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WORKING PAPER

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CONTRIBUTION

From:	General Secretariat of the Council
To:	Working Party on Energy
Subject:	EE comments on the revised Regulation on Governance of the Energy Union

Delegations will find in annex the EE comments on the revised Regulation on Governance of the Energy Union.

Council GA	EP position Am. 123	Suggested approach/Questions to delegations	EE comments
<p>Art. 14, para 1, a Who: The MS When: by 1 January 2020, and every 10 years thereafter</p>	<p>Who: The Commission and MS When: by 1 January 2019, and every 5 years thereafter</p>	<p><i>The PCY suggests accepting the EP proposal that the COM and the MS shall prepare LTSs (as is the current regime in the MMR) and keep the GA on the rest. Could delegations accept such an approach? Could you show some flexibility regarding the deadline proposed by EP?</i></p>	<p>EE supports the Council GA wording. EE doesn't support the EP proposal to change the whole art 14 to the Long-term climate and energy strategies. Art 14 should cover only LTSs. EE doesn't support the EP proposal to prepare and report the LTSs in every 5 years. It's excessive administrative burden.</p>
<p>Content: The original proposal of the COM with changes in:</p> <ul style="list-style-type: none"> - art. 14, para 1 – at least 30-years perspective; - art. 14, para 2,a, b- inclusion of waste; - art, 14, para 3 – consistency with the plans; 	<p>Content:</p> <ol style="list-style-type: none"> 1. additional elements in Art. 14, para 2 2. references to public participation and publicity of the supportive analysis and data (Art 14 para 4) 3. reporting by Member States on progress with the Long term strategies (Art. 15, para 2, point a,c – Am. 127) 4. Support by the Commission (Art 14 para 4a) 5. Assessment and recommendations by the Commission (Art 14 para 4b) 6. additional Annex IIa (am. 277) + mandate for a delegated act to 	<p><i>1. The PCY sees certain degree of possible compromise with the EP in point 1 and could redraft the relevant text accordingly. To enable the PCY to do so the delegations are kindly asked to indicate which elements in the EP position on the content of the LTSs (points 1 in the second column) can <u>NOT</u> support.</i></p> <p><i>2. PCY suggests to accept references to public participation and publicity of the supportive analysis. Public participation is already required under existing legislation on public participation in decision making</i></p>	<p>1. EE supports the Council GA wording. EP proposals will increase the administrative burden.</p> <p>2. EE supports EP proposal on art 14 para 4. 4a - EE accepts in part, with changes EP proposal: 4a. The Commission should support Member States in their preparation of long-term strategies by providing information on the state of the underlying scientific knowledge [], by providing opportunities for sharing knowledge and best practices including, where relevant, guidance for Member States to use during the development and implementation phase of their strategies.</p> <p>4b - EE doesn't support the EP proposal.</p>

	<p>modify it (Art. 14, para 2a)</p>	<p><i>relevant to environmental issues.</i></p> <p><i>3. PCY suggests to accept this as this reporting is already included in Article 16 and Annex IV point (b).</i></p> <p><i>4. PCY suggests to accept a supporting role for the Commission as per four- column document 6430/1/18 distributed.</i></p> <p><i>5. PCY invites comments on whether assessment and recommendations by the Commission can be acceptable.</i></p> <p><i>6. On AM. 277 the PCY sees as a possible way forward a compromise with the EP on an annex with minimum requirements aiming to facilitate MS in the preparation of the LTS while keeping at the same time the administrative burden low.</i> <i>If you support such an approach could you indicate which elements proposed by the EP in Annex IIa to be taken on board?</i></p>	<p>3. EE doesn't support the EP proposal. It will increase the administrative burden.</p> <p>4. EE supports PCY proposal. <i>Accept in part, with changes</i> 4a. The Commission should support Member States in their preparation of long-term strategies by providing information on the state of the underlying scientific knowledge [], by providing opportunities for sharing knowledge and best practices including, where relevant, guidance for Member States to use during the development and implementation phase of their strategies.</p> <p>5. EE doesn't support the EP proposal. It will increase the administrative burden.</p> <p>6. EE doesn't support the EP proposal. It will increase the administrative burden.</p>
<p>Objectives:</p> <p>1. fulfilling the commitments under the UNFCCC and the Paris Agreement;</p>	<p>Objectives:</p> <p>1. Limiting the Union's GHG emissions below its fair share of remaining carbon budget (Art 14(b))</p>	<p><i>As a possible compromise the PCY suggests the general references to the Paris Agreement and its objectives to be reinforced throughout the text.</i></p>	<p>EE supports the Council GA wording with PCY suggestions about alignment with PA. EE doesn't support the EP proposals.</p>

<p>2. reaching the goals under PA;</p> <p>3. achieving long-term greenhouse gas emission reductions and enhancements of removals by sinks in all sectors in line with the Union's objectives;</p>	<p>2. Achievement of a net-zero emissions within the Union by 2050 and go into negative emissions soon thereafter (Art 14 (c))</p> <p>3. By no later than 2050, achieve a highly energy efficient and renewables based system within the Union</p>	<p><i>In addition delegations are kindly asked to indicate their flexibility to the EP amendments regarding the objectives of the LTSs.</i></p>	
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Carbon budget

The IPCC report expected in October 2018 with assessment of the global carbon budget will be a milestone for setting further policies and measures with respect to achieving the targets under the Paris Agreement.

The EP introduces obligations for the COM ***“to report on the remaining global carbon budget that is consistent with pursuing efforts to limit the temperature increase to well below 2°C, in particular 1,5°C, above pre-industrial levels and shall publish an analysis of the Union’s fair share for 2050 and 2100”***.

While such an analysis on EU level will be conducted following the IPCC report and the operationalization of the Paris Agreement, the reference introduced by the EP the LTS of the MS to contribute to ***“the limiting the Union's greenhouse gas emissions below its fair share of the remaining global carbon budget”*** is deemed to be highly premature.

Council GA	EP position	Suggested approach/Questions to delegations	EE comments
-	Art. 13a – Am. 122 Who: The Commission When: by 1 July 2018 Content: <ul style="list-style-type: none">assessment of the remaining carbon budgetanalysis of the Union's fair share for 2050 and 2100 Objectives: "pursuing efforts to limit the temperature increase to well below 2°C, in particular 1,5°C"	<i>Could we show some flexibility towards the EP amendments on carbon budget with more general text, namely: the COM to come up with analysis on the carbon budget and the EU fair share under the EU LTS/mid-century strategy by 1.01.2020 but without introducing further obligations for the MS under Art. 14?</i>	EE supports PCY proposal, if it doesn't increase the administrative burden.