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EVALUATION

Accompanying the document

**REPORT FROM THE COMMISSION TO THE EUROPEAN PARLIAMENT AND
THE COUNCIL**

**on the Review of the Regulation on the Governance of the Energy Union and Climate
Action**

{COM(2024) 550 final}

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Glossary

<i>Term or acronym</i>	<i>Meaning or definition</i>
BR	Better Regulation
BRP / BRPs	Building Renovation Plan(s)
BTR	Biennial Transparency Report
CAP	Common agricultural policy
CBAM	Carbon Border Adjustment Mechanism
CCS	Carbon capture and storage
CfE	Call for evidence
COM	European Commission
COP	Conference of the Parties of the United Nations Framework Convention on Climate Change
CSP / CSPs	Common agricultural policy strategic plan(s)
DG / DGs	Directorate-General(s)
DG CLIMA	Directorate-General for Climate Action
DG ENER	Directorate-General for Energy
DNSH	Do No Significant Harm
EC	European Commission
EE	Energy efficiency
EEA	European Environment Agency
EED	Energy Efficiency Directive (Directive 2023/1791)
EEF	Energy Efficiency First
EPBD	Energy Performance of Buildings Directive (Directive 2010/31/EU)
EQ / EQs	Evaluation Question(s)
ESD	Effort Sharing Decision (Decision No 406/2009/EC)
ESR	Effort Sharing Regulation (Regulation (EU) 2023/857)
ESTAT	Eurostat
ETS	Emissions Trading System

EU	European Union
EUR	Euro
FTE	Full-time equivalent
GHG	Greenhouse gas
GR	Governance Regulation
IA	Impact Assessment
IPCC	Intergovernmental Panel on Climate Change
IT	Information technology
JTF	Just Transition Fund
LTRS / LTRSs	Long-term renovation strategy / strategies
LULUCF	Land Use, Land Use Change and Forestry
MCED / MCEDs	Multi-level Climate and Energy Dialogue(s)
MLG	Multi-level governance
MMR	Monitoring Mechanism Regulation (Regulation (EU) No 525/2013)
MRV	Monitoring, reporting and verification
MS	Member State(s)
NA / NAs	National Authority / Authorities
NCA / NCAs	National Competent Authority / Authorities
NDC	Nationally determined contributions
NECP	National energy and climate plan
NECPR / NECPRs	National Energy and Climate Progress Report(s)
NEEAP / NEEAPs	National energy efficiency action plan(s)
NGO / NGOs	Non-governmental organisation(s)
NLTS / NLTSs	National long-term strategy / strategies
NZIA	Net-Zero Industry Act
PA	Paris Agreement
PaM / PaMs	Policy / policies and measure(s)
PEC	Primary Energy Consumption

QA	Quality assurance
QC	Quality control
R&I	Research and Innovation
RED	Renewable Energy Directive (Directive 2023/2413)
REFM	Renewable Energy Financing Mechanism
RES	Renewable Energy Sources
RRF	Recovery and Resilience Facility
RRP / RRP _s	Recovery and Resilience Plan(s)
SCM	Standard Cost Model
SEA	Strategic Environmental Assessment
SDGs	Sustainable Development Goals
SO	Specific objective
SWD	Staff working document
TFEU	Treaty on the Functioning of the European Union
Third sector	All other stakeholders apart from industry and national authorities, where this includes NGOs, think tanks, individual experts, research institutes, civil society organisations, academia, etc.
TSO / TSO _s	Transmission System Operator(s)
UN	United Nations
UNFCCC	United Nation Framework Convention on Climate Change
WAM	‘With additional measures’ scenario
WEM	‘With existing measures’ scenario
WOM	‘Without measures’ scenario

EU Member States

AT	Austria	EL	Greece	LV	Latvia
BE	Belgium	FI	Finland	MT	Malta
BG	Bulgaria	FR	France	NL	Netherlands
CY	Cyprus	HR	Croatia	PL	Poland
CZ	Czechia	HU	Hungary	PT	Portugal
DE	Germany	IE	Ireland	RO	Romania
DK	Denmark	IT	Italy	SE	Sweden
EE	Estonia	LT	Lithuania	SI	Slovenia
ES	Spain	LU	Luxembourg	SK	Slovakia

1. INTRODUCTION

Purpose of the evaluation

The Regulation on the Governance of the Energy Union and Climate Action¹ ('the Regulation') creates a cooperative governance process to ensure the collective achievement, by Member States, of the EU's Energy Union and climate action objectives. It also seeks to minimise the administrative burden and contribute to greater regulatory and investor certainty. In line with Article 45 of the Regulation, the Commission must report to the European Parliament and the Council on the operation of this Regulation within six months of each 'global stocktake' under Article 14 of the Paris Agreement².

The report should assess how the Regulation has functioned, how it has contributed to the governance of the Energy Union, to the long-term goals of the Paris Agreement, to progress on the 2030 climate and energy targets and the EU's climate-neutrality objective and additional Energy Union objectives. It should also assess to what extent the planning, reporting, and monitoring provisions laid down in the Regulation are coherent with other EU law or decisions relating to the UNFCCC and the Paris Agreement.

This Commission staff working document presents an evaluation of the Regulation in line with the Commission's policy on better regulation³, together with the above-mentioned report⁴.

¹ Regulation (EU) 2018/1999 of the European Parliament and of the Council of 11 December 2018 on the Governance of the Energy Union and Climate Action.

² The first global stock take was concluded at COP28 in Dubai in December 2023, see: [EU at COP28 Climate Change Conference - European Commission \(europa.eu\)](#).

³ [Better regulation - European Commission \(europa.eu\)](#)

⁴ COM(2024) 550

Scope of the evaluation

The evaluation covers the Regulation (including amendments⁵ and delegated and implementing acts⁶) and its implementation in all EU Member States from its entry into force in December 2018⁷ until the end of 2023⁸.

The Regulation is evaluated against the five criteria set out in the Commission's better regulation guidelines⁹:

- **Effectiveness:** looking into the extent to which actions under the Regulation have been implemented and whether this has resulted in achieving its objectives.
- **Efficiency:** assessing whether the obligations arising from implementation of the Regulation have been implemented in a cost-effective way.
- **Coherence:** assessing the coherence of the Regulation, both between its own provisions (internal coherence) and with wider EU and international policy objectives and legislation (external coherence).
- **EU added value:** comparing impacts that are due to the Regulation to what Member States could have achieved without the Regulation.
- **Relevance:** assessing whether the objectives and the regulatory tools of the Regulation match current needs in view of the wider EU policy objectives, notably on climate neutrality, climate resilience, energy security and resilience, energy affordability and competitiveness.

Methodology, robustness, and limitations

The evaluation is partly based on an external evaluation carried out by consultants¹⁰, complemented with internal analysis.

The methodology for the study¹¹ included consulting the public via a call for evidence¹², comprehensive desk research, a mapping of planning, reporting, and monitoring obligations stemming from the Regulation, online surveys of national authorities, industry

⁵ The latest consolidated version is available at: [EUR-Lex - 02018R1999-20231120 - EN - EUR-Lex \(europa.eu\)](https://eur-lex.europa.eu/lexuris/ui/02018R1999-20231120-EN).

⁶ Commission Implementing Regulation (EU) 2020/1208 of 7 August 2020 on structure, format, submission processes and review of information reported by Member States, Implementing Regulation (EU) 2022/2299 laying down rules as regards the structure, format, technical details and process for the integrated national energy and climate progress reports, Delegated Regulation (EU) 2020/1044 with regard to values for global warming potentials and the inventory guidelines and with regard to the Union inventory system, and Implementing Regulation (EU) 2020/1294 of 15 September 2020 on the Union renewable energy financing mechanism.

⁷ The evaluation also assesses the process of preparing the draft integrated national energy and climate plans which were due by 31 December 2018 (Article 9(1) of the Regulation) and thus started prior to the entry into force of the Regulation.

⁸ While for the most part the cut-off for the evaluation is the end of 2023, it also draws on input and publications from 2024 where relevant.

⁹ The evaluation framework with detailed evaluation questions per criteria is included in Annex III.

¹⁰ Support study for the evaluation of Regulation (EU) 2018/1999 on the Governance of the Energy Union and Climate Action – final report (forthcoming)

¹¹ A detailed description of the methodological approach and its limitations can be found in Annex II.

¹² https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13799-Energy-Union-and-climate-action-Review-report-on-the-Governance-Regulation_en

representatives and third-sector organisations¹³, interviews, a stakeholder event in Brussels¹⁴ and country case studies.

Several difficulties have complicated the assessment. The response rate to the various strands of consultation was lower than expected, resulting in a somewhat limited range of viewpoints. Consequently, the evaluation's findings may in places lack the robustness that a broader participation would have provided, notably in terms of quantifying costs and benefits.

Related literature and data were primarily sourced in English, but targeted searches in other EU languages were also made to close information gaps, particularly for the country case studies.

Since the Regulation is an 'umbrella' piece of legislation, it was not always possible to establish whether it had a clear causal effect on specific aspects, such as how it has contributed to the implementation of more ambitious climate and energy measures.

Despite these limitations, the triangulation of data sources and extensive discussions with national authorities and other stakeholders resulted in robust conclusions for most evaluation questions.

Structure of the staff working document

This document is organised as follows:

- Section 2 describes the expected outcome of the Regulation;
- Section 3 outlines how the situation evolved over the evaluation period;
- Section 4 reports on the evaluation findings;
- Section 5 summarises the main conclusions, policy considerations and open questions;
- the annexes provide complementary information on procedures (Annex I), methodology (Annex II), the evaluation matrix (Annex III), costs and benefits (Annex IV), stakeholder consultation (Annex V) and additional evidence (Annex VI).

2. WHAT WAS THE EXPECTED OUTCOME OF THE INTERVENTION?

2.1 Background and intervention logic

Background

The Regulation, adopted in December 2018¹⁵, aimed to create a robust governance mechanism and coordinated action at EU level to achieve the EU's energy and climate

¹³ Third sector refers to all stakeholders other than national authorities and from industry including NGOs, think-tanks, individual experts, research institutes, civil society organisations, academia, etc.

¹⁴ https://energy.ec.europa.eu/events/workshop-evaluation-governance-energy-union-and-climate-action-regulation-2024-01-11_en.

¹⁵ It was published in the Official Journal on 21 December 2018 and entered into force three days later.

objectives. It sought to promote more integrated national energy and climate plans and to streamline, merge and simplify a partly overlapping set of reporting and monitoring requirements under EU energy and climate legislation¹⁶. The Commission proposed the Regulation in November 2016 as part of the ‘Clean Energy for all Europeans’ package, in the context of the Energy Union strategy¹⁷, the Paris Agreement and the EU’s climate policy.

The Energy Union¹⁸, launched in 2015 as a key priority of the Commission, covers five dimensions: energy security, the internal energy market, energy efficiency, decarbonisation as well as research, innovation, and competitiveness. With ambitious energy and climate policies at its core, its goal is to give households and businesses secure, sustainable, competitive, and affordable energy and to attract investments and foster research and innovation. This requires a fundamental transformation of Europe’s energy system, particularly by promoting energy efficiency and energy savings and by developing new and renewable forms of energy. The central idea behind the Energy Union is that this goal can only be achieved through coordinated action, combining both legislative and non-legislative acts at EU, regional, national, and local level.

Alongside the launch of the Energy Union, **2015 also saw the adoption by the Parties to the United Nations Framework Convention on Climate Change (UNFCCC) of the Paris Agreement¹⁹**, emphasising the need for the EU to deepen and accelerate climate action and enhance coordination and consistency of planning and reporting activities. Aiming to keep the global average temperature increase to well below 2°C above pre-industrial levels while pursuing efforts to limit it to 1.5°C, the Agreement requires countries to prepare, communicate and maintain successive ‘nationally determined contributions’ (NDCs). Each successive NDC should represent a progression since the previous NDC and reflect its highest possible ambition. The EU and its Member States submitted their ‘intended’ NDC to the UNFCCC already in March 2015; this was formally confirmed when the EU ratified the Agreement in October 2016. Since then, the EU’s NDC has been updated twice: first in December 2020 when it raised its overall target from ‘at least 40%’ to ‘at least 55%’ and second to reflect the EU’s Fit-for-55 package²⁰, in October 2023²¹. Parties to the Paris Agreement were also expected to communicate their mid-century, long-term low greenhouse gas emission development strategies by 2020, which

¹⁶ Such as, on the climate side, Regulation (EU) No 525/2013 of the European Parliament and of the Council of 21 May 2013 on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change (MMR Regulation).

¹⁷ COM/2015/080 final A Framework Strategy for a Resilient Energy Union with a Forward-Looking Climate Change Policy.

¹⁸ See: [Energy union \(europa.eu\) https://energy.ec.europa.eu/topics/energy-strategy/energy-union_en](https://energy.ec.europa.eu/topics/energy-strategy/energy-union_en); The Strategy is linked to Sustainable Development Goals 7 (‘affordable and clean energy’) and 13 (‘climate action’).

¹⁹ [The Paris Agreement | UNFCCC](#)

²⁰ Communication, *Fit for 55: Delivering the EU’s 2030 Climate Target on the way to climate neutrality*, COM 2021/550 final.

²¹ See: <https://unfccc.int/sites/default/files/NDC/2023-10/ES-2023-10-17%20EU%20submission%20NDC%20update.pdf>

the EU and its Member States did in March 2020. The Agreement also included new reporting requirements.

Several pieces of legislation were adopted in the context of the ‘Clean Energy for all Europeans’ package, including a recast of the Renewable Energy Directive²² and an amendment of the Energy Efficiency Directive (Directive (EU) 2018/2002)²³. Key pieces of climate legislation were also adopted in 2018 including revisions of the Emission Trading System Directive (Directive (EU) 2018/410), the Effort Sharing Regulation (Regulation (EU) 2018/842) as well as the Land Use, Land Use Change and Forestry Regulation (Regulation (EU) 2018/841).

Against this overall backdrop, the Governance Regulation has aimed to support the implementation of the Energy Union while increasing coherence between EU and national energy and climate policies, improving and streamlining planning and reporting, and aligning with the requirements and timelines under the UNFCCC and the Paris Agreement.

Intervention logic

As set out in the impact assessment (and the fitness check preceding it) that underpinned the Commission’s 2016 legislative proposal²⁴, ***the Regulation aimed to tackle two key problems:***

1. *Planning, reporting, and monitoring obligations not in line with the principles of better regulation*

The shortcomings identified under this heading concerned:

- lack of suitability of those obligations to meet the EU’s 2030 climate and energy targets and Energy Union objectives;
 - lack of policy coherence among scattered obligations across energy policy;
 - lack of consistency between energy and climate policy fields;
 - unnecessary administrative costs and inefficient framework for these obligations.
2. *Inadequacy of the policy framework between Member States and the Commission to achieve the Energy Union objectives and implement the Paris Agreement*

Under this heading, two issues were highlighted:

- current policy framework inadequate to attain the EU's collective energy targets for 2030, requiring a more coordinated and integrated framework;
- planning and reporting obligations not in line with the Paris Agreement.

²² This introduced a new and binding EU-wide renewable energy target for 2030 of at least 32%, including a provision for a review to increase the EU-level target by 2023.

²³ This raised the EU-wide target for improvements in energy efficiency in 2030 to at least 32.5 % relative to the 2007 reference scenario and included a provision for a review to increase the target by 2023.

²⁴ SWD (2016) 394 final.

To tackle these two problems, the *Regulation's overall objective* was to 'set out the necessary legislative foundation for reliable, inclusive, cost-efficient, transparent and predictable governance of the Energy Union and Climate Action (governance mechanism), which ensures the achievement of the 2030 and long-term objectives and targets of the Energy Union in line with the 2015 Paris Agreement (...), through complementary, coherent and ambitious efforts by the Union and its Member States, while limiting administrative complexity'²⁵.

In line with this, the *specific objectives* of the governance mechanism created by the Regulation were to²⁶:

- implement **strategies and measures** designed to meet the objectives and targets of the Energy Union and the EU's long-term greenhouse gas emissions commitments consistent with the Paris Agreement, and, specifically for the first ten-year period from 2021 to 2030, to meet the EU's 2030 targets for energy and climate;
- stimulate **cooperation between Member States**, including, where appropriate, at regional level, designed to achieve the objectives and targets of the Energy Union;
- ensure the timeliness, transparency, accuracy, consistency, comparability, and completeness of **reporting by the EU and its Member States to the UNFCCC Secretariat**;
- contribute to **greater regulatory and investor certainty** and help optimise the opportunities for economic development, investment, job creation and social cohesion.

To achieve these objectives, the Regulation is structured around the following *key planning, reporting, and monitoring 'activities'*:

- **Member States are to draw up integrated national energy and climate plans** (NECPs - **Chapter 2** of the Regulation)²⁷ and **national long-term strategies** (LTSs - **Chapter 3**). Chapter 2 also requires Member States to ensure public consultation on NECPs and LTSs, to engage in multi-level climate and energy dialogue at national level and to ensure regional cooperation among Member States when preparing and implementing NECPs. These mid- and long-term planning instruments, crucial to meet the EU's energy and climate objectives and targets, are some of the main changes brought in by the Regulation.
- **Member States are to report on their progress to the Commission and to the UNFCCC Secretariat (Chapter 4), through biennial and annual reports.** *Biennial* reporting obligations to the Commission encompass integrated national energy and climate progress reports (NECPRs), integrated reports on GHG policies and measures and on GHG projections, as well as reports on national climate adaptation action. On the international side, the Regulation required Member States to submit biennial reports

²⁵ Recital 1 of the Regulation

²⁶ Article 1 of the Regulation

²⁷ In the NECPs, Member States lay out how they will meet their obligations and targets under the Effort Sharing Regulation and the Land Use and Land Use Change Regulation and how they will contribute to the EU-wide renewable energy and energy efficiency targets.

under the UNFCCC/Kyoto Protocol (it does not yet provide a legal basis for submitting biennial transparency reports under the Paris Agreement however²⁸). *Annual* reporting obligations concern the submission by Member States of GHG inventories, both to the Commission and the UNFCCC Secretariat (with the Commission submitting a GHG inventory report for the EU, thus tracking progress towards implementing the EU's NDC). Member States also report annually on the use of auctioning revenues and on financial and technology support provided to developing countries.

- **The Commission is to monitor progress towards meeting agreed objectives and targets**, both at EU and Member State level (**Chapter 5**). This includes Commission assessments of and country-specific recommendations on draft NECPs; annual state of the energy union reports and climate action progress reports (CAPR); as well as a mechanism to respond if the NECPs show insufficient ambition and insufficient progress is made on the EU's energy and climate objectives and targets.

In addition, the Regulation requires:

- **The Commission and Member States to establish GHG inventory systems and systems for GHG projections and policies and measures**, with national inventory data being subject to a comprehensive review by the Commission and the EEA, including for the purposes of data submission to the UNFCCC Secretariat (**Chapter 6**). Inventory systems are the foundation for tracking progress both towards national targets and the EU's NDCs under the Paris Agreement. The Regulation also specifies quality standards for inventories²⁹.
- **Member States to cooperate with each other and the EU** in relation to obligations under the Regulation and the Paris Agreement. To foster these exchanges among the Member States and to support the Commission, the Regulation established the Climate Change Committee and the Energy Union Committee. The Regulation also states that the European Environment Agency (EEA) must assist the Commission in its work on the Regulation's decarbonisation and energy efficiency dimensions (**Chapter 7**).

²⁸ As of 2024, Parties to the Paris Agreement submit 'biennial transparency reports', replacing the earlier 'biennial reports' under the UNFCCC. The Regulation has yet to be updated to formally incorporate the new reporting obligations under the Paris Agreement and the Enhanced Transparency Framework.

²⁹ As an example, following the revision of the LULUCF Regulation, Member States are encouraged to move towards higher reporting standards (tier 2 and tier 3). In this regard, the Commission is developing a methodology to estimate the climate change mitigation potential of planned interventions under the CAP strategic plan.

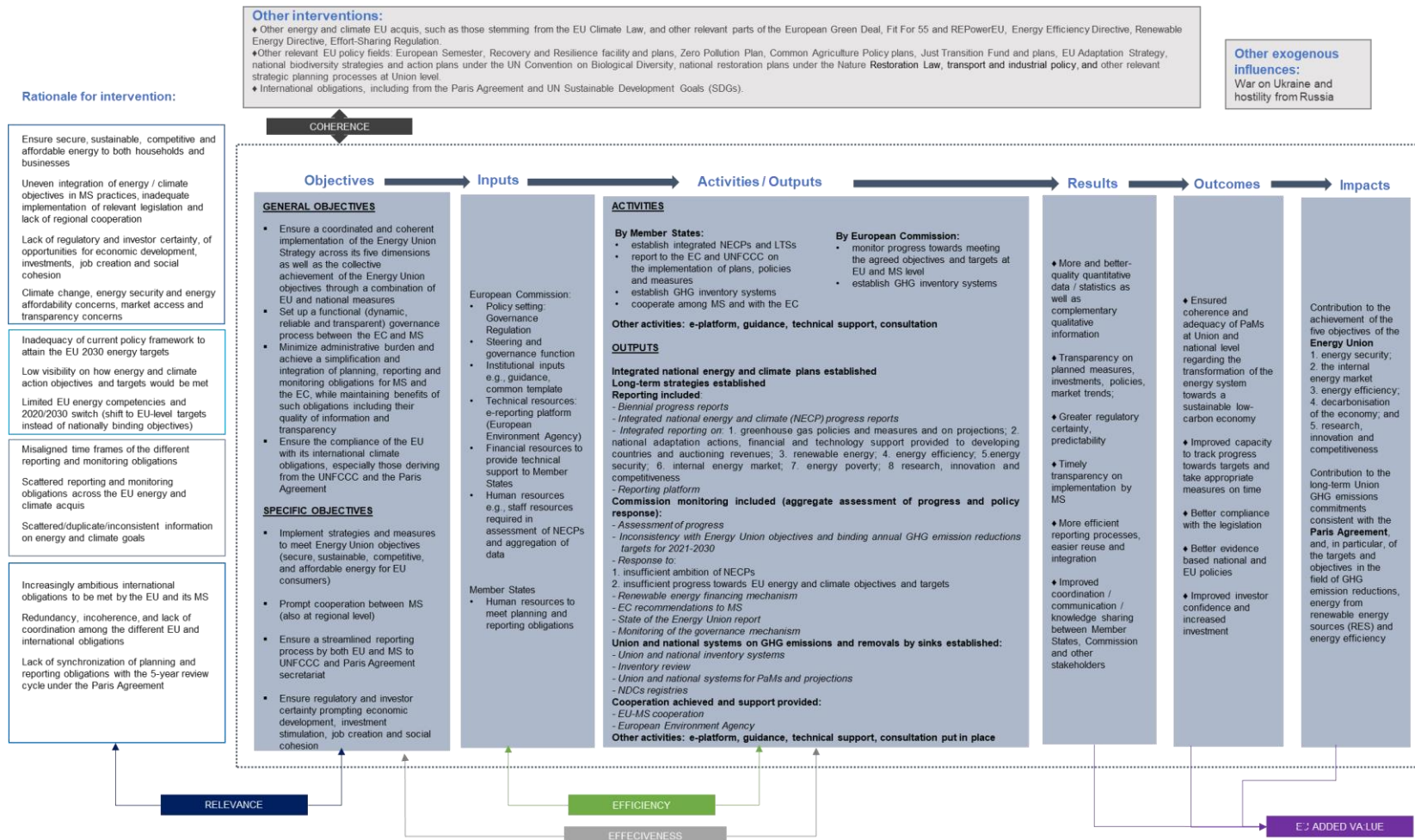


Figure 1: Intervention logic for the Regulation

2.2 Point(s) of comparison and expected outcome

As noted above and explained in more detail in the baseline description contained in Annex 9 of the support study conducted by consultants³⁰, the Regulation aimed to merge and simplify a partly overlapping set of planning, reporting, and monitoring requirements under EU energy and climate legislation in place before 2018.

This evaluation assesses the extent to which the Regulation has achieved its general and specific objectives as well as its expected outcomes and impacts as identified in the intervention logic (see Section 2.1 above). The evaluation describes how the Regulation functioned and was implemented in the period since it entered into force³¹.

3. HOW HAS THE SITUATION EVOLVED OVER THE EVALUATION PERIOD?

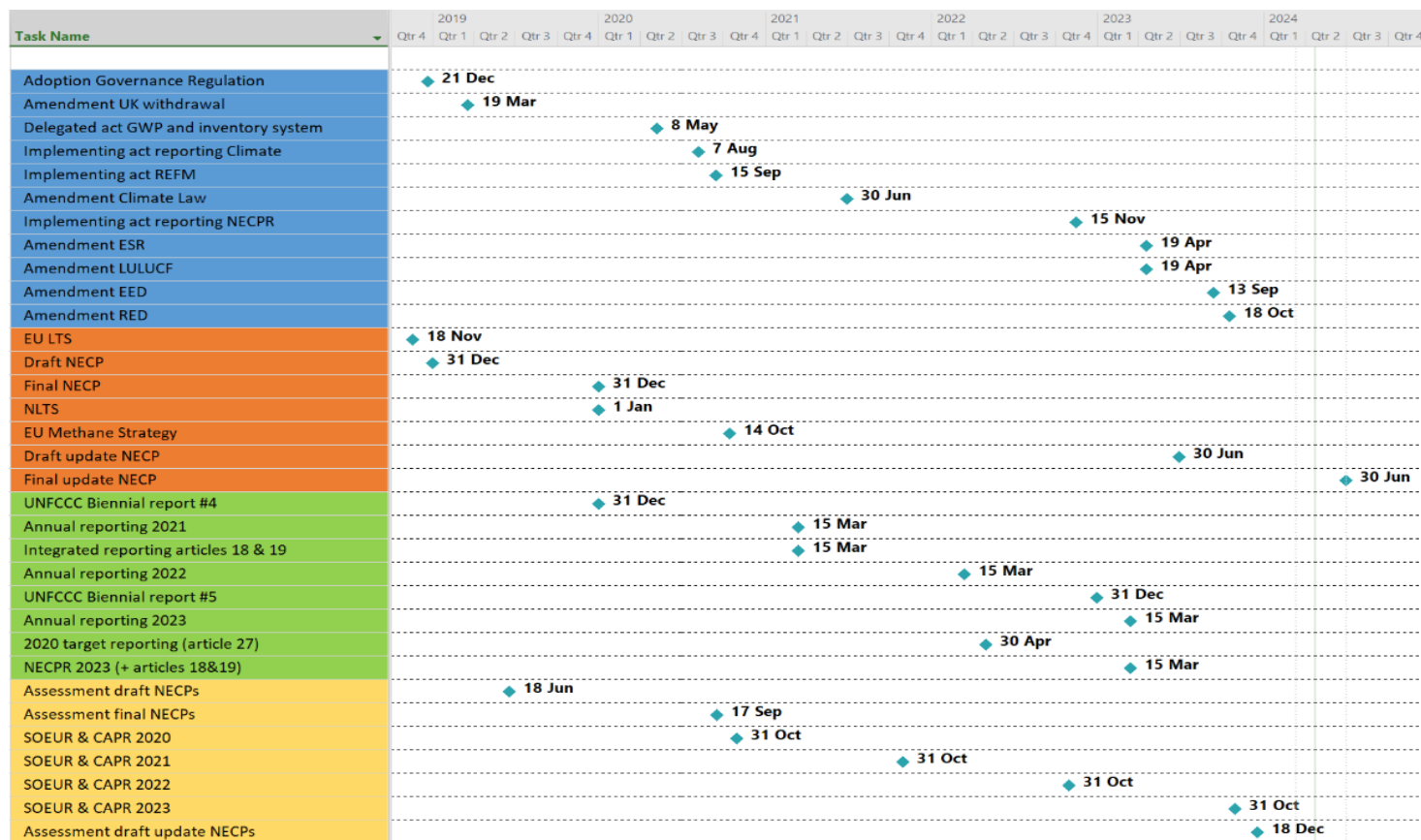
3.1 Implementation by Member States and the Commission

The table below gives an overview of the key planning, reporting, and monitoring activities (as identified in the intervention logic in Section 2.1) that have taken place since the Regulation entered into force at the end of 2018. The upper part (in blue) summarises legislative activities with a direct effect on the Regulation, the lower part (in orange) summarises planning activities, the green part reporting and the yellow part monitoring.

³⁰ Support study for the evaluation of Regulation (EU) 2018/1999 on the Governance of the Energy Union and Climate Action – final report (forthcoming)

³¹ While for the most part the cut-off for the evaluation is the end of 2023, it also draws on input and publications from 2024 where relevant.

Table 1.. Key elements of the Governance Regulation



Blue: legislation, orange: planning, green: reporting, yellow: monitoring.

Note: for legibility, all annual obligations are presented on 1 fixed date, while in reality they have different submission dates.

The table shows that:

- In terms of **legislation**, six targeted amendments were made to the Regulation (see also Section 3.2). In addition, one delegated and two implementing acts primarily related to reporting were adopted, and one implementing act was adopted in relation to the establishment and functioning of the renewable energy financing mechanism (REFM).
- On **planning**, an EU long-term strategy on climate action was adopted in 2018 and an EU methane strategy in 2020. Member States communicated drafts of their first NECPs at the end of 2018/in early 2019. Following an assessment by the Commission³² they submitted final plans for the period 2021-2030 by the end of that year³³. The five-yearly process of *updating* NECPs stipulated by the Regulation was launched in mid-2023 and is expected to conclude by mid-2024. By March 2024, all Member States, except Poland, have submitted their national LTSs.
- On **reporting**, since 2021 Member States have fulfilled several biennial and annual reporting obligations under the Regulation and the UNFCCC/Kyoto Protocol, for instance reporting on national policies and measures, GHG projections and climate change adaptation planning and strategies. Since 2023, this is complemented by (and for some parts streamlined in) integrated national energy and climate progress reports (NECPRs).
- On **monitoring**, the Commission assessed the first draft and final NECPs for the period 2021-2030 in 2019 and 2020 and draft *updated* NECPs submitted by Member States in 2023³⁴. It published a first assessment of national LTSs in October 2021³⁵ (and updates in subsequent editions of the annual climate action progress reports). It also prepared a yearly comprehensive assessment package as part of the State of the Energy Union³⁶.
- In terms of **GHG inventory systems**, the EU and Member States have put in place robust institutional arrangements and processes for estimating GHG emissions by sources and removal by sinks, including procedures to assess uncertainties and ensure quality assurance and quality control. This is key to ensure proper reporting of GHG inventories to the EU/EEA and the UNFCCC Secretariat.

