

Is Ireland's national long term strategy (nLTS) sufficiently detailed?

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Introduction

This briefing paper considers the overarching question of whether the [national long-term strategy](#) or national long term climate action strategy (nLTS) produced by the Department of Environment, Climate and Communications in April 2023 gives enough detail on how Ireland is planning to reach our 2050 climate target. It will evaluate this question with reference to the requirements of EU and Irish climate law and good practice examples from other Member States. Sector-by-sector issues (like the 'core' and 'further' measures proposed for emissions intensive sectors like energy, buildings, transport and agriculture) as well as the potential effectiveness of enabling policies (like financing and just transition) will be addressed in detailed forthcoming paper.

An nLTS is a decarbonisation plan with a perspective of at least 30 years. The nLTS is governed by [EU law \(the Governance Regulation\)](#) and [Irish law \(the Climate Action and Low Carbon Development Act 2015 \(as amended\)\)](#). (Hereinafter the Climate Act). The Irish government [published](#) its updated, draft nLTS on 28 April 2023, over 3 years after the EU deadline. The government has indicated that a public consultation on this updated draft will launch shortly. A public consultation had previously been organised in 2019, but the government delayed submitting a finalised nLTS on the basis that it wanted to update the strategy to ensure it aligned with new domestic climate ambition enshrined in the Climate Act.

Legal Framework

EU law

Article 15(1) of the Governance Regulation requires Member States to produce a nLTS covering a 30-year period every ten years; voluntary updates to a nLTS are envisaged every five years. Member States were required to prepare and submit the first iteration of their nLTS by 1 January 2020. Article 15(3) states that the long-term strategies shall contribute to fulfilling the EU and Member States' commitments under the UNFCCC and Paris Agreement including the temperature goals and to achieving long-term GHG emission reductions and enhanced removals by sinks in *all* sectors. Article 15(4) provides a list of elements that Member States must include in their LTS including the total GHG emission reductions and enhancements of removals by sinks. Annex IV suggests a template for the content/structure of nLTS. However, the Governance Regulation does not specify in concrete terms the depth or type of information (e.g., quantitative or qualitative) that Member States must include to illustrate what they are planning up to 2050. Article 15(9) imposes an obligation on the Commission to assess whether the nLTS are adequate for the collective achievement of the EU's 2050 climate neutrality objective and requires the Commission to provide information on any remaining collective gap. It might be inferred therefore that at a minimum the level of detail contained in Member States' nLTS should enable the Commission to complete this assessment.

Irish law

In Ireland, the LTS has also been integrated into national climate law. It is therefore not just a document the government must submit to the European Commission, but also the centrepiece of the government's climate mitigation plans out to 2050.

The Climate Act imposes some overlapping but also additional obligations on the minister/government in preparing and approving the 'long-term climate action strategy,' compared with the Governance Regulation.

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The 'long-term climate action strategy' replaces the requirement to produce a 'national mitigation plan.' In '[Climate Case Ireland](#),' the Supreme Court quashed Ireland's first national mitigation plan in 2020 on the basis that it fell foul of section 4(2)(a) of the Climate Act. Section 4(2)(a) required that the plan 'specify the manner in which [the government] proposed to achieve the national transition objective.' According to the Supreme Court, the test for a compliant decarbonisation plan is whether a reasonable and interested member of the public could know enough about how the government currently intends to achieve the 2050 target from reading it to decide if the government's policies were 'effective and appropriate.' The government had not produced any sort of long-term climate plan in response to the judgment until now.

Section 4(1)(b) now provides that to enable the State to pursue and achieve the national transition objective, the Minister shall prepare not less than once every 5 years, a national long term climate action strategy. Section 4(3) stipulates that this 'roadmap of actions... shall a) specify measures that, in the Minister's opinion, will be required for the first budget period in a carbon budget programme; b) set out an overview of the policies and, to the extent feasible, measures, that, in the Minister's opinion, will be required for the second budget period in a carbon budget programme; and c) outline potential policies that, in the Minister's opinion, may be required for the third budget period in a carbon budget programme'. Mirroring the language of the original section 4(2)(a) (the 'winning' provision in Climate Case Ireland), section 4(5) requires that the long-term strategy 'specifies the manner in which it is proposed to achieve the national climate objective'. The strategy must also include projected reductions in GHG emissions and the enhancement of sinks, for a minimum period of 30 years. Per section 4(6), when preparing the long-term strategy the Minister shall ensure the strategy is consistent with the carbon budget programme and have regard to article 15 of the Governance Regulation.

