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## PUTTING SCIENTIFIC ADVICE AT THE HEART OF THE EU'S CLIMATE TRANSITION MOVING THE ESABCC FROM SET-UP TO DELIVERY PLANNING

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The European Climate Law mandates the European Scientific Advisory Board on Climate Change (ESABCC) to bring high-quality independent advice to EU decision makers. As a multidisciplinary body, the ESABCC has the potential to counter the competition between political demands and enable the systemic policy debate that today's challenges require.

To enable the ESABCC to deliver credible and impactful advice in 2023 and beyond, E3G recommends that it:

1. Complete its set-up by cementing ways of working that will strengthen the accountability of its work, its public profiling and its medium-term strategic framework.
2. Select priority items for high-impact outcomes in 2023. These should include contributing to setting EU climate targets, informing policy consistency assessments and ensuring alignment between short-term and long-term measures.



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## From set-up to delivery planning

### Good progress on set-up in 2022

Following its formal establishment in March 2022, the ESABCC has quickly progressed in appointing members, setting up its secretariat, defining an annual workplan, and enhancing its public visibility.

Earlier this year, E3G identified some critical factors<sup>1</sup> for the successful delivery of ESABCC's potential. So far, the assessment is mostly positive:

- > The Board's timely establishment, despite the very disruptive political context this year, strongly confirmed the importance attributed to scientific advice in EU policy making.
- > The multidisciplinary of the appointed members gives the Board a potential for well-balanced and systemic output, and a broad outreach. Despite its limited capacities, the secretariat seems to already be well structured to provide support to the members. However, the geographical balance within the Board is not ideal. The legitimacy of its work in the underrepresented central, eastern and southern EU regions could improve through outreach and partnerships with the scientific communities of those countries.
- > The 2022 workplan hinted at the right issues, based on the mandate given by the European Climate Law and the ongoing geopolitical crisis. The multiple attempts to expand the formal role for the Board in various Fit for 55 files confirm that policy makers are willing to expand the scope and engage with the ESABCC.

### Key features of ESABCC's 2022 workplan

- > Establishing a methodology that the European Commission (COM) could use to assess progress in reducing emissions. This would be used in 2023 by the ESABCC to form a robust report that can inform the COM's progress assessment as part of its input to the global stocktake.
- > Delivering input to the COM regarding the definition of a science-based EU greenhouse gas target for 2040 that is aligned with the EU's 2050 climate neutrality objective and its commitments under the Paris Agreement.

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<sup>1</sup> E3G, March 2022, [Asset or talking shop? Making the most of the ESABCC](#)



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- > Delivering timely, relevant, and evidence-based advice to support response measures and policies at the EU and national level and ensure these will reinforce the EU's capacity to reach its long-term goals
- > Scoping work on mitigation options for agriculture, land use and forestry, and their links with adaptation to climate change.
- > The ESABCC is also developing its organisation and strategy as well as defining a workplan for 2023.

### Next steps to ensure ESABCC's ability to deliver

2023 will be a critical year for the ESABCC to cement its position at the core of the EU's net zero policy process. Its ability to strategically prioritise outputs and establish a way of working that combines sound advice with impacting policies will be a crucial factor for success. In operational terms, the ESABCC should in particular seek to:

- > **Strengthen the accountability process:** The ESABCC members and secretariat must ensure that a clear framework is in place to maximise the political response to its work. Various factors can contribute to establishing good practices: inviting the European Commission to publicly explain how the ESABCC advice is being taken forward (or not); regularly reporting to the European Parliament in a Committee sitting (as already started this year<sup>2</sup>), and so on. Best practices from national advisory boards can serve as examples.
- > **Become an effective public advocate:** The ESABCC must establish itself within the EU policy making process as well as civil society. The role of the Chair is important in this regard.<sup>3</sup> It is critical that the ESABCC does not limit itself to producing scientific research and analysis but seeks to timely inform and impact EU policy decisions. This requires establishing the ESABCC's role in the public debate<sup>4</sup> and strengthening access to, and understanding of, key decision makers. The Board's members should regularly interact with the EU institutions and civil society organisations, as long as it does not undermine

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<sup>2</sup> Exchange of views with Professor Ottmar Edenhofer, Chair of the European Scientific Advisory Board on Climate Change, in the **ENVI Committee meeting of 27 June 2022**.

