

Procedure file

Basic information	
COD - Ordinary legislative procedure (ex-codecision procedure) Regulation 2020/0036(COD)	Procedure completed
European Climate Law Amending Regulation 2018/1999 2016/0375(COD)	
Subject 3.60 Energy policy 3.70.03 Climate policy, climate change, ozone layer 3.70.18 International and regional environment protection measures and agreements	
Legislative priorities Joint Declaration 2021	

Key players			
European Parliament	Committee responsible	Rapporteur	Appointed
	 Environment, Public Health and Food Safety	 GUTELAND Jytte	05/03/2020
		Shadow rapporteur	
		 LIESE Peter	
		 TORVALDS Nils	
		 BLOSS Michael	
		 LIMMER Sylvia	
		 ZALEWSKA Anna	
	Committee for opinion	Rapporteur for opinion	Appointed
	 Economic and Monetary Affairs	The committee decided not to give an opinion.	
 Employment and Social Affairs	The committee decided not to give an opinion.		
 Industry, Research and Energy (Associated committee)		24/04/2020	
	 KRASNODEBSKI Zdzisław		
 Transport and Tourism		06/05/2020	
	 METZ Tilly		
 Regional Development		01/04/2020	



ROOSE Caroline

AGRI [Agriculture and Rural Development](#)

04/05/2020



CHRISTENSEN Asger

Council of the European Union
European Commission

Commission DG

Commissioner

[Climate Action](#)

TIMMERMANS Frans

European Economic and
Social Committee
European Committee of the
Regions

Key events

04/03/2020	Legislative proposal published	COM(2020)0080	Summary
11/03/2020	Committee referral announced in Parliament, 1st reading		
27/05/2020	Referral to associated committees announced in Parliament		
11/09/2020	Vote in committee, 1st reading		
22/09/2020	Committee report tabled for plenary, 1st reading	A9-0162/2020	Summary
06/10/2020	Debate in Parliament		
07/10/2020	Results of vote in Parliament		
08/10/2020	Decision by Parliament, 1st reading	T9-0253/2020	Summary
08/10/2020	Matter referred back to the committee responsible		
10/05/2021	Approval in committee of the text agreed at 1st reading interinstitutional negotiations	PE692.729 GEDA/A/(2021)003093	
24/06/2021	Debate in Parliament		
24/06/2021	Decision by Parliament, 1st reading	T9-0309/2021	Summary
28/06/2021	Act adopted by Council after Parliament's 1st reading		
30/06/2021	Final act signed		
09/07/2021	Final act published in Official Journal		

Technical information

Procedure reference	2020/0036(COD)
Procedure type	COD - Ordinary legislative procedure (ex-codecision procedure)
Procedure subtype	Legislation

Legislative instrument	Regulation
	Amending Regulation 2018/1999 2016/0375(COD)
Legal basis	Treaty on the Functioning of the EU TFEU 192-p1
Mandatory consultation of other institutions	European Economic and Social Committee European Committee of the Regions
Stage reached in procedure	Procedure completed
Committee dossier	ENVI/9/02649

Documentation gateway

Legislative proposal		COM(2020)0080	04/03/2020	EC	Summary
Committee draft report		PE648.563	04/05/2020	EP	
Amendments tabled in committee		PE652.555	08/06/2020	EP	
Committee opinion	REGI	PE652.420	10/07/2020	EP	
Committee opinion	TRAN	PE650.613	15/07/2020	EP	
Economic and Social Committee: opinion, report		CES1431/2020	15/07/2020	ESC	
Committee opinion	AGRI	PE650.646	08/09/2020	EP	
Committee opinion	ITRE	PE652.274	08/09/2020	EP	
Supplementary legislative basic document		COM(2020)0563	17/09/2020	EC	Summary
Committee report tabled for plenary, 1st reading/single reading		A9-0162/2020	22/09/2020	EP	Summary
Text adopted by Parliament, partial vote at 1st reading/single reading		T9-0253/2020	08/10/2020	EP	Summary
Coreper letter confirming interinstitutional agreement		GEDA/A/(2021)003093	05/05/2021	CSL	
Text agreed during interinstitutional negotiations		PE692.729	05/05/2021	EP	
Text adopted by Parliament, 1st reading/single reading		T9-0309/2021	24/06/2021	EP	Summary
Draft final act		00027/2021/LEX	30/06/2021	CSL	
Commission response to text adopted in plenary		SP(2021)514	09/08/2021	EC	

