

**Bellona Europa Response to the proposal for a regulation “European Climate Law – achieving climate neutrality by 2050”**

Bellona Europa welcomes the European Commission’s regulatory proposal for the “European Climate Law”, but warns that the current proposal fails to take into due consideration current estimates’ overreliance on the future availability of Negative Emissions Technology and Practices (NETPs) at a large scale.

Bellona Europa have issued several warnings on the topic, both in our responses to the [Climate Law Roadmap](#) and the [2030 Climate Target Plan](#). Our warnings were referenced in the recently published European Parliament [Briefing](#) “EU Legislation in Progress” on the European Climate Law, which acknowledges that: “Scenarios to achieve the temperature targets of the Paris Agreement rely heavily on negative emissions”. The briefing reference the European Academies’ Science Advisory Council (EASAC) Policy report 35 from 2018<sup>1</sup>. Bellona Europa highlighted the same Policy paper’s findings to the European Commission in the aforementioned consultation replies.

We find it necessary to remind the European Commission that 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 noted by the EASAC: “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”. They further assert that “...these technologies offer only limited realistic potential to remove carbon from the atmosphere and not at the scale envisaged in some climate scenarios”.

We must ensure that the proposed European Climate Law results in absolute emissions reductions and avoid an overreliance on currently unavailable NETPs to reach the set targets. As a first step, there must be a high degree of transparency of trajectories’ reliance on NETPs and their current actual availability of large-scale application. **Based on extensive research and expertise on the topic, we present the European Commission with the below 3 recommendations**

1. Create and include a robust and evidence-based definition and international standard of what constitutes GHG removal only including permanent removal from the atmosphere. In line with the 4 below criteria<sup>2</sup>:
  - a. Physical GHG are removed from the atmosphere.
  - b. The removed gases are stored out of the atmosphere in a manner intended to be permanent.
  - c. Upstream and downstream GHG emissions associated with the removal and storage process, such as biomass origin, energy use, gas fate, and co-product fate, are comprehensively estimated and included in the emission balance.

---

<sup>1</sup>[https://easac.eu/fileadmin/PDF\\_s/reports\\_statements/Negative\\_Carbon/EASAC\\_Report\\_on\\_Negative\\_Emissions\\_on\\_Technologies.pdf](https://easac.eu/fileadmin/PDF_s/reports_statements/Negative_Carbon/EASAC_Report_on_Negative_Emissions_on_Technologies.pdf)

<sup>2</sup> See <https://pubs.rsc.org/en/content/articlelanding/2019/ee/c8ee03338b#!divRelatedContent&articlesfor> further information

- d. The total quantity of atmospheric GHG removed and permanently stored is greater than the total quantity of GHG emitted to the atmosphere.
2. Amend the proposed Article 3(3) outlining what is to be considered by the European Commission when setting a trajectory in accordance with paragraph 1. Potential overreliance on, and status update of availability of, NETPs for large-scale application should be included as a point in its own right, equal to the other 10 already mentioned aspects to be considered.
3. Bellona Europa repeats its recommendations concerning the inclusion of “benchmark targets” reflecting the current unavailability of NETPs for large-scale application in both the 2030 climate target plan and subsequently in the European Climate Law<sup>3</sup>.

We are looking forward to an opportunity to further discuss these recommendations with the European Commission in greater detail, and to provide additional information on the topic of current trajectories’ overreliance on the future availability of NETPs.

---

<sup>3</sup> See: <https://bellona.org/publication/consultation-response-15-04-2030-climate-target-plan> & <https://bellona.org/publication/consultation-response-15-04-climate-law-roadmap> for full list of recommendations.