<sup>3</sup> For instance, **the president of the French high Council on Climate participated in a public hearing in the French Senate in July 2022**. The **Chair of the German Advisory Council on Global Change (WBGU), Karin Pittel in a TV talkshow on the Energy Crisis** on 6 October 2022.

<sup>4</sup> For example: at COP27, 15 November 2022, EU side event: **The European Scientific Advisory Board on Climate Change: how independent scientific advice can strengthen climate action**



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their independency. It is also important the Board's work reaches the right audience. In 2023, the members should start spreading their work and advice by participating to public events and by strengthening their media presence in the Brussels bubble.

- > **Define a medium-term vision:** Now that the first year is over, it is time to start planning for a longer-term strategic direction. Prioritisation of activities is required (see below) but it is equally important to identify what are the defining cornerstones that will frame the ESABCC's work in the coming years. This will provide a reference framework for the Board and for stakeholders, which can also help manage expectations on what can be delivered.

## Focus on priorities to maximise ESABCC's impact

Focusing on providing rigorous advice on a smaller number of strategic outputs will allow the ESABCC to increase its impact. Prioritisation is also needed to ensure effective use of the limited resources available.

The core objective must be to ensure that EU policies are adequate to achieve the climate neutrality target on time to comply with international obligations.

### **For the 2023 workplan, and beyond, the ESABCC should focus on three priority areas:**

1. Science-based EU climate targets.
2. Cross-cutting policy consistency with the climate goals.
3. Oversight consistency between emergency measures and climate neutrality.

### **Setting the right targets**

2023 will be a pivot year for EU climate policy. The EU elections in May 2024 and the end of the current Commission cycle increase pressure on current EU legislators to deliver any new policy proposals by Q1 2024. For EU climate policy, this means accelerating the official timelines for setting a 2040 greenhouse gas (GHG) emissions target and defining a 2030–2050 carbon budget, as ruled in the European Climate Law.



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Setting targets is a crucial step in the journey to a climate-safe future. It is about winning hearts and minds – making sure citizens and stakeholders are confident that the emission reduction pathways to net zero are appropriate and achievable. By the end of 2022, the Board is expected to release a methodological input that will contribute to informing the Commission’s preparation for setting the 2040 GHG emissions target. Additional work will be required in the course of 2023 to ensure the new target is underpinned by the latest scientific evidence and arguments.

While EU policy makers will be pressured by the countdown to the end of their legislative cycle, it will be the ESABCC’s responsibility to ensure that sufficient time and resources are dedicated to delivering the best policy outcome. Demonstrating technical consistency with international targets will not be enough. Above all, there must be a strong overarching narrative that sets out how these targets will create opportunities for EU citizens and make their lives better. This requires an analysis based on the latest scientific evidence that addresses concerns beyond temperature projections. Instead, it is crucial to show that targets can be achieved in a way that is not only affordable but drives prosperity and social cohesion. The ESABCC work can also contribute to identifying the key knowledge gaps and provide guidance for how these gaps should be addressed.

### **Ensuring policy consistency with the climate goals**

Successful climate policy is not only about setting appropriately ambitious targets but also about ensuring these are underpinned by robust delivery mechanisms. The European Climate Law requires the European Commission to regularly assess the consistency of EU and member states’ policies with the EU’s climate neutrality goal. The Commission is asked to base its assessments, among others, on the report of the ESABCC, which is also explicitly mandated to address coherence between policies and the EU climate targets. With the first assessments due by September 2023, timing is again of essence.