Additional information

Research document	Briefing	20/04/2020
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Final act

[Regulation 2021/1119](#)
[OJ L 243 09.07.2021, p. 0001](#)

PURPOSE: to establish the framework to enable the EU to achieve climate neutrality (European Climate Law) and to set a pathway for the EU to follow in all its actions.

PROPOSED ACT: Regulation of the European Parliament and of the Council.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure on an equal footing with the Council.

BACKGROUND: this proposal is a continuation of the [European Green Deal](#) which reaffirms the Commission's ambition to make Europe the first climate-neutral continent by 2050. In its [Communication](#) of 28 November 2018 'A clean planet for all, the Commission already set out its strategic long-term vision of a Union with zero net greenhouse gas emissions by 2050 through a socially fair and cost-efficient transition.

The European Parliament endorsed the EU's long-term objective of climate neutrality. It called for the necessary transition to a climate-neutral society by 2050 at the latest, expressing the wish that this transition should become a true European success story and declared the climate and environmental urgency in its [resolution](#) of 28 November 2019.

The European Council has set building a climate-neutral, green, fair and social Europe as one of the main four priorities in its Strategic Agenda for 2019-2024. It also endorsed the objective of achieving a climate-neutral EU by 2050, in line with the objectives of the Paris Agreement, while recognising the need to put in place an enabling framework and that the transition will require significant public and private investments.

The EU has put in place a comprehensive framework of policies to reduce greenhouse gas emissions. It has already started to modernise and transform the economy with the aim of climate neutrality. Between 1990 and 2018, it reduced greenhouse gas emissions by 23%, while the economy grew by 61%.

Despite efforts to reduce greenhouse gas emissions, the Commission considers it imperative to take further action, involving all sectors, as current policies are expected to only reduce greenhouse gas emissions by 60% by 2050.

CONTENT: the proposed Regulation aims to complement the existing policy framework by setting the long-term direction of travel and enshrining the 2050 climate-neutrality objective in EU law, enhancing adaptation efforts, establishing a process to set out and review a trajectory until 2050, regular assessment and a process in case of insufficient progress or inconsistencies.

Its aim is to:

- provide a direction by setting a pathway to climate neutrality, and enhance certainty and confidence on the EU's commitment for businesses, workers, investors and consumers, as well as transparency and accountability, thus sustaining prosperity and job creation;
- contribute to the implementation of the Paris Agreement on climate change, including its long-term goal to keep the global temperature increase to well below 2°C above pre-industrial levels and to pursue efforts to keep it to below 1.5°C as well as to the implementation of the Sustainable Development Goals.

Climate neutrality target for 2050

The proposal sets out the EU's climate neutrality objective for 2050, which covers all sectors and all greenhouse gases (not just CO₂) and applies to the whole Union. It also obliges the European Parliament, the Council, the Commission and the Member States to take, at their respective levels, the necessary measures to achieve this objective.

The proposal also sets out the way forward to achieve the 2050 target:

- by September 2020, the Commission shall present a plan with an impact assessment to increase the EU's 2030 greenhouse gas emission reduction target to at least 50% and move towards 55% below 1990 levels in a responsible manner. If necessary, it shall propose amending EU climate law accordingly;
- by 30 June 2021 at the latest, the Commission shall assess and propose to revise, if appropriate, all relevant policy instruments in order to achieve the additional greenhouse gas emission reductions by 2030.

Trajectory towards climate neutrality

For the period 2030 to 2050, the Commission shall be empowered to adopt delegated acts to supplement this Regulation by setting out a trajectory at Union level to achieve over time the 2050 objective. The Commission shall review the EU trajectory every 5 years.

Under the Paris Agreement, the Parties periodically take stock of the implementation of the Paris Agreement and assess the collective progress made in achieving its purpose and long-term goals (the so-called global stocktaking exercise).

