressed by the public on draft NECP and LTS – which undermines public motivation to engage.</p>	<ul style="list-style-type: none"> <li>• National government should be required to ‘respond’ to public engagement on draft NECP and LTS.</li> <li>• Template for NECP and LTS should require MS to set out the following information: <ul style="list-style-type: none"> <li>(i) Summary of the key recommendations made by the public relating to the draft NECP and draft LTS.</li> <li>(ii) An explanation of how the draft NECP and draft LTS were revised to take account of the public’s inputs.</li> <li>(iii) Where the public’s recommendations have not been adopted, an explanation of the rationale for not taking it into account.</li> </ul> </li> </ul>	<p><b>ESR</b> is amended to contain these provisions or <b>ESR</b> amends the Governance Regulation.</p> <p><b>OR</b></p> <p><b>Governance Regulation</b> is revised to contain these rules.</p>

	<p>(iv) What action has been taken by the MS to explain this rationale to the public.</p>	
<p>Weak EU rules on deliberative engagement in climate policy undermine the potential for building a stable societal consensus at national level.</p>	<ul style="list-style-type: none"> <li>• The requirements in Article 11 of the Governance Regulation concerning the need to create a ‘Multilevel Dialogue’ (MD) should be significantly elaborated and strengthened – for example: <ul style="list-style-type: none"> <li>(i) Article 11 should define the term ‘multilevel dialogue’ so as to: <ul style="list-style-type: none"> <li>(a) Clearly distinguish it from the ‘public participation’ provided for in Article 10 and make clear the requirement for deliberative public engagement</li> <li>(b) Provide minimum criteria for the practical arrangements needed to ensure a compliant national ‘dialogue’.</li> <li>(c) Ensure a holistic dialogue between identified stakeholders and the national government (not just between stakeholders).</li> </ul> </li> <li>(ii) Article 11 should clarify the deadline for achieving minimum compliance with standards for conducting a multilevel dialogue.</li> <li>(iii) COM should be required to adopt delegated act setting out more specific (binding) minimum standards for conducting effective dialogues; these should be developed in consultation with the EU Climate Pact.</li> <li>(iv) COM required to adopt EU guidelines for best practice in applying deliberative methodologies to climate policy. These should be developed in consultation with the EU Climate Pact.</li> <li>(v) EU should be required to establish a fund and knowledge exchange platform (potentially as part of Climate Pact) to provide a single point of contact for MS seeking assistance to establish National Dialogues.</li> </ul> </li> <li>• MS biennial reports should be amended to require more detailed reporting on what action has been taken to comply with Article 11; for example: MS should be required to report to the COM: <ul style="list-style-type: none"> <li>(i) How the practical arrangements put in place for the dialogue comply with the (above) EU rules/guidelines on deliberative engagement, including</li> </ul> </li> </ul>	<p><b>ESR</b> is amended to contain these provisions or <b>ESR</b> amends the Governance Reg &amp; Climate Pact rules.</p> <p>Or</p> <p><b>Governance Regulation</b> is revised to contain these rules.</p>

	<p>progress with the removal of barriers to effective public and NGO engagement.</p> <ul style="list-style-type: none"> <li>(ii) Summary of key recommendations emerging from the dialogue during the previous 2 years.</li> <li>(iii) What action the government will take to respond to these recommendations.</li> <li>(iv) Rationale for a decision by the government not to take action to respond to these recommendations.</li> </ul> <ul style="list-style-type: none"> <li>• Every 2 years, the COM is required to include an assessment in the State of the Energy Union report on the quality of the national dialogue at national level and to set out what action the COM is taking to support deliberative public engagement at national level.</li> <li>• Climate Pact rules should require the Pact to make recommendations on how the EU can better support effective deliberative engagement at national level.</li> </ul>	
<p>EU rules on the Climate Pact allow the COM to provide very weak leadership to MS on effective public engagement on climate policy.</p>	<ul style="list-style-type: none"> <li>• Climate Pact should be given an explicit mandate to make annual recommendations on the consistency of EU policy with achievement of EU climate objectives.</li> <li>• COM should be required to report annually to European Parliament and Council on: <ul style="list-style-type: none"> <li>(i) Summary of key recommendations emerging from the Climate Pact</li> <li>(ii) Summary of the key recommendations relating to EU policy and measures emerging from the Climate Pact.</li> <li>(iii) What action the COM is taking to respond to those recommendations.</li> <li>(iv) If no action is envisaged, an explanation of the rationale for this decision.</li> <li>(v) What action the COM is taking to support deliberative engagement in EU climate policy making.</li> </ul> </li> <li>• EU Council and Parliament should be required to publish annual reports on what action they have taken to respond to recommendations emerging from the Climate Pact.</li> </ul>	<p><b>ESR is</b> amended to contain these rules or <b>ESR</b> amends EU rules governing the Climate Pact process.</p> <p><b><u>OR</u></b></p> <p><b>Governance Regulation</b> is revised to do so.</p>

