

FAQs: The role of NECP revision as a driver of net zero ambition, implementation and accountability in Ireland

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What are the EU Governance Regulation, the national energy and climate plans (NECPs) and long-term strategies?

The [Governance Regulation](#) creates integrated structures for planning, reporting and reviewing EU climate and energy policy. It requires Member States to prepare two plans, national energy and climate plans (NECPs) and national long-term strategies (nLTS). A detailed overview is available [here](#).

What must NECPs do?

In their NECPs, Member State must describe, in an integrated manner, their climate and energy objectives and targets – as well as the enabling policies and measures to achieve them – for the period from 2021-2030. NECPs must be prepared every 10 years and updated at five-year intervals. Each NECP addresses a member state's plans to achieve objectives related to the five Energy Union dimensions of (1) decarbonisation of the economy; (2) energy efficiency; (3) energy security; (4) the internal energy market; and (5) research, innovation, and competitiveness. NECPs need to show how a Member State will deliver national binding emission reduction targets for sectors currently not included in the EU Emissions Trading System (transport, buildings, waste, agriculture, small industry, F-gases) and contribute to the EU's 2030 renewables and energy efficiency targets. Annex I to the Governance Regulation lays out a detailed template on the areas to be covered by, and the information to be included in the NECPs. These include public and stakeholder consultation; national objectives and targets; planned policies and measures; modelling for business as usual as well as with planned measures including macroeconomic analysis and assessment of the health, environmental, employment and social impacts of planned policies and measures; and investment requirements.

How does the NECP process work?

NECPs are prepared and updated through an iterative process. Member States were required to submit their first draft NECPs at the end of 2018. The Commission assessed the drafts and provided country specific recommendations within 6 months. Finalised NECPs were due at the end of 2019. After this, the Commission was required to assess whether the finalised NECPs were sufficient for the collective achievement of the Energy Union's objectives and the EU's 2030 targets and whether the Member States had taken due account of the Commission's recommendations.

Have NECPs been effective in helping achieve the EU's climate objectives to date?

It was widely recognised that this first round of NECPs [did not do enough to catalyse the required energy transition and pave the way for a climate neutral economy](#). According to [the EU Commission 2020 Climate Progress Report](#), with the implementation of the planned measures or stated ambitions in current NECPs, the EU is projected to reduce overall GHG emissions by 41% by 2030. This level of emission reductions falls well below what is necessary

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to limit temperature rise to 1.5°C ([66-77% emissions reduction below 1990 levels by 2030 for the EU bloc](#)), it is not even in line with the current EU targets (55% emissions reduction below 1990 levels by 2030).

What is the reporting process regarding NECPs?

The Governance Regulation also establishes a system of reporting and monitoring of the implementation of the NECPs. For example, the Commission issues a State of the Energy Union report on an annual basis and Member States provide emissions data every year (as part of their existing UNFCCC obligations). From March 2023, Member States must also submit their 'Biennial Progress Reports' to the Commission, where Member States take stock of implementation progress towards meeting their 2030 targets. By 30 June 2023, Member States must submit a draft update of their NECPs to Commission or give reasons to the Commission justifying why its NECP does not require updating.

How have climate objectives changed since the first round of NECPs?

The climate landscape has evolved significantly since 2018, when the NECPs were first drafted. In 2021, the EU adopted the European Climate Law which establishes the goal of climate neutrality for the EU by 2050 at the latest and an interim target of at least a 55% reduction in GHG emissions by 2030 relative to 1990 levels. The Commission is giving effect to this ratcheting up of ambition through the 'Fit for 55 package.' The Fit for 55 legislative package is updating several pieces of EU climate and energy law that are of particular relevance to the NECPs including the Effort Sharing Regulation (ESR), the Renewable Energy Directive and the Energy Efficiency Directive. These updates will include an increase of the ESR emission reduction target to 40% reduction by 2030 (and a 62% reduction for the ETS sector), relative to 2005 levels. The European Climate Law also introduces a requirement for the Commission to assess policy consistency of NECPs and nLTS with the EU's climate neutrality target.

What happens once the draft NECPs are submitted?

