



NGO call to safeguard national climate targets

23 June 2022

Dear Minister of Environment
Dear Permanent Representative

As the Council adopts its general approach on the Effort Sharing Regulation (ESR), we - the signatories of this letter - would like to draw your attention to **the necessity to safeguard the integrity of national climate targets** for the achievement of 2030 mitigation goals and the transition towards climate neutrality.

The ESR is key in the EU climate strategy as it covers more than half of the EU's total emissions. With strong targets and compliance measures the ESR could provide the right incentive to implement game changing sectoral regulatory measures. Without national targets in the ESR sectors, it would be simply impossible to convert such a large part of the economy to sustainability. The same measures that mitigate climate change are also the tools to end the European economies' dependency on fossil fuels. The revival of energy security issues points more than ever to the necessity **to strengthen, not weaken, climate legislation at the EU and national level.**

We recognise the efforts of the Council's presidency for a timely adoption of the ESR review. However, **we are concerned by the direction that the discussions on the ESR have taken within the Council.** The amendments to the ESR's text conceived by the Council would lead to insufficient emissions reductions by 2030, with the risk of missing the EU's 2030 target and failing the Paris Agreement's commitments. In the face of the climate emergency, when we know we must do our utmost to decarbonise, it is not justifiable to increase the amount of allowed emissions. According to the Council's plans however, the total emission budget is even increased from the original Commission proposal and too many flexibilities and loopholes are still there carving the national targets out. Therefore, we are compelled to echo the 'call for high ambition in the Ff55 negotiations' raised by ten EU countries, exhorting you to not adopt a position that reduces the level of ambition of the Commission's proposal.

In particular, we urge you to:

- Minimise the climate-damaging emissions still allowed up to 2030. The compromise found in the Council for setting the emission reduction path goes in the opposite direction and should be abandoned. Instead the Council could pick up more ambitious options as the European Parliament has already done.

- Not extend the eligibility to use ETS allowances to fill the emissions gap under the Regulation to more countries and reject off-setting mechanisms such as the Additional Reserve. The text allows off-setting with the carbon market and LULUCF, while every sector must decarbonise without creating dangerous trade-offs between them. The Safety Reserve also makes extra allocations available for certain countries whose targets already account for national circumstances. These loopholes reduce the emissions reductions to be achieved in the ESR sectors and should be repealed. Replicating and expanding them should not be an option.
- Not surrender to pressure to introduce mechanisms that exempt countries from emissions reductions via the relaxation of emissions caps or the distribution of extra emissions allocations in case of 'emergencies'.

Yours sincerely,

Transport & Environment (T&E)

Climate Action Network - Europe (CAN-E)

European Environmental Bureau (EEB)

Carbon Market Watch (CMW)

Mobilität mit Zukunft (VCÖ) -Austria

Bond Beter Leefmilieu (BBL) - Belgium

Fédération Inter-Environnement Wallonie (IEW) - Belgium

Réseau Action Climat - France

Clean Air Action Group - Hungary

Environmental Justice Network Ireland (EJNI) - Ireland

Friends of the Earth - Ireland

Natuur & Milieu - Netherlands

Polish Green Network (PGN) - Poland

Polish Ecological Club Mazovian Branch (PECMB) - Poland