At the latest within six months of each global stocktake, the Commission shall review the trajectory.

Adaptation to climate change

The proposal obliges the relevant EU institutions and Member States to ensure that steady progress is made in improving adaptive capacity, strengthening resilience and reducing vulnerability to climate change. To this end, Member States shall adopt comprehensive national adaptation strategies and plans.

Regular assessment

By 30 September 2023 at the latest, and every five years thereafter, the Commission shall assess the progress made, in line with the deadlines set out in the Paris Agreement.

If the assessment shows that EU measures are inconsistent or inadequate in relation to the objective pursued, or that progress is insufficient, the Commission shall take appropriate action. The Commission shall also regularly assess relevant national measures and issue recommendations where it finds inconsistencies or that measures are inadequate.

Public participation

The Commission shall engage in dialogue with all parts of society to empower them to take action for a climate-neutral society. Each Member State shall establish a multilevel climate and energy dialogue pursuant to national rules, in which all relevant stakeholders and the general public are able actively to engage and discuss the achievement of the Union's climate-neutrality objective.

European Climate Law

PURPOSE: to amend the Commission's initial proposal of 4 March 2020 establishing the necessary framework for the EU to achieve climate neutrality (European Climate Law) to include a new specific EU target for reducing greenhouse gas emissions by 2030.

BACKGROUND: the proposal for a European Climate Law aims to enshrine the EU 2050 climate-neutrality objective in legislation, enhancing certainty and confidence on the EU's commitment as well as transparency and accountability.

The original proposal stated that the Commission would present by September 2020 an impact assessed plan to increase the EU's greenhouse gas emission reduction target for 2030 to at least 50% and towards 55% compared with 1990 levels in a responsible way, and that the Commission would propose to amend the proposal accordingly.

The 2030 Climate Target Plan demonstrates that increasing the EU's emission reduction target for 2030 to at least 55% is both feasible and beneficial.

CONTENT: with a view to achieving climate neutrality in the Union by 2050, it is proposed that the EU's greenhouse gas emission reduction target for 2030 is increased to at least 55% compared with 1990 levels, including emissions and removals.

By 30 June 2021 at the latest, the Commission shall review the Union's legislation with a view to making it possible to achieve this specific objective and the climate-neutrality objective and consider taking the necessary measures, including the adoption of legislative proposals.

European Climate Law

The Committee on the Environment, Public Health and Food Safety adopted the report by Jytte GUTELAND (S&D, SE) on the proposal for a regulation of the European Parliament and of the Council establishing the framework for achieving climate neutrality and amending Regulation (EU) 2018/1999 (European Climate Law).

The European Climate Law is the cornerstone of the European Green Deal as it enshrines into legislation the Union's objective to reach net zero greenhouse gas emissions by 2050 at the latest.

The EU is currently responsible for 10 % of the world's emission of greenhouse gases. The climate-neutrality objective is limited to emissions from Union production.

The committee recommended that the European Parliament adopt its position at first reading under the ordinary legislative procedure by amending the Commission proposal.

It introduced amendments concerning, inter alia:

Subject matter and scope

The proposed Regulation seeks to establish a framework for the irreversible, predictable and swift reduction of greenhouse gas emissions and enhancement of removals by natural or other sinks in the Union in line with the Union's climate and environmental objectives.

National binding objectives

In order to ensure that Member States uphold their commitments under the Paris Agreement, the proposed Regulation sets out a binding objective of climate neutrality in the Union by 2050 at the latest.

Climate-neutrality objective - negative emissions post-2050

The report stated that Union-wide anthropogenic emissions by sources and removals by sinks of greenhouse gases regulated in Union law shall be balanced in the Union at the latest by 2050, thus achieving net zero greenhouse gas emissions by that date. Each Member State shall endeavour to achieve net zero greenhouse gas emissions by 2050 at the latest.

The relevant Union institutions and the Member States shall take the necessary measures based on the best available, up-to-date science and provide support at Union and at national, regional and local level respectively, to enable the achievement of the climate-neutrality objective, taking into account the importance of promoting fairness and solidarity and a just transition among Member States, social and economic cohesion, the protection of vulnerable Union citizens and the importance of managing, restoring, protecting and enhancing marine and terrestrial biodiversity, ecosystems and carbon sinks.