³² Commission Communication assessing the 28 draft NECPs (COM/2019/285), together with specific recommendations and a detailed staff working document for each Member State.

³³ All submitted plans can be found here: [National energy and climate plans \(europa.eu\)](https://commission.europa.eu/energy-climate-change-environment/implementation-eu-countries/energy-and-climate-governance-and-reporting/national-energy-and-climate-plans_en) (https://commission.europa.eu/energy-climate-change-environment/implementation-eu-countries/energy-and-climate-governance-and-reporting/national-energy-and-climate-plans_en).

³⁴ In the first half of 2024, it assessed the draft updates of five remaining Member States whose submissions were significantly late.

³⁵ SWD (2021) 298 final.

³⁶ All State of the Energy Union reports can be found here: [Energy union \(europa.eu\)](https://energy.ec.europa.eu/topics/energy-strategy/energy-union_en) (https://energy.ec.europa.eu/topics/energy-strategy/energy-union_en).

- Similarly, the EU and Member States are operating the Union and national system respectively, for reporting on policies and measures and on projections of emissions and removals to the EU and the UNFCCC Secretariat. As of 2024 the submission of GHG inventories to the UNFCCC will be governed by the enhanced transparency framework³⁷ replacing the measurement, reporting and verification (MRV) system.
- Finally, in terms of **cooperation**, it is worth highlighting that for the first round of NECPs (in 2019) the Commission provided extensive guidance to Member States, alongside the opportunity to exchange best practices through a technical working group. Similarly, to prepare the NECP update process (in 2023) and Member States' reporting obligations, particularly in relation to the first round of NECPRs (also in 2023), the Commission again made substantial guidance available³⁸. The Commission also supported exchanges through various working groups set up under the Energy Union and Climate Change Committees, both in the form of bilateral technical discussions with Member States and regional fora such as high-level groups³⁹.

3.2 Policy and other developments

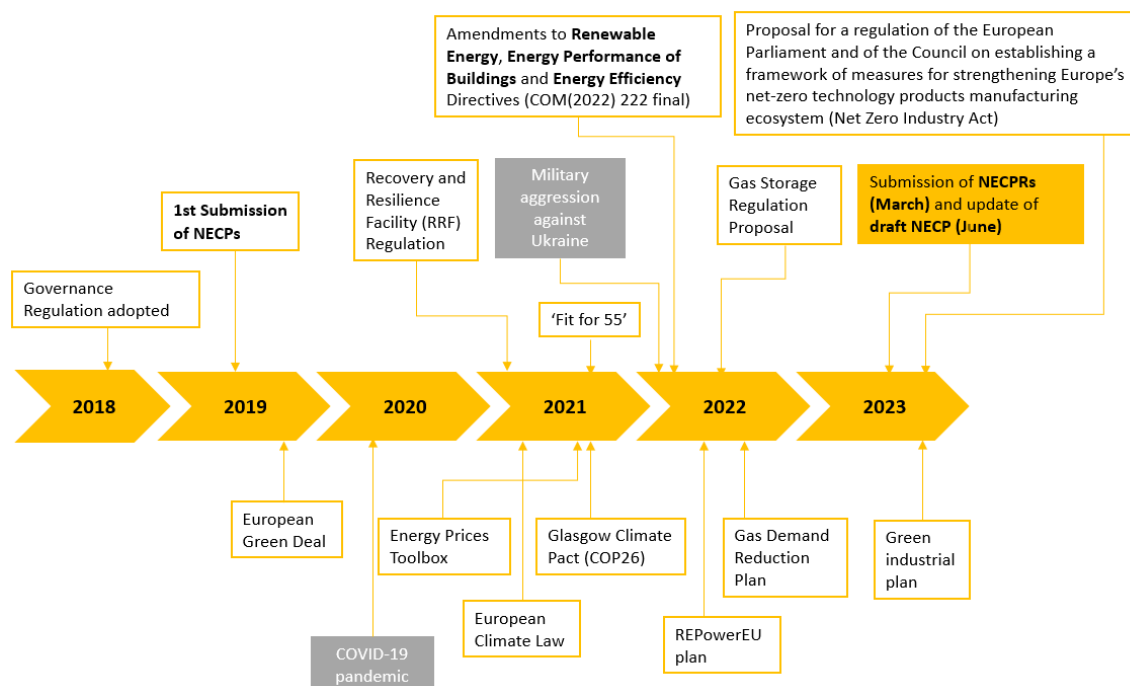
As summarised in the figure below, the European and international energy and climate policy landscape has undergone a significant transformation since the Regulation was adopted in 2018. This was both as a result of **major EU policy developments during the current Commission (2019-2024)**, including the European Green Deal, the European Climate Law and the 'Fit-for-55' package, and **unprecedented crises** caused by the COVID-19 pandemic and the Russian weaponization of energy supply related to the unprovoked and unjustified Russian aggression against Ukraine.

³⁷ This was adopted at COP 24 in 2018 and finalised at COP26 in 2021. The enhanced transparency framework is an accountability mechanism aimed at ensuring transparent reporting on the implementation of Nationally Determined Contributions (NDCs) and the flow of support for climate action.

³⁸ Commission Notice on the Guidance to Member States for the update of the 2021-2030 national energy and climate plans (2022/C 495/02).

³⁹ The European Commission set up four high level groups to provide strategic steering and policy guidance on regulatory and infrastructure development and to monitor progress of projects of common interest in priority regions. They are: the North Seas Energy Cooperation (NSEC), Interconnections for South-West Europe, Baltic Energy Market Interconnection Plan (BEMIP) and the Central and Southeastern Europe energy connectivity (CESEC).

EU policy developments and major crises since the Regulation's adoption



Policy developments

The Governance Regulation was adopted as part of the EU's 2018 legislative framework to meet the EU's (then) climate and energy targets for 2030. Prior to subsequent more ambitious revisions, these targets included a 40% reduction in GHG emissions from 1990 levels, a 32% share for renewable energy in final energy consumption and a 32.5% improvement in energy efficiency.

One year later, in December 2019, the European Green Deal laid the foundation for the European Climate Law (adopted in 2021) that enshrined into EU law the more ambitious climate objectives for 2030 (reducing net GHG emissions by at least 55% by 2030 compared to 1990 levels) and 2050 (climate neutrality). This was followed by the adoption of the Fit-for-55 package (2023⁴⁰) that consisted of a set of inter-connected legislation that operationalise the 2030 target with a balance between pricing mechanisms (notably strengthening and extension of the EU ETS and the new CBAM), targets (ESR, LULUCF, RED and EE), rules, and funding (Social Climate Fund and increased funding under the Modernisation Fund and Innovation Fund). The Green Deal also contained commitments to boost the EU's adaptive capacity and resilience and aimed to further promote policy coherence, notably between energy, climate, and environmental policies (biodiversity, pollution, circular economy, water), including through the 'do no harm' principle.

⁴⁰ At the time of writing this report, an agreement has not yet been found on the revision of the Energy Taxation Directive, see https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/12227-EU-Green-Deal-Revision-of-the-Energy-Taxation-Directive_en.

The continued importance of addressing socio-economic impacts of the green transition led to the creation of the Just Transition Fund⁴¹ and the Social Climate Fund⁴².

Action was also taken on climate resilience, notably in the form of the 2021 EU climate adaptation strategy⁴³ under the Climate Law, and the Commission's 2024 Communication on Managing Climate Risks⁴⁴. This Communication emphasises, among other points, that climate risk planning needs strengthening in the energy sector too.

In February 2024, Council and Parliament reached an agreement on an EU carbon removal certification framework to scale up carbon removal activities and fight greenwashing. In the same month, the Commission issued a Communication recommending that by 2040, the EU's net GHG emissions should be reduced by 90% relative to 1990 levels⁴⁵.

The EU has also adopted key energy strategies, notably on energy system integration⁴⁶, hydrogen⁴⁷, offshore⁴⁸, solar energy⁴⁹, wind⁵⁰, digitalisation of the energy system⁵¹ and grids⁵².

Other related policy developments that have taken place at EU level over the past years include the Net-Zero Industry Act, the Hydrogen Bank, the European Critical Raw Materials Act as well as a series of environmental initiatives (e.g., the zero pollution action plan, the circular economy action plan, the biodiversity strategy and the forest strategy) and the sustainable and smart mobility strategy.

As a result of legislative developments after 2018, the Governance Regulation has been subject to several targeted amendments (see also Section 3.1 above). In 2021, in line with the European Climate Law, it was updated to reflect the EU's climate-neutrality objective. It also mandates the Commission to include in the implementing acts the structure, format, technical details, and process for NECPRs, as well as a methodology to report on the phasing out of energy subsidies, particularly for fossil fuels. The Regulation was also aligned to the Fit-for-55 amendments to the Effort Sharing Regulation⁵³, the Land

⁴¹ Regulation (EU) 2021/1056.

⁴² Regulation (EU) 2023/955.

⁴³ COM/2021/82 final.

⁴⁴ COM/2024/91 final.

⁴⁵ COM/2024/63 final.

⁴⁶ Powering a climate-neutral economy: an EU Strategy for Energy System Integration, COM (2020) 2999 final.

⁴⁷ A hydrogen Strategy for a climate-neutral Europe, COM (2020) 301 final.

⁴⁸ An EU strategy to harness the potential of offshore renewable energy for a climate-neutral future, COM (2020) 741 final.

⁴⁹ An EU Solar Energy Strategy, COM (2022) 221 final.

⁵⁰ European Wind Power Action Plan, COM(2023) 669 final

⁵¹ Digitalising the energy system – EU Action plan, COM (2022) 552 final.

⁵² Grids, the missing link - An EU Action Plan for Grids, COM/2023/757 final.

⁵³ Regulation (EU) 2023/857.

Use, Land Use Change and Forestry Regulation⁵⁴, to the Renewable Energy Directive⁵⁵ and to the recast Energy Efficiency Directive⁵⁶.

Although raising the ambition in energy and climate mitigation policies does not directly require changes to the planning, reporting, and monitoring processes under the Governance Regulation, it does imply that Member States need to revise their NECPs to meet the EU's more ambitious objectives and targets. On climate change adaptation policy, actions are needed to improve the governance of climate risks across policy sectors.

Major policy developments at *international* level include decisions and commitments under the Paris Agreement, for instance on the enhanced transparency framework, rules related to market mechanisms and non-market approaches⁵⁷ and climate finance for developing countries⁵⁸. At COP28, Parties undertook the first Global Stocktake⁵⁹ under the Paris Agreement and committed to transition away from fossil fuels in energy systems⁶⁰, to triple global renewable energy capacity and to double the global average annual rate of energy efficiency improvements by 2030⁶¹. Also, at COP28, Parties recognised that limiting global warming to 1.5 °C requires reducing global GHG emissions by 43% by 2030 and 60% by 2035 compared to 2019 levels and reaching net-zero carbon dioxide emissions by 2050. They also agreed on a 'Global Goal on Adaptation' covering broad global adaptation goals and key areas for action.

The COVID-19 pandemic and the war in Ukraine

The COVID-19 pandemic that broke out in 2020 led the EU to establish the Recovery and Resilience Facility (RRF), the €800 billion reform and investment tool at the heart of *NextGenerationEU*. It aimed to support Member States' economic recovery and use it as a crucial opportunity to build back better, including by supporting the green transition. Member States must dedicate at least 37% of the total allocation under their national recovery and resilience plan to measures contributing to climate objectives. Article 4 of the Regulation establishing the Recovery and Resilience Facility (Regulation

⁵⁴ Regulation (EU) 2023/839.

⁵⁵ Directive EU/2023/2413.

⁵⁶ Directive EU/2023/1791.

⁵⁷ Also, the decision under Article 6 of the Paris Agreement implies that each participating Party must have, or have access to, a registry for the purpose of tracking and must ensure that such registry records, including through unique identifiers, as applicable: authorization, first transfer, transfer, acquisition and shall have accounts as necessary (such provisions existed in the MMR for the Kyoto registry and activities).

⁵⁸ This includes financial support for climate mitigation and adaptation as well as for 'loss and damage'.

⁵⁹ The global stocktake confirmed the urgent need to redouble efforts to achieve the three key objectives of the Paris Agreement: climate mitigation, climate adaptation and the corresponding alignment of all financial flows.

⁶⁰ Parties agreed to 'transition away from fossil fuels in energy systems, in a just, orderly and equitable manner, accelerating action in this critical decade, so as to achieve net zero by 2050 in keeping with the science'. They also agreed to phase out inefficient fossil fuel subsidies.

⁶¹ The Global Renewables and Energy Pledge sets global targets to triple the global installed capacity of renewable energy and double the global rate of energy efficiency improvements by 2030 - [COP28: Global Renewables And Energy Efficiency Pledge](#).

(EU) 2021/241) stipulates that the Facility is designed to contribute to the achievement of the EU's 2030 climate targets and its objective to achieve climate neutrality by 2050. Article 17 provides that Member States' RRFs must be consistent with the information included in the NECPs drawn up under the Governance Regulation.

Accordingly, NECPs played an important guiding role in identifying the areas where measures and additional funding for investments is needed. The reverse is also true: the financial boost to Member States' energy and climate measures had a significant impact on their GHG and energy trajectories, investment assumptions and planned policies and measures compared to what was outlined in the 2019 NECPs. The new RRF-funded support measures must be reported as part of the biennial reporting of policies and measures under the Governance Regulation and be reflected in the updated NECPs to be submitted by the end of June 2024.

Russia's war of aggression against Ukraine launched in 2022 led to disruptions in the supply of Russian gas and contributed to a significant rise in energy prices across the EU. In response, the Commission proposed to end the EU's reliance on Russian fossil fuels well before 2030 and launched the **REPowerEU plan**, a set of actions to diversify the EU's energy supplies, save energy, and further promote renewable energy and energy efficiency.

The RRF Regulation⁶², adopted in 2021, was amended in 2022 to address the objectives of REPowerEU. Member States could revise their recovery and resilience plans to add REPowerEU chapters and access additional funding to achieve the REPowerEU objectives. The Commission's guidance to Member States on updating their NECPs included recommendations on how REPowerEU measures should be reflected in these plans⁶³. Progress on achieving the objectives of the REPowerEU Plan will be reported, among others, in the Commission's State of the Energy Union reports and its climate action progress reports.

In launching the *REPowerEU* plan, the Commission also proposed to raise the ambition of the new renewable energy target under the Renewable Energy Directive and the new energy efficiency target under the Energy Efficiency Directive, eventually resulting in binding collective EU targets of 42.5% for renewable energy (with the collective endeavour to reach 45%) and 11.7%⁶⁴ for energy efficiency⁶⁵.

The energy crisis triggered by the war against Ukraine impacted the objectives of the Governance Regulation in several ways, including:

- how energy data is monitored and reported by Member States and shared at EU level (e.g., need-to-know changes in gas storage and consumption with the shortest time lag possible);

⁶² [Regulation - 2021/241 - EN - rrf - EUR-Lex \(europa.eu\)](#)

⁶³ [Commission Notice on the Guidance to Member States for the update of the 2021-2030 national energy and climate plans \(2022/C 495/02\).](#)

⁶⁴ Compared to the projections of the EU's 2020 reference scenario

⁶⁵ So that the EU's final energy consumption amounts to no more than 763 Mtoe.

- the need for stronger coordination and cooperation among Member States about gas supply (e.g., demand aggregation);
- the adoption of action plans to save gas in the short-term that may complement or interfere with the longer-term planning under the Regulation.
- new provisions to accelerate permitting for renewable energy in renewable acceleration areas, emphasising the importance of good strategic planning;
- the realisation that planning and building new types and capacity of infrastructure in the energy sector require better planning from the perspective of climate risks.

Energy prices (which peaked in August 2022) led to a significant increase in the cost of living for citizens and reduced the global competitiveness of EU industry. Coordinated action by the EU and Member States, including the REPowerEU plan and emergency legislative initiatives first adopted in 2022, mitigated the effects of the energy crisis for households and industry in a coordinated manner, avoiding fragmentation of the single energy market. However, energy prices remain higher than they were before the energy crisis. The temporary spike in energy prices highlighted the need for an effective and coordinated crisis response, to diversify supply across the energy sector, to promote energy savings and to fast-forward the green transition. It emphasised the relevance of the Regulation as the cornerstone for coordinated energy and climate action at EU level through the NECP and LTS process.

4. EVALUATION FINDINGS

Introduction

This chapter assesses the impact of the Governance Regulation against the criteria of effectiveness, efficiency, coherence, EU added value and relevance. The assessment will be guided by 17 specific evaluation questions (see Annex III for the evaluation matrix and answers to the evaluation questions), which in turn are presented under three headings:

1. To what extent was the Regulation successful and why? (effectiveness, efficiency and coherence)
2. How did the EU intervention make a difference? (EU added value)
3. Is the Regulation still relevant as it stands? (relevance)

Given we are still at a relatively early stage of the Regulation's lifecycle, this assessment can only be partial.

4.1 To what extent was the Governance Regulation successful and why?

The success of legislation is measured largely by assessing if and how it meets its objectives. Accordingly, this section seeks to identify:

- the factors driving or impeding the Regulation's progress in achieving its objectives (effectiveness);
- the extent to which the Regulation's objectives are met in the most cost-effective way and with the least possible burden (efficiency); and
- whether the Regulation is internally coherent and functions well in conjunction with other related EU legislation and international obligations (internal and external coherence).

Effectiveness

4.1.1 Contribution to better energy and climate policy planning

The Regulation strengthened integrated energy and climate policy planning and has created synergies by taking an innovative approach. It brings together previously scattered planning (and reporting) obligations across energy, climate, and other Energy Union-related policy areas under one coherent Regulation and requires Member States to develop integrated NECPs and LTSs. There was a degree of agreement among national authorities that the Regulation has indeed helped integrate different but related planning obligations and has improved the quality and accuracy of planning at national level. Stakeholders generally recognise the benefit of replacing different sectoral national action plans with a single, coherent NECP that provides clear medium-term targets.

The Regulation has also improved planning by increasing cooperation within Member States. Consulted national authorities noted that integrated planning and reporting improved cooperation and coordination between and within different national ministries and governmental agencies. However, there is scope to further improve this cooperation and coordination, bearing in mind that increased coordination might require additional resources.

At the same time, there are significant differences in the impact that NECPs have had on national planning processes (and vice versa). Some Member States already had well-established national planning mechanisms for climate and energy policies before the Regulation was adopted. This may also have contributed to limited political buy-in into the Regulation's planning processes in some countries. In such cases, some national authorities argued that the Regulation has served more as a reporting than as a planning tool, with limited effectiveness in improving planning. They note, however, that even in those cases, merging multiple obligations into one framework still improved the planning processes.

Despite the set template for NECPs (Annex I to the Regulation) and LTSs (Annex IV), there are large differences in Member States' plans and strategies. The scope, content, detail, quality and/or length vary greatly, including with respect to aspects such as the just transition, climate adaptation, the role of land use and removals, and measures to tackle agricultural emissions. On the LTSs specifically, 18 Member States expressed a clear objective to achieve climate (or carbon) neutrality by 2050 or before; others aim to be *largely* climate neutral or to achieve reductions of 80-95% by that date⁶⁶.

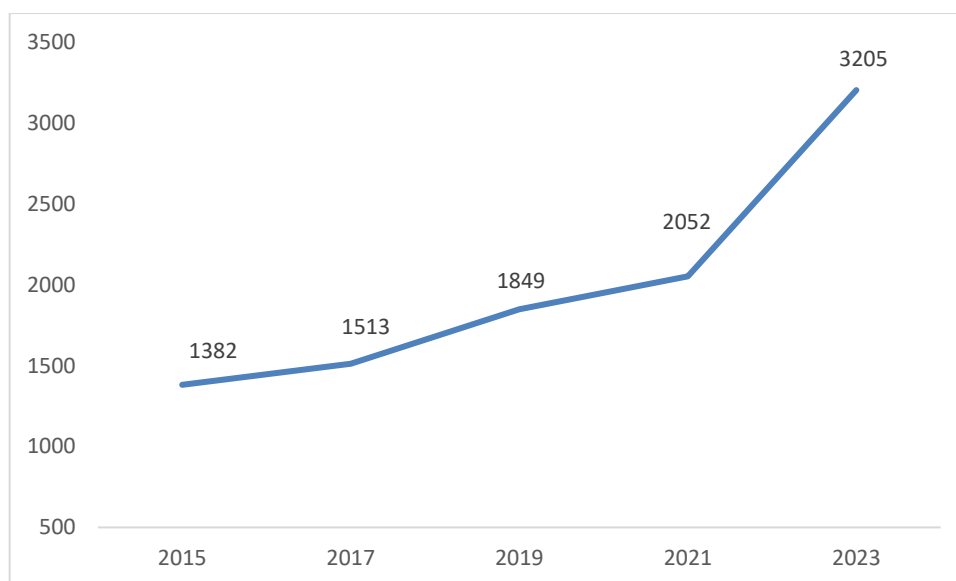
While the flexibility of the NECP template made it difficult to aggregate certain indicators at EU level, some national authorities do not consider the template to be flexible enough to reflect a country's specific national situation. On the LTSs, Article 15(4) and the short 'general framework' in Annex IV provide relatively limited guidance on their expected content, leaving considerable discretion to Member States. Stakeholders also highlighted that national LTSs are not always effective in improving energy and climate planning (see Section 4.1.12).

4.1.2 Contribution to the implementation of climate and energy policies

There are indications that the Regulation has had a positive impact on the implementation of climate and energy policy policies. 24 out of 29 national authorities that responded to a survey indicated that the Regulation played a role in Member States adopting and implementing policies and measures (PaMs) to meet national energy and climate contributions to a very large (5), large (8) or some (11) extent.

⁶⁶ Note that the deadline for submission of the national LTS (1 January 2020) was before the adoption of the Climate Law, which established the Union-wide climate neutrality objective.

Figure 3 Number of policies and measures (PaMs) reported per year.



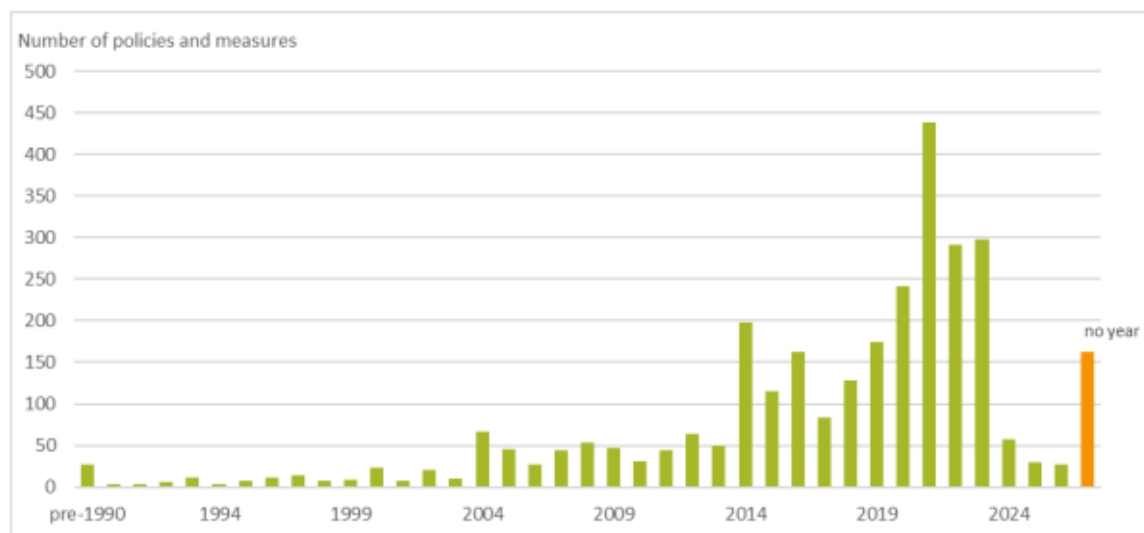
Source: ICF elaboration based on EEA reports

Although it is difficult to measure the Regulation's direct impact on implementation, many new PaMs were reported after it was adopted. There has been a steady increase over time in the number of PaMs reported as part of each reporting cycle (see Figure 3). The marked increase in reported PaMs since 2021 can be explained by the extension of reporting beyond GHG-related PaMs to PaMs covering all five dimensions in the Regulation, by further implementing the NECPs and, more generally, by additional action taken by Member States to meet their 2030 climate and energy targets.

As reported in the Commission's 2023 progress assessment of the first NECPRs⁶⁷ and as illustrated in Figure 4 below, there was a large increase in *new* PaMs following the adoption of the 2019-2020 NECPs (879 new PaMs, around 29% of the total). This indicates that many Member States put in place and will continue to implement new policies and measures to meet their 2030 climate and energy objectives and targets. Of these new PaMs, 286 (33%) are planned, 219 (25%) are adopted and 359 (41%) are implemented.

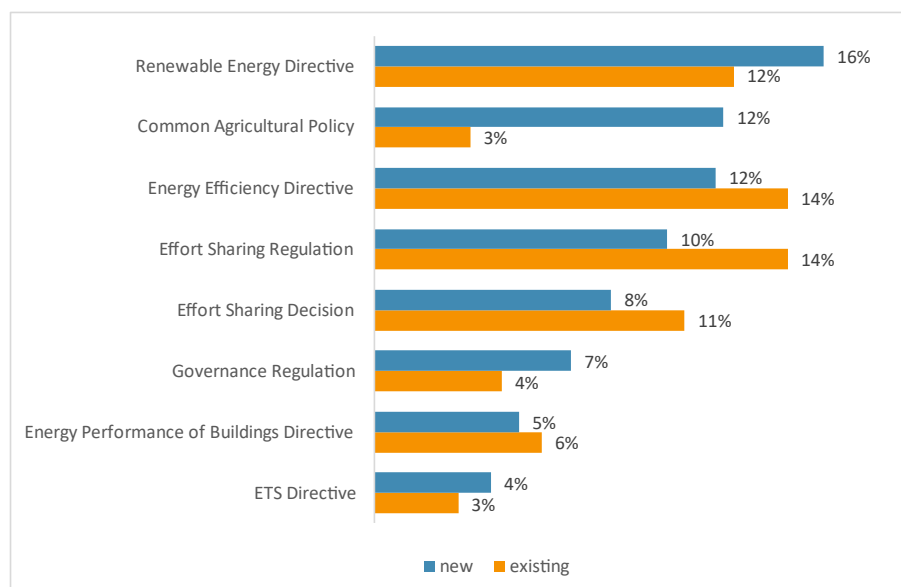
⁶⁷ SWD (2023) 646 final.

Figure 4 Number of policies and measures reported by EU Member States per start year.



Most reported national PaMs are implemented in response to one or more EU policies, with the most mentioned measures shown in Figure 5 below. Member States also report PaMs in response to EU policies that were adopted in subsequent years such as the RRF Regulation (32 PaMs) or the European Climate Law (19 PaMs). As shown in the figure, while several are reported to be implemented in direct response to the Regulation, many others are more indirectly linked to it, reflecting the Regulation’s ‘framework nature’ which integrates planning, reporting, and monitoring obligations from across EU energy and climate legislation, including the EED, RED, EPBD, ESR and the LULUCF.

Figure 5. Share of policies and measures reported by Member States in their NECPR linked to EU policies and legislation



Note: New policies and measures are those put in place since the original NECPs. Source: Assessment of progress towards the objectives of the Energy Union and Climate Action, SWD (2023) 646 final.

Overall, Member States have made progress towards meeting the climate mitigation objectives, although there is a risk of an implementation gap. Member State abatement projections (WAM⁶⁸) have improved over time⁶⁹, but the draft updated NECPs that (most) Member States submitted in 2023 still fell short by about 4 pp⁷⁰. of the EU's 2030 target to reduce net emissions by at least 55% compared to 1990 levels. The trajectory identified in the draft updated NECPs⁷¹ fell short of reaching climate neutrality by 2050⁷². Based on Member State GHG projections for 2023, the 2023 CAPR⁷³ estimates a need for additional emission reductions of around 1 600 million tonnes of CO₂ equivalent (or 34 pp.) to achieve climate neutrality by 2050.

Member States have increased their emission reductions under the Effort Sharing Regulation (ESR), but further efforts are needed by 2030. Projected emission reductions, including additional measures, for sectors covered by the ESR improved between the 2019 draft NECPs and 2020 final NECPs, from about 28%⁷⁴ in 2019's draft plans to 32% in the 2020 final plans. The projected reductions improved further to 33.8% in the 2023 draft updated NECPs. Although this is positive, the projected impact still falls short of the EU's -40% 2030 ESR target⁷⁵.

Despite recent progress, the EU is currently not on track to meet its 2030 LULUCF target. LULUCF (WAM) projections from the draft updated NECPs indicate that Member States will need to remove an additional 40 to 50 net Mt CO₂ eq. to reach the EU's 2030 target of -310 Mt CO₂ equivalent⁷⁶. The Commission assessment therefore concluded that the draft NECPs lacked sufficient ambition or action in the sector, with only a few Member States demonstrating clear pathways to meet their national 2030 removal targets.

On the contribution the Regulation made to implementation of climate change adaptation policies, progress is limited. The scope of information reported by Member States is limited, which impedes domestic adaptation planning, including through NECPs. These limitations notwithstanding, the coverage of adaptation policies and measures did somewhat increase in the draft updated NECPs compared to the 2019/2020 plans. The

⁶⁸ With additional measures.

⁶⁹ The assessment of the 2019-2020 final NECPs shows that for the economy-wide greenhouse gas emissions reductions, including those covered by the EU ETS, emissions decrease by 41% v. 1990 levels under the WAM scenario, exceeding the EU's previous 40% reduction target. This represented an improvement of about 1.5 pp compared to the draft NECPs.

⁷⁰ Net total GHG emissions, including LULUCF and excluding international transport.

⁷¹ [resource.html \(europa.eu\)](#)

⁷² This assessment might evolve following the submission of final updated NECPs to be submitted by Member States by 30 June 2024.

⁷³ [Climate Action Progress Report 2023 - European Commission \(europa.eu\)](#)

⁷⁴ Compared to 2005.

