

Response to the Published Roadmap for a “European Climate Law”

Bellona Europa welcomes the European Commission’s Roadmap for the first “European Climate Law”, set to enshrine the 2050 climate neutrality target into law and increase the EU’s intermediate target for 2030.

The proposed “Climate Law”, if done right, has the potential to deliver on the European promise to become a “Global Leader” on tackling climate change. For this to occur, the Law needs to ensure that all EU policies actively contribute to and are in line with the aims of the Paris Agreement. Europe must lead by example and take its part of historical responsibility to ensure that the targets are met with real emissions reductions and removals in EU territory.

The proposed “Climate Law” needs to ensure **absolute emissions reductions**, actively combatting superficial or misguided attempts of “creative accounting” and greenwashing. Of particular importance is the creation and inclusion of a clear and science-based definition of what constitutes greenhouse gas (GHG) removal. While it is increasingly clear that GHG removal will play a role in mitigating climate change, there is a real danger that relying on faulty assumptions and over-estimates will lead to inadequate or postponed emissions reductions. As there is currently no standard definition, such an inclusion offers an unprecedented opportunity for the EU to set an international standard – in-line with its clear ambition of becoming a global leader on tackling climate change. We need to ensure that when speaking of carbon removal, we only include those efforts **permanently removing GHGs from the atmosphere**. This is of great importance when dealing with Negative Emission Technologies and Practices (NETPs).

While NETPs will have a role to play in the plan to achieve climate neutrality by 2050, it cannot be perceived as a silver bullet. As outlined in the European Academies’ Science Advisory Council (EASAC) policy report 35 from 2018¹: “Climate scenarios that keep global warming within Paris Agreement limits rely on large-scale application of technologies that can remove CO₂ from the air on a huge scale”. The report goes on to assert “...these technologies offer only limited realistic potential to remove carbon from the atmosphere and not at the scale envisaged in some climate scenarios”. This is in line with Bellona’s continued and extensive research on the topic.

In this context, Bellona Europa looks with great anticipation towards the upcoming impact-assessed plan to increase the EU’s GHG reductions target for 2030. In this process, we urge the Commission to not over-rely on optimistic estimates of the future availability of NETPs. The upcoming, as well as future, Impact assessments therefore need to disclose, in detail, to what extent mitigation efforts rely on NETPs in the Commission’s plans to reach climate neutrality by 2050. When setting intermediate emission reduction targets, benchmark targets which do not include NETPs should always be included for comparison.

It is based on this that Bellona Europa urges that the proposed “Climate Law” set stringent intermediate targets based on absolute emissions reductions as opposed to relying on uncertain future estimates of available NETPs. We cannot allow ourselves to expect that NETPs will be available at a large-scale within a short timeframe.

¹https://easac.eu/fileadmin/PDF_s/reports_statements/Negative_Carbon/EASAC_Report_on_Negative_Emission_Technologies.pdf

The Commission must ensure that the EU is not faced with a rude awakening in 2030, in the likely event that large-scale application of NETPs fail to deliver at the expected scale. It is critical that the enabling conditions and governance framework for negative emissions be established as soon as possible to deliver any GHG removals which can contribute to the EU's climate efforts by 2050 and beyond. Bellona Europa recommends that NETPs be applied as 'supplementary measures', as they are referred to in Sweden's [Carbon Removal Strategy](#), such that they do not interfere with emissions reductions in absolute terms.

To summarise, the proposed "Climate Law" offers an unprecedented opportunity for Europe to become the global leader on tackling climate change. For this to become a reality, however, the "Climate Law" needs to be done right. In this context Bellona Europa urges the European Commission to set forth a strong legal framework ensuring actual emissions reduction in absolute terms. It is the European Commission's responsibility to ensure that the intermediate targets enshrined into law through the proposed "Climate Law" do not over-rely on uncertain estimates of the future availability of NETPs. If such an overreliance were to occur, we would fail to reach the set target of climate-neutrality by 2050. Postponing action is not an option, and this is why Bellona Europa sets forth the following concrete recommendations for the European "Climate Law":

1. Create and include a robust and evidence-based definition and international standard of what constitutes GHG removal in the "Climate Law", only including *permanent* removal from the atmosphere.
2. Set clear and enforceable regulation on accounting practices and disclosure requirement actively combatting "creative accounting" practices and greenwashing
3. Include a detailed outline of the current EU intermediate emission reduction target's reliance on NETPs in the forthcoming and future impact assessments
4. Include an EU intermediate "benchmark" emission reduction target not reliant on NETPs in the forthcoming and future impact assessments
5. Include both targets from recommendation 3 and 4 in the proposed "Climate Law"