After Member States submit their draft NECPs, the Commission will then engage in same *ex-ante* assessment of the updated document, as outlined above, and provided country specific recommendations within 6 months. The finalised versions of the NECPs must be submitted to the Commission by 30 June 2024. The *ex-post* monitoring by the Commission, described above, will also take place again and with a review the adequacy of the NECPs to assess Member States' compliance with the EU's 2030 and 2050 targets. The necessity for revision of the NECPs in 2023 is clear given the scale of change since the first round of NECP submitted at the end of 2018.

How do NECPs relate to national long term strategies?

In addition to the NECP, Member States must prepare national long-term strategies (nLTS) with a 30-year horizon every 10 years and where necessary, update them every 5 years. The nLTS must cover total GHG emission reductions and enhancement of removals by sinks both in total and for individual sectors; expected progress towards a low carbon economy; expected socio-economic effect of the decarbonisation measures; and links to other national long-term objectives, planning and investment. Member States were required to submit their first nLTS by January 2020 and to update it where necessary after 5 years i.e. by January 2025. The NECP and nLTS are closely connected as there is a requirement for the NECPs to be consistent the nLTS. The nLTS provides an important opportunity for Member States to clarify their national contributions to the EU's 2050 climate neutrality

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target, especially as advanced economies like Ireland will need to reach net zero well before 2050 if the bloc, as a whole, is to meet its climate neutrality target.

How do EU climate and energy plan/strategies relate to climate plans under Irish Climate Law?

EU climate and energy plans and strategies under the Governance Regulation do not map directly onto the short and long term climate plans under the Climate Action and Low Carbon Development Act 2015 (as amended). However, there are some key linkages particularly in respect of the nLTS (under the Governance Regulation) and the National Long Term Climate Action Strategy under Irish climate law.

EU Climate Law	Irish Climate Law
Regulation (EU) 2018/1999 on the Governance of the Energy Union and Climate Action (The Governance Regulation)	Climate Action and Low Carbon Development Act 2015 (as amended)
	Climate Action Plan (CAP) (section 4(1)(a)) <ul style="list-style-type: none"> - Updated annually - Must be consistent with carbon budgets. - Must set out a roadmap of actions including sector specific actions to comply with carbon budget and sectoral emissions ceilings and sector specific measures to address failures. - Obligation on Minister and Government to carry out functions in relation to CAP in a manner consistent with art.2 of UNFCCC and art.2 and 4(1) of Paris Agreement (section 3(3))
National Energy and Climate Plans (articles 3- 14) NECPs: MS 10 year plan setting out policies, measures & financing to deliver national share of EU's climate and energy 2030 objectives and target – including supporting social policies. National Long Term Strategies (article 15) 10-year strategy with at least a 30-years horizon covering, among other things, total GHG emission reductions and enhancement of removals by sinks both in total and for individual sectors; expected progress towards a low carbon economy; expected socio-economic effect of the decarbonisation measures; and links to other national long-term objectives, planning and investment. NECP must be consistent with nLTS (article 15(6))	National Long Term Climate Action Strategy (section 4(1)(b)) <ul style="list-style-type: none"> - replaces the National Mitigation Plan (NMP) - It must also specify manner in which it is proposed to achieve the national climate objective (net zero by 2050 at latest). - It must include projections for GHG emissions and sinks for a minimum 30-year time horizon, a projection of GHG reductions in relevant sectors, and an assessment of potential opportunities for achieving reductions - Obligation on Minister and Government to carry out functions in relation to long term strategy in a manner consistent with art.2 of UNFCCC and art.2 and 4(1) of Paris Agreement (section 3(3)).
	Carbon budgets (sections 6A, 6B, 6D)
	Sectoral emissions ceilings (section 6C)

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What is the status of medium and long term climate planning in Ireland?