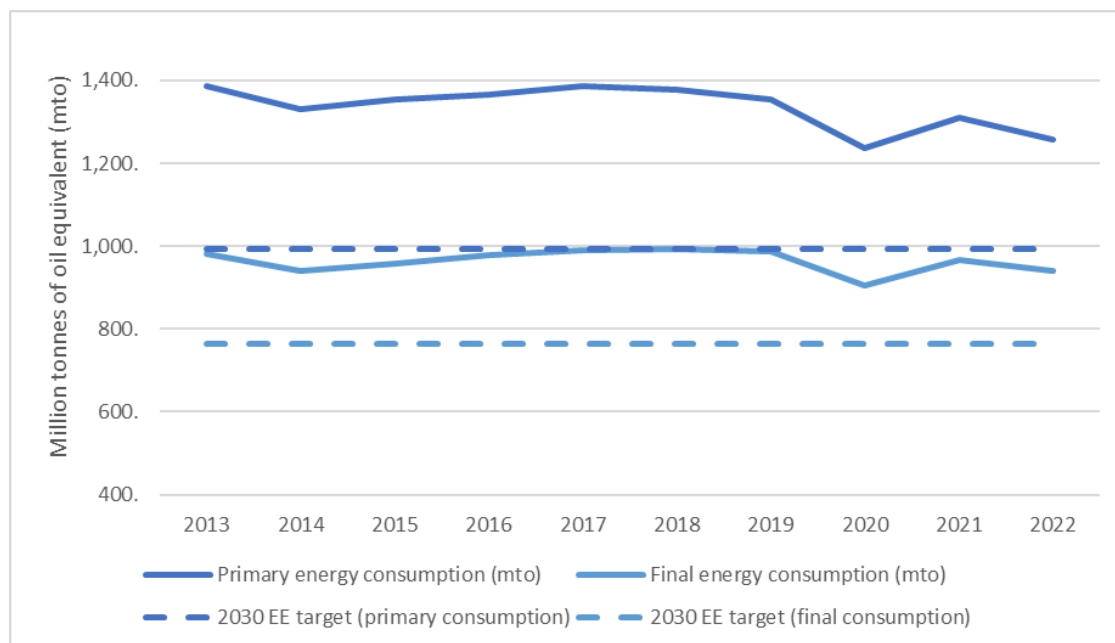
⁷⁵ Under the fit-for-55 package, the EU increased its ESR 2030 target from -29% to -40% with the 2023 ESR revision. Read more here: [Effort sharing 2021-2030: targets and flexibilities - European Commission \(europa.eu\)](#).

⁷⁶ The revised LULUCF regulation has a separate land-based net carbon removals target of 310 million tonnes of CO₂ equivalent by 2030. When available, WAM projections provided in the draft updated NECPs were used. If WAM projections were missing, WEM projections were used instead. [resource.html \(europa.eu\)](#)

recently published first European Climate Risk Assessment⁷⁷ offers a basis to strengthen and further develop this dimension of the plans.

Member States have also made progress on energy efficiency and renewables' objectives, particularly over the last few years. Some of the EU's 2020 energy targets⁷⁸ were binding for each Member State, notably the renewable energy target of 20%⁷⁹. With the transition to more ambitious collective, EU-wide energy efficiency and renewables targets for 2030, the Regulation became the primary framework to ensure effective and coordinated implementation. Although it is difficult to measure the impact of the Regulation, Figure 6 and Figure 7 below show that there has been some progress in implementing the 2030 targets, particularly over the last few years.

Figure 6. Progress on implementing EU-wide 2030 energy efficiency targets, 2013-2022



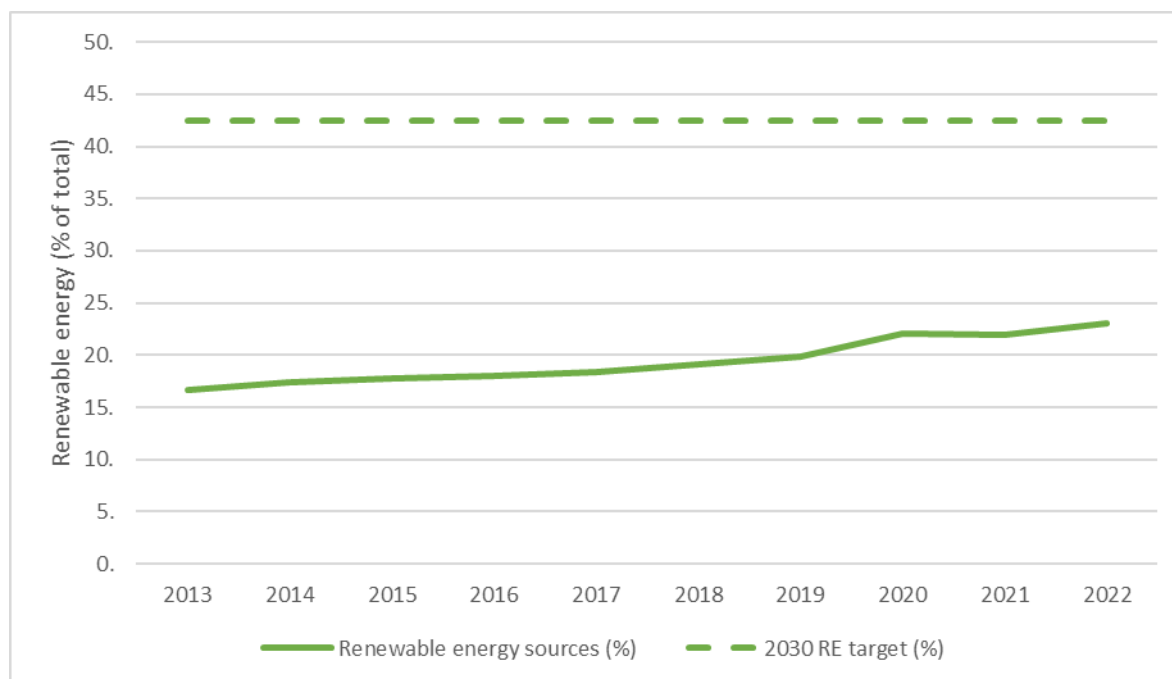
Source: Eurostat

⁷⁷ See: <https://www.eea.europa.eu/publications/european-climate-risk-assessment>

⁷⁸ COM (2010) 639 final.

⁷⁹ Directive 2009/28/EC, Art. 3.

Figure 7 Progress on implementing 2030 EU-wide renewable energy targets, 2013-2022



Source: Eurostat

However, implementation of energy objectives will need to be stepped up by 2030.

The 2023 EU-wide assessment of the draft updated NECPs⁸⁰ found that, based on current national ambitions, the share of renewable energy in final energy consumption could reach between 38.6% and 39.3% in 2030 at EU level. While this is significantly higher than the previous target of 32% set in REDII, it is lower than the revised binding target of 42.5%. Similarly, the assessment found that only a handful of Member States propose a sufficient level of ambition on either primary energy consumption, final energy consumption or both to achieve the revised 2030 target.

Some factors may have affected the Regulation's contribution to implementation of energy and climate policies. The lack of strong compliance mechanisms (see Section 4.1.6) was identified as a factor hindering implementation of the NECPs, as are the varying levels of detail and lack of comprehensive and consistent overviews of public and private investment needs in the plans (see Section 4.1.7). The current NECP cycle (and level of ambition in the 2023 draft updated plans) was affected by the short time between finalising interinstitutional negotiations on the Fit-for-55 package and the deadline for submitting draft updated NECPs.

⁸⁰ COM (2023) 796 final. This assessment might evolve following the submission of final updated NECPs to be submitted by Member States by 30 June 2024.

4.1.3 Contribution to raising the quality of reported information

The Regulation has improved the quality of reported information to some extent. At the same time, gaps and inconsistencies in the information reported in plans and reports remain. Member States report information via the e-platform. The Commission, supported by the EEA and its European Topic Centres, carries out quality assurance and quality control procedures⁸¹ for several reporting obligations. These tools and procedures help standardise and raise the quality of the reported information over time.

The quality of data on PaMs (Article 18, since 2023 streamlined in the NECPR PaMs reporting) has increased over the reporting period, but not since the entry into force of the Regulation. The completeness of data reported in the e-platform dataflow increased between 2017 and 2019.⁸² However in 2021⁸³ and 2023⁸⁴, although there was a large increase in reported PaMs (see Section 4.1.2.) the completeness did not improve.

The issues with completeness notably concern data on emission reductions (achieved and expected), renewable energy production (achieved and expected), energy reductions (achieved and expected), and on the costs and benefits and financing of PaMs. With respect to emission reductions specifically, there is not yet a clear match between projections, WEM and WAM, and ex-ante emission savings from the PaMs reporting. On progress towards financing specifically, some Member States did not report information on financing the PaMs (Article 17), and others often reported incomplete or inconsistent information.

Compared to 2021, the quality of PAMs deteriorated in 2023⁸⁵. This could partly be expected as the 2023 PaM reporting cycle brought in several new requirements, for instance it extended reporting to all dimensions of the Energy Union in an integrated matter⁸⁶. As PaMs reporting has evolved over the last decades, it has been observed that stable, predictable reporting requirements foster substantive improvements in data quality, whereas shifts in reporting requirements lead to temporarily reduced quality. This evaluation only takes account of one single reporting cycle for the new PaMs reporting requirements and, as such, does not capture the longer-term trend in data quality

⁸¹ Following the UNFCCC's TACCC principles: Transparency, Accuracy, Completeness, Comparability, and Consistency.

⁸² Dauwe, T., Mandl, N., Young, K., and Jozwicka, M. 2019. "Overview of reported national policies and measures on climate change mitigation in Europe in 2019. ETC/CME. <https://www.eionet.europa.eu/etcs/etc-cme/products/etc-cme-reports/etc-cme-report-5-2019-overview-of-reported-national-policies-and-measures-on-climate-change-mitigation-in-europe-in-2019> (accessed on 12 February 2024).

⁸³ Dauwe, T. 2021. "Overview of reported national greenhouse gas policies and measures in Europe in 2021". ETC/CME. <https://www.eionet.europa.eu/etcs/etc-cme/products/etc-cme-reports/etc-cme-report-5-2021-overview-of-reported-national-greenhouse-gas-policies-and-measures-in-europe-in-2021> (accessed on 12 February 2024).

⁸⁴ Dauwe, T., Vella, A., Sammut, J., Gu, Y., Gleeson, L., Young, K., Perl, D. (2023). Overview of reported integrated national climate and energy policies and measures in Europe in 2023. EEA. [ETC CM report 2023/06: Overview of reported integrated national climate and energy policies and measures in Europe in 2023 — Eionet Portal \(europa.eu\)](https://www.eionet.europa.eu/etcs/etc-cme/products/etc-cme-reports/etc-cme-report-6-2023-overview-of-reported-integrated-national-climate-and-energy-policies-and-measures-in-europe-in-2023)

⁸⁵ [ETC CM report 2023/06: Overview of reported integrated national climate and energy policies and measures in Europe in 2023 — Eionet Portal \(europa.eu\)](https://www.eionet.europa.eu/etcs/etc-cme/products/etc-cme-reports/etc-cme-report-6-2023-overview-of-reported-integrated-national-climate-and-energy-policies-and-measures-in-europe-in-2023)

⁸⁶ Previously only GHG emissions and removals were covered.

improvements that can be expected with subsequent rounds of reporting. Data quality issues complicate a comprehensive analysis of the impacts of existing policies across the EU.

By contrast, the quality of GHG projections reporting has increased (Article 18) over time, building on the work on data quality improvements starting already under the MMR. All Member States now provide complete information on their mandatory WEM scenarios, with a comprehensive split by sector and GHG. The number of Member States reporting on 2050 projections⁸⁷ increased from 7 (2021) to 26 out of 27 (2023). There has also been a small increase in reporting on indicators (from 18 in 2021 to 21 in 2023) and sensitivity scenarios (21 in 2023 v 19 in 2021). Since the entry into force of the Regulation, Member States are required to submit LULUCF projections, and full compliance was achieved in both 2021 and 2023. However, between 2021 and 2023, completeness on the voluntary ‘With Additional Measures’ (WAM) scenario decreased slightly (18 in 2023 v 22 in 2021), and on the fact sheets on the models used (26 in 2023 and 27 in 2021) and number of parameters reported (156 unique parameters in 2023 and 389 in 2021)⁸⁸.

In terms of the quality of reported information on climate change adaptation actions (Article 19 (1)), the results are mixed. The Regulation streamlined and reduced fragmentation of reporting on adaptation measures. However, the Commission’s assessment of Member States’ adaptation policies would have benefited from more extensive and better information on domestic adaptation action. **The coverage and granularity of reported information on the financial support provided to developing countries (Article 19.3) has improved over the years.**

The Regulation has increased the quality of GHG inventory data by establishing clearer roles and responsibilities for the Commission (with a key supporting role of the EEA) and Member States in the quality assurance and quality control (QA/QC) process. The EU and its Member States are parties to the Paris agreement and the UNFCCC. Therefore, when drawing up their inventory, they must first comply with the common rule book of the UNFCCC and IPCC guidelines. The initial checks and its QA/QC are mandatory provisions from the UNFCCC⁸⁹, which are transposed in domestic legislation.

The Regulation puts in place internal institutional arrangements for the EU and Member States to prepare the timely, efficient, and coherent submission of the EU’s inventory, which is the sum of Member States inventories, to the UNFCCC Secretariat. In addition, the Regulation provides a structured framework for the Commission to assess, report on, and follow up on the findings of inventory QA/QC, including by issuing recommendations for improvements (Article 38). It requires Member States to participate in the process. As

⁸⁷ This was only mandatory to report in 2023, and not in 2021.

⁸⁸ Martin Ortega, J., Akkermans, S., Lopez, P., Chornet, J., Szanto, C., Kampel E., Pinterits, M. “Analysis of Member States’ 2023 GHG projections” ETC-CM. <https://www.eionet.europa.eu/etcs/etc-cm/products/etc-cm-report-2023-08> (accessed on 12 April).

⁸⁹ Modalities, procedures, and guidelines (MPGs), Annex to decision 18/CMA.1.

a result, data reported through Article 26 (Annual Reporting) is less prone to errors than under the MMR.

The NECPR process (Article 17) has increased the completeness of information. A lot of new information was digitally reported in NECPRs on progress towards the objectives in all five dimensions of the Energy Union (notably on Member States national ‘economy-wide’ greenhouse gas emission reduction targets (18 Member States reported at least one national target for either 2030, 2040 or 2050) and climate-neutrality targets (16 Member States)) and policies and measures to achieve those objectives. Using an e-platform for reporting based on templates specified in an implementing regulation, and with additional reporting guidelines for Member States, improved the completeness and comparability of the data reported.

4.1.4 Contribution to increased public accessibility of reported information

Stakeholders generally agree that the Regulation has resulted in more publicly accessible climate and energy information. A large majority (44 out of 65) of surveyed stakeholders found that the Regulation helped improve public data accessibility, but opinions varied by stakeholder group. 23 out of 30 surveyed national authorities found that the Regulation has made the data in their national plans and reports more accessible to the public at least to some extent, while just over half of the surveyed industry representatives and third-sector stakeholders shared this view.

Stakeholders pointed out that better public access to information resulted from the requirements for Member States to collect and report data in new areas and to publish and consolidate that data in one place. A major added value from the Regulation is also that it provided access to more information from *other* Member States, with almost all surveyed national authorities agreeing. During the interviews, stakeholders noted that the State of the Energy Union report is particularly beneficial and that NECPs from other countries can be useful to learn about best practices. They also noted, however, that it can be difficult to make comparisons between countries as they draw up their NECPs in different ways.

Public access to energy and climate information is governed by specific requirements in the Regulation. Articles 3(4), 17(7), 18(4) and 19(4), for instance, require Member States to publish NECPs, NECPRs, national GHG projections, and reported information on national adaptation actions, financial and technology support for developing countries and auctioning revenues. Article 28(3) requires the Commission to facilitate public online access to the reports covered by Chapter 4 of the Regulation, the final integrated NECPs and their updates as well as the LTSs, and to publish these reports on the e-platform⁹⁰.

⁹⁰ The e-platform is an online platform (comprised of two systems: [Reportnet](#) managed by the European Environmental Agency and [ReportENER](#) managed by DG ENER) to facilitate communication between the Commission and Member States, to promote cooperation among Member States and to facilitate public access to information. The e-platform supports all Member State reporting under this Regulation.

In practice, most plans and information prepared by Member States are indeed publicly available, albeit sometimes with delays (e.g., in 2023 many NECPs and NECPRs arrived late). The NECPRs were sometimes published without certain specific elements due to restrictions by individual Member States (see *Table 2* in *Annex VI* for more details). Stakeholders underlined that delays in providing information affects its usefulness and their ability to contribute to policy making (see Section 4.1.5 below).

While publicly available, certain aspects of reported energy and climate information are not always sufficiently understandable to the wider public. For instance, stakeholders reported that data can be difficult to understand for non-experts as they are compiled of numerous Excel tables without much context. Some stakeholders also noted that some plans and reports lacked detail, limiting the transparency and predictability of Member States' policies.

Some stakeholders suggested that the e-platform could be enhanced, for instance to give better control over the data submitted by improving the means to access, reuse and forward the data, or providing better visual tools so that authorities can present information on the NECPs in an accessible way (see also Section 4.1.11). The European Commission and the EEA already provide a range of tools such as EEA climate and energy platform⁹¹, Datahub⁹² and Climate-ADAPT⁹³ through which the public can access some of the data reported under the Governance Regulation, including in the form of assessment, visualisations, and databases. The use of and information on the availability of these tools should be improved.

Extending and upgrading the e-platform has been identified as a key action within the Commission-wide initiative to streamline reporting obligations. Substantial work is ongoing to integrate more reporting obligations (e.g., from integrated progress reporting by Energy Community parties, obligations stemming from the revised energy efficiency directive and methane legislation) in the e-platform and to increase its functionality to further improve data reuse and user-friendliness (see Section 4.1.11).

4.1.5 Timeliness of plans and reported information.

Most Member States submit required plans and strategies too late. Only 8 out of 27 draft updated NECPs were notified by the deadline of 30 June 2023. At the time of writing this report, Austria has still not yet submitted a draft updated NECP. In 2024, 4 Member States submitted their final updated NECP by the deadline of 30 June. Only 9 Member States submitted their LTS on time, with Poland not yet having submitted its LTS, over four years after the deadline. Table 1 in Annex VI summarises the main information on the timeliness of the Regulation's key plans and reports.

Member States also frequently miss deadlines for reporting obligations (see Table 2). Only 8 Member States submitted their NECPRs (Article 17) on time, and only 11 their

⁹¹ For example, see <https://climate-energy.eea.europa.eu>.

⁹² <https://www.eea.europa.eu/en/datahub>, which provides access to more detailed datasets.

⁹³ [Climate-ADAPT \(europa.eu\)](https://climate-adapt.europa.eu)

integrated reporting on greenhouse gas policies and measures and on projections (Article 18). By contrast, Member States are increasingly meeting their deadlines for GHG inventory data (Article 26) and Adaptation (Article 19). Some Member States noted that certain deadlines were too close to each other, such as when in 2023 the draft updated NECPs were due only 3.5 months after the NECPRs. This led to delays as both processes (reporting and planning) required the same national administrative resources.

Table 2. Timeliness of submissions (all reporting obligations under the Governance Regulation)⁹⁴

Number of Member States meeting / missing the deadline				
	2017	2019	2021	2023
GHG inventory (15 January*)				
Deadline met	23 (85%)	24 (89%)	26 (96%)	27 (100%)
Deadline missed	4 (15%)	3 (11%)	1 (4%)	0 (0%)
Policies and measures (PaMs) (15 March)				
Deadline met	9 (32%)	9 (32%)	15 (56%)	11 (41%)
Deadline missed	19 (68%)	19 (68%)	12 (44%)	16 (59%)
GHG projections (15 March)				
Deadline met	13 (48%)	16 (59%)	12 (44%)	15 (56%)
Deadline missed	14 (52%)	11 (41%)	15 (56%)	12 (44%)
Approximate GHG inventory (31 July)				
Deadline met	26 (96%)	27 (100%)	20 (74%)	24 (89%)
Deadline missed	1 (4%)	0 (0%)	7 (26%)	3 (11%)
NECPR (15 March)				
Deadline met	n/a	n/a	n/a	8 (30%)
Deadline missed	n/a	n/a	n/a	19 (70%)
Adaptation (Article 19) (15 March)				
Deadline met	n/a	16 (59%)	17 (65%)	22 (81%)
Deadline missed	n/a	11 (41%)	9 (34%)	5 (19%)
Use of EU ETS auctioning revenues (31 July)				
Deadline met	20 (74%)	23 (85%)	18 (67%)	20 (74%)
Deadline missed	7 (26%)	4 (15%)	9 (33%)	7 (26%)
Support to developing countries (30 September)				
Deadline met	16 (59%)	24 (89%)	16 (59%)	16 (59%)
Deadline missed	11 (41%)	3 (11%)	11 (41%)	11 (41%)

Source: EEA

* Note: the preliminary deadline for the reporting under the GHG inventory is 15 January, annually. However, the final deadline is 15 March, annually. This table takes into account only the preliminary deadline.

Late submission of reports was already recognised as an issue in the fitness check and impact assessment underpinning the proposal for the Regulation. It is not possible to make a comprehensive comparison of how the Regulation has affected the timeliness of reported information as the reports to be submitted have changed and deadlines were not consistently tracked for all obligations before the Regulation entered into force. The available evidence does however suggest that the timeliness of reported information and

⁹⁴ The deadline is provided next to each reporting obligation in brackets. Reporting in 2017 and 2019 reflect reporting under the MMR and from 2021 reflect reporting under the Governance Regulation. Timeliness for GHG inventories is taken from the EU's inventory annual reports and does not factor in earlier submission for preliminary deadlines (only final data used for the report). The NECPR was reported the first time in 2023. Under the MMR adaptation, reporting was only every four years, therefore 2017 was not a mandatory reporting cycle. NECPR timeliness is based on the last submission made by a country for all relevant reporting elements.

plans remains an issue. The only exception is the GHG inventory, which rarely has late submissions for its preliminary deadline of 15 January and in the period of 2017 - 2023 had no late submissions for its final deadline of 15 March. This is likely linked to the long consistency of the reporting templates and systems, and the clearly defined period of quality assurance built into the legislation (preliminary and final deadline).

In most cases, delays did not prevent the Commission from performing its assessment or from monitoring progress, but they pose a risk to the Commission’s task of ensuring a comprehensive and timely overview to steer ambition and progress towards energy and climate objectives. Several reporting deadlines were only missed by a few days or weeks, with some related to quality assurance. However, in certain cases, delays were substantially longer (such as for NECPs, NECPRs, PaMs, and GHG projections). As regards the submission of LTSs, the national 2020 energy efficiency target reports and the 2023 draft NECP updates specifically, the scope of Commission assessments had to be adjusted to account for late or missing submissions.

At international level, 11 Member States did not deliver their Fifth Biennial Report (BR) on time. One Member State has still not delivered the report to this date. These delays have had negative consequences on the drafting of the UNFCCC synthesis reports⁹⁵ as they led to incomplete data integration, potentially skewing global understanding and policy responses to climate change.

Stakeholders have different opinions on whether the Regulation has helped Member States meet their planning and reporting obligations in a timelier manner. Most Member States are of the view that the Regulation has helped them, at least to some extent, to complete their planning and reporting on time. Some argue that their national or regional processes and planning cycles make it difficult to meet the Regulation’s deadlines. Others noted the short deadlines between some of the Regulation’s deliverables. Only a few of the consulted third-sector and industry stakeholders found that the Regulation has had a substantial impact on improved timeliness. Across all stakeholder groups, the most common response was that the Regulation has helped Member States complete their obligations and provide information on time ‘only to a small extent’ (18 out of 64 total responses); few found however that the Regulation had not improved timeliness at all⁹⁶.

⁹⁵ [Compilation and synthesis of fifth biennial reports of Parties included in Annex I to the Convention. Report by the secretariat. Addendum | UNFCCC](#)

⁹⁶ The question asked to third-sector stakeholders focused on these organisations being able to access data on time (when they would need this information), whereas public authorities and industry stakeholders were just asked about their Member States meeting reporting and planning obligations on time.

4.1.6 Compliance mechanisms

One significant limitation of the Regulation’s mechanisms to ensure compliance is its reliance on recommendations. While Member States must take them into account, they are not legally binding. Particularly third sector stakeholders recalled that Member States failed to address a substantial part of the recommendations that the Commission made on the 2019 draft NECPs in their final NECPs: an external review⁹⁷ concluded that the majority (66% or 378) of recommendations were either only partially addressed (53% or 304) or not at all (13% or 74). These stakeholders also argued that infringement procedures are at best initiated in response to Member States’ non-compliance with procedural obligations (e.g., late submission of LTSs and NECPs⁹⁸), but not for a failure to address Commission recommendations or, should such cases occur, to achieve targets set in sectoral legislation.

As it is still early in the implementation period, the Regulation’s main legal instruments to close any gaps in ambition or delivery (Articles 31 and 32) have seen little use. Some stakeholders questioned the Commission’s capacity to act if Member States fall short on ambition or delivery. However, the Commission’s EU-wide assessment of the final NECPs during the 2019-2020 cycle did identify an ambition gap for energy efficiency. To bridge this gap, the Energy Efficiency Directive⁹⁹ and the Energy Performance of Building Directive (EPBD)¹⁰⁰ were revised as part of the Fit for 55 package. Should the Commission’s assessment of final updated NECPs confirm a new ambition gap at EU level and, in particular, in the context of renewable energy or energy efficiency, the ‘gap-filling’ mechanism would again require the Commission to propose measures and exercise its powers at EU level. With regard to delivery, due to the time needed to consolidate energy and climate data, any substantial gaps will only become apparent in progress assessments further in the implementation period.

Due to its nature as an ‘umbrella’ policy framework to achieve key EU energy and climate objectives, the Regulation’s contribution to implementation should be assessed in conjunction with related EU legislation and funding. Several pieces of EU energy and climate legislation include mechanisms to respond to insufficient implementation of climate and energy measures. For instance, the EU ETS is based on a ‘cap and trade’ model; the cap is reduced annually in line with the EU’s climate target,

⁹⁷ Support study for the evaluation of Regulation (EU) 2018/1999 on the Governance of the Energy Union and Climate Action – final report (forthcoming)

⁹⁸ In September 2022, the Commission launched an infringement procedure against four Member States for failure to notify a long-term strategy. Three infringement procedures were since closed following the submission of long-term strategies for those Member States. In December 2023, the Commission opened an infringement procedure against three Member States for failing to submit a draft updated NECP by 30 June 2023. Two infringement procedures were since closed following the submission of the draft updated NECPs for those Member States.

⁹⁹ Directive (EU) 2023/1791 of the European Parliament and of the Council of 13 September 2023 on energy efficiency and amending Regulation (EU) 2023/955 (recast), https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=OJ%3AJOL_2023_231_R_0001.

¹⁰⁰ Directive (EU) 2024/1275 of the European Parliament and of the Council of 24 April 2024 on the energy performance of buildings (recast), [Directive - EU - 2024/1275 - EN - EUR-Lex \(europa.eu\)](#)

ensuring that over time, emissions fall. The Effort Sharing (ESR) and LULUCF Regulations require Member States to submit a corrective action plan in case of insufficient progress towards meeting the national targets set under these regulations.

Access to funding under the European Regional Development Fund and the Cohesion Fund is conditional upon on submission of an NECP¹⁰¹. However, there is no condition tied to the non-submission of an *updated* NECP or to the submission of LTS or NECPRs.

4.1.7 Impact on stimulating energy and climate spending and investment

There is limited and mixed evidence of the Regulation's impact on stimulating targeted spending and investments. Public authorities tended to have more positive views on the impact of the Regulation on stimulating investment than representatives from industry and the third sector. Most stakeholders, including from industry, were unable to link targeted spending and investment to the Regulation, though in interviews some did acknowledge the Regulation's role in creating a more predictable environment for investors.

Stakeholder feedback suggests that several factors may have limited the Regulation's potential to create a more predictable investment environment and provide a basis for more informed policy analysis.

One obstacle stems from information gaps on investment needs and funding sources in NECPs and NECPRs. The Commission's EU-wide assessments of draft (2019), final (2020) and draft updated NECPs (2023) all note the need for NECPs to provide more detailed information and analysis on short- and long-term investment needs and funding sources. NECPRs (2023) also lacked sufficient information on these aspects¹⁰². Major data gaps were on the actual investments made, investment needs, and financing sources (national or European, public or private). Different investment assumptions also make it difficult to make a comparison of Member State submissions. This lack of systematically reported data on investment needs and financing sources reduces predictability for investors and stands in the way of informed policy analysis. Several stakeholders suggested that these data deficiencies stem from a lack of capacity in Member States to effectively map this type of information.

Another identified obstacle is the lack of information with a truly long-term perspective. Some stakeholders deemed the timeframe of the current NECP cycle (2021-2030) to be too short, with some noting that LTSs may be more relevant as they cover at least 30 years.

Lastly, NECPs provide information for policy experts that is not necessarily suited to the needs of investors. Industry stakeholders stressed the importance of public authorities

¹⁰¹ OJ L 231, 30.6.2021, p. 159–706.

¹⁰² Paci D., Tsemekidi-Tzeiranaki, S., Clementi, E. L. (2023), Assessment of the 2023 NECP Reports: Monitoring Member States' progress in their energy and climate plans – Summary Report, JRC Technical Report, Publications Office of the European Union, Luxembourg, 2023 (under publication)

fully understanding what investors need in terms of the type and granularity of data contained in NECPs (e.g., regional and local level data).

4.1.8 Ensuring regional cooperation.

The Regulation has stimulated regional cooperation between Member States to some extent. The Commission's EU-wide assessments of draft (2019), final (2020) and draft updated NECPs (2023)¹⁰³ generally found that Member States properly described the need for regional cooperation, with some making use of existing regional fora, such as the high-level groups set up by the Commission¹⁰⁴. The Commission's 2023 assessment of progress towards the objectives of the Energy Union and Climate Action¹⁰⁵ concluded that most Member States reported on progress made on regional cooperation. Most reported projects that relate to more than one dimension of the Energy Union, with the majority focusing on energy security, the internal energy market and decarbonisation. The Member States around the North Sea included a joint chapter in their NECPs reflecting their regional cooperation in the North Seas Energy Cooperation high-level group.

Although there were examples of Member State cooperation on several dimensions of the Energy Union, there is scope to tap this potential further. The NECP assessments mentioned above highlighted an uneven use of regional consultation fora in preparing NECPs and varying levels of detail on the measures that Member States have or plan to implement together with other Member States. An external review of the Commission's assessments of final NECPs in 2020 concluded that while 29 (out of 51) recommendations related to regional cooperation had either been fully (17) or largely (12) addressed by Member States; 22 were only partially (18) or not at all (4) addressed¹⁰⁶.