Experiences across the EU show that policies easily run against climate targets in the absence of structured consistency checks. For example, the German Constitutional Court in March 2021 ruled that the Federal Climate Change Act is partially incompatible with fundamental rights as the law does not set out concrete emission reduction pathways beyond 2030.<sup>5</sup> Policy consistency checks

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<sup>5</sup> Federal Constitutional Court, 24 March 2021, [Press Release “Constitutional complaints against the Federal Climate Change Act partially successful”](#).



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as integral part of policy making would avoid lengthy and costly detours via Courts. As a positive example, the French High Council on Climate (Haute Conseil Pour le Climat) recently published an assessment of the Modernisation of the Energy Charter Treaty where they identified that the treaty puts the timeline for decarbonisation at risk.<sup>6</sup> Policy consistency assessments are a hugely promising tool and indeed necessary to deliver climate neutrality in the EU.

Putting independent scientific advice at the centre of the assessments would strengthen the delivery potential of this crucial part of the EU's climate governance. The ESABCC does not have enough resources to rigorously assess the consistency of all existing EU and national policies. Instead, the priority should be to develop a methodology that can inform the Commission's assessments and ensure a high-quality outcome.

The methodology must in any case include advice on how to concretely model a policy's climate impacts. But it should also be based on a clear understanding of the issues and assumptions that are most important in the decision-making processes, for example how competences are divided between the EU and member states, what are the top political priorities and who are the most powerful actors. Finally, it would ideally identify the appropriate scope of the assessments in terms of policy areas and priorities.

### **Consistency between emergency measures and climate neutrality**

The systemic, multidisciplinary science-based approach of the Board will be crucial for delivering policy advice in volatile times. The current energy crisis is the first test, but it is likely other challenges will arise over the coming years. The ESABCC must build the capacity to play a role in aligning the EU's policy responses to short-term unexpected events with solutions to the longer-term climate crisis. It should thereby safeguard the integrity and sustainability of policy responses and seek to identify opportunities, as included in its mandate<sup>7</sup>, to overcome persistent obstacles to reducing carbon emissions, which may arise out of the disruption of common practice.

In the absence of a fully-fledged methodology on policy consistency, a set of guiding questions could help in assessing whether proposed measures risk derailing the Union from its trajectory to climate neutrality. These could include:

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<sup>6</sup> Haute Conseil pour le climat, October 2022, **Report on the Modernisation of the Energy Charter Treaty**.

<sup>7</sup> Through article 3, 2 (d) of the European Climate Law, the Board is tasked with "identifying actions and opportunities needed to successfully achieve the Union climate targets."



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- > Do policy responses put the attainment of the climate targets at risk?
  - > Do policy responses delay efforts to reduce emissions, either directly or indirectly, by diverting resources?
  - > Is the energy efficiency first principle incorporated into policy responses?
  - > Have emergency responses increased the risk of stranded fossil fuel assets?
  - > Have the behavioural consequences of measures to protect consumers from high prices been assessed in the context of creating a digitally enabled and flexible demand side to the market?
  - > Are proposed or adopted electricity market reforms consistent with the efficient operation of a power sector dominated by renewable energy sources?
  - > Are crisis responses targeted at the households and businesses that need them? Have any negative effects been identified and have mitigations been put in place?

The Board could highlight where it believes these questions have been effectively addressed and where important issues remain. EU policy makers should follow up with corrective measures, where required.

## About E3G

E3G is an independent climate change think tank with a global outlook. We work on the frontier of the climate landscape, tackling the barriers and advancing the solutions to a safe climate. Our goal is to translate climate politics, economics and policies into action.

E3G builds broad-based coalitions to deliver a safe climate, working closely with like-minded partners in government, politics, civil society, science, the media, public interest foundations and elsewhere to leverage change.

More information is available at [www.e3g.org](http://www.e3g.org)

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