<p><b>EU RULES DO NOT GUARANTEE MINIMUM STANDARDS OF PUBLIC ACCESS TO JUSTICE</b></p>		
<p>EU rules fail to ensure MS compliance with Aarhus Convention standards of public access to <u>national</u> courts to enforce MS compliance with EU climate duties, which undermines the enabling conditions for effective public ownership and political leadership for greater ambition.</p>	<p>Consistent with the COM’s Statement in the Annex to the EU Climate Law and the COM’s Communication on Access to Justice (October 2020), EU climate rules should formally require MS to provide citizens and NGOs with Aarhus Convention compliant standards of access to justice at national level to ensure MS compliance with national duties under EU rules relating to climate objectives.</p>	<p><b>ESR</b> is amended to contain these rights or <b>ESR</b> amends the Governance Regulation to contain these rights</p> <p><b>OR</b></p> <p><b>Gov Reg</b> is amended to contain these rights.</p>
<p>EU rules also fail to ensure EU compliance with Aarhus Convention standards of public access to <u>EU courts</u> to enforce EU compliance with EU climate duties, which undermines public ownership for the EU’s climate mandate and national political leadership.</p>	<p>Aarhus Regulation should be revised to ensure the EU itself guarantees public rights of access to justice to EU courts to enforce compliance by the EU’s institutions with EU climate duties.</p>	<p><b>Aarhus Regulation</b> is revised to bring the EU into compliance with the Convention.</p>
<p><b>WEAK EU RULES ON BUILDING CROSS-PARTY POLITICAL LEADERSHIP</b></p>		
<p>EU rules do not create the enabling conditions for building cross-party (political) understanding of, and support for ambitious national policy, which undermines the enabling conditions for building sustained political leadership.</p>	<p>National parliament engagement in NECP/LTS formulation:</p> <ul style="list-style-type: none"> <li>• National parliament should be entitled to ‘<i>early and effective</i>’ participation in the formulation and revision of NECP <b>AND</b> LTS.</li> <li>• MS should be required to report annually to national parliaments on the implementation of NECP and LTS.</li> <li>• COM should be required to adopt EU Guidelines or delegated Acts setting out minimum criteria and/or best practice for ensuring parliamentary engagement.</li> <li>• Template for NECP and LTS and biennial reporting process should require MS to inform COM about the views expressed by national parliaments; whether those views have been reflected in the NECP and LTS; and if not, the rationale.</li> </ul>	<p><b>ESR</b> is revised to contain some of these provisions (for example, those relating to national targets) and <b>ESR also</b> contains provisions amending both the Governance Regulation &amp; Just Transition Mechanism to create the remaining rules.</p> <p><b>OR</b></p>

