

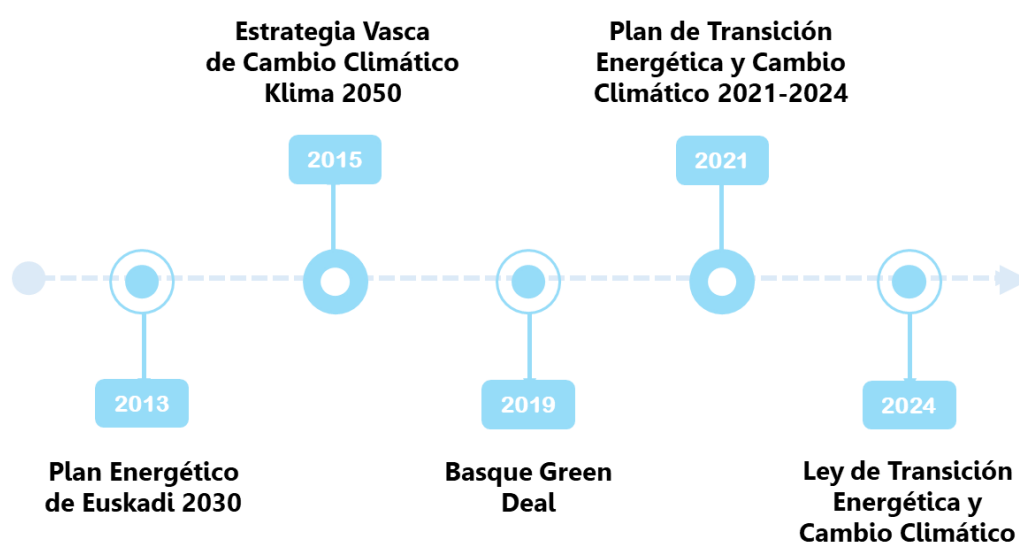
BASQUE ENERGY TRANSITION AND CLIMATE CHANGE ACT

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The Basque Parliament has approved the [Basque Energy Transition and Climate Change Act](#). This law, aligned with the European Green Deal, seeks to boost competitiveness through sustainable and fair development. Its main objective is to achieve climate neutrality and a just transition by 2050, with a commitment to do everything possible to advance this goal by 2045, and to this end it focuses on tackling climate change in all sectors and scales, encouraging mitigation and adaptation and promoting the transformation of Basque industry towards decarbonisation and boosting technological and industrial innovation.

Recognising the need for a response to climate change, the Law establishes several objectives, such as a 45% reduction in emissions in 2030 compared to 2005, a saving in final consumption of 37% in 2050 compared to 2021 and a share of renewable energies in final energy consumption of at least 32%.

The law addresses a wide range of areas, from agriculture to tourism, with specific measures to support organic farming and territorial resilience. It imposes obligations on various institutions and companies, such as the development of fossil fuel divestment plans or the measurement of the carbon footprint and the development of a plan to reduce it in industrial facilities, with the aim of achieving a zero or even negative carbon footprint if technically and economically feasible. This requirement also affects the trade and tourism sectors, which must implement a gradual reduction of their carbon footprint through a detailed analysis and the development of a strategic plan for its reduction.



A necessary but late law

Although it is considered an absolutely necessary law, many experts and groups have expressed their disappointment regarding the lack of scope and concreteness of the measures in this law. There is no doubt that improvements have been made since the first drafts of the Law, but it still falls short of the urgency of climate change, where it does not match the ambition set by the European targets. The Law's target of a 45% reduction in emissions by 2030 compared to 2005 (or its equivalent of a 33% reduction in emissions compared to 1990) falls far short of the European target of a 55% reduction in emissions by 2030 compared to 1990. On a more positive note, the Energy Transition and Climate Change Act does establish itself as a regulatory basis, from which different regulations can be developed to narrow down the scope and specify the measures more

specifically. The Basque Government has already mentioned that it is working on the development of these regulations.

Another criticism of the new regulation is based on the fact that this law proposes to change only the essentials, with the aim of disrupting the current model of production and consumption as little as possible. Proof of this is one of the most controversial points of the law: the use of synthetic fuels. Despite claims by energy companies such as Repsol and Petronor that synthetic fuels have a zero carbon footprint, it should be noted that for these fuels to be truly carbon neutral, [the CO2 used in their production must be captured directly from the atmosphere](#), rather than coming from the processing of the oil being refined. Furthermore, the inefficiency in the production of these fuels means that the entire process must be carried out using renewable energy to ensure carbon neutrality.

On the other hand, public divestment of assets related to fossil fuel exploration and exploitation is mentioned, which is positive. However, the issue of private corporations is not addressed, which implies that no timeframe is set for a phase-out of fossil fuels, especially given that these companies are the main players involved.

Another concern shared by different experts is the isolated approach to the transition from fossil to clean energy, without taking into consideration the real needs of the territory or assessing the capacities to develop the required infrastructures. Specifically, this concern, which was already evident in the 4,000 allegations received by the draft Territorial Sectoral Plan for Renewable Energies, and the new law continues the model based on large centralised energy production projects, with their corresponding environmental impacts that can affect sensitive areas of our territory.

Positive aspects: Governance, social equity and justice

Although no sanctioning regime is established, the Law presents a favourable point by considering the use of taxation to provide incentives for actions that promote adaptation to climate change or the reduction of greenhouse gas emissions. Furthermore, the allocation of 2.5% of Basque budgets to climate-related initiatives is valued, which, although it may seem a tight figure, represents at least a palpable commitment in this area. On the other hand, the approved legislation includes the creation of a Basque Register of Energy Transition and Climate Change Initiatives, which will be publicly accessible and will allow both public and private entities to register their actions in the area of climate action.

The Law highlights the importance of participatory governance, involving citizens through the creation of the Basque Office for Energy Transition and Climate Change, the Scientific Committee and the Citizens' Assembly. It also involves local institutions in the implementation of measures related to the Law.

Another key aspect is its focus on fairness and equity, ensuring an equitable distribution of costs and burdens. The Act establishes financing mechanisms and requires the participation of business in climate action. It also recognises the importance of a gender perspective and the need for a just transition for all sectors of society.

Finally, another favourable point of the new legislation lies in the inclusion of the energy and climate perspective in the Basque Government's budgets. The rest of the Basque administrations

will also promote the integration of the energy and climate perspective in their budgets at the design stage. However, the Law again shows limitations by limiting its action to the promotion of these perspectives instead of demanding their compulsory integration by the administrations.

Conclusion: A first step in the right direction, but not ambitious enough

The Basque Energy Transition and Climate Change Law marks a first step towards a more sustainable and resilient future. Although it addresses relevant issues, the new legislation is limited to unambitious changes, seeking not to disrupt the current model of production and consumption. However, in order to face the challenges of climate change, a radical change in this model is imperative, adjusting it to the biophysical limits of the planet.

Without a change in production and consumption patterns, there is no promising response to climate change.