As from 1 January 2051, removals of greenhouse gases by sinks shall exceed anthropogenic emissions in the Union and all Member States.

Intermediate targets

Members proposed that in order to ensure that the Union reaches climate neutrality by 2050 at the latest and to assess the measures and progress achieved, the Union should have clear and adequate climate reduction targets for the years 2030 and 2040. They suggested that the Union's 2030 proposed target for climate shall be an emissions reduction of 60 % compared to 1990.

To ensure that the Union and all Member States remain on track to reach the climate-neutrality objective, and to ensure the predictability and confidence for all economic actors, including businesses, workers and trade unions, investors and consumers, the Commission shall explore options for setting a Union 2040 climate target and make legislative proposals to the European Parliament and the Council where appropriate.

In order for the Union to reach the climate-neutrality objective by 2050 at the latest and the intermediate climate targets for 2030 and 2040, the Union institutions and all Member States shall, as early as possible and by 2025 at the latest, have phased out all direct and indirect fossil subsidies. The phasing out of those subsidies shall not impact on efforts to combat energy poverty.

EU strategy on adaptation to climate change

Moreover, by 31 January 2021 and every 5 years thereafter, the Commission shall adopt an updated EU Strategy on adaptation to climate

change. The updated EU Strategy shall aim to ensure that adaptation policies are prioritised, integrated and implemented in a consistent way across Union policies, international commitments, trade agreements and international partnerships.

EU greenhouse gas budget

The committee suggested that the Commission establish an EU-27 net greenhouse gas budget, expressed in CO₂ equivalent based on the latest scientific calculations, which represents the Unions fair share of the remaining global emissions, in line with the Paris Agreement objectives. The Unions greenhouse gas budget shall guide the establishment of the Union trajectory towards net-zero greenhouse gas emissions by 2050, in particular its future 2030 and 2040 greenhouse gas targets.

When making legislative proposals for setting a trajectory, the Commission shall take into account the Union greenhouse gas budget setting out the total remaining quantity of greenhouse gas emissions as CO₂ equivalent that could be emitted until 2050 at the latest without putting at risk the Unions commitments under the Paris Agreement. The Commission shall set out the Union greenhouse gas budget in a report and shall submit this report to the Parliament and the Council by 31 December 2021. The Commission shall make that report and its underpinning methodology publicly available.

Sectoral contributions

Achieving climate neutrality requires all economic sectors, including aviation and maritime transport, energy, agriculture, etc to swiftly reduce their emissions to close to zero. The polluter pays principle shall be a key factor in that regard.

The Commission shall in particular evaluate the options for aligning emissions from all sectors, including aviation and maritime transport, with the 2030 target for climate and the 2050 climate-neutrality objective in order to reduce these emissions to net zero by 2050 at the latest and shall present legislative proposals, where appropriate, to the European Parliament and to the Council.

European climate pact

Members proposed that the Commission establish a European climate pact with the purpose of engaging citizens, social partners and stakeholders in the elaboration of Union-level climate policies and fostering dialogue and the diffusion of science-based information about climate change and its social and gender equality aspects, as well as sharing best practices for climate initiatives. Member States shall ensure, when taking measures to achieve the climate-neutrality objective, that citizens, civil society and social partners are informed and consulted throughout the legislative process.

Review

The Commission shall, six months after each global stock-take of the Paris Agreement in 2028, conduct a review of all elements of this Regulation and submit a report to the European Parliament and the Council, accompanied, if appropriate, by legislative proposals.

European Climate Law

The European Parliament adopted by 392 votes to 161, with 142 abstentions, amendments to the proposal for a regulation of the European Parliament and of the Council establishing the framework for achieving climate neutrality and amending Regulation (EU) 2018/1999 (European Climate Law).

The matter was referred back to the committee responsible for inter-institutional negotiations.

The main amendments adopted in plenary concern the following points:

Binding target of climate neutrality by 2050 at the latest

The proposed Regulation shall establish a framework for the irreversible, predictable and swift reduction of greenhouse gas emissions and enhancement of removals by natural or other sinks in the Union in line with the Unions climate and environmental objectives.