Few of the stakeholders interviewed expressed an opinion on regional cooperation. Those who did tended to agree that the Regulation has had a positive impact on this front. Some identified challenges such as short timelines to consult other Member States on NECPs and limited comparability of or access to data from other countries (see also Section 4.1.4).

Cross-border collaboration in the form of joint investment projects has improved with the introduction of the Renewable Energy Financing Mechanism (REFM) created under Article 33 of the Regulation. The REFM organised a first successful tender in 2023, allowing 282 MW of new solar PV projects in Finland to be eligible for

¹⁰³ 2019 Commission EU-wide assessment of 2019 draft NECPs <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1565713062913&uri=CELEX:52019DC0285>
2020 Commission EU-wide assessment of the 2020 final NECPs <https://eur-lex.europa.eu/legal-content/EN/TXT/?qid=1600339518571&uri=COM%3A2020%3A564%3AFIN>
2023 Commission EU-wide assessment of the 2023 draft updated NECPs <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=COM%3A2023%3A796%3AFIN>.

¹⁰⁴ The Commission set up four high-level groups to provide strategic steering and policy guidance on regulatory and infrastructure development and to monitor progress of projects of common interest in priority regions: the North Seas Energy Cooperation (NSEC), Interconnections for South-West Europe, the Baltic Energy Market Interconnection Plan (BEMIP), and Central and Southeastern Europe Energy Connectivity (CESEC).

¹⁰⁵ SWD (2023) 646 final.

¹⁰⁶ Support study for the evaluation of Regulation (EU) 2018/1999 on the Governance of the Energy Union and Climate Action – final report (forthcoming)

EUR 40 million in investment support financed by Luxembourg. A second tender is planned for Q3 2024 which will be open to more renewable energy generation technologies in several host countries, increasing the scale of the mechanism.

The REFM remains mostly dependent on voluntary contributions from Member States, however. Luxembourg is the only contributor to date although the legal basis provides for other sources of funding (EU funds or private contributions). The Financial Regulation¹⁰⁷ now allows countries to commit a financial contribution to the mechanism over a multi-year period instead of the previous year-by-year approach, which provides greater budgetary flexibility for contributors. Potential host countries may also be dissuaded by the need to transfer 80% of the national renewable energy statistics from projects in their country to another country. A potential way to strengthen the mechanism is to use it as ‘top-up mechanism’ as an incentive for Member States to meet the aspirational RES target¹⁰⁸.

4.1.9 Public consultation and multi-level and multi-stakeholder dialogue

The Regulation aims to promote more effective public consultation and multi-level governance of energy and climate policy with legal requirements covering both aspects (Articles 10 and 11). In practice, however, implementation of these provisions varied widely. Several Member States failed to set up public consultation processes or multi-level stakeholder dialogues of sufficient quality or in a timely fashion. While such implementation challenges appear to be at least partially linked to issues at national level (e.g., lack of national experience, problems linked to administrative structures), it has also been argued that the Regulation’s provisions are not sufficiently precise or prescriptive to ensure timely and productive consultations of stakeholders and sub-national bodies.

Article 10 of the Regulation requires Member States to ensure that the public is given early and effective opportunities to participate in the preparation of draft NECPs and LTSs. This provision is aligned with Article 7 of the Aarhus Convention¹⁰⁹ to which both the EU and its Member States are parties. It represents a significant improvement compared to the situation before the Regulation, when the requirement did not exist or was very limited (for instance in relation to the preparation of national renewable action plans that were replaced by NECPs).

Nonetheless, while most Member States organised consultations on draft updated NECPs, few met all requirements on early and inclusive public participation in line with Article 10. Many of the draft updated NECPs that Member States submitted in 2023 lacked details on the communication channels used to reach the public and reasonable timeframes to enable the public to express their views¹¹⁰. Also, under the Fit-for-Future

¹⁰⁷ Art. 22(2)(a) of Regulation 2018/1046 on the financial rules applicable to the general budget of the Union (recast).

¹⁰⁸ Article 19ac of the revised Electricity Market Directive invites the European Commission to assess if EU-wide auctions could be organised under the REFM for this purpose.

¹⁰⁹ United Nations Economic Commission for Europe (UNECE) Convention on Access to Information, Public Participation in Decision-making and Access to Justice in Environmental Matters.

¹¹⁰ COM (2023) 796 final.

Platform¹¹¹, practitioners and experts were not given the possibility to make a meaningful contribution to the design of LTSs. Many of the draft NECPs lacked information on the public's views or on how they were taken into account. Similarly, respondents to the call for evidence for this evaluation complained about weak levels of compliance with the public participation requirements in terms of reasonable timeframes to reply to consultations, limited choice of options and availability of information underpinning the draft NECPs.

Some stakeholders argued that the Article 10 public consultation requirements are not precise enough. In 2021, the Aarhus Convention Compliance Committee (ACCC) took a critical position on the Regulation's public consultation provisions on NECPs¹¹². In response, the Commission prepared an action plan with concrete measures to implement the ACCC's recommendations, such as providing assistance to Member States or assessing progress on public participation in preparing the NECPs¹¹³. The Commission guidance published in 2022 to prepare the NECP update cycle also included recommendations on public participation¹¹⁴.

Article 11 of the Regulation requires Member States to set up a multi-level climate and energy dialogue aimed at actively engaging local authorities, stakeholders, and the general public in discussions on energy and climate policies. Member States must report biennially on progress in engaging in such dialogues in their NECPRs.

Article 11 dialogues have not completely achieved their objective and the quality of dialogues varies significantly across the Member States. According to the Commission's 2023 assessment of NECPRs¹¹⁵, most Member States reported activities relating to the establishment of multi-level dialogues. However, the level of maturity of such dialogues varied widely and several Member States did not describe them in much detail¹¹⁶. According to stakeholders, this is linked to two problems.

First, **the Regulation's requirements for setting up the dialogues are not deemed precise or prescriptive enough**¹¹⁷. Although most stakeholders agree on the merit of the Regulation having created an innovative mechanism in EU legislation, few consider the provisions to be properly implemented by Member States. They link this issue to the requirements in the Regulation being too vague, to insufficient guidance on which stakeholders to involve and how to operationalise dialogues (structure, share of responsibilities amongst participants, meeting frequency etc.). On the other hand, a more generally worded provision arguably allows Member States to adapt the dialogues to their

¹¹¹ Opinion from the Fit for Future Platform on the Regulation on the Governance of Energy Union and Climate Action (2022): https://commission.europa.eu/document/download/2c74cf68-6d44-441c-9183-759bfc1267d9_en?filename=final_opinion_2022_sbgr1_03_governance_of_energy_and_climate_fup.pdf.

¹¹² Decision VII/8f concerning compliance by the European Union with its obligations under the Aarhus Convention.

¹¹³ [Circabc \(europa.eu\)](https://circabc.europa.eu)

¹¹⁴ 2022/C 495/02.

¹¹⁵ SWD (2023) 646 final and COM (2023) 796 final.

¹¹⁶ COM (2023) 796 final.

¹¹⁷ For instance, EEB, NECP Reporting, *The missing voice of the public*. Full report available [here](#).

specific circumstances, in line with the subsidiarity principle. In 2022, ahead of the NECP update cycle, the Commission did provide additional guidance on multi-level dialogues¹¹⁸.

Second, **some stakeholders mentioned lack of national experience and political will and problems linked to administrative structures.** Not all Member States have put in place structured and continuous processes to develop and implement long-term plans and strategies or to review national systems for reporting. Some national authorities do not consider NECPs a political priority, preventing them from engaging in robust multi-level dialogues. It is also argued that in certain Member States, competences and obligations are shared between different administrative levels, presenting coordination challenges.

¹¹⁸ 2022/C 495/02.

Efficiency

4.1.10 Streamlining of planning, reporting and monitoring obligations and cost savings in terms of policy coherence and administrative burden

By streamlining, merging, and simplifying energy and climate policy obligations, the Regulation represents an important step towards reducing costs and improving policy coherence. Streamlining took the form of integrated plans (NECPs), strategies (LTSS) and progress reports (NECPRs), the merging of related EU and international obligations into one Regulation¹¹⁹ and the outright deletion of others. In the impact assessment underpinning the Commission's initial legislative proposal, this policy streamlining was estimated to result in a 5% annual reduction in direct reporting costs under all pieces of EU energy legislation compared to the baseline¹²⁰.

At the same time, merging a wide range of planning and reporting obligations into one regulation also concentrates costs from across other pieces of legislation. Based on information collected by the Commission and national authorities for the support study¹²¹, the one-off costs resulting from these obligations are estimated at between EUR 7.8 million and 10.5 million for the 27 Member States combined, and EUR 1.1 million for the EU (Commission and European Environment Agency (EEA)). The annual recurring costs are estimated between EUR 13.9 million and EUR 19.5 million for the 27 Member States combined and EUR 3.8 million for the EU. A substantial part of these costs relate to obligations that existed before the Regulation, and that were either streamlined in the NECPs and NECPRs or taken over directly in the Regulation.

It is difficult to compare the cost figures from this evaluation with the costs in the 2016 impact assessment that underpinned the Commission's initial proposal. The figures are based on a limited number of strongly varying inputs that are also impacted by inflation. The scope of the obligations is not exactly the same due to the amendments made to the Commission's original proposal. For example, during interinstitutional negotiations, obligations were added for the Commission to issue reports on competitiveness and energy subsidies. While it is not possible to give a quantitative estimate of the direct savings achieved by the Regulation, estimates in the study appear comparable with the 5% estimated savings from streamlining provided in the original impact assessment.

The Regulation also produces efficiency benefits that cannot be quantified. Feedback from survey respondents suggests that merging multiple strategic planning documents into a single NECP with a streamlined process and prescribed templates reduced administrative burden. The unified approach to NECPR reporting has also improved the links between individuals involved in reporting and monitoring, leading to greater data consistency,

¹¹⁹ This did not directly reduce the administrative burden of these (largely unchanged) reporting obligations but reduced the legislative complexity by bringing the obligations under one instrument.

¹²⁰ Commission staff working document, impact assessment accompanying the proposal for a regulation of the European Parliament and the Council on the Governance of the Energy Union. See <https://eur-lex.europa.eu/legal-content/EN/TXT/?uri=SWD:2016:394:FIN>.

¹²¹ See Section 4.1.10 and Annexes II and IV to the staff working document.

enhancing both the efficiency and quality of the reporting process. Examples include the use of digital tables instead of PDFs, which simplify data management and analysis, as well as the advantage of a unified reporting platform. These advantages, although intangible, hold substantial value, particularly to the extent that better data and more coherent planning support policy making in the long run.

On balance, the more streamlined and integrated reporting provided by the Regulation appears to have had a positive impact on proportionality. This is based on an estimated modest reduction in the administrative burden described above combined with added advantages such as increased transparency and predictability, better coordination and cooperation among different national authorities involved in the reporting process, higher coherence of planning and reporting timelines and procedures, and better-established processes, policies, and procedures.

At the same time, more can be done to reduce the administrative burden associated with energy and climate policy obligations. Despite the efficiency benefits mentioned above, many consulted national authorities considered that implementing the Regulation required more financial and human resources. Beyond increased needs for cross-service coordination and data compilation this is also due to the fact that national policy planning is not always fully aligned with the Regulation, resulting in parallel planning processes. Based on the evidence collected, preparing the NECPs is the most complex and resource-intensive obligation, involving large numbers of staff from different national authorities. At the same time, stakeholders (especially national authorities) acknowledged that there is a ‘learning curve.’ Although they perceived the initial planning and reporting cycles under the Regulation as complex, there is an expectation that the process will become less burdensome over time as experience with the obligations is accrued and output expectations, tools and templates are fine-tuned.

Certain factors may influence the perceived impacts of the Regulation on administrative costs. Not all consulted national experts are likely to have directly experienced the situation before the Regulation entered into force in 2018¹²². In addition, energy and climate policies have increased both in terms of scope, ambition, and political salience since the adoption of the Regulation (see Section 3) with knock-on effects on planning and reporting requirements. Several of these policy developments are already included in the current NECP/R cycle, either by way of legal amendments or guidance¹²³. This means that although the overall administrative burden of energy and climate policy may have increased, the Regulation is already mitigating this impact by merging some of these developments into a single framework.

Stakeholders recognised that streamlining is a continuous process and particularly some national authorities underlined the need to refocus the Regulation’s obligations

¹²² In total, the Commission’s proposal for the Regulation integrates, streamlines or repeals more than 50 existing individual planning, reporting, and monitoring obligations under energy and climate law (integrating 31 and deleting 23). COM (2016) 759 final/2 2016/0375(COD).

¹²³ Commission Notice on the Guidance to Member States for the update of the 2021-2030 national energy and climate plans (2022/C 495/02).

on those that are essential to achieve the EU's energy and climate objectives and international reporting requirements. In other words, they recommended exploring how to find a better balance between the number and granularity of planning, reporting, and monitoring obligations on the one hand, and the essential information needed for the EU to meet its target on the other.

The Commission is already looking into further potential to reduce the administrative burden. In parallel to this evaluation and as part of the Commission's commitment to reduce the administrative burden from reporting obligations by 25%, it has prepared targeted rationalisation plans based on a screening of the reporting obligations in climate and energy legislation. The rationalisation plan for this Regulation includes the planned removal of the reporting on oil stocks¹²⁴ and the expansion and improved functionality of the e-platform. The findings of this evaluation combined with the screening identified scope for further streamlining the reporting obligations and processes under the Regulation, for instance improving the sequencing and timing of different obligations, streamline overlaps in requirements, and reuse of common components across planning and reporting, which are currently under assessment.

4.1.11 Contribution to efficiency gains through increased digitalisation

The Regulation has made energy and climate reporting more efficient by increasing digitalisation. Article 28 of the Regulation recognises this potential, requiring an e-platform to be set up (representing a EUR 5 million investment by the EU). The use of digital templates instead of text-based reports and non-harmonised spreadsheets used for many previous reporting periods made a strong contribution to improving the comparability of reported data and the ease of reuse. The e-platform is also progressively being used to integrate environment, energy, and other obligations from outside the Regulation, generating substantial costs savings and synergies. The e-platform has also significantly reduced the burden for the Commission in managing reporting, analysing reported data, and making data available for reuse. Digital templates are not yet used for NECPs or LTSs.

More broadly, the platform helps identify what information and data should be collected and submitted by the Member States, including through automated quality checks. National authorities also noted that it enables access to reported information by several users at the same time, who can check and validate information, thus minimising the risk of errors when reporting data.

Though this is an improvement on the previous situation, the platform could still be made more user-friendly. Some national authorities consider parts of the design complex and unintuitive, complicating data import, review and data visualisation when exporting (see also Section 4.1.4). Differences in the design of different parts of the platform on the one hand and the tables in the templates of the Regulation on the other sometimes required national authorities to reformulate information before submission, increasing reporting

¹²⁴ Article 26(1)c of the Regulation.

time. The co-existence of two different reporting platforms (ReportNET3 and ReportENER) was criticised by some national authorities and other stakeholders. At the same time, technical assistance and tutorials on how to use the platforms by the European Commission and the EEA were deemed particularly useful. As noted in Section 4.1.10, national authorities also recognised the importance of learning by doing.

Finally, there is scope to improve the technical functionalities of reporting tools, for instance by enabling Member States to pre-load data on policies and measures and information on adaptation action into the biennial transparency report (BTR) format of the UNFCCC¹²⁵. This would ease the reporting burden of Member States, who could mutualise the reporting effort under the Governance Regulation to meet their reporting obligations under the Paris Agreement.

Coherence

When assessing coherence, a distinction can be made between internal and external coherence. Internal coherence refers to coherence among the different planning/reporting/monitoring processes and the related timeframes set in the Governance Regulation. External coherence is about how well the Regulation functions in conjunction with other parts of EU energy and climate law, other related EU legislation and with international obligations, in particular the UNFCCC and Paris Agreement.

In practice, the Regulation and its related implementing regulations and guidance have been ‘living documents’ able to support an iterative process and learning by doing. None of the stakeholders consulted criticised the Regulation’s general objective to improve coherence in energy and climate policy. However, most acknowledge the challenge of achieving coherence within a broad and complex framework and made suggestions to correct possible flaws or finetune practical aspects such as misaligned timeframes.

4.1.12 Internal coherence

A significant majority of the stakeholders consulted found that the Regulation has improved coherence between previous EU energy and climate-related planning and reporting obligations. In total, the original proposal for the Regulation merged, streamlined, or repealed over 50 individual planning, reporting and monitoring obligations under energy and climate legislation¹²⁶. On climate policy, it took a more holistic approach than its ‘predecessor’ (the Monitoring Mechanism Regulation) including by embedding reporting on greenhouse gas policies and measures within the broader framework of the Energy Union’s objectives. On energy policy, an example is that it replaced separate national renewable energy and energy efficiency action plans by integrated NECPs. The Regulation also covers, to some extent, several key cross-cutting issues and policies (e.g.,

¹²⁵ Functionality is currently under development alongside the UNFCCC launch of a new international reporting platform. It is expected to be available within the coming year.

¹²⁶ In total, the Commission’s proposal for the Regulation merged, streamlined or repealed over 50 individual planning, reporting and monitoring obligations under the EU’s energy and climate acquis (integrating 31 and deleting 23) - see COM(2016) 759 final/2 2016/0375(COD), see: [EUR-Lex - 52016PC0759R\(01\) - EN - EUR-Lex \(europa.eu\)](#).

the energy efficiency first principle, energy poverty, the just transition and climate change adaptation).

The remaining inconsistencies are largely due to the complexity of merging numerous obligations in a single framework. Although this can create synergies and effectiveness gains, it also creates certain challenges such as:

- greater complexity, for instance in the data to be reported under several articles (such as adaptation under Article 17 and 19, and policies and measures under Articles 17 to 25) or the use of several data collection processes;
- the difficulty of keeping an umbrella framework connected to many pieces of legislation up to date, e.g., with the Fit-for-55 package, where each legal proposal had its own timeline and specific interlinkages with the Regulation;
- sector-specific aspects and needs may not be sufficiently reflected to trigger the necessary action.

The Regulation's iterative planning and reporting regime is conducive to learning by doing, which should partly alleviate such challenges over time. Some of the work covered by the Regulation (notably planning and reporting in areas such as climate mitigation, renewable energy, and energy efficiency) build on a longer tradition than others. The learning-by-doing approach is supported by implementing regulations setting out the structure, format, technical details and process of reporting, Commission guidance issued to prepare the NECP update process¹²⁷ as well as expert meetings. The improvements in quality and coverage (for instance as regards energy poverty, skills and just transition) of NECPs between the first 2019-2020 cycle to their updates in 2023 is testimony to the effect of this learning-by-doing approach. Another example is provided by Economidou et al. (2022)¹²⁸ who analysed the experience gained and improvements made in the planning, reporting, and monitoring of energy efficiency policies from the first national energy efficiency action plans (NEEAPs) in 2007-2008 to 2020 under the Governance Regulation.

One specific area where stakeholders have raised consistency issues is the relation between national LTSs and NECPs. According to Article 15(6) of the Regulation, NECPs should be consistent with LTSs. Stakeholders noted that there is an apparent misalignment in the sequencing of NECPs and LTSs: the first LTSs had to be submitted *after* the first NECPs and the Regulation does not contain a legal obligation for Member States to revise them until 1 January 2029, in parallel with NECPs.¹²⁹ Stakeholders also noted that there are fewer substantive and process requirements for LTSs than for NECPs, for instance in terms of a mandatory template (several LTSs did not cover all the mandatory

¹²⁷ https://energy.ec.europa.eu/publications/guidance-ms-updated-necps-2021-2030_en

¹²⁸ Economidou, M., Ringel, M., Valentova, M., Castellazzi, L., Zancanella, P., Zangheri, P., Serrenho, T., Paci, D., & Bertoldi, P. (2022). Strategic energy and climate policy planning: Lessons learned from European energy efficiency policies. *Energy Policy*, 171, 113225. <https://doi.org/10.1016/j.enpol.2022.113225>.

¹²⁹ Members are only requested to update their LTSs by 1 January 2025 'where necessary'.

content¹³⁰ under Article 15(4) of the Regulation), mandatory updates after their adoption and monitoring. Also, unlike for the NECPs, LTSs are not subject to an iterative process with Member States first submitting a draft strategy. Overall, these differences make LTSs more likely to be outdated and less useful as tools to inform energy and policy planning, especially in the context of recent increases to energy and climate ambitions.

4.1.13 External coherence

The Regulation has improved coherence with other parts of EU energy and climate law, as well as with other related EU legislation and international obligations, in particular under the UNFCCC and Paris Agreement. It has integrated energy and climate-related planning and reporting obligations that were previously scattered across different pieces of legislation. To some extent, the Regulation also covers other policy areas including environment, transport, and agriculture. It has helped align EU climate planning and reporting with processes under the Paris Agreement. As with internal coherence, national authorities expressed overall positive views of the impact of the Regulation on external coherence. Third-sector organisations were also positive overall on this, but to a lesser extent.

Nonetheless, there are several areas where external coherence can be improved. The Regulation, for instance, is not yet fully coherent with new or updated EU energy legislation. Notably, it does not yet fully reflect related new or revised reporting obligations resulting from the Fit-for-55 package. For instance, it has yet to integrate the process established under Article 4(5) of the EED recast to set the national contribution for energy efficiency, the related iterative gap-filling mechanism under Article 4(6) and the flexibility objectives under the electricity market design reform.

The Regulation currently does not provide for a mechanism for Member States to report on their bilateral and plurilateral initiatives. With an increasing number of energy transition initiatives in the context of UNFCCC and relevant bilateral processes linked to the EU policy agenda, such as on hydrogen, critical raw materials, and methane abatement, there is an increasing risk of incoherent or inefficient EU level energy diplomacy.

There is also scope for further alignment with EU climate legislation. For instance, the Regulation's climate progress assessments can be aligned with those carried out for the Effort Sharing and LULUCF Regulations. NECP assessments partly overlap with the Article 29(5)(b) assessments carried out for ESR and LULUCF¹³¹. In addition, there is some inconsistency between Article 17¹³² and Articles 18 and 29(5)(b), to which

¹³⁰ For instance, several LTS did not provide enough or clear information on the exact scope of projected GHG emission reductions at sectoral level, including for LULUCF. For background, see: [cc21a745-d691-4028-bb0f-7527d115587c_en \(europa.eu\)](https://eur-lex.europa.eu/eli/reg/2018/4017/oj/12115587c_en).

¹³¹ While the draft and final NECPs should be reflected by 31 October in the annual progress assessment performed under Article 29(5)(b) for ESR and LULUCF, the NECPs 30 June deadline is in practice too late to be able to carry out a complete assessment.

¹³² Reporting under Article 18 (Integrated reporting on greenhouse gas policies and measures and on projections) of the Regulation is necessary to assess annual progress towards the EU's economy-wide 2030 and 2050 targets, and for the national and EU-wide ESR and LULUCF targets, which are assessed

both the ESR and LULUCF Regulations cross reference. The Regulation also includes an inconsistency in LULUCF assessments¹³³. These overlaps and inconsistencies create unnecessary burden and complexities.

Coherence can also be improved between the climate assessments carried out under the Regulation and those under the European Climate Law. The substance and follow-up of the assessments partly overlap¹³⁴. The timelines of upcoming assessments can also be better aligned¹³⁵.

In terms of coherence between the Regulation and other policy areas, the Commission's assessment of draft updated NECPs found that Member States have only partially described and exploited synergies¹³⁶. For instance, biodiversity, nature restoration and nature-based solutions can still be better integrated in plans to enhance carbon sinks. The majority of draft updated NECPs also lack sufficient ambition and action on land use and few Member States refer to CAP strategic plans (CSPs). Over half of the draft plans do not include the required information on the impact of policies on projected emissions of the main air pollutants regulated under the National Emissions Reduction Commitments Directive¹³⁷ nor on the alignment of National Air Pollution Control Programme (NAPCP) with energy and climate programmes. Similarly, most plans could take more account of water, zero pollution and circular economy policies, both in view of their contribution to climate mitigation and adaptation and to foster strategic autonomy.

on a biennial basis under Article 29(5)(b). Based on this assessment, both the ESR and LULUCF Regulations provide for corrective action if a Member State makes insufficient progress towards its national targets. However, although both Articles 17 (Integrated national energy and climate progress reports) and 18 require biennial reporting as of 15 March 2023, only the latter requires substantial changes to be reported in years where there is no Article 17 reporting. As a result, only Article 18 ensures that the annual assessment under Article 29(5)(b) draws on annual data from the Member States.

¹³³ While Article 30 specifically requires Member States to include in their NECPs LULUCF PaMs to show progress under the LULUCF Regulation should they intend to use the Article 7 ESR flexibility, Member States already need to report under the LULUCF Regulation on progress in their NECPs (irrespective of whether they intend to use the Article 7 ESR flexibility). This in addition to the overlap between NECPR and Article 29(5)(b) assessments.

¹³⁴ In 2023 the Commission published in the CAPR its five-yearly assessment of Union progress and measures (Article 6 ECL) and national measures (Article 7 ECL). Based on its assessment, which is closely linked in substance to assessments carried out under the Regulation, the Commission issued recommendations to Member States in December 2023 under the ECL. At the same time, Member States also received recommendations on their draft updated NECPs. The recommendations under the ECL focused on the consistency of their measures with the EU's climate-neutrality objective, and with ensuring progress on adaptation (Article 7 ECL). The follow-up on the recommendations under Article 7 ECL has one additional step compared to the follow up of Article 34 (Commission recommendations to Member States) of the Regulation.

¹³⁵ The ECL's five-yearly assessment (done in September) is both linked to the timing of the yearly assessment of progress under the Regulation and to the global stocktake (occurring at the end of 2023 and every 5 years thereafter). During the next assessment cycle there is a risk that certain information will not be available in time to inform planning processes under the Regulation as draft and final NECPs for the 2031-2040 period are due by 1 January 2028 and 1 January 2029, but assessments under Articles 6 and 7 of the ECL are already due by 30 September 2028.

¹³⁶ The Commission's Guidance for the update of the NECPs encouraged Member States to identify and create synergies between energy and climate planning and with relevant policy areas, see: [Guidance to MS for updated NECPs 2021-2030 - European Commission \(europa.eu\)](https://european-commission.europa.eu/Guidance-to-MS-for-updated-NECPs-2021-2030).

¹³⁷ Directive 2016/2284 on the reduction of national emissions of certain atmospheric pollutants

In a similar vein, stakeholders argued that the Regulation could better reflect transport and industrial policy (e.g., as regards recharging infrastructure and the Net-Zero Industry Act) as well as the EU's economic governance framework. Clarifying the link between national commitments to phase out fossil fuels including coal and regional commitments in territorial just transition plans¹³⁸ would also be useful. Stakeholders also mentioned that time periods and deadlines set in different EU plans (e.g., NECPs, REPowerEU chapters and national Social Climate Plans) are not aligned.

Most stakeholders expressed positive views on the Regulation's coherence with international legislation and obligations. The common rules for planning, reporting, and monitoring facilitate work to meet international obligations such as those stemming from the UNFCCC and the Paris Agreement. It also ensures that Member States report on adaptation to climate change and on the provision of financial, technological, and capacity-building support to developing countries.

Nonetheless, coherence with the EU's international obligations can still be improved. The Regulation's NECPR reporting cycle occurs in odd years (on 15 March) but the UNFCCC reporting cycle takes place in even years (31 December). In practice this means that the EU's BTRs will not include the latest figures¹³⁹. In addition, Article 17 will need to be updated since the biennial reports have been replaced with biennial transparency reports.

Finally, there may be scope to strengthen coherence with national and regional planning cycles. Several stakeholders pointed out inconsistencies with national, regional, and local planning cycles. Some Member States prepare national climate and/or energy plans that are not fully aligned with their NECP, either because they are prepared at a different time or because they have a different scope. Another example are the local heating and cooling plans required by the new EED (Article 25(6)), how the plans should be coordinated with the national comprehensive heating and cooling assessments, and then reflected in NECPs.

4.2 EU added value: how did the EU intervention make a difference and to whom?

Building on Section 4.1, this section assesses the EU added value of the Regulation, i.e., the extent to which it has produced results beyond what would have been achieved by Member States acting alone.

4.2.1. Coordination and consistency of Member States' energy and climate policies

On the whole, stakeholders tended to agree that there has been an improvement in the coordination and consistency of national energy and climate policies. Most surveyed national authorities (18 of 25) indicated that the Regulation has contributed to more coordinated and consistent national energy and climate policies to a very large, large

¹³⁸ Prepared within the context of the Just Transition Fund Regulation (2021/1056).

¹³⁹ Data from NECPs can also not be included in the EU's BTR, as the June 30 deadlines come too late.

or some extent. Third-sector representatives found the Regulation to have had a smaller EU added value, with industry stakeholders providing mixed replies.

By promoting more coordinated and consistent action, the Regulation's common framework and mechanisms provide EU added value and contribute to the achievement of the EU's energy and climate objectives for 2030 and beyond. While some of the 2020 energy targets were binding on individual Member States (notably the renewable energy target of 20%)¹⁴⁰, the energy targets for 2030 must be achieved by Member States collectively. Without the Regulation it would have been difficult for Member States to coordinate the necessary national contributions to EU-wide energy targets. Data reported and plans submitted under the Regulation provide information on national ambition levels and implementation. It's helpful in assessing progress, identifying synergies, promoting policy coherence and fostering transparency among Member States.

This is confirmed by some of the stakeholders consulted who highlighted the added value of uniform and structured reporting systems to assess progress against targets in a consistent way. Stakeholders, including some national authorities, also commented that access to other countries' NECPs in similar and comparable formats is helpful to cooperation, sharing best practices and learning.

4.2.2 Provision of information at EU or national level that would not otherwise be available.

While the Regulation has supported Member State planning and reporting, its added value partly depends on the national processes in place before its adoption. Around half (14 out of 27) of the national authorities participating in the survey indicated that without the Regulation the same level of planning and reporting would *not* have been achieved. Just over a third (10 out of 27) said that they *would* have achieved the same level of planning and reporting in absence of the Regulation.

The replies from survey respondents representing the third sector were more consistent, with a clear majority (10 out of 14) indicating that in the absence of the Regulation the planning and reporting in their Member State(s) would not have been at the same level.