- There has been a significant gap in medium and long-term climate mitigation planning in Ireland for several years. In July 2020, the Supreme Court quashed the NMP in '[Climate Case Ireland](#)' on the basis that the plan fell "a long way short" of the level of specificity required by the Climate Action and Low Carbon Development Act 2015 (Climate Act). Almost 3 years on, **the Irish government has still not adopted up-to-date, credible medium/long term climate mitigation strategies to guide shorter-term climate policies like the Climate Action Plan.** The government has not adopted a national long term climate action strategy as required under the Climate Act (as amended). [The government has still not published the nLTS 3 years after the deadline](#) as required by the Governance Regulation.
- In December 2021, [Friends of the Irish Environment wrote to government threatening judicial review proceedings](#) if it failed to produce an nLTS by 1 January 2022. In September 2022, the European Commission issued a formal notice threatening infringement proceedings and giving Ireland a two-month deadline to produce a long term strategy. It seems to be the intention of government to produce one single long-term plan strategy to satisfy the requirements of both the Climate Act and the Governance Regulation. It has been reported that a [draft long-term strategy will be submitted to the Commission in the first quarter of 2023 and that the government intends to submit the final version of its strategy by the end of 2023.](#) It remains unclear whether the revised NECP is driving the development of the nLTS or vice versa and whether the two are being developed in line with each other is also unclear.
- On medium term climate planning, Ireland submitted a draft NECP to the Commission in 2019. However, **Ireland's 2019 NECP is now severely outdated and falls dramatically short of the level of ambition needed to meet the updated domestic and EU climate and energy targets, never mind making a fair share contribution to the Paris Agreement temperature goal.** Even in 2019, [existing policies and measures were not enough](#) to achieve the (then less ambitious) 2030 non-ETS, renewables and energy efficiency targets. According to the Commission's [assessment of Ireland's 2019 NECP](#), "a significant number of the policies and measures identified in the final NECP are more akin to objectives and ambitions than to specific actions."
- **The annually updated Climate Action Plan (CAP), a short term planning mechanism, is insufficient by itself to get us to our interim 2030 target of a 51% reduction relative to 2018 levels or the net-zero by 2050 at the latest target. From a good climate governance perspective, medium and long-term climate plans should be informing the production of shorter-term plans like the CAP and not the other way round.** A major problem that has emerged with the CAP has been the sequencing of publication. For the second year in a row, the government failed to publish the annex of actions at the same time as the updated CAP. The annex of actions was published in March 2023, two months after the updated CAP was published. The annex of actions does not quantify how much the planned actions are expected to achieve in terms of emission reductions. This makes it difficult for the public and other stakeholders to assess whether the policies and measures contained in the plan are credible, effective and appropriate for achieving the first two carbon budgets and ultimately the national climate objective. In its [2022 Annual Report](#), the CCAC highlighted the major gap between proposed policies and measures and the 2030 target noting that implementation of the CAP 2021 was only likely to result in a 28% reduction in GHG emission relative to 2018 levels. **In line with the dicta of the Supreme Court in 'Climate Case Ireland,' we need a sufficiently detailed, credible, and consistent climate strategies covering the period up to 2030 for the NECP and**

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the entire period up to 2050 for the national long term climate action strategy/LTS, which plot the course for deep, science-based emissions reductions in the short, medium, and longer term.

Why does the NECP and the NECP revision process matter for Ireland?

- **The NECP revision process is a once-in-a-decade chance to enhance transparency on Ireland's planned climate measures and supporting policies given the NECP template is highly prescriptive and detailed.** The [Commission has also published Guidance to Member States on good practices for updating their NECPs](#). The NECP and NECP revision process is therefore an important time-bound data sharing exercise on the policies, measures and financing needed to deliver Member State's achieve their climate and energy targets. Unfortunately, the Climate Act does not set a deadline for the publication of a national long-term climate action strategy; by contrast, the timeframes set by the Governance Regulation should ensure timely production of medium and long term climate plans.
- **There is a clear expectation that Member States will set higher ambition in the climate and energy targets to align with the EU climate law, Fit for 55, and other relevant EU legislation/policies (e.g., RePowerEU, the EU plan to reduce dependency on Russian fossil fuels).** There is also an emphasis on setting objectives, targets and corresponding policies to reduce methane emissions. The EU's 2030 and 2050 climate and energy targets are still not enough to be compatible with the Paris Agreement temperature goals. To do its fair and science-based share under the Paris Agreement, [the EU would have to reduce its GHG emissions by at least 65% by 2030 and achieve net-zero emissions by 2040](#). Yet, it is important to emphasise that there is [no limitation on Member States](#) redesigning their NECPs so that they go beyond the EU's current level of climate mitigation ambition. Ireland's target under the ESR is a 42% reduction in GHG emissions by 2030 relative to 2005 levels. It is difficult to map Ireland's domestic interim 2030 target of a 51% reduction in GHG emissions relative to 2018 levels (detailed through the first two carbon budgets) onto the interim 2030 climate and energy targets detailed in the Fit for 55 package and reported on through the NECP process. According to research by Brian Ó'Gallachóir, Ireland's 2030 mitigation target under domestic climate law and EU climate laws broadly align. [As outlined by Paul Price](#), Ireland's net zero by 2050 at the latest target is still not consistent with article 2 of the Paris Agreement. The NECP could be used as an opportunity to enhance ambition to align with Ireland's Paris Agreement commitments, particularly in relation to equity and common but differentiated responsibilities and respective capacities (CBDR-RC). This could take the shape of addressing some of the problem's associated with Ireland's climate neutrality by 2050 target. These problem are highlighted in [Barry McMullin's research](#) and include the fact that the net-zero target does not currently place a constraint on gross emissions; that there needs to be linear emission reduction pathway; and that a much earlier decarbonisation date is required to take equity and CBDR-RC seriously.
- **The data-sharing Member States must do as part of the NECP revision process is arguably more extensive than the data-sharing that is required under domestic climate law for the CAP and long term climate action strategy.** RePowerEU and tackling soaring energy prices feature prominently in the Commission's guidance document. In this vein, the Commission recommends that Member States 'strengthen planning within the NECPs to ensure a fair and just transition, mitigating social and employment impacts, tackling labour and skills shortages, reducing energy poverty, and ensuring affordable access to essential services for all'. The NECP revision can thus be used as an [opportunity to ensure that climate and energy](#)

