Danish reply to questionnaire / Thomas Haugsted & Peter Pagh / 10/05/2026

Avosetta Meeting, 29-30 May 2026, Copenhagen

"Instruments of Climate Mitigation and Energy Transition"

1. Political Situation

Is EU climate (and energy transition) policy generally supported or viewed critically in the respective national political context? How has national climate (and energy transition) policy developed in recent years? What are the prospects for future political developments? What are the key climate (and energy transition) policy controversies in the national political debate? What has been the role of the Courts in your national context?

Reply: *There is not much debate in Denmark regarding EU climate and energy transition policy, but the general opinion is positive. During the second half of 2025, the Danish Presidency of the Council worked actively for an ambitious climate agreement at COP30 in Brazil but was disappointed with the outcome and partly blamed (the absence of) the United States for this. The Danish self-image is still very much that of being 'best in class' when it comes to developing and executing on climate policy and energy transition.*

The national Danish Climate Act is from 2020 and established a "legally binding" reduction target on 70% in 2030 compared to 1990 and a goal of climate neutrality in 2050. In reality, the Climate Act is void of any legal effects and is thus purely a political instrument. In its latest report from February 2026, the Danish Council on Climate Change (Klimarådet) concluded that with the current policies, it is no longer plausible to reach to 2030-target in 2030. In December 2025, the Danish Government proposed a new reduction target on 82% in 2035 and advanced the goal of climate neutrality to 2045 (with 110% reduction in 2050). The proposal was not finally adopted by Parliament before the general election in March 2026.

The so-called Green Tripartite (a forum consisting of the authorities, NGO's and industry/agriculture organizations) reached an agreement in 2024 to introduce a new carbon tax on agriculture to be phased in from 2028 to 2030. The tax is targeted emissions from livestock farms, cultivation of lowland soil and spreading of agricultural lime. Apart from a major transition in land use (10% of the total land area has to be converted from agricultural land to wetlands, forests etc.), the Green Tripartite has also reached agreements on other climate-related initiatives such as "climate lowland projects", i.e. taking carbon-rich agricultural soils out of production and raising the water level in order to reduce agricultural emissions of CO_2 and other greenhouse gases. The national agreement reached within the Green Tripartite are now being worked into 23 local agreements which should point out specific areas and projects.

Climate and energy transition were not central themes during the election campaign leading to the Danish general election held on 24 March 2026. As of 8 May 2026, no new government has been formed so it is difficult to say what the prospect for future political developments will be in the coming four years. The most plausible outcome of the election is that a centre-left-wing government will replace the centrist government that has been in power since 2022.

The Danish courts have had no role in climate disputes so far.

2. Overall Climate Policy Targets

Are the EU's overall climate targets (2035/2040/2050) considered adequate / too ambitious / insufficient in national politics? Has the Member State set more ambitious national climate targets ("gold plating")? If so, what additional national targets are being pursued?

Reply: *The EUs' climate targets are generally considered insufficient as the Danish national climate goals are more ambitious. As mentioned above, the existing Danish climate goals are:*

- *70% in 2030 compared to 1990*
- *100% (net zero) in 2050*

The proposed new goals are:

- *70% in 2030 compared to 1990*
- *82% in 2035*
- *100% (net zero) in 2045*
- *110% (negative emissions) in 2050*

3. Emission Trading System I (Industry)

Is ETS I considered appropriate? If not, what reforms are viewed as priorities from the national perspective?

Reply: *There is hardly no public or political debate on the ETS in Denmark. The government's position is supportive towards the ETS as the key instrument in EU's climate policy We have no knowledge of reform priorities from a Danish perspective.*

4. Emission Trading System II (Buildings and Road Transport)

What share of national total energy consumption is attributable to buildings and road transport? Is the postponement of ETS II to 2028 viewed positively? Are buildings and road transport already part of a national regulatory regime that anticipates elements of ETS II? How are the prospects for decarbonizing the national building and transport sectors assessed?