Feedback from targeted interviews also indicates that the Regulation provides added value to planning and reporting processes. All nine interviewees who commented on this question felt that planning and reporting processes are better than they would have been in the absence of the Regulation (see also Section 4.1). Interviewees highlighted the EU added value of having mandatory templates to ensure comparable and consistent reporting and the obligation to tie national level planning to EU targets. The Regulation's added value depended in part on the national planning and reporting requirements that Member States had in place before adoption of the Regulation (with higher added value in Member States that lacked comparable planning requirements in national law).

¹⁴⁰ Directive 2009/28/EC, Art. 3.

4.2.3 Transparency and predictability of Member States' energy and climate policies

Stakeholders indicated that the Regulation has increased data availability and improved transparency and predictability of Member States' energy and climate policies. A majority (13 of 25) of national authorities that responded to the survey agreed to a very large or large extent that the Regulation contributed to more transparent and predictable national energy and climate policies. An additional seven believed that it did so to some extent.

Stakeholders see the Regulation's added value especially in terms of the publication of NECPs and EU-wide datasets on the new e-platform. Some also argued that the transparency and predictability resulting from a stable governance framework in general and NECPs in particular can support decision-making by both policy makers and investors. In addition to planning, they noted that standardised reporting processes and timelines, coordination mechanisms and public access to information are also positive features.

However, stakeholders noted delays in data availability and the fact that data is sometimes incomplete and not always understandable. They identified some areas for improvement in terms of both transparency and re-usability of information, and as regards public access to information (see Sections 4.1.3 and 4.1.4 for further details).

4.2.4 Added value in ensuring accountability and access to justice¹⁴¹

Stakeholders expressed differing views on the Regulation's added value in ensuring accountability and access to justice, primarily due to uneven national implementation. Access to justice is fundamental to ensure that acts and administrative decisions comply with EU environmental legislation and promote accountability of public authorities, both Member States and EU¹⁴².

The Aarhus Convention and the Strategic Environmental Assessment Directive¹⁴³ are relevant for access to justice on EU environmental legislation. The Regulation refers to the applicability of provisions in both the Convention and the Directive.

Stakeholders identified some areas where the Regulation has provided EU added value in terms of accountability. They include EU checks on the quality of Member State data and the level of ambition of planning, the ability to request improvements in both respects, the extension of planning and reporting to new areas and better monitoring of Member States' achievement of climate and energy targets. Increased public information

¹⁴¹ This evaluation assesses aspects related to access to justice as stated by the European Commission on the occasion of the adoption of Regulation (EU) 2023/857 and Regulation (EU) 2023/839.

¹⁴² Article 9 of the Aarhus Convention, to which both the EU and Member States are parties, enshrines the right to effective remedy against acts or omissions contravening environmental law, subject to certain conditions. In this context, the Union and Member States must provide members of the public, including environmental associations, with enough possibilities through administrative or judicial review to legally challenge acts for violations of environmental law.

¹⁴³ [Directive - 2001/42 - EN - EUR-Lex \(europa.eu\)](#)

on progress and future planning makes it easier to track Member States' progress towards objectives and therefore supports public accountability.

Nonetheless, the majority of third-sector respondents did not believe that access to justice and accountability had improved with the Regulation. In their view, the Regulation lacks sufficient mechanisms to hold Member States and the EU accountable for their obligations under the Regulation and the Aarhus Convention, to which both EU and Member States are parties. As regards access to justice, some noted the lack of a specific and direct right of access to justice provision in the Regulation to challenge NECPs or LTSs before national courts across the EU, which leads to inconsistent application of the access to justice right among Member States¹⁴⁴. Some studies indicate that challenges to NECPs and LTS on the grounds of the Regulation are limited to unfulfilled procedural or content requirements, and consequently, policies and measures in the NECPs can only be challenged indirectly if they are against European or domestic law, which is not satisfactory to fulfil Aarhus Convention requirements, according to third-sector stakeholders¹⁴⁵.

The Regulation refers to the applicability of provisions in both the Aarhus Convention and the Strategic Environmental Assessment Directive. However, some stakeholders argued that further clarity on its applicability to NECPs could ensure access to justice rights in all Member States.

Stakeholders suggested that including a horizontal access to justice provision in the Regulation could be useful, for instance where Member States breach the Regulation's provisions on public participation, e.g., in relation to NECPs or any substantive requirements of European environmental law.

Most of the surveyed national authorities, however, considered that the Regulation has improved both accountability and access to justice.

4.3 Is the Governance Regulation still relevant as it stands?

The Regulation's core objective of providing an integrated governance structure that both enables and pushes Member States to commit to and meet ambitious energy and climate targets is still fully relevant. The Regulation may however require updates in light of several important developments and events that have taken place since 2018 (see also Section 3.2).

4.3.1 Relevance in view of legislative and policy developments at EU and international level

Despite the evolving regulatory and policy framework both at EU and international level, the Regulation has provided a stable and useful framework for planning and reporting. This is partly because related EU legislation adopted after 2018 has given rise to targeted amendments to the Regulation. However, regulatory and policy developments

¹⁴⁴ See for example: EEB (2024) A revised and responsive Governance Regulation.

¹⁴⁵ [Juliette Robert, \(2023\) The EU's climate and Energy framework in light of the Aarhus Convention, Brussels School of Governance.](#)

do not necessarily require updates to the Regulation to be taken into account by Member States in their plans and reports. The guidelines issued by the Commission on the process to update their NECPs contain several recommendations to this effect. For example, they cover the contribution of the circular economy to the climate transition and application of the ‘do no significant harm’ (DNSH) principle when drawing up policies and measures. Several stakeholders notably from the third sector suggested that this does not always occur in practice, however.

In course of the consultation, most national authorities gave positive feedback on how up to date the Regulation is, however other stakeholders argued that certain aspects are not sufficiently covered in the current Regulation. They mentioned economic aspects (investment needs, sources for financing and macroeconomic impacts as having a limited space in NECPs), the availability of labour resources needed to implement the technological transition, indicators tracking energy sufficiency, grid deployment, electrification, and climate adaptation. As regards investment needs, the NECPs have played certain role in identifying investment needs and new RRF-funded support measures must be reported as part of the biennial reporting of policies and measures under the Regulation and reflected in the updated NECPs to be submitted by 30 June 2024. However, a consolidated assessment of investment needs and the sources of financing for the policies and measures planned to achieve the objectives and targets can be better reflected in the NECPs.

Another issue raised is whether the plans produced by Member States and the Commission are updated with sufficient frequency. For instance, several third sector stakeholders argued that the Commission’s 2018 LTS, adopted under Article 15(2) of the Regulation, is outdated and no longer in line with the current policy landscape (see also Section 4.1).

The Regulation’s role in ensuring proper reporting by the EU and its Member States under the UNFCCC and the Paris Agreement remains fully relevant. At the same time, specific provisions may require updating in the light of recent developments such as decisions, arrangements, procedures and guidelines under enhanced transparency framework, the agreement at COP28 to transition away from fossil fuels in energy systems and the Global Goal on Adaptation. This also concerns the reporting obligations stemming from Article 6 of the Paris Agreement which may be reported in conjunction with the Biennial Transparency Reports.

4.3.2 Relevance in view of socio-economic, environmental, and geopolitical changes and risks

The Regulation’s core objectives have gained in relevance given the increasing urgency to tackle climate change and the increasingly complex needs that energy and climate policies must address.

The IPCC's 2023 Sixth Assessment Report predicts higher climate-related risks than the previous assessment report published in 2014. In Europe, the first ever European Climate

Risk Assessment¹⁴⁶ forecasts that in the best-case scenario where global warming is limited to 1.5 degrees above pre-industrial levels, Europe – which is heating at twice the global rate – will be 3 degrees warmer and consequently impacted by more heatwaves and other weather extremes.

In this context, mainstreaming resilience and climate adaptation considerations in climate mitigation and energy policy has become prominent areas of action for the Regulation. Climate change increases the risks for energy security, in particular electricity disruption due to heat, wildfires, droughts, and floods affecting peak demand and impacting production, storage, transport, and distribution.

The recent geopolitical and other crises have also confirmed the relevance of the Regulation and have brought to the forefront critical issues such as energy security, industrial competitiveness and social issues that could be better integrated into the Regulation. The energy supply crisis following the Russian aggression against Ukraine and the COVID-19 pandemic disrupted several aspects of EU energy policy and made European policymakers acutely aware of the risks associated with large and undiversified reliance on energy supplies from third countries. These crises heightened the relevance of the Energy Union’s objectives and accelerating the need for a clean energy transition. They also triggered a recalibration of immediate policy priorities and highlighted transition challenges, leading to the adoption of the REPowerEU plan. As pointed out in other sections, the energy crisis impacted the Regulation’s objectives by, for example, emphasising the need for stronger coordination and cooperation among Member States on gas supply (e.g., joint purchasing).

Survey results indicate that national competent authorities and civil society are divided on whether the Regulation’s governance mechanism has responded adequately to these events. National authorities tended to take a neutral or positive stance, but third-sector respondents overwhelmingly found the Regulation’s governance mechanism to be inadequate.

¹⁴⁶ EEA (2024), European Climate Risk Assessment, ISSN 1977-8449, <https://www.eea.europa.eu/publications/european-climate-risk-assessment>.

Stakeholders suggested that the Regulation does not adequately cover socio-economic issues such as energy poverty, labour shortages and wider sustainable development goals. They argued that this is exacerbated by the lack of robust economic macroeconomic assessments of the policies and measures included in the NECPs. In line with these observations, the Commission, in its assessment of the draft updated NECPs found that most NECPs still lack structural policies and measures to alleviate energy poverty¹⁴⁷. Stakeholders also suggested that NECPs do not sufficiently link to economic governance and should include more information on lowering dependence on fossil fuels and taking a binding path to a carbon-negative economy within planetary boundaries.

¹⁴⁷ Commission Communication of 18 December 2023, *EU-wide assessment of the draft updated National Energy and Climate Plans - An important step towards the more ambitious 2030 energy and climate objectives under the European Green Deal and RePowerEU*, COM (2023) 796 final.

5. CONCLUSIONS AND LESSONS LEARNED

The Governance Regulation, which entered into force in December 2018, provides a first-of-a-kind framework that combines strategic, long and mid-term energy and climate planning with robust reporting and monitoring mechanisms to ensure delivery on the ground.

The Regulation thus plays an important role in meeting the EU's energy and climate objectives and targets and promoting the long-term investments needed for the climate and energy transition. Although it is too early to draw definitive conclusions, the Regulation has proved a valuable tool despite some concerns over a lack of sufficient mechanisms to tackle ambition and implementation gaps. The Regulation's core objective of providing a governance structure that both enables and pushes Member States to commit to and meet ambitious energy and climate objectives and targets remains more relevant than ever given the growing urgency of climate mitigation and adaptation action and the increasingly complex needs that Member States' energy and climate policies must address.

The Regulation has strengthened integrated energy and climate policy planning, streamlined reporting, increased the coherence of timelines and procedures, and improved transparency and predictability. National energy and climate policies have become more consistent, though impacts varied across Member States partly depending on national processes that preceded the Regulation.

Importantly, the Regulation has enabled the EU and Member States to comply with the UNFCCC reporting requirements and report on their progress to address climate change and reach their objectives and targets under the UNFCCC/Kyoto Protocol. Updates in the reporting regime under the Paris Agreement are yet to be incorporated.

Despite having integrated, streamlined, or repealed multiple individual planning, reporting, and monitoring obligations of energy and climate legislation, many national administrations do not yet perceive a reduction in administrative burden. This may at least be partly explained by the fact that more integrated processes require more policy coordination, and that the learning curve for new reporting cycles has not yet reached its peak.

The Regulation has improved cooperation among different ministries and authorities at national level. To some extent, it has also stimulated regional cooperation between Member States in developing their plans. While the Regulation is perceived as a step forward in terms of stakeholder consultation and multi-level dialogue, concerns have been expressed over its provisions being too unspecific to ensure a sufficient and comparable level of consultation across Member States. Coordination with local and regional level bodies may also merit more attention.

The Regulation has improved the quality of information in plans and reporting, but significant information gaps remain, particularly in terms of the actual effects of policies

and measures. **More detailed information is also needed on investment needs, funding sources and macro-economic impacts.**

The Regulation has improved the management of energy and climate data, promoting a clearer and more open mechanism for sharing information and making decisions.

The digitalisation of reporting through online platforms and the use of common templates has significantly simplified the submission, assessment, and accessibility of data, however several stakeholders have remarked that accessibility still should be further improved, notably for the public and non-expert users. Importantly, this process has identified scope to further align the timing and content of different obligations inside and outside of the Regulation.

The Regulation has improved accountability to some extent, nevertheless, some stakeholders argued that access to justice is not applied consistently across the EU and called on more clear, harmonised, and effective access to justice rights as regards NECPs and LTS in line with the Aarhus Convention.

The Regulation is not yet fully in sync with the significant transformation that the European and international energy and climate policy landscape has undergone in recent years, both as result of the European Green Deal and the unprecedented crises caused by the COVID-19 pandemic and the Russian war of aggression against Ukraine.

Moving forward, the Regulation needs to help the EU meet a set of widening and increasingly ambitious energy and climate objectives beyond achieving its 2030 targets. It should provide a basis to shape and implement future EU policy in these areas, particularly the ambitions for 2040 and 2050. Its governance mechanism must help accelerate the transition to climate neutrality. It must also factor in competitiveness, energy security and energy resilience, tackle challenges across the supply chain for clean and net zero technologies, provide certainty for investments in industrial decarbonisation, incentivise the phase-out of fossil fuels and fossil fuel subsidies, tackle energy poverty and just transition concerns, factor in skills and jobs aspects, and put a greater emphasis on climate adaptation considerations taking into account the recent European Climate Risk Assessment¹⁴⁸.

¹⁴⁸ <https://www.eea.europa.eu/publications/european-climate-risk-assessment>

Lead DG and Decide reference

The evaluation was led by the European Commission's Directorates-General for Energy and Climate Action.

Decide entry: PLAN/2023/658.

Organisation and timing

The call for evidence¹⁴⁹ was published for feedback for a four-week period from 6 July to 3 August 2023.

An Interservice Steering Group (ISG) was set up comprising the following services: SG, SG-RECOVER, LS, AGRI, BUDG, CNECT, ECFIN, EMPL, ENV, ESTAT, FISMA, GROW, INTPA, JRC, JUST, MOVE, NEAR, REFORM, REGIO, RTD, TAXUD, TRADE, as well as the European External Action Service and the European Environmental Agency. Five meetings of the ISG were held on 26 April, 5 September, 26 October 2023, 11 January, and 18 June 2024.

Evidence and sources

The European Commission, Directorates-General for Energy and Climate Action contracted a consortium led by ICF to carry out a support study¹⁵⁰ for this evaluation from July 2023 to May 2024.

The methodology¹⁵¹ for the study included: a call for evidence, comprehensive desk research, including the key deliverables (long-term strategies, NECPs and progress reports) under the Governance Regulation, a legal mapping of planning, reporting and monitoring obligations stemming from the Governance Regulation, an online survey of national authorities, industry representatives and third-sector organisations, telephone interviews, country case studies and a stakeholder event in Brussels.

¹⁴⁹ [Energy Union and climate action – Review report on the Governance Regulation \(europa.eu\)](#)

¹⁵⁰ Support study for the evaluation of Regulation (EU) 2018/1999 on the Governance of the Energy Union and Climate Action – final report (forthcoming)

¹⁵¹ A detailed description of the methodological approach and its limitations can be found in Annex II.

ANNEX II. METHODOLOGY AND ANALYTICAL MODELS USED

This Annex describes the methods and sources used during this evaluation, including the limitations encountered.

The evaluation was underpinned by a study undertaken by a consortium led by ICF. The contractor conducted the consultation activities mentioned below, analysed the results, and provided replies to the evaluation questions. It also prepared technical annexes.

The support study provided a good basis for the Commission evaluation. However, since its conclusions drew mainly on the consultation activities, they required further desk research from Commission departments to improve their robustness.

Central to the methodology were the evaluation (sub)questions (See Annex III) developed based on the five evaluation criteria: effectiveness, efficiency, coherence, relevance, and EU added value. The analytical approach used to evaluate the Regulation was based on the analysis of consultation findings, a triangulation of stakeholder views, qualification and quantification of costs and benefits estimates.

To gather information to conduct the evaluation, the Commission carried out a range of activities with the support of the contractor. The summary below summarises the used sources of information:

Literature review. A comprehensive literature review to identify relevant secondary sources of information and data. It drew on relevant literature and data from a variety of sources including the European Commission, the Member States and peer-reviewed literature. The review included mapping obligations, which included a comprehensive set of legislative, implementing, and delegated acts, as well as other non-legislative documents related to EU climate and energy legislation. The review of literature also provided important information on the costs and benefits of the Regulation to feed into the baseline and assessment of the Regulation's efficiency.

- *Call for evidence.* Between 6 July 2023 and 3 August 2023, the Commission conducted a call for evidence on the 'Have your say' portal.¹⁵² The objective was to provide stakeholders and the public with an opportunity to share their views on the functioning of the Regulation. The target audience included organisations, social partners, the scientific community, the general public, Member State authorities and other public authorities. 53 respondents, covering eight respondent groups, replied to the call for evidence (see also Annex V). The most represented stakeholder group were non-governmental organisations (NGOs) (34%, 18 in number), followed by public authorities (15%, 8) and business associations (13%, 7). Other respondents included EU citizens (9%, 5), companies/businesses (9%, 5), environmental organisations (9%, 5) and academic or research institutions (6%, 3). The responses came from 16 EU Member States and two third countries (the United Kingdom and Australia). Most of the stakeholders provided a position paper accompanying their submission, or less structured views on the Regulation and/or on the EU's overall climate and energy policy framework.

¹⁵² [Energy Union and climate action – Review report on the Governance Regulation \(europa.eu\)](#)

Many of the submissions covered forward-looking aspects of governance that would be relevant to a possible impact assessment.

- *Targeted surveys.* The evaluation included input from a set of targeted surveys from national authorities, industry organisations and third-sector stakeholders. The surveys covered questions of relevance to the evaluation and some scoping questions on the problem definition. The surveys elicited a total of 70 responses. This included 33 responses from national authorities, 20 responses from third-sector stakeholders and 17 responses from industry organisations.
- *Interviews.* 10 scoping interviews and 35 key informant interviews were conducted as part of the evaluation, and a further 35 targeted interviews were conducted as the basis for the case studies. Despite taking several mitigating measures to boost the participation rate for interviews, the contractor did not manage to conduct the 60 interviews initially hoped for. Consequently, the answers to the evaluation questions are based on less first-hand information and narrower feedback than initially envisaged, which may have prevented or hindered robust conclusions from being drawn.
- *Stakeholder event.* A stakeholder event was organised by DG ENER and DG CLIMA on 11 January 2024, involving approximately 120 representatives from Member States' national authorities, industry organisations as well as civil society stakeholders. The study team presented some of the preliminary findings of the evaluation at this event. The main points emerging from the discussion have been integrated into the findings of the evaluation.
- *Case studies.* During the evaluation, seven country-focused case studies (Belgium, Denmark, France, Germany, Malta, Romania, and Poland) were conducted to explore, in-depth, the procedures and processes used in the Member States to comply with the reporting obligations set by the Governance Regulation and the related costs (including administrative burden) and benefits. The case studies also explored three main topics: i) public consultation and multi-level climate and energy dialogues, ii) regional cooperation, and iii) compliance. The case studies draw on the general programme of stakeholder consultation, as well as more targeted desk research and stakeholder interviews in the seven case study Member States.
- *Efficiency analysis.* An in-depth screening of the reporting and planning obligations under energy and climate law, and links between reporting in the energy/climate sectors with sustainability reporting obligations in other policy areas, was carried out and assisted by AI. In total, over 900 reporting obligations were screened, 39 of which under the Regulation. The same tool was used to collect data on the costs and benefits of the related obligations for both Member States and for the Commission. The analysis focused on quantifying and monetising the key direct cost and benefits for which information was available. The remaining costs and benefits were assessed qualitatively. The costs are assessed against a baseline representing the situation before the Governance Regulation entered into force. The costs were estimated in euro, in current prices (2023 prices). More details can be found in Annex X of the support study.

Limitations and data robustness

Literature and data were primarily sourced in English, but targeted searches in other EU languages were conducted to bridge the information gaps, particularly for the country case studies. However, it is acknowledged that some pertinent non-English information may have been overlooked.

The response rate to the various strands of consultation was lower than expected. Efforts were made to increase participation by contacting stakeholders directly via email and occasionally via telephone and LinkedIn, and by sending reminder emails. The timeline for the consultation was also extended to the maximum extent. Despite these efforts, participation levels remained below expectations, resulting in a narrower range of viewpoints. Consequently, the evaluation's findings may in places lack the robustness that a broader participation could have provided.

Given the Regulation is an 'umbrella' piece of legislation it was not always possible to establish a clear causal effect of the Regulation on specific aspects, such as how it has contributed to the implementation of more ambitious climate and energy measures.

For the efficiency analysis, evidence collected from the Member States provided limited and fragmented information on the current costs and benefits of implementing the Regulation. This was due to the low response rate, but also because the responsibility for reporting obligations were often split among different administrations, and several respondents had limited knowledge of the costs of previous rounds of reporting and the situation before the Regulation entered into force. The analysis therefore is based on a set of assumptions and simplifications and needs to be taken with some caution.

Despite these limitations, by triangulating data sources and holding extensive discussions with national authorities and stakeholders, the Commission obtained robust conclusions for most of the evaluation questions.

ANNEX III. EVALUATION MATRIX AND, WHERE RELEVANT, DETAILS ON ANSWERS TO THE EVALUATION QUESTIONS (BY CRITERION)

Evaluation questions & sub-questions	Judgement criteria	Indicators and information requirements	Data sources	Analysis cross reference
EFFECTIVENESS				
To what extent has the Regulation effectively achieved its key objectives, across the five dimensions of the Energy Union				
EQ1 – To what extent has the Regulation led to increased quality, increased timeliness and increased (public) accessibility of the reported information across the Energy Union’s five dimensions and on all aspects related to the Regulation’s objectives, notably in terms of national energy and climate plans (NECPs), Long-Term Strategies, and annual and biennial reports? ■ EQ1.1 – To what extent did the Regulation contribute to improved plans, reports, and monitoring, including through more integrated and streamlined processes? ■ EQ1.2 – To what extent do Member States fulfil their current planning and reporting obligations in a complete and timely manner? ■ EQ1.3 – Are the indicators used in the reports effective in tracking progress across all dimensions? ■ EQ1.4 – What are the main reasons for any limitations / deficiencies of the plans and reports? ■ EQ1.5 -To what extent have the guidance documents produced by the EC been appropriate and up to date? To what extent have the Member States followed the guidance documents provided by the Commission? What problems have been observed and why? ■ EQ1.6 – To what extent has the dedicated technical support funded by the Commission facilitated the planning and reporting process? ■ EQ1.7 – To what extent has the Regulation led to increased transparency and public accessibility of reported information?	■ The information is made available in an accurate, complete, and timely manner. ■ Member States fulfilled their current planning and reporting obligations correctly in terms of timeliness, completeness, consistency, comparability, coherence, transparency, and accuracy. ■ Indicators used in the reports effectively and comparably tracked progress across all dimensions. There are no information gaps, no areas where increased coverage would yield benefits (without resulting in disproportionate costs for concerned entities). ■ The Regulation led to increased transparency and public accessibility of reported information.	Quantitative indicators ■ Number of documents / reports submitted on time to the Commission. ■ Number of views / downloads of the publicly available documents / reports. Qualitative indicators ■ Quality / degree of completeness of planning documents and data/ reports provided. ■ Public availability of complete planning documents and data/ reports. ■ Stakeholders’ degree of satisfaction with current coverage of information ■ Extent to which the EC guidance was adhered to and facilitated the planning / reporting processes. ■ Extent to which dedicated technical support funded by the Commission facilitated the process (take up statistics, views on its usefulness). ■ Main limitations or deficiencies in the plans and reports submitted by the MS, as identified by key stakeholders. Further information requirements ■ Reasons put forward by some MS for not submitting documents / reports (e.g., LTS), or not on time, and consequences for the EU / international level and wider stakeholders. ■ Any further room for improvement / support tool that could be implemented. ■ Suggestions made by stakeholders for improving or expanding coverage / timeliness / transparency / accessibility and feasibility of addressing these needs.	■ Legal mapping. ■ Desk research, including desk review of EC assessments of draft / final NECPs, and of wider stakeholder assessments (reports from ECA, academics or think tanks) on potential scope for better coverage. ■ Mapping of information requirements along the five dimensions vs information available. ■ EU-level interviews. ■ Interviews with MS authorities. ■ Targeted surveys with MS authorities. ■ Case studies. ■ Workshop on draft evaluation results.	See Section 5.111
Answer The Regulation has led to increased quality of information across the Energy Union’s five dimensions and on all aspects related to the Regulation’s objectives. Quality of reported information				

Evaluation questions & sub-questions	Judgement criteria	Indicators and information requirements	Data sources	Analysis cross reference
While the Regulation enhanced the quality of reported information in NECPs to a sufficient extent, some gaps and issues with the completeness of reported data remain. There are indications that individual Member States have taken differing approaches to this, potentially influencing the nature of the collected information. The Regulation has effectively contributed to an improved accuracy of the available data around the five dimensions to be covered under Article 15(4) of the Regulation in LTSs. However, the evaluation found that differing national planning traditions negatively impacted the completeness of the LTSs, with Member States sometimes not reporting all the mandatory content under Article 15(4) or doing so not coherently with their NECPs. On the quality of reported information for the biennial progress reports and their follow-up, the evaluation finds that enforcement of Articles 17 to 25 proved effective only to some extent, with significant data gaps remaining. Concerning integrated planning and reporting on GHG policies and measures and on projections (Article 18), the evaluation finds that, although the number of PaMs has increased over time, the completeness of reported information (particularly quantitative information) has not improved to the same extent. The quality of information on projections of anthropogenic greenhouse gas emissions by sources and removals by sinks increased from 2017 to 2021. Timeliness of reported information The draft NECPs were not always submitted on time. It is unclear whether this problem is directly linked to the Regulation or whether it results from practices and/or procedural bottlenecks occurring at a Member State level. There were also significant delays in the submission of LTSs, with this resulting in delays and inefficiencies in the process of producing an EU-wide assessment of the LTSs by the Commission. There are indications that the lack of timeliness in the submission of LTSs derives from both an insufficient administrative capacity at national level to fulfil the reporting obligations under the Regulation and the sequencing of the planning and reporting obligations (e.g., NECPs deadline before the LTS deadline). Nonetheless, there is no evidence that the Regulation as such was ineffective in ensuring that LTSs were submitted on time. Enforcement and administrative burden seem to have caused the delay. The biennial progress reports and their follow-up (NECPRs and reporting obligations stemming from Article 17 of the Regulation) were either submitted on time or with a small delay, not affecting the effectiveness of the Regulation. The timeliness of information on PaMs remained stable between 2017 and 2019, improved in 2021, and then deteriorated in 2023. The information reported on projections of anthropogenic greenhouse gas emissions by sources and removals by sinks improved in 2019 compared to 2017 and then deteriorated in 2021. Notwithstanding this, the evaluation does not find a lack of effectiveness that can be attributed to the Regulation. (Public) accessibility of reported information The Regulation has increased (public) accessibility of reported information at least to some extent. Stakeholders have partly divergent views and have highlighted areas in which the public accessibility of reported information proved limited. However, it remains unclear whether these issues are linked to the Regulation as such or to implementation issues and/or different national traditions across the EU.				