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[targets and objectives - as well as the enabling policies – maximise social benefit and ensure energy security by accelerating the transition to renewable energy and the abandonment of fossil fuels.](#)

- **The Commission expects a detailed overview of investment needs and public and private sources of financing for each of the policies and measures required to achieve the 2030 targets.** It is essential that comprehensive analyses of investments needs and identification of funding sources is set out in Ireland's updated NECP to [demonstrate the credibility of the updated plan and enable the swift implementation of the outlined policies and measures.](#) There is also a facility for Member States to detail national policies, timelines and measure to phase out fossil fuel subsidies. **Ireland's updated NECP should not envisage any investment in new fossil fuel infrastructure and should be used as a platform to map all environmentally harmful subsidies and lay down clear plans to phase-out them out but in a manner consistent with the principles of climate justice and just transition.**
- **The public consultation and national parliament involvement dimension of the NECP process creates an opportunity to increase public buy-in and foster a sense of national ownership over the decarbonisation process.** The requirement for 'early and effective' public participation means the public must be to be given reasonable time to participate in the different phases, consulted when all options are still open, and have access to relevant information at the start of the consultation period. It is vital that Ireland learns lessons from the first round of NECP making where the public consultation process was criticised by stakeholders as 'laboursome and complicated.'
- **The NECPs provide a useful process for monitoring and tracking Member States' progress towards the 2030 targets and achieving climate neutrality in the EU.** [NECP revision process allows stakeholders to identify gaps in national climate planning; to assess how serious the Irish government is about meeting both its national and EU climate and energy targets; and evaluate how Ireland is performing relative to other EU Member States.](#)
- **The requirement that the NECP must be consistent with the nLTS should also act to accelerate the production of an ambition and credible long-term climate action strategy** as required under the Governance Regulation and Irish climate law.
- **The NECP process can also be an important accountability mechanism.** The Commission uses the NECPs as a tool to supervise Member States' policy consistency with the EU's 2030 climate and energy targets and its 2050 climate neutrality target. The Commission is not empowered to compel corrective policy action, it can only issue recommendations to Member States on how to address implementation gaps creating political pressure to address shortcomings. That being said, if Member State's fail to produce an ambitious NECPs or if it fails to implement measures and policies necessary to reach the 2030 and 2050 climate and energy targets, a government may be vulnerable to legal challenge before the courts.
- The NECP revision process is a good litmus test of Ireland's commitment to implementing climate, energy and flanking policies and measures to achieve, and possibly even raise the bar for, its domestic and EU 2030 and 2050 climate and energy targets. 2023 is therefore a critical year for Ireland to produce an NECP that is sufficiently detailed, credible and ambitious to meet Ireland's interim and long-term targets; that benefits from public buy-in through meaningful public participation; and that ensures a fair and just transition.

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