

Hold Europe's Climate Plans Accountable

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Many National Energy and Climate Plans (NECPs) including those of France, Germany, Italy, Sweden and Ireland breach EU law by failing to meet climate and energy targets and ensure a just transition. As the Guardian of the Treaties, the European Commission must take legal action to enforce compliance and hold Member States accountable or risk undermining the rule of EU law across the bloc.

Authors

- Chiara Martinelli, Director of CAN Europe
- Jérémie Suissa, Director of Notre Affaire à Tous (France)
- Christoph Bals, Director, Germanwatch (Germany)
- Ciara Brennan, Director of Environmental Justice Network Ireland (EJNI)
- Lucie Greyl, Coordinator at A Sud Ecologia e Cooperazione and Mariagrazia Midulla, Head of Climate and Energy at WWF Italy (Italy)
- Ida Edling, Board Member of Sweden's Environmental Association of Law (SEAL) and Beatrice Rindevall, Chairperson of Swedish Society for Nature Conservation (Sweden)

“Our focus now will be on implementation,” declared European Commission President Ursula von der Leyen in her re-election speech to the European Parliament. After years of legislative work on the European Green Deal and the Fit for 55 package, Europe's climate and energy targets for 2030 are now firmly in place. The real challenge ahead lies in ensuring that they are effectively delivered on the ground.

At the centre of this implementation phase are the National Energy and Climate Plans (NECPs) — essential blueprints that outline how each EU Member State intends to meet its climate commitments. These plans determine how countries will cut emissions, phase out fossil fuels, and deploy renewable energy during this decade. But more than that, NECPs are meant to deliver a just transition, ensuring that the move to a fossil-free economy benefits all citizens, especially the most vulnerable.

Despite the critical role of these plans in delivering a just transition to climate neutrality, the latest revisions of these NECPs show a worrying lack of climate ambition and, at best, ambivalence towards legal compliance with the rule of EU law. Many governments missed the June 2024 submission deadline for their revised NECPs, and those that did meet it have produced plans riddled with **serious deficiencies**. Early assessments from NGOs across Europe — including France, Germany, Ireland, Italy, and Sweden — reveal **substantial gaps** that not only jeopardise the EU's climate goals, but also the promise of a just transition.

One glaring issue is the gap between national climate and energy targets, which are legally binding under EU law, and the policy commitments presented in the NECPs. In some cases, the plans indicate

that countries do not intend to meet these targets, a clear breach of EU law that undermines the collective effort to reduce emissions.

Another critical failure is the persistence of fossil fuel subsidies. Despite clear legal obligations to phase out these subsidies, many Member States have not outlined how or when they will do so. By continuing to support polluting industries, these countries are delaying the transition to renewable energy, locking themselves into a future of environmental and economic vulnerability.

Moreover, public consultation is a fundamental requirement under EU law, designed to ensure that communities, workers, and civil society are part of shaping the policies that will affect them. However, most Member States did not provide sufficient opportunities for the public to engage meaningfully with the preparation of their revised NECPs. Excluding citizens from the decision-making process not only erodes trust but also risks creating policies that fail to address the needs of those most affected by the climate and energy transition.

The just transition is not an optional add-on to climate policy—it is a central pillar. The transition needs to be managed in a way that spreads the benefits widely and supports those at risk of being left behind. The NECPs are designed to ensure that both climate action and social justice go hand-in-hand. However, with many NECPs falling short of legal requirements to address the socio-economic impacts of the energy transition, the promise of a just transition is in serious jeopardy.

This is where the European Commission must step up. As the “Guardian of the Treaties,” the Commission has the authority—and responsibility—to ensure that Member States comply with the laws they have adopted democratically. However, in the past, the Commission has been slow and reluctant to take legal action against non-compliant Member States. This hesitation must end. The stakes are too high, and the cost of inaction is substantial.

As Europe transitions from policymaking to implementation, there are signals that the new Commission could take a tougher stance. In the mission letters for the Commissioners-designate for climate and energy, Wopke Hoekstra and Dan Jørgensen, von der Leyen emphasised that the success of this Commission will be judged by its ability to meet the European Green Deal’s targets. She explicitly instructed them to use all available enforcement tools, including infringement proceedings, to ensure Member States follow through on their legal obligations and climate commitments. A certain willingness was shown, but it must now be followed by concrete action.

The Commission must act decisively and must be prepared to launch infringement proceedings not just against the latecomers, but also against those whose plans fall short of legal requirements.

The NECPs are not just regulatory reporting exercises mandated by EU law—they are Europe’s bridge between climate targets and real-world change. The Commission must act now to ensure that this bridge is strong enough to support the just, fair, and sustainable Europe that has been promised to its citizens.