

There is an urgent need to establish resilient national ownership of the EU's climate objective: Use the Fit for 55 Review to solve this problem and protect ambition in the package

The EU's climate ambition is now clear. A climate neutral Union must be achieved. There is no turning back or postponing. But the shocks of the Covid-19 pandemic, the cost-of-living crisis and war in Ukraine highlight the urgent need for resilient national commitment to the EU's climate objective to ensure near-term policy ambition and to create the enabling conditions to protect political leadership on climate from the destabilising impacts of current economic and geopolitical headwinds and the inevitable crises of the future. **The Fit for 55 review provides an important opportunity to put in place 3 proven, but currently missing cornerstones of resilience in national decision that would in turn protect ambition in the package.**

- All MS should be required to adopt a national economy-wide climate neutrality target to ensure achievement of the EU's target and describe how they plan to achieve it in their updated national Long-Term Strategies together with EU Commission powers to evaluate if these targets are sufficient to achieve the EU's objective and if need be – propose corrective measures, including adjusted national targets.**
 - EU Commission's Fit for 55 proposals provide no clarity about national responsibility after 2030.** This uncertainty risks allowing some MS to believe the EU's long-term climate target is an objective to be delivered by other MS and leaves decision making about near term ambition exposed to disruptions caused by unexpected shocks. There is an urgent need for all MS to commit to this objective so that all are clear about what they must achieve across their economies to achieve EU's long-term objective.
 - Progressive MS voiced concern at the February Environment Council about the lack of transparency about national convergence on the EU's long-term objective.** Clarity about the national long-term climate objective and COM powers to 'add up' those targets would reinforce transparency and confidence in convergence. It would also prevent a 'waterbed' dynamic in current and future EU negotiations whereby greater ambition in one legislative file leads to less in another because the real scope for negotiation would be clear.
 - [13 EU countries](#) have already gone ahead of the EU and adopted - or are about to adopt - national whole economy climate neutrality targets.** These countries recognise that carbon pricing is an important and necessary policy but that it is not enough on its own to deliver climate neutrality and must be *accompanied* with robust national ownership of the responsibility to achieve the long-term climate objective. They recognise the important role national climate neutrality targets play in stabilising political leadership and mobilising a mission mindset across the whole of government – two crucial enabling conditions for sufficient ambition.

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* Prof. Sharon Turner is a consultant and visiting Professor at the University of Sussex, Dr Ciara Brennan is the Director of EJNI and a visiting fellow at Newcastle University and Caitlin McIlhennon is EJNI's Research Officer.

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- **This ask would also stimulate a meaningful national debate in countries where it has not already started about how climate neutrality can be achieved and fairly**, about the real policy options for doing so - and promote engagement with citizens about the choices to be made. Home-grown and inclusive decision-making will build a resilient societal consensus that the EU Green Deal can be achieved fairly protecting EU climate policy from a backlash.

2. MS must use the revision of the Effort Sharing Regulation to fix gaps in national access to justice

- **Respect for the rule of EU law and meaningful citizen engagement in the transition are two crucial bulwarks of resilient climate policy management.** The EU Commission's 2020 [Communication](#) on Access to Environmental Justice highlighted serious inconsistencies in public rights of access to justice at national level which breaches the EU's international duties under the Aarhus Convention. The Commission called on EU's co-legislators to fix this via EU sectoral measures. The ESR is one of the most important such measures in the climate context.
- **Including minimum standards of access to justice at national level into the ESR would empower citizens to strengthen the enforcement of EU rules on climate where they are breached.** It would also empower them to participate in designing their national transitions, in turn reinforcing the legitimacy and stability of national consensus about the need for ambitious climate policy. Integrating minimum standards of access to justice in the ESR would also **strengthen respect for the rule of law within the Union.**
- **Rights of access to justice at national level also 'belong' in the ESR** – not in the Aarhus Regulation. The Aarhus Regulation focuses exclusively on rights of access to justice at EU level and governs challenges to acts and omissions by the EU's institutions. The ESR relates to national climate action. Putting national access to justice rights into the ESR aligns with the EU COM's preferred approach and builds on the precedent that already exists in the Industrial Emissions Directive.
- **Progressive countries have an interest in supporting this ask because it would create a more level playing field in terms of accountability.** Inconsistencies in national access to justice distort the quality of accountability experienced by MS. Harmonised accountability aligns with the spirit of solidarity.

3. Require the EU Commission to publish EU Guidelines on best practice in the establishment of national climate advisory bodies

- **Independent expert climate advisory bodies have been created by almost every EU MS that has committed to climate neutrality.** These bodies have a proven track record in fostering political leadership through building trust and transparency about the real policy options for achieving climate neutrality. Their role is now more important than ever as national policy makers face the challenge of adopting policies consistent with the EU's climate neutrality objective against generational socio-economic and geopolitical headwinds. EU Guidelines on best practice in their creation would accelerate uptake of a proven mechanism of resilient leadership.

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