

# Access to Information in the EU's NECP Process

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- Crucial climate planning tools, setting the framework of climate action for 10 years.

- At a crucial juncture for humanity (highlighted by IPCC AR6 & WGII Reports)

- IPCC reports highlight importance of climate governance, transparency public participation as essential adaptation measures

- EU Green Deal – environmental governance

- Aarhus Convention & other instruments require it.



## Why is Access to Info in NECPs Important?

# The Aarhus Convention 1998 UNECE

## ACCESS TO INFORMATION

### ARTICLE 4 & 5

## Espoo / SEA Directive

- **ARTICLE 5: REPORT ON ENVIRONMENTAL IMPACTS AND ALTERNATIVES.**
- **ARTICLE 6: DRAFT PLAN AND ENVIR REPORT PROVIDED TO THE PUBLIC TO CONSULT EARLY WHEN ALL OPTIONS STILL OPEN.**
- **REPORT ON IMPACTS AND CONSULTATION AND HOW THESE WERE TAKEN INTO ACCOUNT & TRANSBOUNDARY CONSULTATION**
- **REPORT ON IMPLEMENTATION**

# The Governance Regulation 2018/1999

### ARTICLE 10

**... ENSURE THAT THE PUBLIC IS GIVEN EARLY AND EFFECTIVE OPPORTUNITIES TO PARTICIPATE IN THE PREPARATION OF THE DRAFT INTEGRATED NATIONAL ENERGY AND CLIMATE PLAN — AS REGARDS THE PLANS FOR THE 2021 TO 2030 PERIOD, IN THE PREPARATION OF THE FINAL PLAN WELL BEFORE ITS ADOPTION ...**

### ARTICLE 3(2)

**NECPs must contain info on**

**“... A DESCRIPTION OF THE PUBLIC CONSULTATION AND INVOLVEMENT OF STAKEHOLDERS AND THEIR RESULTS, AND OF REGIONAL COOPERATION WITH OTHER MEMBER STATES IN PREPARING THE PLAN, ...”**

## LATE:

- Only Finland on time!
- In the last week:

Austria      Romania  
Germany      Greece

# The Main Issues with Access to Information on the NECPs:

## DIDN'T SUBMIT AT ALL (6):

2 Belgium      Latvia  
Bulgaria      Poland  
France      Ireland

## NO ACCESS TO DRAFT DURING CONSULTATION E.G.

3 Cyprus, Denmark, Finland, Germany, Greece Italy, Lithuania Portugal, Malta, Spain, the Netherlands, Portugal, and Czech Republic, Romania.

Unclear in many cases e.g.: Austria, Hungary, Slovakia

## DIDN'T DISCLOSE THE ANALYTICAL BASIS

4 e.g. Italy

## NO SEA REPORT EVIDENT

5 Austria, Cyprus, Denmark, Hungary, Italy, Finland, Germany, Greece, Italy, Portugal, Malta, Spain, Sweden, Lithuania, the Netherlands, Portugal, Romania

## FAILURE TO REPORT IN NECP ON EXTENT OF DISCLOSURE

6 Czech, Estonia, Hungary, Italy, Luxembourg, Slovakia,

## NO TRANSBOUNDARY?

7 Cyprus, Czechia, Denmark, Finland

## EU COM RESPONSE?

8 Very little attention given to the issue of AIE or PP in the assessment.

# CONSEQUENCES

- Member States aware AIE & PP in NECPs is low priority for the EU Com.
- EU framework for access to info here is not sufficiently robust/effective.
- Failure of inclusive environmental governance makes maladaptation or ineffective climate measures much more likely, makes missing 1.5 degree Paris Target much more likely.
- Feeds anti-climate backlash.
- Reform clearly needed – the Governance Regulation provisions for access to information and public participation clearly an appropriate place to start.