	<p>National parliament engagement in monitoring national policy consistency:</p> <ul style="list-style-type: none"> <li>• At the start of parliamentary consultation about the draft NECP and draft LTS and when the nationally adopted NECP and LTS are being submitted to the COM for approval - MS should be required to provide a statement to national parliament setting out how policy consistency has been achieved between: <ul style="list-style-type: none"> <li>(i) NECP and LTS (as required by GR)</li> <li>(ii) NECP and LTS and national contribution to achieving the EU's 2050 objectives (as required by EU Climate Law).</li> <li>(iii) Territorial Transition Plan (adopted under the Just Transition Mechanism) and the NECP, LTS and achievement of the EU's 2050 objectives.</li> </ul> </li> <li>• National Parliament should receive a report setting out the COM's response to the draft NECP and draft LTS.</li> <li>• Within a specified number of months following the COM's Article 6 assessment under the EU Climate Law, national parliament should receive a report on the COM's country-specific assessment of national policy consistency and set out what action the government intends to take to respond to any country-specific recommendations issued by the COM.</li> </ul> <p>National parliament engagement in responding to multi-level dialogue recommendations:</p> <ul style="list-style-type: none"> <li>• National parliaments should be entitled to receive an annual report on the key outcomes and recommendations emerging from the Dialogue and an explanation of what action will be taken to respond to these recommendations.</li> <li>• National parliaments should have a defined role in making recommendations to government about the appropriate response to National Dialogue recommendations.</li> <li>• MS biennial reports to the COM on the National Dialogue should include a summary of parliament's recommendations for responding to the outcomes of the ND during the reporting period and a reasoned statement of whether the government has accepted parliament's recommendations.</li> </ul>	<p><b>Governance Regulation</b> is revised to contain these new rules and amends the JT Mechanism rules.</p>
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	<p>National parliament engagement in plan making and financing under EU Just Transition Mechanism:</p> <p>Under the EU Just Transition Mechanism, national parliament should have an explicit role in the 'dialogue' required in deciding on Territorial Transition Plans and funding. For example:</p> <ul style="list-style-type: none"> <li>• National parliament should receive a statement of the intended national approach to engagement with the EU's Just Transition Mechanism specifying as a minimum the government's assessment of the just transition issues arising at country level and its intended approach to seeking EU funding under the JT Mechanism.</li> <li>• National parliament should be consulted on the draft of the 'Territorial Transition Plan' before it is submitted to or approved by the COM. Annual progress reports on the implementation of the just transition and the Territorial Transition Plans agreed with the COM.</li> <li>• National parliament should receive an annual report on the implementation of the Territorial Transition Plan.</li> </ul> <p>National parliament engagement in national climate and energy target setting and target compliance:</p> <ul style="list-style-type: none"> <li>• National parliament should receive a report of the government's intended climate and energy target pledges under the Governance Regulation and the rationale and should be consulted about the EU negotiation of the country-specific share of the EU's 2030 and 2050 target.</li> <li>• National parliament should receive an annual report on national compliance with ESR targets including a statement of: <ul style="list-style-type: none"> <li>(i) Any country-specific Opinions issued by the COM under the ESR including the MS's intended response.</li> <li>(ii) Any draft corrective plan intended for submission to the COM to remedy national non-compliance with the ESR.</li> <li>(iii) Any proposal by the government to purchase flexibilities instead of delivering emissions reductions.</li> </ul> </li> </ul>	
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WEAK EU RULES ON JUST TRANSITION UNDERMINES PUBLIC AND CROSS-PARTY POLITICAL TRUST IN & SUPPORT FOR AMBITIOUS CLIMATE POLICY		
<p>Lack of transparency and public participation within the EU Just Transition Mechanism undermines public and cross-party political trust in decision making concerning the fairness of the national transition, which weakens public and cross-party political support for climate policy and undermines the potential for building a stable societal consensus.</p>	<ul style="list-style-type: none"> <li>• Citizens, civil society and sectoral stakeholders should be entitled to early and effective participation in the: <ul style="list-style-type: none"> <li>(i) Identification of social justice dimensions to the national transition</li> <li>(ii) the formulation of draft Territorial Transition Plans under the EU Just Transition Mechanism</li> <li>(iii) decision making about proposed national applications for EU funding under the Just Transition Mechanism.</li> </ul> </li> <li>• MS should be urged (or required) to establish a dedicated independent expert advisory body to provide transparent and neutral advice and progress reporting on the just transition at national level.</li> <li>• COM required to publish EU Guidance on best practice at national level in creating institutional and other informal platforms for providing neutral, expert advice on social justice policy making.</li> <li>• As proposed above – national parliament should also be entitled to an early and effective opportunity to participate in decision making about Territorial Transition Plans and national applications for EU funding under the JT Mechanism.</li> <li>• MS should be required to publish annual reports on implementation of Territorial Transition Plans and the spending of EU funding under the JT Mechanism.</li> <li>• COM should be required to publish an annual report on decision making within the JT Mechanism and national progress in implementing a just national transition.</li> </ul>	<p>ESR amends the Just Transition Mechanism to create these rules.</p> <p><b><u>OR</u></b></p> <p><b>Governance Regulation</b> is revised to create these rules and to amend the Just Transition Mechanism</p>
<p>Weak EU rules on national planning for a just transition also undermine public and cross-party trust in the fairness of the transition and therefore public and political support for ambitious climate policy, which damages political leadership and societal consensus.</p>	<ul style="list-style-type: none"> <li>• NECP template is amended to: <ul style="list-style-type: none"> <li>(i) require MS to specify what action they intend to take to address the stated ‘implications arising for energy poverty’ of the NECP.</li> <li>(ii) make the just transition a separate ‘dimension’ of the NECP (going beyond energy poverty) requiring MS to address a more holistic set of criteria concerning the just transition.</li> </ul> </li> </ul>	<p>ESR is amended to contain provisions amending the Governance Regulation and Just Transition Mechanism.</p> <p><b><u>OR</u></b></p>



	<ul style="list-style-type: none"> <li>(iii) set out what specific action is being taken to address the specific national dimensions of the just transition.</li> <li>(iv) require MS to set out how Territorial Transition Plans adopted under the EU Just Transition Mechanism are consistent with: <ul style="list-style-type: none"> <li>(a) achieving the national LTS and</li> <li>(b) achievement of the EU’s 2050 objectives.</li> </ul> </li> <li>• LTS template relating to ‘socio—economic aspects’ is amended to: <ul style="list-style-type: none"> <li>(i) define key criteria and indicators that should be addressed in MS ‘impact assessment’ in this context.</li> <li>(j) require MS to set out what action they intend to take to address the socio-economic aspects of the national transition and to respond to the outcome of the national impact assessment.</li> </ul> </li> </ul>	<p><b>Governance Regulation</b> is revised to contain these amendments.</p>
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