EQ2 – What difference has the Regulation made in terms of promoting better planning processes and effective implementation of plans and reports? ■ EQ2.1 – What qualitative or quantitative evidence is there that Member States make proper use of the information contained in NECPs, LTSs and annual and biennial reports for policy (energy and climate-related reforms and investments, energy poverty and just transition strategies etc.) and communication purposes? ■ EQ2.2 – What evidence is there that the Commission makes effective use of that information to develop or adapt EU energy and climate policies? ■ EQ2.3 – Is there qualitative or quantitative evidence that the Regulation has increased the effectiveness of Member States’ national planning and has resulted in more substantial implementation of climate, energy policies and other relevant policies (reforms and investments) and faster progress towards national energy and climate objectives, targets, and contributions? ■ EQ2.4 – Is there any qualitative or quantitative evidence of any barriers in implementing NECPs and fulfilling reporting requirements?	■ There is evidence of information provided in the context of the Regulation being used at Member State and EU level. ■ There is ownership of Regulation tools at the national level. ■ There has been progress towards the national objectives, targets, and contributions along the five dimensions of the Energy Union, at MS level and collectively at EU level. ■ The role and contribution of the Regulation can be identified. ■ There is evidence of progress with measures (reforms and investment). ■ There is evidence to suggest that the Regulation accelerated, consolidated, or promoted measures (reforms and investment) in certain areas. ■ Barriers to the implementation of NECPs are adequately monitored and actions are planned / taken to correct them as appropriate.	<u>Qualitative indicators</u> ■ Extent to which MS authorities agree that MS make proper use of the information contained in NECPs, LTSs and annual and biennial reports for policy and communication purposes. ■ Specific examples of where the information contained in NECPs, LTSs and annual and biennial reports has been used by MS for policy and communication purposes. ■ Specific examples of where information from NECPs, LTSs and annual and biennial reports has not been adequately used by the MS. ■ Extent to which EU stakeholders agree that the Commission makes adequate use of the information contained in NECPs, LTSs and annual and biennial reports for policy and communication purposes. ■ Specific examples of where the information contained in NECPs, LTSs and annual and biennial reports has been used for policy and communication purposes by the Commission. ■ Specific examples of where information from NECPs, LTSs and annual and biennial reports has not been adequately used by the Commission. <u>Quantitative indicators</u> ■ Number of non-compliance cases identified at EU level or internationally (UNFCCC/ Paris Agreement). ■ Distance to targets i.e., extent to which latest climate and energy data is in line with i) NECPs targets and trajectories; ii) EU targets and iii) international commitments. ■ Overall implementation status of planned measures as per the integrated national energy and climate progress reports e.g., share of measures that are on track. <u>Qualitative indicators</u> ■ Extent to which inter-ministerial teams are set up and work consistently to implement, update and monitor national energy and climate policy. ■ Qualitative assessment of overall progress made with relevant policies and measures. ■ Stakeholders’ and experts’ views on the specific contribution of the Regulation to progress made. <u>Further information requirements</u>	■ Literature review of actual progress on the national objectives, targets, and contributions vs plans / expectations (e.g., National GHG PaMs in Europe – European Environment Agency (europa.eu)). ■ EU-level interviews. ■ International-level interviews. ■ Interviews with MS authorities. ■ Targeted surveys with MS authorities. ■ Workshop on draft evaluation results. ■ EU-level interviews. ■ International-level interviews. ■ Interviews with MS authorities. ■ Targeted surveys with MS authorities. ■ Workshop on draft evaluation results.	See Section 5.1.1.2
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		Any factors constraining the implementation of NECPs (identifying any barriers to the deployment of some measures) and planned corrective / mitigating measures.		
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Evaluation questions & sub-questions	Judgement criteria	Indicators and information requirements	Data sources	Analysis cross reference
Answer The Regulation has been effective in promoting better planning processes and effective implementation of plans and reports. For instance, the Regulation helped streamline the planning processes across the energy and climate domains, increasing cooperation among different ministries/authorities at national level. Nevertheless, in several Member States, NECPs are seen as less important for national planning processes and are mainly drawn up to meet an EU obligation. Similarly, LTSs are partly outdated and do not necessarily serve as the basis for drawing up the NECPs.				
EQ3 – How effective has the Regulation been in responding to any ambition or implementation deficit (enforcement)? ■ EQ3.1 – To what extent did the review-and-recommendations system (Chapter 5 of the Regulation) prove to be sufficient? ■ EQ3.2 – What were the consequences if Member States did not report on time and adequately? ■ EQ3.3 – Have the ambition gap-filling mechanisms under Articles 31 and 32 of the Regulation been used effectively?	■ The EU has tools to deploy if it detects ambition gaps or implementation deficits. ■ These tools are effectively deployed when needed. ■ These tools are effective when deployed. ■ The ambition gap-filling mechanisms are fit for purpose, they prompt MS to act to cover the gap (when needed). ■ The need to explain how the gap will be covered in a progress report is a powerful incentive. ■ Potential gap-filling measures work as planned. ■ The RES financing mechanism is fit for its gap-filling purpose.	Quantitative indicators ■ Number of times the gap-filling mechanism has been used (e.g., number of EU or national measures taken number / size of voluntary financial contributions made). ■ Number / share of Commission recommendations taken into account by MS in their final NECPs. ■ Number of additional measures taken by MS to cover the gap, where appropriate. Further information requirements ■ Stakeholders' and experts' view on (anticipated) effectiveness of the tools and potential scope for improvement.	■ Legal mapping of the available tools and desk review of their use including statistics / mapping on the use of the EU-level measures, gap-filling mechanisms for RES, EE and GHG goals, mapping of Commission recommendations to MS and follow up to EC recommendations. ■ International-level interviews. ■ EU-level interviews. ■ MS-level interviews. ■ Targeted surveys with MS authorities. ■ Case studies. ■ Workshop on draft evaluation results.	See Section 5.1.1.3
Answer Evidence shows that the main factor when it comes to implementation deficits is the fact that the enforcement mechanism is mainly based on recommendations, which are not legally binding.				
EQ4 – What difference has the Regulation made in terms of stimulating spending and investment? ■ EQ4.1 – Is there qualitative or quantitative evidence that NECPs created a more stable and predictable regulatory framework to create investment certainty and stimulate public and private energy and climate spending and investments? ■ EQ4.2 – To what extent has the Regulation helped MS take full advantage of opportunities for economic development, investment stimulation, job creation and social cohesion? ■ EQ4.3 – Which elements of the framework (still) hindered such investor certainty? ■ EQ4.4 -To what extent has the Regulation resulted in reliable information on investment needs and sources of private and public finance? What bottlenecks can be identified in this regard?	■ There has been increased investment in sustainable technologies. ■ The role and contribution of the NECPs can be identified.	Quantitative indicators ■ Investment needs at Energy Union priority level or sector level in NECPs for 2021-2030. ■ Source of public/private financing at EU and national level in NECPs for 2021-2030. ■ Investment levels in sustainable technologies in Member States and at EU level (trends before / after the Regulation). ■ Funds incl. EU funds deployed to support the ambition of the NECPs. ■ Awareness levels of the investor community / industry about NECPs in survey results. ■ Share of respondents assessing the contribution of NECPs to investment levels as essential / anecdotal. Qualitative indicators ■ Stakeholder views on contribution of NECPs to investment levels (qualitative). Further information requirements	■ Desk research. ■ EU-level interviews (with representatives of the investor community / industry). ■ MS-level interviews (with representatives of the investor community / industry). ■ Targeted survey of energy industry and of energy-intensive industries ■ Case studies.	See Section 5.1.1.4

Evaluation questions & sub-questions	Judgement criteria	Indicators and information requirements	Data sources	Analysis cross reference
		- Examples / instances where NECPs were used as a capital-raising plan. - Any factors still hindering investor certainty.		
Answer There was limited feedback on the Regulation's impact on stimulating targeted spending and investments and on creating increased predictability for investors. The Commission's assessments reveal that NECPs lacked detail on investment needs and funding sources. This was confirmed by the industry stakeholders consulted during the data collection process. Overall, the stakeholders interviewed were not always knowledgeable about all the objectives, obligations, and outputs stemming from the Regulation, with many mainly providing feedback on the NECPs and NLTs. Additionally, the stakeholders consulted were not always aware of the situation before the entry into force of the Regulation or could not link specific trends (e.g., on investments) to the entry into force of the Regulation.				
EQ5 – How successful has the Regulation been in ensuring regional cooperation? EQ5.1 – How successful has the Regulation been in stimulating regional cooperation between Member States? Can any barriers be identified in this respect?	- MS have cooperated with each other in the preparation of their NECP. - MS have had sufficient opportunity to comment on other MS draft NECPs. - The Commission has facilitated cooperation between the MS on preparing their NECPs.	<u>Quantitative indicators</u> - Number of times MS have cooperated bilaterally or multilaterally with other MS in preparing their NECPs. <u>Qualitative indicators</u> - Level of regional cooperation in drawing up the plan, as reported by MSs in their NECPs. - Steps taken on regional cooperation in transnational regions when preparing / implementing the plan. - Extent to which MS authorities believe the Commission has adequately supported cooperation between the MS. <u>Further information requirements</u> - Any factors facilitating / constraining regional cooperation.	- Desk research including review of regional cooperation activities undertaken as summarised in NECPs, review of the outcomes of the NECPlatform project. - EU-level interviews. - Targeted surveys of MS authorities. - MS-level interviews. - Case studies. - Workshop on draft evaluation results.	See Section 5.1.1.5
Answer The stakeholders consulted were not always aware of the situation before the entry into force of the Regulation or could not link specific trends (e.g., on investments, on regional cooperation) to the entry into force of the Regulation. It is important to note that, while a lot of reports are published by external stakeholders / NGOs on the public consultation/multi-level dialogues, research on the NECPs and NLTs / other reporting obligations is more limited and hence a lot is based on the European Commission reports and assessments.				
EQ6. How successful has the Regulation been in ensuring adequate multi-level and multi-stakeholder dialogue and consultation? EQ6.1 – How successful has the Regulation been in ensuring Member States set up adequate multi-level climate and energy dialogues involving sub-national authorities and other relevant actors in national energy and climate policymaking? EQ6.2 – How successful has the Regulation been in involving the public in designing NECPs? Was the public feedback considered in drafting and updating of NECPs? EQ6.3 – Can any barriers to the effective consultation of stakeholders be identified?	- Appropriate multi-level climate and energy dialogues were set up. - Regional cooperation activities were conducted. - Appropriate public consultations were conducted.	<u>Quantitative indicators</u> - Existence of a permanent structure acting as multi-level climate and energy dialogue, with participation of sub-national authorities and other stakeholders. - Extent to which the platform is used consistently throughout implementation of the NECPs, including mandatory reporting. - Extent to which activities were in line with the Aarhus Convention (e.g., broad consultations, open for sufficiently long periods with real scope to provide input). - Number of MS where a public consultation on the draft NECP was conducted.	- Desk research including review of consultation activities undertaken as summarised in NECPs, review of the outcomes of the NECPlatform project. - EU-level interviews. - Targeted surveys of MS authorities. - MS-level interviews including interviews of sub-national authorities and stakeholders. - Targeted interviews. - Case studies. - Workshop on draft evaluation results.	See Section 5.1.1.6

Evaluation questions & sub-questions	Judgement criteria	Indicators and information requirements	Data sources	Analysis cross reference
		- Extent to which national stakeholders feel they were adequately consulted on MS draft NECPs. Further information requirements - Any factors facilitating / constraining regional cooperation.		
Answer The available evidence shows that although the introduction of Articles 10 and 11 of the Regulation is perceived as a significant step forward, the Regulation has not been particularly successful in ensuring adequate multi-level and multi-stakeholder dialogue and consultation, as several Member States failed to set up public consultation or multi-level and multi-stakeholder dialogue of an acceptable quality.				
EFFICIENCY To what extent has the Regulation achieved its key objectives in an efficient manner?				
EQ7 – To what extent have the integrated and streamlined planning and reporting processes led to cost savings (in terms of policy coherence and administrative burden) and can costs and administrative burden be considered as proportionate? EQ7.1 – Has the harmonised, integrated, and predictable nature of the Regulation resulted in the expected cost savings at MS and EU level in terms of administrative burden and policy coherence (both in terms of energy and climate policies and across other policy areas such as environmental protection)? EQ7.2 – Is the (already rationalised) administrative burden of Member States' planning and reporting obligations proportionate to the need for a harmonised and integrated planning and reporting process across the five dimensions of the Energy Union? EQ7.3 – Do the benefits of this harmonised and integrated process (in terms of improved policy coherence, regional cooperation, impact assessment, etc.) justify the higher complexity compared to individual processes? EQ7.4 – What factors most influence the costs and administrative burden of Member States' planning and reporting obligations? Is there qualitative or quantitative evidence making it possible to weigh the impact of each factor on costs?	- Streamlining the energy and climate planning, reporting, and monitoring obligations have led to cost savings / reduced administrative burden at both EU and MS level. - Costs and administrative burden are assessed to be and seen as proportionate. - The rationalised administrative burden for integrated planning and reporting process is justified given the benefits (in terms of improved policy coherence, regional cooperation, impact assessment, etc.).	Quantitative indicators - Enforcement and compliance costs (incl. admin burden) for Member States and the Commission as reported in the baseline scenario /in the 2016 fitness check. - Enforcement and compliance costs (incl. admin burden) resulting from the implementation of the Regulation, as reported by Member States, the Commission, and the European Environmental Agency. - Administrative and financial benefits resulting from implementation of the Regulation, as reported by Member States, the Commission, and the European Environmental Agency. - Number / share of respondents reporting favourable changes in costs since the entry into force of the Regulation, and comparison of results with expectations when adopting the Regulation. - Number / share of respondents agreeing that the actual benefits (until now) are higher than the costs / agreeing that the actual and expected benefits (e.g., by 2030) are expected to be higher than the costs. - Number / share of reporting and planning teams who deem the allocated time to be sufficient to perform their duties adequately. Qualitative indicators - Extent to which the expected benefits are already tangible now (e.g., ease of reporting process) or are expected to materialise in the medium to long term (e.g., benefits coming with stability / predictability of regulatory framework, impact on investor confidence).	- Desk research, including data on enforcement and compliance costs from the 2016 fitness check. - EU-level interviews. - MS-level interviews. - Case studies. - SCM for costs and administrative burden for Member States and Commission (including European Environmental Agency), including from the use of the e-platform. - Cost benefit assessment or cost-effectiveness assessment of obligations (in terms of administrative and implementation costs as well as administrative benefits). - Targeted survey of MS authorities. - Workshop on draft evaluation results.	Section 5.1.2.1

Evaluation questions & sub-questions	Judgement criteria	Indicators and information requirements	Data sources	Analysis cross reference
		Extent to which the costs / benefits are balanced across the five dimensions.		
Answer The efficiency analysis produced mixed results. The regulation has streamlined some aspects of energy policy planning and reporting, but several Member States also note a rise in administrative burden, while others seem to have noticed actual savings in time and/or resources. However, it is difficult to disentangle the workload created by the Regulation from aspects more related to the organisational aspects of the national administrations concerned (including limited coordination between those involved in the reporting obligations, changes to the legislative framework and the additional workload imposed by the Regulation – if any – compared to reporting obligations that would be in place anyway). Recognised advantages brought by the Regulation include greater transparency and predictability, better coordination and cooperation among different national authorities involved in the reporting process, greater coherence of planning and reporting timelines and procedures, and better-established processes, policies, and procedures. The benefits of the Regulation also include its role in providing a stable framework for clean energy businesses, which is crucial for long-term investment and development in the sector. Even if this is not yet fully materialised, many stakeholders (especially within national authorities) considered that the Regulation is pushing national administrations to work more closely and establish coordination procedures when they did not exist before. Stakeholders also acknowledged that there is a ‘learning curve’ component (especially national authorities): while the initial reporting cycles are more complex and burdensome, they acknowledged that the whole process will become simpler (and thus less burdensome) over time, the more reporting are files and assessed, the more clarity is provided on the expected content, and the more the tools and templates are fine-tuned.				
EQ8. What is the role played by the electronic reporting platform and/or common templates as well as digital technologies? EQ8.1 – Regarding progress reporting, to what extent does the availability of an electronic reporting platform and/or common templates decrease the administrative burden and costs of Member States and/or make it easier for the Commission to evaluate and use the information and data provided? EQ8.2 – Are the current Member States’ and Commission’s planning and reporting obligations designed in such a way that they make efficient use of developments in the fields of digital technologies and processes of collecting, organising, and analysing large sets of data (big data analytics, machine-to-machine reporting)?	Development and use of the reporting electronic platform led to decreased administrative burden and costs for the Member States.	Quantitative indicators - Administrative and financial benefits for Member States and the Commission resulting from reporting via an electronic platform instead of text format. Further information requirements - Stakeholder views on main cost drivers – distinguishing between one-off implementation costs (cost for developing or adapting the IT infrastructure, bringing in organisational changes / establishing processes, cost of organising the consultation on draft NECP) and regular costs (cost of ongoing coordination between different entities compiling or providing data, cost of preparing/ submitting progress reports).	- Desk research. - MS-level interviews. - Case studies. - Targeted survey of MS authorities.	See Section 5.1.2.2
Answer The evidence suggests that the Regulation has partially streamlined the planning, reporting, and monitoring processes by introducing digital tools. Yet it falls short of achieving complete harmonisation and timely alignment with EU and international obligations, as indicated by the mixed stakeholder feedback and survey responses. Among the difficulties, stakeholders mentioned the alignment of timetables for various tasks, such as preparing the NECPs and NECPRs, resulting in a lack of adequate incorporation of lessons learned from previous cycles, and the overlapping of draft NECP update and NECPR in 2023. Among other EU obligations, the main difficulties included the synchronisation with obligations like Directive (EU) 2016/2284 on the reduction of national emissions of certain atmospheric pollutants, and National Air Pollution Control Programmes under the NEC Directive, leading to challenges in achieving coherence in implementation efforts. Concerning international obligations, both the NECPR and the UNFCCC Biennial Transparency Report include biennial reporting obligations, but each in different year (even years for UNFCCC/BTR -, and odd years for NECPR) (more details are provided in Section 5.1.3).				
EQ9 – To what extent has the Regulation contributed to streamlined planning, reporting, and monitoring including through further digitalisation or consolidation? EQ9.1 – To what extent are the timing and periodicity of the different planning and reporting obligations, both within the Regulation and outside, consistent?	- The current set up is suitable (to facilitate communication, to facilitate public access to information) and reflects latest digital developments. - There is consistency between different planning, reporting, and monitoring obligations in different	Qualitative indicators Extent to which the e-platform fulfils all its functions repository for plans, reports and strategies tracker function (making it possible to follow live the latest developments in the implementation of the NECPs) access to data and underlying assumptions in a user-friendly manner	- Mapping the functions of the e-platform. - Legal mapping. - EU-level interviews and international level interviews (feedback from those receiving the information).	See Section 5.1.2.3

Evaluation questions & sub-questions	Judgement criteria	Indicators and information requirements	Data sources	Analysis cross reference
■ EQ9.2 – Is there evidence of red tape due to overlaps with other EU or national planning and reporting procedures? ■ EQ9.3 – To what extent have the planning and reporting processes taken into consideration other reporting and planning obligations (e.g., JTM, RRF, etc.) to avoid potential peak reporting and planning periods?	- fields that is directly related to the energy and climate (in terms of timing / periodicity / scope) – including synchronicity with the Paris Agreement / other international obligations. ■ There is no scope to further consolidate obligations on governance between the Regulation and other related EU law.	(e.g., those underpinning impact assessment of planned policies and measures) interactivity (allowing multi-level, cross-national dialogue). ■ Extent to which e-platform / common templates match users / needs. Further information requirements ■ Room for improvement, any best practice example at MS (solutions for streamlining and digital processing). ■ Main factors / obligations, within or beyond the scope of the Regulation, adding to administrative burden and/or undermining policy coherence (e.g., new initiatives adopted since the entry into force of the Regulation, international obligations, domestic planning, and reporting procedures) ■ Potential to further streamline obligations (e.g., better alignment of the periodicity of planning, reporting, and monitoring obligations with obligations at international level, potential to streamline parallel domestic planning and reporting procedures).	■ MS-level interviews (feedback from those producing the information). ■ Targeted survey of MS authorities. ■ Case studies. ■ Workshop on draft evaluation results.	

Answer

Mixed views were also reported on the benefits of using common templates and platforms. The same number of national authorities reported that savings in time and/or resources – thanks to the use of IT tools – led to more efficient planning and reporting in their Member States, as those reporting the opposite view. Although the majority of national authorities reported that entering data on EU electronic platforms led to cost increases, the number of those who said that the costs remained the same or decreased is almost the same. Among the reasons for costs increases, stakeholders referred to the need to reformulate data and information before uploading it to the platforms. They also emphasised the lack of an easily sharable tool for compiling a comprehensive answer from different contributing authorities in the same reporting country, as well as the lack of strong links between the platforms.

The reasons behind the reported reduction in costs / and burden included the fact that the platforms enable users to know what information and data should be collected and submitted, help avoid developing national tools for submissions and enable access to the reported information by several users at the same time, who can check and validate information, thus minimising the risk of errors. Having two separated platforms has garnered some criticism from many stakeholders, in particular due to poor links between the two, including the formats. However, some stakeholders appreciated having two platforms, for instance due to their role in standardising reporting and systematising data collection, hence facilitating availability and comparability of information.

COHERENCE				
To what extent has the Regulation achieved its key objectives in a coherent manner?				
EQ10 – To what extent does the harmonised and integrated nature of planning, reporting, and monitoring lead to improved coherence of MS and EU climate and energy policy within the remit of the Regulation? (Internal coherence) ■ EQ10.1 – To what extent are the different planning, reporting, and monitoring obligations under the Regulation coherent with one another?	■ Domestic, EU and international objectives are reconciled, the NECP process with drafts and revisions has resulted in MS increasing national targets to reach the overall EU target. ■ National governance framework is in place in MS. ■ Cross-national dimensions of MS energy policies are better coordinated, MS taking up cross-	Quantitative indicators ■ Number / share of stakeholders agreeing that governance framework / coordination processes are adequate in terms of whole-of-government coordination, coordination with sub-national levels of government as appropriate, <i>ex ante</i> and <i>ex post</i> impact assessment practices consistently measuring climate / energy / environmental impacts of policies across areas.	■ Review of targets, plans and policies to check alignment and consistencies. ■ Review of the information at international level (UNFCCC/ Paris Agreement) by the EU and EU MS. ■ Review of EU assessments and international (UNFCCC/ Paris Agreement) reviews. ■ Review of the national climate governance framework in place in MS. ■ International-level interviews.	See Section 5.1.3.1

Evaluation questions & sub-questions	Judgement criteria	Indicators and information requirements	Data sources	Analysis cross reference
	- border considerations in their revised NECPs. ■ Synergies, potential trade-offs and spillovers across climate and energy policy areas are better addressed.	Qualitative indicators ■ Extent to which EU-level reports are consistent with those submitted by EU Member States. ■ Extent to which the information in the plans and reports are assessed to be consistent including no mismatch between targets, consistency of definitions, consistency between targets / planned measures, alignment between measures planned / measures financed and timely alignment of the different obligations. ■ Extent to which adequate processes are in place for consulting / coordinating with other MS on national planning activities with a regional scope. Further information requirements ■ Any best practice examples illustrating increased policy coherence at national / transnational level and remaining challenges.	■ EU-level interviews. ■ MS-level interviews. ■ Case studies. ■ Workshop on draft evaluation results.	

Answer

Overall, evidence shows that the Regulation streamlined previously existing planning and reporting obligations from various pieces of legislation across energy, climate, and other Energy Union related policy areas. Evidence suggests though that some inconsistencies affect both the internal and external coherence of the Regulation. Issues on internal coherence are mostly due to the complexity of integrating many obligations in a single framework and to the many changes occurred since the adoption of the Regulation in December 2018.

EQ11 – To what extent is the Regulation coherent with other EU and international obligations (external coherence)? ■ EQ11.1 – To what extent is the Regulation coherent notably with: - Obligations from other EU energy and climate legislation, such as those stemming from the European Climate Law, and other relevant parts of the European Green Deal, Fit-For-55? - International obligations, including from the Paris Agreement and its enhanced transparency framework, the Sustainable Development Goals, the Aarhus Convention, and other relevant international conventions and for a (e.g., G7, G20)? - Other relevant EU policy fields? ■ EQ11.2 – To what extent has the Regulation helped MS identify and address trade-offs and synergies with environmental policies, including as regards biodiversity, in the NECPs and LTSs?	■ Objectives from the Regulation are well aligned (in terms of ambition /content / substance) with other pieces of legislation / funding instruments. ■ Synergies, potential trade-offs, and spillovers with other policy areas are better addressed.	Quantitative indicators ■ Number of MS covering particular trade-offs and synergies in their draft, final and revised NECPs. Qualitative indicators ■ Extent to which potential incoherences are minimised.	■ Legal mapping including review of the different provisions stemming from the different legal bases and the areas of potential incoherence. ■ Desk research. ■ International-level interviews. ■ EU-level interviews. ■ MS-level interviews. ■ Case studies. ■ Workshop on draft evaluation results.	See Section 5.1.3.2
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Answer

Issues on external coherence are mostly related to the fact that several EU-level instruments have been created and/or updated after 2018, notably policies developed under the European Green Deal and several reporting timelines that are different from the UNFCCC reporting cycle, and the timing of different reporting/planning obligations are not always aligned. For instance, the Energy Efficiency Directive (EED) recast includes many new elements to strengthen governance that are not currently incorporated nor streamlined into the Regulation. Similarly, with the revised Renewable Energy Directive (RED), new elements were brought in, which are not reflected in the Regulation.

Evaluation questions & sub-questions	Judgement criteria	Indicators and information requirements	Data sources	Analysis cross reference
EU ADDED VALUE				
How did the Regulation make a difference and to whom?				
EQ12 – To what extent could the improved consistency of Member States national energy and climate policies and coordination of energy and climate policies at EU level also have been achieved without the current Regulation’s planning, reporting, and monitoring obligations?	The improved consistency of Member States national energy and climate policies and the coordination of energy and climate policies at EU level could not have been achieved without the Regulation.	Qualitative indicators - Extent to which MS would be able to plan their policies and measures in the energy and climate fields to achieve the Energy Union objectives across its five dimensions in the absence of the formal consultation / coordination process with the EU / other MS stemming from the current Regulation. - Extent to which the Commission could assess whether MS are collectively on track to achieve the Energy Union objectives / could intervene in the case of insufficient progress made in the absence of the current Regulation.	- Desk research. - EU-level interviews. - MS-level interviews. - Case studies. - Workshop on draft evaluation results.	See Section 5.2.1.1
Answer The EU added value of the Regulation stems from a notable improvement in terms of enhanced consistency in national energy and climate policies, though such impact varied across Member States and depended on national processes that preceded the Regulation. The Regulation contributed to enhance coordination in national energy and climate policies. While stakeholders agreed that it contributed to enhanced cooperation, they also noted that coordination with sub-national actors could be further strengthened.				
EQ13 – To what extent do the current planning and reporting obligations provide information at EU or national level that would not otherwise be available ?	The current planning, reporting, and monitoring obligations provide benefits in terms of useful information at EU or national level that would not otherwise be available.	Qualitative indicators - Extent of the usefulness of the information provided by the current obligations as assessed by stakeholders. - Extent to which the Regulation makes additional information accessible or available, provides information that would not be available from other sources by other regulations, as assessed by stakeholders.	- Legal mapping of obligations and their rationale. - Desk research. - EU-level interviews. - MS-level interviews. - Survey of MS authorities. - Case studies. - Workshop on draft evaluation results.	See Section 5.2.1.2
Answer The planning and reporting obligations set out in the Regulation provided additional information at EU and national level. The Regulation increased information availability by publishing reports and data for Member States who may not have done so themselves and by requesting data on indicators that certain Member States may not have reported on or collected before. Stakeholders highlighted the information they can access from other Member States as an element that brings added value stemming from the Regulation, both by being able to access other Member States’ plans and by assessing and reporting by the European Commission. Importantly, the Regulation has improved the management of energy and climate data in the EU, promoting a clearer and more open setting for sharing information and making decisions.				
EQ14 – What is the added value of the Regulation for the transparency and predictability of Member States’ energy and climate policies?	The transparency and predictability of Member States’ energy and climate policies increased according to a wider set of stakeholders.	Qualitative indicators Extent to which the Regulation is seen as providing added value for the transparency and predictability of Member States’ energy and climate policies.	- Desk research. - International-level interviews. - EU-level interviews including wider stakeholders’ views (e.g., views from representatives from private sector / civil society / academia). - MS-level interviews including survey of views from wider stakeholders of MS authorities. - Case studies.	See Section 5.2.1.3

Evaluation questions & sub-questions	Judgement criteria	Indicators and information requirements	Data sources	Analysis cross reference
Answer While the Regulation improved the reporting, availability and predictability of data, stakeholders highlighted issues related to the timely submission, quality (in terms of completeness), accessibility and transparency of reported data.				
EQ15 – What is the added value of the Regulation in terms of ensuring accountability and access to justice? ■ EQ15.1 – To what extent has the Regulation enabled public and private actors to hold MS and the EU accountable for their obligations under the Regulation? ■ EQ15.2 – Is the Regulation fit for purpose in terms of safeguarding the rights of public and private actors to have access to justice?	■ The Regulation provides adequate mechanisms to hold the MS and EU accountable for their obligations under the Regulation. ■ The Regulation supports access to justice.	Qualitative indicators ■ Extent to which the Regulation is seen as providing added value in terms of enabling accountability in relation to energy and climate policies. ■ Extent to which the Regulation is seen as providing added value in terms of access to justice issues in relation energy and climate policies. ■ Extent to which the obligations under the Regulation are enforceable by the public. Further information requirements ■ Examples of when information produced within the framework of the Regulation was used e.g., by CSOs to hold MS / EU accountable (e.g., climate litigation cases)	■ Desk research. ■ International-level interviews. ■ EU-level interviews including wider stakeholders' views (e.g., views from representatives of the private sector / civil society). ■ MS-level interviews, including wider stakeholders' views. ■ Survey of MS authorities. ■ Case studies. ■ Workshop on draft evaluation results.	See Section 5.2.1.4
Answer There were contrasting views on the added value of the Regulation in terms of ensuring accountability and access to justice, with some stakeholders highlighting that the Regulation enabled better accountability and access to justice across several key domains, and others highlighting that significant improvements should be made to enhance accountability and access to justice.				
RELEVANCE Is the Regulation still relevant?				
EQ16 – Are the Member States' and Commission's planning, reporting, and monitoring obligations under the Regulation still relevant in view of legislative developments¹⁵³ ? ■ EQ16.1 – Are there planning, reporting, and monitoring obligations missing from the Regulation in view of recent legislative developments? ■ EQ16.2 – Are there planning, reporting, and monitoring obligations under the Regulation that have become obsolete?	■ Existing planning, reporting, and monitoring obligations remain relevant. ■ Existing planning, reporting, and monitoring obligations continue to be sufficient, there are no missing elements that ought to be covered given the new legislation adopted after the entry into force of the Regulation.	Qualitative indicators ■ Extent of the completeness of the template for NECPs. ■ Extent of completeness of the template for progress reports. ■ Assessment of coverage of final / revised NECPs. ■ Extent to which the updated NECPs covered the missing elements (e.g., to detail how EU funding e.g., from the Recovery and Resilience Facility will support the deployment of the Facility). ■ Extent of completeness of the template for national adaptation reporting. ■ Extent to which stakeholders agree that the planning, reporting, and monitoring obligations of	■ Legal mapping. ■ Desk research including mapping of final / revised NECPs. ■ International-level interviews. ■ EU-level interviews. ■ MS-level interviews. ■ Survey of MS authorities. ■ Case studies. ■ Workshop on draft evaluation results.	See Section 5.3.1.1

¹⁵³ (The European Green Deal) and related follow-up legislation, the European Climate Law, the Recovery and Resilience Facility and REPowerEU, the Green Deal Industrial Plan, the (planned) Net-Zero Industry Act and the Critical Raw Materials Act, international developments under the UNFCCC and the Paris Agreement, the enhanced international dimension of energy and climate policy, and any other energy and climate legislation adopted after the entry into force of the Regulation)

Evaluation questions & sub-questions	Judgement criteria	Indicators and information requirements	Data sources	Analysis cross reference
		the Regulation are still relevant in view of recent legislative developments.		
Answer The evaluation found that Regulation's core objective of providing a governance structure that both enables and pushes Member States to commit to and deliver on ambitious climate targets has not lost its relevance. On the contrary, it has become more relevant given the growing urgency of climate action and the increasingly complex needs that Member States' energy and climate policies must address. As the outlook for climate change and its associated impacts is both worsening and becoming more clear-cut, the core objective of the Regulation – to enable and support climate action – is more relevant than ever. Since the adoption of the Regulation in 2018, EU energy and climate law has undergone major changes, notably in the 'Fit-for-55' package. As a primarily procedural framework that does not itself set specific targets, this has not rendered the Regulation obsolete as an instrument. However, certain issues reflected in recent legislation need to be better addressed in the 'products' adopted under the Regulation, such as the NECPs.				
EQ17 – How well has the governance mechanism set out by the Regulation responded to socio-economic, environmental, and geopolitical changes & risks? ■ EQ17.1 – To what extent is the information it provides relevant, complete, and timely in the context of the current geopolitical context, in context of the accelerated energy transition (including increasing macroeconomic impact of energy and climate policy) and in view of scientific/technological progress and innovation?	■ There are mechanisms in place to ensure information produced under the Regulation reflects new priorities (e.g., accelerated timetable for energy transition in view of scientific / technological progress). ■ The Regulation is fit for purpose to make the required information readily available at times of crisis.	<u>Qualitative indicators</u> ■ Extent to which reporting / review processes are seen as frequent enough. ■ Extent to which final / revised NECPs reflect emerging priorities. ■ Frequency of update of the Commission guidance and extent to which templates factor in new priorities. ■ Extent to which the required information was available during the recent energy crisis.	■ Legal mapping of reporting / review processes. ■ Desk research including mapping of final / revised NECPs. ■ International-level interviews. ■ EU-level interviews. ■ MS-level interviews ■ Survey of MS authorities. ■ Case studies. ■ Workshop on draft evaluation results.	See Section 5.3.1.2
Answer The governance mechanisms of the Regulation do not adequately address some of the issues that have come to the forefront of energy policy due to more recent geopolitical and legislative developments. These include climate adaptation and energy sufficiency. This may negatively impact the ability of the Regulation framework to fully respond to emerging needs in European energy and climate policy. The Russian aggression against Ukraine disrupted EU energy policy across several dimensions. Although this heightened the relevance of the Directive to the Energy Union's objectives and the need to accelerate the clean energy transition it also required a recalibration of immediate policy priorities and highlighted transition challenges. The energy supply crisis following the Russian aggression and the COVID-19 pandemic both highlighted the social and economic challenges that need to be overcome to meet the EU's climate change and just transition goals in the long term. Feedback from stakeholders suggest that socio-economic issues such as energy poverty and labour shortages are not adequately covered by the governance mechanisms of the Regulation. This inadequacy is exacerbated by the lack of robust macroeconomic assessments of the measures included in the NECPs.				

