

Thursday 24 June 2021

P9\_TA(2021)0309

**European Climate Law \*\*\*I**

**European Parliament legislative resolution of 24 June 2021 on the proposal for a regulation of the European Parliament and of the Council establishing the framework for achieving climate neutrality and amending Regulation (EU) 2018/1999 (European Climate Law) (COM(2020)0080 — COM(2020)0563 — C9-0077/2020 — 2020/0036(COD))**

**(Ordinary legislative procedure: first reading)**

(2022/C 81/17)

*The European Parliament,*

- having regard to the Commission proposal to Parliament and the Council (COM(2020)0080) and the amended proposal (COM(2020)0563),
  - having regard to Article 294(2) and Article 192(1) of the Treaty on the Functioning of the European Union, pursuant to which the Commission submitted the proposal to Parliament (C9-0077/2020),
  - having regard to Article 294(3) of the Treaty on the Functioning of the European Union,
  - having regard to the reasoned opinions submitted, within the framework of Protocol No 2 on the application of the principles of subsidiarity and proportionality, by the French Senate, the Netherlands Senate and the Austrian Federal Council, asserting that the draft legislative act does not comply with the principle of subsidiarity,
  - having regard to the opinions of the European Economic and Social Committee of 15 July 2020 <sup>(1)</sup> and 29 October 2020 <sup>(2)</sup>,
  - having regard to the opinion of the Committee of the Regions of 2 July 2020 <sup>(3)</sup>,
  - having regard to the provisional agreement approved by the committee responsible under Rule 74(4) of its Rules of Procedure and the undertaking given by the Council representative by letter of 5 May 2021 to approve Parliament's position, in accordance with Article 294(4) of the Treaty on the Functioning of the European Union,
  - having regard to Rule 59 of its Rules of Procedure,
  - having regard to the opinions of the Committee on Industry, Research and Energy, the Committee on Transport and Tourism, the Committee on Regional Development and the Committee on Agriculture and Rural Development,
  - having regard to the report of the Committee on the Environment, Public Health and Food Safety (A9-0162/2020),
1. Adopts its position at first reading hereinafter set out <sup>(4)</sup>;
  2. Takes note of the statements by the Commission annexed to this resolution;
  3. Calls on the Commission to refer the matter to Parliament again if it replaces, substantially amends or intends to substantially amend its proposal;
  4. Instructs its President to forward its position to the Council, the Commission and the national parliaments.

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**P9\_TC1-COD(2020)0036**

**Position of the European Parliament adopted at first reading on 24 June 2021 with a view to the adoption of Regulation (EU) 2021/... of the European Parliament and of the Council establishing the framework for achieving climate neutrality and amending Regulations (EC) No 401/2009 and (EU) 2018/1999 ('European Climate Law')**

*(As an agreement was reached between Parliament and Council, Parliament's position corresponds to the final legislative act, Regulation (EU) 2021/1119.)*

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<sup>(1)</sup> OJ C 364, 28.10.2020, p. 143.

<sup>(2)</sup> OJ C 10, 11.1.2021, p. 69.

<sup>(3)</sup> OJ C 324, 1.10.2020, p. 58.

<sup>(4)</sup> This position replaces the amendments adopted on 8 October 2020 (Texts adopted, P9\_TA(2020)0253).

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## ANNEX TO THE LEGISLATIVE RESOLUTION

### **Commission statements**

#### **LULUCF sink and 2030 target**

The EU land use, land use change and forestry (LULUCF) sector both emits greenhouse gases and absorbs CO<sub>2</sub> in its soil and biomass. Restoring and growing our land carbon sink — the ability to absorb CO<sub>2</sub> by our natural environment such as trees — is crucial to our climate goals.

We need a growing sink in order for the EU to achieve climate neutrality by 2050. Reversing the current trend requires significant short-term action. The Commission Communication ‘Stepping up Europe’s 2030 climate ambition — Investing in a climate-neutral future for the benefit of our people’ estimates that it is needed and possible to reverse the current trend and increase the carbon sink to levels above 300 million tons CO<sub>2</sub>eq. by 2030.

The Commission will make proposals to revise the LULUCF Regulation, in line with this ambition.

#### **Access to Justice**

The EU and its Member States are parties to the United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters of 25 June 1998 (the ‘Aarhus Convention’).

When performing their obligations under Regulation (EU) 2018/1999 concerning the involvement of the public in the preparation of the national energy and climate plans and the consultations on the long-term strategies, Member States should ensure that the public concerned is granted access to justice in case of breach of such obligations. This shall be in line with the relevant case law of the Court of Justice of the European Union related to access to justice in environmental matters and in full respect of the obligations Member States have undertaken as parties to the Aarhus Convention <sup>(1)</sup>.

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<sup>(1)</sup> See also Communication on ‘Improving access to justice in environmental matters in the EU and its Member States’ (COM(2020)0643).