Members insisted that not only the EU but also all individual Member States should achieve climate neutrality by 2050 at the latest.

The relevant Union institutions and the Member States shall provide support at Union and at national, regional and local level respectively, to enable the achievement of the climate-neutrality objective in the Union and in all Member States, taking into account the importance of promoting fairness and solidarity and a just transition among Member States, social and economic cohesion, the protection of vulnerable Union citizens and the importance of managing, restoring, protecting and enhancing marine and terrestrial biodiversity, ecosystems and carbon sinks.

Negative emissions after 2050

From 1 January 2051, the EU and all Member States are expected to absorb more greenhouse gases than they emit.

By 31 May 2023, the Commission shall study, after an impact assessment, the possibilities of setting a specific target for the Union by 2040 and present legislative proposals if appropriate. By December 2020, the Commission shall draw up a plan setting out the measures to be taken at EU level to ensure that sufficient resources are mobilised to finance the investments needed to achieve a climate-neutral EU economy.

Specific target for 2030

While the European Commission has proposed raising this target to at least 55%, Parliament proposed that the Union's specific climate target for 2030 should be a 60% reduction in emissions compared to 1990.

By 30 June 2021 at the latest, the Commission shall identify the changes to be made to all Union legislation relevant to the achievement of the Union's specific climate objective for 2030 and take the necessary measures. The Commission shall in particular evaluate the options for aligning emissions from all sectors, including aviation and maritime transport, with the 2030 target for climate and the 2050 climate-neutrality objective in order to reduce these emissions to net zero by 2050 at the latest and shall present legislative proposals, where appropriate, to the European Parliament and to the Council.

The Commission shall:

- base its proposals on a comprehensive impact assessment covering environmental, economic and social effects, reflecting the post-COVID-19 economic situation and paying special attention to the sectoral reduction and removal potentials, and the impact of Brexit on Union emissions;
- assess the cumulative impact of amending the Union legislation implementing the Unions 2030 target on different industry sectors;
- ensure that a fair and cost-effective balance is maintained between the EU ETS and the effort sharing sector, as well as between national targets in the effort sharing sector.

Trajectory towards climate neutrality

Parliament called on the Commission to assess by 31 May 2023 a trajectory at European level to achieve carbon neutrality by 2050 and to present, if necessary, a legislative proposal to this effect. This legislative proposal shall take into account the EU's greenhouse gas emissions budget, which sets the total amount of greenhouse gases, in CO₂ equivalent, that could be emitted until 2050 at the latest without jeopardising the EU's commitments under the Paris agreement.

This trajectory shall be reviewed no later than six months after each global stocktake under the Paris agreement, starting with the 2028 global stocktake.

European Council on Climate Change (ECCC)

Members want the Commission to establish, by 30 June 2022 at the latest, in cooperation with the nationally appointed climate advisory bodies, a European Climate Change Council (ECCC), a permanent, independent and interdisciplinary scientific advisory group on climate change, based on the latest scientific findings of the IPCC, to assess policy coherence and progress.

EU strategy on adaptation to climate change

By 31 January 2021 at the latest, and every five years thereafter, the Commission shall adopt an updated EU strategy on adaptation to climate change. The updated EU strategy shall aim to ensure that adaptation policies are prioritised, integrated and implemented consistently across all EU policies, international commitments, trade agreements and international partnerships.

European Climate Pact and citizen participation

The Commission shall establish a European Climate Pact in order to involve citizens, social partners and stakeholders in the development of climate policies at EU level and to promote dialogue and the dissemination of scientific information on climate change and its social and gender equality aspects, as well as to share best practices on climate initiatives.

Parliament proposed that the EU institutions and Member States shall ensure that continuous progress is made to make public and private financial flows consistent with a pathway towards a climate-neutral and resilient society. It also called for the Union to end investment protection for fossil fuels in the context of the modernisation of the Energy Charter Treaty.

European Climate Law

The European Parliament adopted by 442 votes to 203, with 51 abstentions, a legislative resolution on the proposal for a regulation of the European Parliament and of the Council establishing the framework for achieving climate neutrality and amending Regulation (EU) 2018/1999 (European Climate Law).