ANNEX IV. OVERVIEW OF BENEFITS AND COSTS AND TABLE ON SIMPLIFICATION AND BURDEN REDUCTION]

Overview of costs and benefits identified in the evaluation									
		Citizens/consumers		Businesses		Administrations		European Commission	
		Quantitative	Comment	Quantitative	Comment	Quantitative	Comment	Quantitative	Comment
Costs									
Direct compliance costs administrative costs	One-off costs	N/A	Citizens/consumers are not subject to any obligations related to the implementation of the Regulation	N/A	Businesses are not subject to any obligations related to the implementation of the Regulation	Total costs:	Figures based on estimates derived from previous studies accompanying the Governance Regulation Reporting on 2020 targets is a one-off obligation	Costs related to reporting exercises: EUR 1.1 million IT costs: EUR 5 million for design and implementation of e-platform	Costs based on self-assessment from EU institutions
						NECP: EUR 2.9 million to EUR 3.7 million (2023 prices)			
						NECPR: EUR 1.5 to EUR 1.9 million (2023 prices)			
						National LTSS: EUR 2.1 million to EUR 2.9 million (2023 prices)			
						GHG reporting and projections: EUR 0.6 million to EUR 0.8 (2023 prices)			

						Reporting on 2020 targets: EUR 0.8 million to EUR 1.3 million (2023 prices)			
Direct compliance costs administrative costs	Recurrent costs (per year)	N/A	Citizens/consumers are not subject to any obligations related to the implementation of the Regulation	N/A	Businesses are not subject to any obligations related to the implementation of the Regulation	Total costs of reporting and planning: EUR 13.9 million to EUR 19.5 million The largest costs items are (per year in 2023 prices): NECP: EUR 2.9 million to EUR 3.7 million NECPR: EUR 3.7 million to EUR 4.7 million National long-term strategies: EUR 1.1 million to EUR 1.4 million Integrated reporting on greenhouse gas policies and measures			

						and on projections: EUR 1.4 million to EUR 1.9 million NAP/NAS EUR 1.9 million to EUR 3.2 million Annual reporting (cumulative): EUR 2.9 million to EUR 4.5 million (2023 prices)			
Benefits									
Benefits: Direct benefits	Recurrent	N/A	Increased transparency and predictability of climate policies.	N/A	Contribution to creating a stable framework for clean energy businesses, which is crucial for long-term investment and development in the sector.	N/A	Increased transparency and predictability. Better coordination and cooperation among different national authorities. Greater coherence of planning and reporting timelines and procedures.	N/A	Reduced burden in monitoring resulting from more streamlined and digitalised reporting.

							Better-established processes, policies, and procedures. Effects on administrative burden are uncertain. 'Learning curve' component acknowledged by national authorities thus it is expected that the burden will fall over time.		
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Simplification and burden reduction

Simplification and burden reduction (savings already <u>achieved</u>) Report any simplification, burden reduction and cost savings achieved already by the intervention evaluated, including the points of comparison where available (e.g., REFIT savings predicted in the IA or other sources).								
	Citizens / consumers / workers		Businesses		Administrations		Commission	
	Quantitative	Comment	Quantitative	Comment	Quantitative	Comment	Quantitative	Comment
Type: Recurrent	Not applicable	Citizens / consumers are not subject to any obligations related to the implementation of the Regulation.	Not applicable	Businesses are not subject to any obligations related to the implementation of the Regulation.	N/A	The Regulation has streamlined energy policy planning and reporting. The impact assessment estimates a reduction of direct reporting costs of around 5% per year compared to the baseline. However, some Member States note a rise in administrative burden, while others report actual savings in time and/or resources. It is difficult to disentangle the workload created by the Governance Regulation from aspects of the	N/A	Reduced burden in monitoring resulting from more streamlined and digitalised reporting.

						national administrations (including limited coordination between those involved in the reporting obligations, and the additional workload imposed by the Regulation – if any – compared to reporting obligations already in the baseline.)		
PART II: II Potential simplification and burden reduction (savings) <i>Identify further potential simplification and savings that could be achieved with a view to make the initiative more effective and efficient without prejudice to its policy objectives¹⁵⁴.</i>								
	Citizens/Consumers/Workers		Businesses		Administrations		All	
	Quantitative	Comment	Quantitative	Comment	Quantitative	Comment	Quantitative	Comment
Description:								
Type: Recurrent	Not applicable	Citizens / consumers are not subject to any obligations related to the implementation of the Regulation	Not applicable	Businesses are not subject to any obligations related to the implementation of the Regulation	Costs for annual reporting (cumulative) represent about 22% of the recurrent costs incurred by Member States to comply with the Governance	Streamlining of the NECPs and LTSs Alignment with obligations under Directive (EU) 2016/2284 on the reduction of national emissions of certain atmospheric	N/A	Expansion and improved functionality of the e-platform, for instance to allow for more effective reuse of information.

¹⁵⁴ This assessment is without prejudice to a possible future impact assessment.

					Regulation on a yearly basis. Reducing the frequency of this obligation (e.g., every two years instead of every year) would reduce by half the costs of the obligation, and by 12% the annual costs for Member States.	pollutants, and National Air Pollution Control Programmes under the NEC Directive Alignment of frameworks on GHG emissions with UN obligations: both include biennial reporting obligations, but each in different year (even years for UNFCCC/BTR – Biennial Transparency Report, and odd years for NECPR. Removal of the reporting on oil stocks. Expansion and improved functionality of the e-platform, for instance to allow for more effective reuse of information.		
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Introduction

This **synopsis report** summarises the consultation outreach and stakeholder feedback received during the study¹⁵⁵. Section 1 presents the approach to the consultation, while Section 2 summarises stakeholder feedback.

Approach to the consultation

The stakeholder consultation comprised a call for evidence, scoping interviews, a main interview programme, and three online surveys that were tailored to different stakeholder groups. A hybrid (in-person and online) validation workshop was also organised by DG ENER and DG CLIMA after submission of the evaluation's second intermediate report providing an opportunity for participants to discuss the preliminary study findings.

Overview of the consultation strategy

Before launching the stakeholder consultation, a comprehensive consultation strategy was developed detailing the stakeholder groups to be approached, the consultation methods to be used for each group, and the lines of enquiry and specific questions to be covered. Table 1 below shows the number of stakeholders contacted and consulted.

Overview of consultation strategy and results

Stakeholder group			Consultation method	Stakeholders contacted	Feedback received
EU entities					
European Commission (including DG ENER, DG CLIMA, as well as other DGs)			Semi-structured online interviews	5	5 interviews
European Environment Agency (EEA)			Semi-structured online interviews	2	2 interviews
European Committee of the Regions			Semi-structured online interviews	1	1 interview
Joint Research Centre (JRC)			Semi-structured online interviews	4	2 interviews

¹⁵⁵ Support study for the evaluation of Regulation (EU) 2018/1999 on the Governance of the Energy Union and Climate Action – final report (forthcoming)

Member State national authorities				
Authorities responsible for planning / reporting obligations	Semi-structured online interviews Online survey of national authorities	87	7 interviews (13 national authorities) ¹⁵⁶ 31 survey responses	
Other national authorities and agencies	Semi-structured online interviews Online survey of national authorities	140	2 interviews (3 national authorities) 2 survey responses	
Industry stakeholders				
EU-level and national industry associations and organisations	Semi-structured online interviews Online survey of industry stakeholders	295	4 interviews 17 survey responses	
Third-sector stakeholders				
Civil society organisations and non-governmental organisations (NGOs)	Semi-structured online interviews Online survey of third-sector stakeholders	79	16 interviews (15 organisations) 12 survey responses	
Consumer organisations	Semi-structured online interviews Online survey of third-sector stakeholders	6	X	
Individual experts	Semi-structured online interviews Online survey of third-sector stakeholders	17	1 interview	
Academic institutions and research organisations	Semi-structured online interviews Online survey of third-sector stakeholders	55	3 interviews 6 survey responses	
Trade unions	Semi-structured online interviews Online survey of third-sector stakeholders	3	1 survey response	

¹⁵⁶ Some interviews had more than one authority from the same Member State taking part at the same time.

Other stakeholder groups			
International organisations	Semi-structured online interviews	13	X

Results per consultation method

The following sub-sections summarise the number of stakeholders reached by each consultation method.

Online interviews

44 semi-structured online interviews were conducted during the evaluation, including 10 scoping interviews during the inception stage (between July and August 2023), and 32 key informant interviews with stakeholders between September and December 2023.

In total, invitations were sent to 699 individual contacts, including 219 contacts within national authorities (representing 85 national authorities), 299 industry contacts (representing 210 industry organisations) and 160 third-sector stakeholders (representing 115 organisations and 17 individual experts).

An additional 36 interviews were conducted for the case studies between January and March 2024. These included 22 interviews with national authorities, 13 interviews with third-sector stakeholders and one interview with an industry organisation.

Overview of interviews conducted for the case studies

Case study	Interviews conducted
BELGIUM	National authorities: 5 interviews
	Third-sector stakeholders: 1 interview
DENMARK	National authorities: 1 interview
FRANCE	National authorities: 3 interviews
	Third-sector stakeholders: 4 interviews
GERMANY	National authorities: 4 interviews
	Third-sector stakeholders: 3 interviews
MALTA	National authorities: 4 interviews
	Third-sector stakeholders: 3 interviews
POLAND	National authorities: 2 interviews
ROMANIA	National authorities: 3 interviews
	Third-sector stakeholders: 2 interviews
	Industry organisations: 1 interview

TOTAL INTERVIEWS CONDUCTED	36
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The number of scoping interviews conducted met the target for the evaluation. However, only around half the planned key informant interviews could be conducted. This was despite the strategies adopted by the support study team to try and increase the participation rate, which included contacting additional stakeholders, asking stakeholders for references and to share the invitation to their own contacts, sending reminders and using alternative contact methods (e.g., phoning) or channels where relevant. Nearly all stakeholders that declined to be interviewed did not specify a reason, though a small minority indicated either not being available or not feeling capable to comment on the Regulation.

Online surveys

Three targeted online surveys were carried out during the evaluation:

- One survey for national authorities. The survey was sent to 219 contacts (representing 85 national authorities) and received 20 responses.
- One survey for industry stakeholders. The survey was sent to 289 contacts (representing 210 different industry organisations) and received 17 responses.
- One survey for third-sector stakeholders. The survey was sent to 146 stakeholders (representing 115 different organisations and 17 individual experts) and received 19 responses.

The surveys were launched in English on 4 October 2023 and remained open for seven weeks, until 27 November 2023. The surveys were kept open two weeks longer than initially planned in an attempt to boost the response rates. Although the surveys generated considerable interest, the final number of usable responses was around half the level initially anticipated. No responses to the online surveys appeared to have been submitted as part of a coordinated campaign. Several largely incomplete responses were discarded during the data cleaning and analysis process to ensure the integrity of the final dataset.

Call for evidence

The call for evidence hosted on the European Commission's 'Have Your Say' website¹⁵⁷ ran between July and August 2023, eliciting 53 responses from the public. The majority of respondents answered on behalf of an NGO (34%), an environmental organisation (9%) or an academic / research institution (6%). Public authorities accounted for 15% of responses, while around one in five respondents represented either a business association (13%) or a company (9%). 9% of responses were submitted by EU citizens in their personal capacity. Responses came from 16 EU Member States and two third countries (Australia and the United Kingdom), with the most represented countries being Belgium (18 responses) and

¹⁵⁷ https://ec.europa.eu/info/law/better-regulation/have-your-say/initiatives/13799-Energy-Union-and-climate-action-Review-report-on-the-Governance-Regulation_en

Germany (9 responses). Around half the responses from stakeholders in Belgium were from EU interest organisations.

Stakeholder event

The European Commission also organised a hybrid stakeholder event on 11 January 2024¹⁵⁸. The event included around 120 representatives from Member States' national authorities, industry organisations, as well as civil society stakeholders. A total of 460 online connections¹⁵⁹ were registered during the event, with a peak online viewership¹⁶⁰ of 174.

After introductory remarks by the European Commission, ICF¹⁶¹ presented the emerging findings of the evaluation. Participants were then invited to discuss, question, validate or refute the data and emerging findings. The event was organised in three thematic sessions covering (1) target achievement, (2) integrated planning and streamlining, and (3) cooperation and consultation. The discussion included an online interactive polling session where participants were invited to score and express their views on a series of questions and statements about the Governance Regulation.

Summarised stakeholder feedback

Relevance of the Regulation

Most of the stakeholders consulted agreed that the Governance Regulation remains a relevant piece of legislation to govern EU climate action and energy policy goals. The stakeholders interviewed generally indicated that it remains a relevant instrument¹⁶², although several asked for it to be updated to reflect recent EU and international legislative and policy initiatives¹⁶³.

Relevance vis-à-vis the EU legislative framework

The national authorities and third-sector stakeholders that responded to the online surveys had noticeably different views about the continued and future relevance of the Governance Regulation. Around half (13/25) of the responding national authorities agreed that the Governance Regulation's provisions and obligations remain relevant and up-to-date in light of EU legislative developments. Only about a third (4/14) of responding third-sector stakeholders agreed. Half the third-sector stakeholders that participated in the survey disagreed (2/14) or strongly disagreed (5/14) that the provisions and obligations of the Governance Regulation remain relevant and up-to-date, as did the seven national

¹⁵⁸ https://energy.ec.europa.eu/events/workshop-evaluation-governance-energy-union-and-climate-action-regulation-2024-01-11_en

¹⁵⁹ A viewer can generate more than one connection during the live event, e.g., close and reopen the streaming page later, this counts as double connection.

¹⁶⁰ Maximum simultaneous unique viewers at a specific moment in time.

¹⁶¹ The external contractor leading the support study.

¹⁶² Key informant interviews with two EU bodies, one national authority, one individual expert and five civil society organisations.

¹⁶³ Key informant interviews with one EU body, two national authorities, one individual expert, two research organisations and seven civil society organisations.

authorities that indicated that the Governance Regulation is no longer relevant or aligned with EU developments.

Respondents to the call for evidence highlighted that legislative changes made after 2018 had significantly reduced the relevance of the Governance Regulation¹⁶⁴. These changes include the adoption of the European Green Deal, the Fit-for-55 package, the REPowerEU plan, the European Climate Law, and the collective commitment to a long-term climate-neutrality objective. For instance, seven stakeholders highlighted elements brought in by the new Renewable Energy Directive and the Energy Efficiency Directive that are not aligned with the Governance Regulation.

Three stakeholders also explained that the EU has not updated its 2018 long-term strategy ('Clean Planet for all Europeans'), which made it outdated and not in line with the new EU legislative and policy landscape on energy and climate¹⁶⁵. Four respondents underlined that the Governance Regulation does not capture nor define the important concept of energy sufficiency¹⁶⁶.

Participants in the stakeholder event generally found that the Governance Regulation, its planning and reporting tools have helped achieve national or EU energy and climate objectives¹⁶⁷.

Relevance vis-à-vis the international framework

The survey results were similar in relation to developments in the international framework: most national authorities (14/21) thought the Governance Regulation remains relevant, while half of responding third-sector stakeholders disagreed (3/14) or strongly disagreed (4/14).

In terms of gaps, although national energy and climate plans (NECPs) and national long-term strategies (LTSs) are subject to the access to information and access to justice obligations of the Aarhus Convention, six respondents to the call for evidence underlined that the Governance Regulation lacks any reference or specific provisions on access to justice¹⁶⁸.

Fitness for the future

The Governance Regulation's fitness for the future came under scrutiny, especially by third-sector respondents. A majority expressed disagreement (7/14) or strong disagreement (5/14) that the Regulation is fit for the future beyond 2030 in its present form. National authorities voiced more varied views: 10 out of 25 agreed that the Governance Regulation is fit for the future, while seven disagreed. A notable portion (8/25) gave a neutral response.

¹⁶⁴ NGOs (8), business associations (2), environmental organisations (3), EU citizens (1), public authorities (2), other (1), academia (1).

¹⁶⁵ NGOs (1), environmental organisations (1), academia (1).

¹⁶⁶ NGOs (2), environmental organisations (1), academia (1).

¹⁶⁷ A majority responded that this was the case to some (38/94) or to a large extent (37/94).

¹⁶⁸ NGOs (3), environmental organisations (2), academia (1).

Readiness to respond to changes and crises

Most of the third-sector respondents surveyed (10/13) indicated that the Governance Regulation has not provided an effective framework to respond to socio-economic, environmental, and geopolitical changes and crises.

In the call for evidence, stakeholders underlined that recent geopolitical events, including the COVID-19 pandemic and Russia's war of aggression against Ukraine, make an update of the Governance Regulation imperative to ensure it remains relevant and fit for purpose¹⁶⁹.

Three national authorities that responded to the survey considered that biennial reporting on adaptation measures was too short a timeframe and could prove challenging for authorities to accurately complete, as these measures were updated less frequently due to longer planning cycles. An additional national authority discussed the challenges they experienced in reporting on how their Member State could reach adaptation targets. They found it difficult to identify new measures that could realistically be designed and adopted at national level. Two of the civil society organisations interviewed indicated that climate adaptation needs to be better covered by the Regulation, with one arguing that climate adaptation needs to be mainstreamed into the NECPs. This resonated with one national authority that explained during an interview that it was unclear whether adaptation measures should have been integrated in their NECP. The stakeholder emphasised that practices differed across Member States on this aspect.

Effectiveness of the Regulation

This section summarises how effective stakeholders believe the Governance Regulation has been in achieving its objectives.

Effect of the Regulation on Member States adopting national measures

The stakeholders surveyed reported that the Governance Regulation has at least to some extent contributed to their Member State adopting or implementing measures to meet national energy and climate contributions and the EU's 2030 targets for energy and climate¹⁷⁰. A majority also indicated that implementation of the Governance Regulation has at least to some extent contributed to their Member State adopting or implementing policies or measures to meet greenhouse gas emission commitments in line with the Paris Agreement¹⁷¹.

¹⁶⁹ NGOs (4), business associations (2), environmental organisations (2), EU citizens (1), public authorities (1).

¹⁷⁰ Respondents who answered 'to some extent' or more, including 24 out of 28 national authorities and 12 out of 17 third-sector stakeholders.

¹⁷¹ Over half the third-sector stakeholders (10 out of 17) and most national authorities (23 out of 27) indicated that implementing the Governance Regulation has at least to some extent contributed to their Member State adopting or implementing policies and measures to meet greenhouse gas emissions commitments in line with the Paris Agreement. One national authority and five third-sector organisations indicated that the Governance Regulation has not contributed at all to this objective.

Some respondents to the call for evidence raised concerns about the lack of obligations to ensure coherence between NECPs and national LTSs, and whether the NECPs thus put the Member States (and the EU) on the pathway to decarbonisation, in line with the countries' LTSs and the EU's climate-neutrality goal¹⁷². This point was also emphasised by two civil society organisations that participated in the stakeholder event.

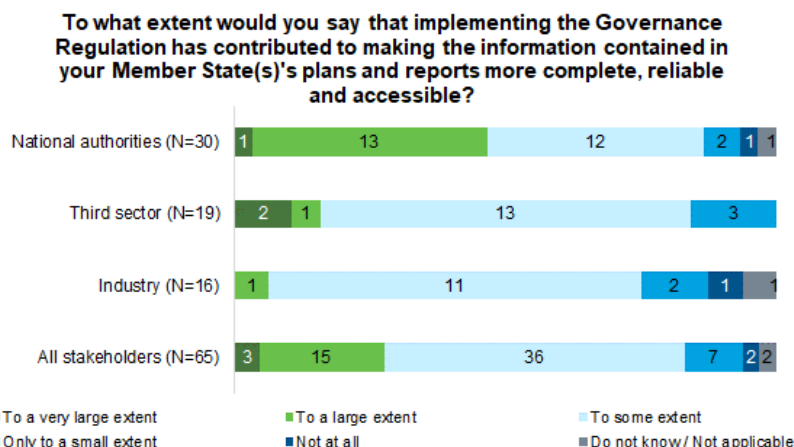
Information contained in national plans and reports

When asked about the impact of the Regulation on the completeness, reliability and accessibility of data contained in national plans and reports, the stakeholders surveyed tended to indicate that the Governance Regulation has contributed to some extent.¹⁷³ National authorities represented the large majority of respondents who considered the Regulation to have contributed to better information at least 'to a large extent'. The stakeholders surveyed generally found the indicators included in national reports, in accordance with the Regulation, to be helpful at least to some extent in tracking Member States' progress across the five dimensions of the Energy Union¹⁷⁴.

¹⁷² NGOs (4), environmental organisations (2), academia (1).

¹⁷³ More than half (55%) of all respondent groups replied with 'to some extent'.

¹⁷⁴ Three quarters of respondents (49/64) answered with 'to some extent' or more, with responses not varying significantly between stakeholder groups.



Source: ICF online surveys, *Evaluation of the Governance Regulation*

Survey respondents provided slightly positive views regarding the public accessibility of data contained in national plans and reports¹⁷⁵. Most national authorities reported that the Regulation has had a positive impact in this regard¹⁷⁶. About a third of respondents (19/65) across all stakeholder groups reported that the Regulation has contributed to greater public accessibility ‘only to a small extent’ or ‘not at all’.

All stakeholder groups were critical of the extent to which the Regulation had contributed to Member States meeting their obligations on time and making information accessible in a timely manner. National authorities were evenly divided, with one third (10 out of 30) finding the Regulation had a rather positive impact, while another third (9 out of 30) felt it had not significantly improved timeliness or had done so only marginally. Two of the latter group specified that elements beyond the Regulation’s reach played a greater role (namely political priorities and pre-existing national frameworks), but two also thought that the additional reporting obligations had put a strain on (notably smaller) public administrations. Just under half of industry and third-sector stakeholders indicated that the Regulation had helped with timeliness ‘only to a small extent’ or ‘not at all’¹⁷⁷.

Three national authorities that participated in the stakeholder event also emphasised obstacles impeding the timely submission of reports and data, such as the large amount of data to be collected, analysed, and reported, and the need to regularly update submitted data for progress reports.

Some of the stakeholders interviewed remarked that the introduction of the Governance Regulation and accompanying plans and reports had noticeably improved the availability of information in their Member State¹⁷⁸. Several pointed out the differing levels of

¹⁷⁵ More than a third of respondents (24/65) thought the Regulation had contributed to greater accessibility for the public ‘to some extent’, an additional 16 ‘to a large extent’ and 4 ‘to a very large extent’.

¹⁷⁶ Three quarters (23/30) reported the Regulation had contributed to greater accessibility at least ‘to some extent’.

¹⁷⁷ 6 of 15 industry stakeholders and 8 out of 19 third-sector respondents chose one of these answers.

¹⁷⁸ Interviews with two national authorities, one research organisation, seven civil society organisations.

information and completeness of reports between Member States, however, highlighting that certain reports do not contain the expected data¹⁷⁹. Several interviewed national authorities emphasised issues with timeliness and timeframes of reporting and updates¹⁸⁰. Some also remarked that certain data required by the European Commission were unavailable in their Member State¹⁸¹. By contrast, several of the stakeholders interviewed recognised improvements since the first NECPs were published¹⁸².

Usefulness of national plans and reports

The national authorities surveyed indicated that information contained in NECPs, national LTSs and Member States' progress reports had been used for decision-making at a national level¹⁸³. The opinions voiced by respondents from the third sector and industry were more varied, with close to half of industry representatives (8/17) considering that such data was only marginally used for decision-making, if at all.

Some respondents to the call for evidence indicated that the preparation of NECPs was sometimes viewed as a bureaucratic tool/check-boxing exercise, rather than a political priority¹⁸⁴. One stakeholder added that NECPs often comprised 'a compilation of existing plans', rather than a standalone plan with new information. Moreover, this had consequences for the obligations provided in Article 10 of the Governance Regulation on public participation: when the NECP is based on existing plans, 'there is no new content to consult the public on'¹⁸⁵.

According to eight respondents to the call for evidence, LTSs were not given enough prominence in the Governance Regulation, nor by Member States, with some Member States submitting their LTS with substantial delay¹⁸⁶. The absence of a binding template for the LTSs was also mentioned as contributing to this issue. One stakeholder also explained that the five-year timeframe might be insufficient to include updated information¹⁸⁷.

Interviews with national authorities revealed that while some Member States viewed the NECPs and LTSs as strategic and policy-setting documents, others tended to perceive them as a compendium of existing data and current or planned measures, with varying levels of usefulness depending on whether similar documents were already drawn up nationally¹⁸⁸. Several third-sector stakeholders highlighted shortcomings in internal coherence and usefulness resulting from the fact that the first NECPs were submitted before LTSs,

¹⁷⁹ Interviews with three EU bodies, one industry association, three research organisations, three civil society organisations.

¹⁸⁰ Interviews with three national authorities.

¹⁸¹ Interviews with two national authorities.

¹⁸² Interviews with one research organisation, two civil society organisations.

¹⁸³ More than two thirds (19/27) answered with 'to some extent' or more.

¹⁸⁴ NGOs (1), environmental organisation (1), academia (1).

¹⁸⁵ Public authority (1).

¹⁸⁶ NGOs (6), environmental organisations (1), academia (1).

¹⁸⁷ Public authority (1).

¹⁸⁸ Interviews with five national authorities, two civil society organisations.

meaning that they lack the long-term political vision and impetus which would govern policy and goal attainment¹⁸⁹.

Streamlining

Six respondents to the call for evidence highlighted that the Governance Regulation is a key pillar of the EU's energy and climate legislative framework, as it streamlined the different climate and energy planning and reporting requirements, particularly through the introduction of NECPs¹⁹⁰.

Some respondents to the call for evidence found the design of NECPs to be ineffective or insufficient to bridge the gap between measures and objectives¹⁹¹. Specifically, according to eight respondents, the NECP template provided in Annex I to the Governance Regulation no longer reflects the latest scientific progress or developments in EU climate and energy policies¹⁹².

Some of the stakeholders interviewed agreed that the Governance Regulation has helped integrate and streamline previously scattered obligations¹⁹³. By contrast, several interviewees argued that the Governance Regulation had also made their Member State's planning and reporting processes more complex¹⁹⁴. Some stakeholders highlighted turnover challenges encountered by national authorities, leading to a loss of institutional memory and in-house expertise, thereby affecting their ability to fulfil obligations effectively and efficiently (as they often have to rely on consultancies to complete tasks) and on time¹⁹⁵. Changing political priorities was also highlighted as a barrier for medium and long-term consistency¹⁹⁶.

Several interviewed national authorities mentioned that the guidance shared by the European Commission had proved relevant and useful¹⁹⁷.

Effective enforcement

The stakeholders surveyed held differing views on whether the Regulation's enforcement mechanisms (to tackle insufficient national contributions or implementation of EU energy and climate objectives) are sufficient and fit for purpose. Just over half the responding national authorities (14/26) thought the enforcement mechanisms are sufficient and fit for purpose, while a clear majority of third-sector respondents (14/16) disagreed or strongly disagreed. Most national authorities (15/26) also reported that the Regulation's enforcement mechanisms were effectively deployed when needed, whereas third-sector

¹⁸⁹ Interviews with one individual expert, two research organisations, three civil society organisations.

¹⁹⁰ NGOs (2), business associations (2), academia (1), other (1).

¹⁹¹ NGOs (1), business associations (1), environmental organisations (2).

¹⁹² NGOs (3), business associations (4), environmental organisation (1).

¹⁹³ Interview with one EU body, three national authorities, two research organisations, two civil society organisations.

¹⁹⁴ Interview with two national authorities.

¹⁹⁵ Interview with one national authority, one individual expert, two research organisations, one civil society organisation.

¹⁹⁶ Interview with one national authority, two research organisations.

¹⁹⁷ Interviews with three national authorities.

respondents were evenly divided between those that agreed and those that disagreed (5/16 for each answer).

Respondents to the call for evidence indicated that Articles 29 to 34 of the Governance Regulation had not been effective in ensuring a strong enforcement framework for climate and energy targets¹⁹⁸. They highlighted that the current rules are insufficient to ensure that Member States meet their targets. Specifically, they considered that the current delivery gap mechanism (Article 32) does not function effectively, and that there is a need for quicker intervention and greater transparency in discussions between the European Commission and Member States on the measures taken.