There are two additional types of duties on the Minister and Government when preparing/approving long-term strategy: 'consistency' duties and 'have regard to' duties. Section 3(3) imposes an obligation on the Minister and Government when performing their functions in relation to making climate plans in a manner that is consistent with article 2 of the UNFCCC, EU climate commitments, and article 2 and 4(1) of the Paris Agreement. Broadly speaking, this translates into a requirement to illustrate the strategy's consistency with the 1.5°C/well below 2°C temperature goal but also the climate justice principles of equity and common but differentiated responsibilities and respective capacities (CBDR-RC) underpinning the temperature goals. There is also a weaker 'have regard to' obligation under section 4(8), which requires the Minister/government to have regard to a wide-ranging list of 18 matters when preparing/approving the long-term strategy. These matters range from climate justice and the requirements of a just transition to the need to maximise employment, the attractiveness of the state for investment and the long-term competitiveness of the economy.

Assessment of Ireland's draft LTS

Does the draft nLTS give enough detail for how Ireland will reach its long-term target?

Section 3(1) sets out Ireland's long term climate target. This is referred to in the Climate Act as the 'national climate objective'. The national climate objective stipulates that '[t]he State shall, so as to reduce the extent of further global warming, pursue and achieve, by no later than the end of the year 2050, the transition to a climate resilient, biodiversity rich, environmentally sustainable and climate neutral economy'. 'Climate neutral economy' is defined as a 'sustainable economy and society where greenhouse gas emissions are balanced or exceeded by the removal of greenhouse gases'. This is essentially a 'net zero' by 2050 target. As the definition makes clear, a net-zero target combines two concepts: emission reductions and the removal of GHGs through natural carbon sinks or negative emissions technologies.

The IPCC has described the extensive deployment of negative emissions technologies as '[subject to multiple feasibility and sustainability constraints](#)'. There is a danger that GHG removals will be seen as a substitute (rather than in addition) to immediate and significant emission reductions. [The problem with an overreliance on GHG removals include the risk that carbon could leak back into the atmosphere; the risk of heightened competition for land; and the fact that most technologies](#)

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[are still only prospective and do not yet exist at scale](#). It is for this reason that scholars call for [separate emissions reductions and GHG removals targets](#) and for the [urgent prioritisation of 'much more ambitious, near term \[emissions\] reductions'](#).

In Ireland, emission reductions are governed by a system of carbon budgeting under the Climate Act. The interim 2030 target is given effect to through a stipulation in section 6A(5) that the first two carbon budgets would provide for a 51% reduction in GHG emissions by 2030 relative to 2018 levels. A provisional carbon budget exists for 2031-2035. The carbon budgets and corresponding emissions reductions for 2035-2050 have not been adopted yet.

Because the draft nLTS contains mostly qualitative rather than quantitative information about Ireland's decarbonisation pathway to 2050, the extent to which Ireland will rely on removals over emission reductions remains unclear. The draft nLTS recognises that achieving climate neutrality will require Ireland's carbon dioxide emissions from fossil fuel energy use in power generation, heating, industry, and transport to reduce to effectively zero. Remaining emissions from agriculture will require removals to reach climate neutrality by 2050. The LTS describes three categories of measures/technologies: core (low-regret measures that could be rolled out immediately and are in the CAP2023); further (more technically challenging and not available at scale in Ireland yet but required to deliver the 2030 and 2050 targets); alternative-further (technologies which have not reached commercial scale yet) – this is set out in Figure 3.1 in the draft nLTS.

In the absence of more quantitative information in the draft nLTS though (i.e. how much of each policy or measure will be needed), it is difficult to assess whether the government's proposed policies are 'appropriate and effective'. The draft LTS does make reference to the development of 'a strategy for negative emissions technologies: to provide for the development of a coherent policy and legislative framework for the introduction of such technologies, including carbon capture and storage and direct air capture, in Ireland'. However, it does not provide a date by which such a strategy will be prepared.

One way to ensure reliance on negative emissions technologies does not delay emissions cuts would be to include a minimum target for how much of the net-zero target would be achieved through actual emissions reductions in the nLTS and/or the Climate Act. An example of this type of approach can be seen in the [Dutch nLTS stipulates that the Netherlands will reduce its emissions by 95% by 2050 compared to 1990](#). This emissions reduction target has also been enshrined in the Netherlands' climate law and represents one of the highest emission reduction targets of EU Member States.

The government has a major opportunity before it finalises the nLTS at the end of this year to learn from other Member States like the Netherlands and include a minimum target for how much of the net-zero target will be achieved through actual emission reductions in Ireland.

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