The European Parliament's first reading position under the ordinary legislative procedure amends the proposal as follows:

Binding climate neutrality targets by 2050 and increased ambition for 2030

The proposed regulation aims to establish a framework for the irreversible and gradual reduction of anthropogenic greenhouse gas emissions by sources and enhancement of removals by sinks regulated in EU law.

In concrete terms, the regulation:

- sets a binding EU climate neutrality target by 2050 towards the long-term temperature goal of the Paris Agreement, and provides a framework for achieving progress in pursuit of the global adaptation goal set out in that agreement;
- sets a binding EU climate target for 2030 of at least a 55% reduction in net greenhouse gas emissions (emissions minus removals) in the EU by 2030 compared to 1990 levels.

After 2050, the EU will strive to achieve negative emissions.

EU interim climate targets

In order to achieve the objective of reducing net greenhouse gas emissions by at least 55% by 2030, the relevant EU institutions and Member States will need to prioritise early and predictable emission reductions and, at the same time, enhance removals by natural sinks.

In order to ensure that sufficient mitigation efforts are deployed up to 2030, for the purpose of this Regulation and without prejudice to the review of Union legislation, the contribution of net removals to the Union 2030 climate target should be limited to 225 million tonnes of CO₂ equivalent. In order to enhance the Unions carbon sink in line with the objective of achieving climate neutrality by 2050, the Union should aim to achieve a higher volume of its net carbon sink in 2030.

Union-wide climate target for 2040

Within six months of the first global stocktaking under the Paris Agreement, the Commission should present a legislative proposal to amend this Regulation to incorporate the Union's 2040 climate target, taking into account the conclusions of the assessments of the Union's progress as well as national measures and the results of the global stocktaking.

By 30 September 2023, and every five years thereafter, the Commission should assess the collective progress made by all Member States, as

well as the consistency of national measures, towards achieving the 2050 carbon-neutral objective.

When preparing its legislative proposal for the Union's 2040 climate target, the Commission should simultaneously publish the Union's indicative greenhouse gas budget for the period 2030-2050, defined as the indicative total net greenhouse gas emissions (expressed in CO2 equivalent and containing separate information on emissions and removals) that are expected to be emitted during that period without jeopardising the EU's commitments under the Paris Agreement.

The regulation specifies that when proposing the Union's climate target for 2040, the Commission should take into account, inter alia:

- the best available and most recent scientific evidence;
- the social, economic and environmental impacts, including the costs of inaction;
- the need to ensure a just and socially fair transition for all;
- the competitiveness of the EU economy, in particular SMEs and sectors most exposed to carbon leakage;
- energy efficiency and energy efficiency first principle;
- the need to maintain, manage and enhance natural sinks in the long term and to protect and restore biodiversity.

Adaptation to climate change

The Commission should adopt a Union strategy on adaptation to climate change in line with the Paris Agreement and should regularly review.

The relevant Union institutions and the Member States should also ensure that policies on adaptation in the Union and in Member States are coherent, mutually supportive, provide co-benefits for sectoral policies, and work towards better integration of adaptation to climate change in a consistent manner in all policy areas. They should focus, in particular, on the most vulnerable and impacted populations and sectors, and identify shortcomings in this regard in consultation with civil society.

European Scientific Advisory Board on Climate Change

In view of the importance of independent scientific advice, a European Scientific Advisory Board composed of 15 senior scientific experts should be set up to assess the progress and coherence of EU policy towards the targets.

The European Scientific Advisory Board on Climate Change should serve as a point of reference for the Union on scientific knowledge relating to climate change by virtue of its independence and scientific and technical expertise.

Sectoral roadmaps

The Commission should engage with sectors of the economy within the Union that choose to prepare indicative voluntary roadmaps towards achieving the climate-neutrality objective. The Commission should monitor the development of such roadmaps. Its engagement should involve the facilitation of dialogue at Union level, and the sharing of best practice among relevant stakeholders.

Transparency			
VILLUMSEN Nikolaj	Member	20/05/2020	Climate Action Network (CAN) Europe