Several of the stakeholders interviewed underlined that Member State compliance with the Regulation's obligations was sometimes limited. However, limited compliance did not always pertain to the Regulation itself but to political considerations and the need to acquire buy-in from Member States in light of growing obligations and administrative burden¹⁹⁹. Nonetheless, several third-sector stakeholders considered that the Regulation's enforcement procedure could be made more transparent and that the enforcement mechanism should be strengthened to more effectively tackle non-compliance²⁰⁰.

Effective contribution to greater predictability and certainty

Survey participants were asked whether the Governance Regulation has created more predictability and certainty for public and private investors. While national authorities had mixed views, industry and third-sector stakeholders tended to indicate that the Governance Regulation has only marginally contributed to improving the predictability and certainty for investors, if at all²⁰¹.

During the stakeholder event, one industry participant highlighted the importance of the Governance Regulation as a common reference point for Member States to set ambitions and investment levels. They mentioned that, in this respect, the Governance Regulation helps provide regulatory certainty, which stakeholders should make greater use of. They also highlighted how uncertainty can be detrimental to investment levels and markets, especially in sectors vulnerable to external crises (e.g., political and geopolitical). By providing regulatory certainty, the Governance Regulation may have helped stimulate investment and ensure market stability.

Although several stakeholders thought that the Regulation's plans and reports should contribute to greater predictability and certainty for public and private investors²⁰², they found it generally unclear whether this had materialised in higher levels of investment. One national authority highlighted that the timeline of NECPs and of their update was not

¹⁹⁸ NGOs (10), business associations (1), environmental organisations (3), academia (2).

¹⁹⁹ Interviews with two EU bodies, one national authority, one research organisation, two civil society organisations.

²⁰⁰ Interview with one individual expert, one research organisation, seven civil society organisations.

²⁰¹ Half of third-sector respondents (9/18) and just under half of industry respondents (7/16) answered with 'only to a small extent' or 'not at all'.

²⁰² Interviews with two EU bodies, three national authorities, two civil society organisations.

set up to inform the EU budget, with no way of reprogramming funds before 2027 (e.g., structural funds, the Just Transition Fund or common agricultural policy) to support the implementation of the NECPs. Four industry representatives thought that national plans and reports had not played a major role in private investors' decision-making. Several third-sector interviewees thought that national plans and reports had not offered sufficient clarity or tangible projections to guide public or private investment²⁰³.

Regional cooperation

A majority of surveyed national authorities thought that the Governance Regulation has led Member States to increase or take more advantage of mutual cooperation²⁰⁴. Nevertheless, most participants responding to the live poll during the stakeholder event thought that the Governance Regulation has only promoted regional cooperation to a limited extent (19/49) or to some extent (15/49).

Several interviewed national authorities reported fruitful examples of regional cooperation for the purpose of implementing the Governance Regulation²⁰⁵, although one indicated that such cooperation would probably have taken place even without the Governance Regulation. One EU official interviewed considered that regional cooperation remains underutilised at EU level.

Multi-level dialogues and public consultation

Most national authorities that responded to the online survey indicated that their Member State had conducted multi-level climate and energy dialogues involving local authorities, civil society organisations and other relevant stakeholders²⁰⁶. They also tended to think that their country had involved the public and taken due account of public feedback when drafting and updating national plans, at least to some extent²⁰⁷. Third-sector stakeholders were more critical: more than half believed that Member States had not set up sufficient multi-level dialogue enabling stakeholders to discuss policy scenarios and review progress²⁰⁸, and half also thought that Member States had not provided the public with effective and timely opportunities to comment and engage in the NECP and LTS process²⁰⁹.

For several respondents to the call for evidence, Article 10 (public consultation) of the Regulation was not effective in ensuring public consultation in the preparation of NECPs²¹⁰. They indicated that public participation had varied significantly across Member

²⁰³ Interview with three research organisations, seven civil society organisations.

²⁰⁴ According to 15 out of 24 respondents, most of whom (11) believed this had been done by their Member State 'to some extent'. A third of respondents (8/24) answered that this has been the case 'only to a small extent'.

²⁰⁵ Interview with four national authorities.

²⁰⁶ A majority (16/24) considered this was done 'to a large extent' or 'to a very large extent'.

²⁰⁷ A majority (13/25) selected either 'to a large extent' or 'to a very large extent' while the rest (11/25) answered with 'To some extent'.

²⁰⁸ Most (9/17) said this had been done 'only to a small extent', if 'not at all'.

²⁰⁹ Half (7/14) said Member States did so 'only to a small extent' or 'not at all'.

²¹⁰ NGOs (8), business associations (1), environmental organisations (3), Academia (1).

States and had frequently not been very meaningful. Some respondents also mentioned that Article 11 (multi-level climate and energy dialogue) of the Regulation had not been effective in ensuring that Member States implement multi-level governance processes when designing, implementing, and monitoring national energy and climate policy²¹¹. They found that setting up and holding regular meetings of multi-level climate and energy dialogues had not happened in a structured or systematic way, and that the feedback periods were too short to assess proposals and suggest potential amendments.

Several of the stakeholders interviewed underlined that multi-level dialogues and public consultations had been insufficiently conducted by Member States²¹². Several interviewees welcomed the addition of Articles 10 and 11 in the Governance Regulation, noting that the language left large leeway for Member States to take action²¹³. Nevertheless, some third-sector interviewees found that, when conducted, multi-level dialogues and public consultations had not always been substantial or influential enough to feed into planning and reporting²¹⁴. One civil society organisation indicated that they had conducted their own research on application of Article 11 and found that the language in the Regulation lacked clarity and that implementation was not sufficiently transparent.

Interviewees highlighted significant variations between Member States in implementing Articles 10 and 11. Some national authorities argued that such consultations were complex and often suffered from a lack of time to prepare and conduct them meaningfully²¹⁵. Three national authorities remarked on the positive results that multi-level dialogue and / or public consultations had yielded in their Member States. However, two national authorities noted that similar dialogues and consultations were already in place before adoption of the Governance Regulation.

Participants responding to the live poll during the stakeholder event generally agreed (35/58) that a combination of insufficient provisions within and implementation of the Governance Regulation had led to varying levels of public participation across Member States. Seven third-sector organisations highlighted the need for public consultations to be better implemented and stakeholder feedback more valued.

Cost-effectiveness

Overall impacts on costs, time, and administrative burden

Compared to the situation before the Governance Regulation was adopted, a number of surveyed national authorities reported that:

- the Regulation had had a negative impact on costs linked to energy and climate planning and reporting (11/29);

²¹¹ NGOs (8), business associations (1), environmental organisations (1), Other (1).

²¹² Interview with one EU body, two industry organisations, six civil society organisations.

²¹³ Interview with one individual expert, two research organisations, two civil society organisations.

²¹⁴ Interview with one research organisation, five civil society organisations.

²¹⁵ Interviews with three national authorities.

- the Regulation had had a negative impact on time allocated to energy and climate planning and reporting (15/29);
- the Regulation had had a negative impact on the administrative burden linked to energy and climate planning and reporting (14/29).

Some respondents to the call for evidence noted the administrative burden created by the Governance Regulation, with its multiple planning and reporting processes and requirements²¹⁶. One public authority added that the Governance Regulation had not replaced reporting obligations in other areas, but had instead added a new layer of reporting, increasing the administrative burden.

Just over half the participants in the stakeholder event (42/80) considered that the Governance Regulation generally strikes the right balance between the need for granular information in national plans and reports on the one hand and keeping the administrative burden proportional on the other.

Most of the national authorities interviewed indicated that the time and administrative burden linked to their planning and reporting had increased since the Governance Regulation entered into force, although one indicated that it had led to cost savings in their Member State²¹⁷.

Costs

National authorities generally observed that costs had risen for most of the cost items presented, with only a few exceptions where respondents noted that costs remained unchanged since the Governance Regulation was implemented. In most cases, respondents indicated that the Regulation had not generated any cost savings for their authority and only a small minority identified any cost saving at all. The highest number of respondents indicated an increase in costs associated with implementing the Regulation in the following areas:

- Human resources needed to fulfil obligations (according to 16 out of 18 national authorities providing an answer, with 16 replying that this item had led to cost increases and two replying that associated costs had remained the same). Overall costs of preparing and submitting reports (14 out of 17 reported that this item had led to cost increases, with a further two respondents reporting that associated costs had remained the same and one noting a decrease in costs).
- Preparation and cross-service coordination for national plans and reports (according to 13 out of 16 respondents, with another three reporting that associated costs had remained the same).

²¹⁶ NGOs (1), public authority (2).

²¹⁷ Interviews with four national authorities.

- Running costs for coordination and data compilation (13 out of 16 reporting cost increases, with a further two respondents reporting that costs had remained the same and one reporting a decrease in costs).
- External costs such as consulting and support (13 out of 16 respondents, with a further three reporting that associated costs had remained the same).

One difficulty was the limited human resources available in national administrations to meet reporting and planning obligations, linked to a considerable level of turnover – meaning that national authorities lost expertise and institutional memory. Some therefore had to rely on external contractors to support this work²¹⁸.

Efficiencies and cost savings

At the same time, the national authorities surveyed generally found that the Regulation had led to some cost savings and more efficient planning and reporting in certain aspects, such as:

- Greater coherence of planning and reporting timelines and procedures (according to 15 out of 21 national authorities providing an answer on this item, with 15 considering that this item led to cost savings and more efficient planning, while three respondents disagreed).
- Greater coordination of different competent authorities (according to 14 out of 21 respondents. A further three respondents disagreed with that statement).
- Better-established processes, policies, and procedures (according to 13 out of 21 respondents, with another three disagreeing).
- Better quality and timeliness of information produced (according to 12 out of 21 respondents, while a further five national authorities disagreed).

Reporting via the EU electronic platform(s)

Overall, the national authorities surveyed had mixed views on the impacts that electronic reporting to the e-platform had on their services' costs, time, and administrative burden. Although several respondents agreed that (12/28) that the e-platform had made their reporting to the Commission easier, most disagreed or strongly disagreed (15/28) that having a common reporting platform had saved their Member State the cost of having to create or maintain a similar reporting platform at national level. Several national authorities found (12/28) that submitting information via the e-platform had led to more costly, complex, and time-consuming reporting in their Member State than would otherwise have been the case.

²¹⁸ Interviews with two national authorities, one individual expert.

Timing of planning and reporting obligations

The national authorities surveyed had mixed views on whether the timing of obligations under the Governance Regulation are internally consistent and reasonable²¹⁹, and whether they are consistent with the timing of national obligations²²⁰ and other EU obligations²²¹. A majority of respondents (13/24) thought that the timing of planning and reporting obligations under the Governance Regulation align well with international obligations, although a third (8/24) disagreed.

Two public authorities that responded to the call for evidence argued that the reporting platforms used for Member States' submissions were not efficient²²². One stakeholder explained that having to use two different platforms was suboptimal and hindered the efficient transfer of the necessary information. Another indicated that EU and international reporting tools should be interoperable in order to support Member States and reduce the reporting burden.

Several interviewed national authorities considered that the two reporting platforms are quite burdensome to use. Some national authorities highlighted issues with uploading data and some remarked that data was not transparent, easily accessible, or readable once uploaded²²³. Several stakeholders were confused about the existence of two different e-reporting platforms²²⁴. Third-sector interviewees generally had more positive views and experiences with these platforms and their usefulness, as well as of the data they include²²⁵. Some still highlighted issues with user-friendliness and readability²²⁶.

Coherence

Internal coherence

The national authorities surveyed generally thought that the obligations contained in the Governance Regulation are coherent (16/29). Although answers were not always clear-cut, the most common view was that the obligations of the Regulation do not overlap or duplicate each other (13/28) and are not internally contradictory (12/28). Of the surveyed national authorities noting the obligations are not internally coherent (6/29), overlap (9/28) or are contradictory (6/28), respondents pointed to possible inconsistencies between:

- reporting on greenhouse gas policies and measures (Article 18a) and provisions related to national energy and climate progress reports (NECPRs), notably Article 17(3) on greenhouse policies and measures (three surveyed national authorities);

²¹⁹ Eleven out of 25 respondents disagreed (6/25) or strongly disagreed (5/25) with that statement, against nine who agreed.

²²⁰ Twelve out of 26 respondents disagreed (8/26) or strongly disagreed (4) with that statement, against ten who agreed.

²²¹ Ten out of 26 respondents agreed with that statement, against nine who disagreed.

²²² Public authority (2).

²²³ Interviews with four national authorities.

²²⁴ Interviews with three national authorities, one research organisation.

²²⁵ Interviews with one individual expert, one research organisation, three civil society organisations.

²²⁶ Interviews with two research organisations, three civil society organisations.

- overlaps in the elements included in Sections 2, 3, 4 and 5 under each dimension of the NECP template, as included in Annex I to the Regulation (one surveyed national authority).

Eight respondents to the call for evidence reported a lack of consistency between the different planning instruments set out in the Governance Regulation²²⁷. Some argued that the sequencing of NECPs and LTSs was not coherent, as the first LTSs are submitted after the NECPs, although the former should inform the latter²²⁸. Since there is no mandatory revision of LTSs in the Governance Regulation, one respondent found this resulted in a situation in which the LTSs, although manifestly outdated, were not being reviewed, resulting in the long-term direction remaining unclear and misaligned with the short-term action expressed in the updated NECPs²²⁹.

Some third-sector interviewees similarly highlighted that not having a direct alignment between the NECPs and longer-term objectives and policy strategies of the LTSs undermined the internal coherence of the Governance Regulation²³⁰. This issue was also raised by two third-sector respondents to the online surveys, who believed the Governance Regulation lacks a provision requiring Member States to guarantee coherence between their NECPs and LTSs. Alignment between the two documents is perceived as too weak to ensure the Member States adopt national measures to reach climate neutrality by 2050.

Coherence with other EU and international instruments

Depending on their stated expertise, national authorities and third-sector stakeholders were asked targeted questions about the coherence of the Governance Regulation with external EU and international instruments in the climate and energy domains. The most common view was that the Regulation is coherent with the legislation underlying the Fit-for-55 package²³¹ and the European Climate Law²³². Views were slightly more divided on EU initiatives with climate and energy implications, such as REPowerEU, the Recovery and Resilience Facility and the European Semester²³³. Most national authorities thought the Regulation is coherent with the United Nations Framework Agreement on Climate Change (UNFCCC) and the Paris Agreement²³⁴, with only one respondent disagreeing.

Half the responding national authorities (12/23) thought the Governance Regulation is at least somewhat coherent with the Aarhus Convention²³⁵, although a large minority said

²²⁷ NGOs (5), environmental organisations (2), academia (1).

²²⁸ NGOs (1), academia (1).

²²⁹ NGOs (1).

²³⁰ Interviews with two research organisations, four civil society organisations.

²³¹ Twenty out of 24 national authorities and nine out of ten third-sector respondents answered ‘to some extent’ or more.

²³² Twenty out of 23 national authorities and seven out of ten third-sector respondents answered ‘to some extent’ or more.

²³³ A majority of national authorities found them coherent at least to some extent (14/24) but a third also answered with ‘do not know / not applicable’ (8/24).

²³⁴ Thirteen out of 24 responded ‘to a large extent’ or more, and seven responded ‘to some extent’.

²³⁵ UNECE Convention on Access to information, Public Participation in Decision-making and Access to Justice in Environmental Matters (Aarhus Convention), available at: <https://unece.org/environment-policy/public-participation/aarhus-convention/text>

they did not know or found the statement not applicable (11/23). In contrast, most third-sector stakeholders thought the Regulation is not coherent with the Aarhus Convention (5/7). For example, one third-sector stakeholder argued that the Governance Regulation does not guarantee access to information and to justice under the Aarhus Convention.

Some respondents to the call for evidence identified inconsistencies between timings in the Governance Regulation and other related EU pieces of legislation, such as between the planning process of the NECPs on the one hand, and REPowerEU chapters and the social climate plans on the other²³⁶. It was also argued that the sequencing and timing of the main governance processes under the Governance Regulation and the EU Climate Law are not coherent because information (e.g., from assessments under Articles 6 and 7 of the EU Climate Law) was not available in time to feed into the planning processes under the Governance Regulation – and vice versa²³⁷.

Respondents to the call for evidence argued that the Governance Regulation lacks coherence with newer pieces of EU legislation. They mentioned in particular the new EU targets for renewable energy and energy efficiency²³⁸.

Several of the stakeholders interviewed noted that the Governance Regulation needs to be updated to be coherent with newly adopted EU legislation²³⁹. By contrast, some interviewees found the Regulation coherent with the overarching EU framework and should not seek to be too prescriptive, lest it falls behind future initiatives²⁴⁰. Some timing inconsistencies between other EU or international obligations were identified as limiting coherence and creating additional burden²⁴¹.

As regards coherence with international processes, six respondents to the call for evidence indicated that the alignment between the five-year common timeframe of the EU climate policy cycle and the UNFCCC should be strengthened²⁴².

Three national authorities responding to the survey reported issues linked to the separate reporting timelines for NECPRs (due during odd years) and Biennial Transparency Reports (due during even years) carried out under the UNFCCC, highlighting that this cycle forced Member States to collect and report data annually, rather than every two years. One interviewed national authority identified the same issue in the context of reporting on greenhouse gas projections and adaptation. Another national authority mentioned different timelines on greenhouse gas inventories, which are reported under the Governance Regulation up to 15 March, and up to 15 April under the UNFCCC.

One national authority commented that interoperability between EU and UNFCCC reporting tools would help ease the administrative burden.

²³⁶ NGOs (1).

²³⁷ Academia (1).

²³⁸ NGOs (2), business associations (2), public authority (1), company / business (1), other (1).

²³⁹ Interviews with one EU body, two research organisations, five civil society organisations.

²⁴⁰ Interviews with one EU body, one national authority.

²⁴¹ Interviews with one EU body, two national authorities, two civil society organisations.

²⁴² NGOs (3), environmental organisations (2), public authority (1).

EU added value

Scenario without the Regulation

A slight majority of the national authorities surveyed (14/27) thought their Member State would not have achieved the same level of planning and reporting without the Governance Regulation (although a large minority (10/27) argued otherwise). Similarly, most third-sector respondents (10/14) concurred that the same level of planning and reporting would not have occurred in the absence of the Governance Regulation. Half of the responding national authorities (14/28) and most third-sector respondents (8/14) agreed that the Governance Regulation had made available information that would not otherwise have been accessible to the public in their Member State.

Several interviewees commented that the Governance Regulation had enabled a degree of data availability, accessibility and comparability at EU level that would not have been achieved by Member States on their own²⁴³. Several stakeholders thought that the Governance Regulation had improved the consistency of national energy and climate strategies across EU Member States²⁴⁴, and enhanced streamlining and coordination of national planning and reporting processes²⁴⁵. However, some interviewees noted that there remains scope to improve the consistency of adopted policies, and the comparability of reports and data²⁴⁶. All interviewees, even those from Member States with stronger pre-existing frameworks, reported that the Governance Regulation provides added value.

Harmonisation and predictability of national policies

Survey respondents had mixed views on whether the Governance Regulation has contributed to EU Member States adopting more coordinated and consistent national energy and climate policies. Just under half the responding national authorities (11/25) thought the Governance Regulation has contributed to more coordinated and consistent national energy and climate policies across the EU, while half the third-sector respondents (7/14) disagreed. Industry respondents were evenly split between those that agreed and those that disagreed. National authorities and third-sector stakeholders generally agreed that the Governance Regulation has contributed to national energy and climate policies becoming more transparent and predictable²⁴⁷. Industry respondents were evenly split between those that agreed and those that disagreed.

The stakeholders interviewed provided mixed views on whether the Governance Regulation has enhanced transparency and predictability²⁴⁸. Some reported that it has only

²⁴³ Interviews with two EU bodies, two national authorities, one research organisation, four civil society organisations.

²⁴⁴ Interview with one EU body, one national authority, two civil society organisations.

²⁴⁵ Interviews with one EU body, one national authority, two civil society organisations.

²⁴⁶ Interviews with two EU bodies, one national authority, one research organisation, three civil society organisations.

²⁴⁷ Thirteen out of 25 national authorities agreed or strongly agreed, and seven out of 14 third-sector respondents agreed or strongly agreed.

²⁴⁸ Interviews with one EU body, two national authorities, one research organisation, four civil society organisations.

had a limited effect and that much remains to be done to improve in this regard²⁴⁹. Overall, interviewees tended to have reservations, show uncertainty or scepticism on this point, not least due to the large effort required to substantially review national reports across the EU (interviewees usually acknowledged only having consulted one or a few national reports). Reflecting on the technicality and amount of data contained in national plans and reports, several interviewees doubted whether most EU citizens or organisations would have the time and skills needed to digest the information²⁵⁰.

Access to justice and accountability

Survey respondents had mixed views on the effects of the Governance Regulation on enhancing access to justice and on enabling public and private-sector bodies to hold Member States and the EU accountable for their obligations. Most (17/25) responding national authorities thought this had been achieved at least ‘to some extent’, but third-sector (7/14) and industry stakeholders (6/14) tended to think that this had happened ‘only to small extent’ or ‘not at all’. A majority of third-sector respondents (11/14) reported that the Governance Regulation lacks sufficient mechanisms to hold Member States and the EU accountable for their obligations. A majority (8/14) also indicated that the Regulation does not support access to justice for public and private stakeholders. They expressed mixed views when asked whether private and public bodies in their Member State are able to access justice and hold governments accountable for their obligations under the Governance Regulation²⁵¹.

While two national authorities thought the framework of the Governance Regulation allows access to justice in their Member State, several third-sector interviewees contended that this aspect of the Regulation is lacking and emphasised that, in practice, access to justice and holding Member States accountable for their obligations is not always ensured²⁵². They notably referred to the lack of clarity in the procedures for ensuring access to justice and limited enforcement mechanisms to make plans and reports binding. They also considered that the provisions of the Governance Regulation on access to justice are not strong enough.

²⁴⁹ Interviews with one national authority, one industry organisation, two civil society organisations.

²⁵⁰ Interviews with two industry organisations, one research organisation, two civil society organisations.

²⁵¹ Out of 17 respondents, six disagreed and three agreed. The majority of respondents did not choose either option or said they did not know.

²⁵² Interview with two research organisations and four civil society organisations.

ANNEX VI. ADDITIONAL EVIDENCE

Table 3: Overview of planning and reporting obligations in the Governance Regulation

Planning and reporting obligations	Related articles	Does the obligation pre-date the Governance Regulation?	Notes
NECP	3, 9, 14	No, but many elements from previous planning obligations	Both original & updates, draft and final
MS LTS	15	Yes	Under Article 4 MMR, Member States had to prepare low-carbon development strategies. Those strategies did not have the same structure as LTSs.
EU LTS	15	Yes	Article 4 (1) MMR: Commission on behalf of the Union to prepare a low-carbon development strategy. Obligation not in Commission proposal, added in co-decision
EU methane strategy	16		
NECPR	17-25	No, but many elements from previous reporting obligations	
UNFCCC reporting (Biennial report and National Communication)	17	Yes	There are new provisions under the Paris Agreement for the Biennial Report. Under decision 18/CMA.1 and 5/CMA.3, the EU and its Member States must submit a Biennial Transparency Report starting in 2024. National Communications continue to be submitted as before (<u>decision 2/CP.17</u>). (Article 18 MMR, biennial reports, and national communications).
Integrated reporting on greenhouse gas policies and measures and projections	18	Yes	Reporting of GHG projections and PaMs is established under UNFCCC and was to be one under the MMR, Articles 13, 14.
National climate change adaptation planning and strategies	19(1)	Partial	Under the MMR, reporting took place every 4 years (article 15) as established in the UNFCCC.

Reporting use of ETS revenues	19(2)	Yes	Reporting on ETS revenues – Article 19(2)- is established in Directive 2009/29/EC. MMR Article 17 (Reporting on the use of auctioning revenues)
Support to developing countries	19(3)	Yes	Under MMR obligations (Article 16)
Oil stocks	26	Yes	
Offshore safety	26	Yes	
Article 26 CLIMA	26	Yes	Articles 7-9 MMR
Reporting on 2020 targets	27	Yes	
SOEUR	35		
NECPR assessment report			
Carbon market report		Yes	
Bioenergy sustainability report			
Voluntary schemes report			
Gas internal market report		Yes	
Electricity internal market report		Yes	
EEOS report		Yes	
Renovation report		Yes	
NZEB report		Yes	
Internal market report		Yes	
Fuel quality report		Yes	
Competitiveness report			Obligation not in Commission proposal, added in co-decision
Subsidies report			Obligation not in Commission proposal, added in co-decision
CCS report		Yes	Article 38 under CCS is repealed with Governance
CAPR	29	Yes	Under MMR, Article 21
E-platform	28		
Union and national inventory systems, inventory review	37, 38	Yes	Art. 5 and 6 MMR, Art. 9 MMR, Art. 19 MMR
Union and national systems for policies and measures and projections	39	Yes	Art. 12 MMR

Establishment and operation of registries	40	Yes	Art. 10 MMR predecessor (updated in view of international developments)
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Table 4. Information on timeliness of major planning and reporting obligations

Article	
NECPs	So far, there have been significant delays in the submissions of (updated) NECPs each time a plan had to be submitted. For the draft NECPs (due 31-12-2018), 24 were notified before or shortly after the deadline. For the final NECPs (due 31-12-2019), 18 were notified before or shortly after the deadline. For the draft NECP updates (due 30-6-2023) 13 were notified before or shortly after the deadline. 6 infringements have been opened for late submission of the draft NECP updates. Late submission resulted in inefficiencies in the process of producing an EU-wide assessment of the draft NECP updates by the Commission. It is unclear to what extent this problem is directly linked to the Regulation or whether it results from practices and/or procedural bottlenecks occurring at Member State level. According to some stakeholders, one factor that may have hampered the timely submission of NECPs was the lack of alignment between the Regulation timeframe and other national-level cycles for adopting local/national plans. Some national authorities underlined problems with the short timeframe between the progress reports and the draft update NECPs, and constraints in terms of administrative capacity, which also makes it challenging to incorporate lessons learned between rounds of reporting.
LTS	Most LTSs were submitted late (only 9 out of 27 LTS were submitted on time), resulting in delays and inefficiencies in the process of producing an EU-wide assessment of the LTSs by the Commission. There are indications that the lack of timeliness in the submission of LTSs derives both from insufficient administrative capacity at national level to fulfil all the reporting obligations under the Regulation and the sequencing of the planning and reporting obligations (e.g., NECP deadline before the LTS deadline). A lack of strong enforcement and administrative burden at Member State level seem to have mainly caused the late submission of LTSs. Notwithstanding this, there is only limited evidence that the Regulation, as such, was ineffective in ensuring that LTSs were submitted in a timely manner.
NECPRs	The biennial integrated progress reports were submitted either on time (8 MS) or with a small delay, with minor implications on the Commission assessment. At a stakeholder event in early 2024, two national authorities mentioned that a large volume of information must be provided to fulfil the requirements of Article 17, which can impose a significant administrative burden on national authorities.

Integrated reporting on greenhouse gas policies and measures and on projections	The timeliness of submissions of Policies and Measures (PaMs) substantially improved from 2019 (9 out of 28 MS met the deadline) to 2021 (15 out of 27 MS met the deadline), before deteriorating in 2023 (11 out of 27 MS met the deadline). Information reported on projections of anthropogenic greenhouse gas emissions by sources and removals by sinks improved in 2019 (16 out of 28 MS met the deadline) compared to 2017 (13 out of 28), while it deteriorated in 2021. Notwithstanding these late submissions, the evaluation does not find a lack of effectiveness that can be attributed to the Regulation.
Integrated reporting on national adaptation action	The timeliness of this reporting substantially improved from 2019 (16 out of 27 MS met the deadline) to 2021 (17 out of 27 MS met the deadline) to 2023 (22 out of 27 MS met the deadline).
Integrated reporting on financial and technology support provided to developing countries	The timeliness of this reporting improved substantially from 2017 (16 out of 27 MS met the deadline) to 2019 (24 out of 27 MS met the deadline), but then deteriorated in 2021 and 2023 (16 out of 27 MS met the deadline).
Integrated reporting on auctioning revenue	The timeliness of this report varied, in 2017 (20 out of 27 MS met the deadline) in 2019 (23 out of 27 MS met the deadline), in 2021 (18 out of 27 MS met the deadline), in 2023 (20 out of 27 MS met the deadline).
Reporting on offshore safety	The reports were submitted either on time or with a small delay , with minor implications on the Commission's assessment.
Reporting on oil stocks	The reports were submitted either on time or with a small delay , with minor implications on the Commission's assessment.
Reporting on the 2020 targets	Of the reports on the achievement of the 2020 renewable energy and energy efficiency targets (due 30 April 2022), 21 were submitted before or shortly after the deadline. 3 infringements were opened for late submission. Late submissions had minor impacts on the Commission's assessment of the target achievement.

Table 5: Information on public accessibility of plans and reports under the Governance Regulation

	As required under article	Accessible at	Notes
NECP (2018, 2019, 2023)	3, 9, 14	National energy and climate plans (europa.eu)	All submitted iterations of the NECPs and all Commission assessments publicly accessible.
LTS	15	National long-term strategies (europa.eu)	All 26 submitted LTS publicly accessible.
NECPR (2023), including integrated policies and measures	17	Reportnet 3 (europa.eu) https://circabc.europa.eu/ui/group/da8e36ea-9d6e-47fd-bc85-a485cf354922	163 out of 189 dataflows made publicly available by MS. All submitted dataflows publicly accessible.
Projections (2023)	18	Reportnet 3 (europa.eu)	All publicly accessible.
Integrated reporting on national adaptation action, financial and technology support provided to developing countries and auctioning revenue (2023)	19	Reportnet 3 (europa.eu)	Adaptation action: All publicly available Support: All accessible

			ETS auctioning revenue: 24 out of 27 submitted publicly available.
GHG inventories (2023)	26	Reportnet 3 (europa.eu)	20 out of 25 submitted publicly available.
Oil stocks	26	-	Not publicly available as it contains sensitive data for MS.
Offshore safety	26	Safety of offshore oil and gas operations (europa.eu)	Commission report based on national submissions.
2020 target reports	27	https://circabc.europa.eu/ui/group/da8e36ea-9d6e-47fd-bc85-a485cf354922	All submitted reports publicly accessible.
State of the Energy Union, including its accompanying reports	35	Energy union (europa.eu) The State of the Energy Union is accompanied by a series of reports covering different aspects of energy and climate policy, including the annual Climate Action Progress Report. The latest (2023) version of this report can be accessed here: 60a04592-cf1f-4e31-865b-2b5b51b9d09f_en (europa.eu)	All published reports are publicly accessible.