Reply: *In 2024, road transport accounted for 26% of the final energy consumption in Denmark, while residential/commercial buildings accounted for almost 40%, according to data from the Danish Energy Agency. As described in Jan Darpö's reply to the questionnaire, Denmark, Sweden, Finland and Luxembourg has formed a front opposing calls from other EU nations to delay or weaken the ETS II. Buildings and road transport are not part of any particular national regulatory regime anticipating the ETS II.*

5. Double regulation?

Is there a discussion about the topic of 'double' regulation: e.g. energy efficiency in ETS installations / build environment, National taxes on/pricing of CO2 emissions, Emission Limit Values in environmental permits?

Reply: *Not that we are aware of.*

6. Effort Sharing

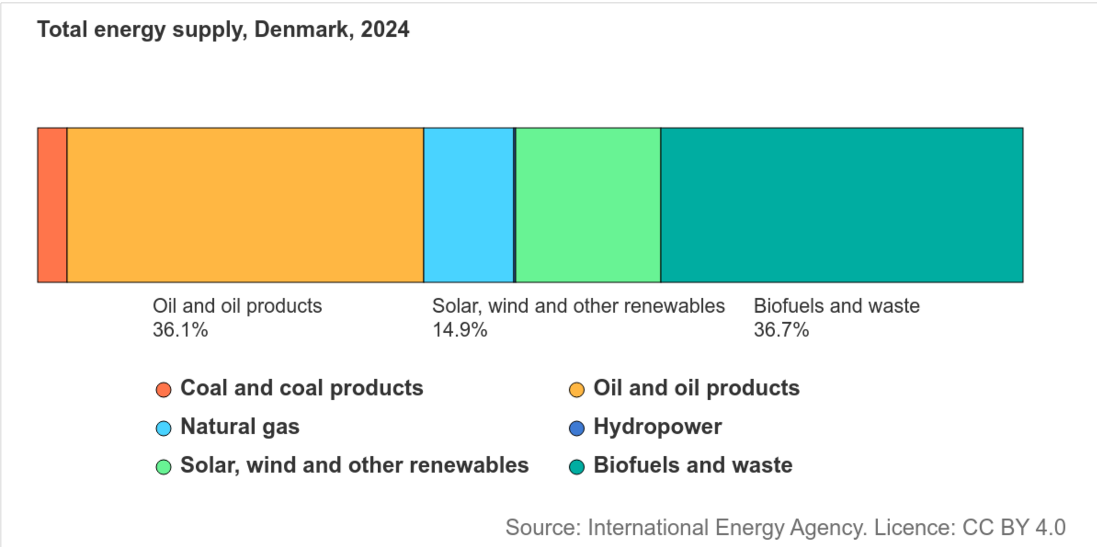
Is the Member State “on track” to meet its national reduction targets under the Effort Sharing Regulation 2018/842? Is failure / compliance / over-achievement of the EU requirements expected? What are the main challenges or success factors influencing compliance or non-compliance with the EU requirements? Does the state intend to sell its own emission credits or to purchase such credits from other Member States?

Reply: *According to the 2026 status report from the Danish Council on Climate Change (Klimarådet), Denmark over-achieved its reduction target under the Effort Sharing Regulation with 3 million tons CO2e in 2025 due mainly to reductions from road transport because of a “boom” in the number electric cars. The council estimates compliance with the 2026 target as well. We do not have information on whether Denmark intends to sell its own emission credits.*

7. Renewable Energy

What progress has been made in the transition towards a national energy supply based on renewable energy? What is the current energy mix, and what are the projections up to 2050? What differences exist in the transformation of the electricity market versus the broader energy market (including non electric heating, transport and other energy use)? What are the major national regulatory instruments to support the transition to renewables? What major obstacles hinder a faster transition to renewable energy at the national level? Are adjustments to the EU's regulatory framework considered necessary? If so, which ones?

Reply: *Renewable energy accounted for 48.4% of the total energy consumption in Denmark in 2024 (of this, 64% came from biomass).*



Electricity from renewable sources made up approx. 90% of the total electricity consumption. Wind and solar energy accounted for 52% of the total electricity consumption, water power 20% and biomass 10%.

The main focus in Denmark has for a long time, and is still, on promoting wind and solar power. The main regulatory instrument in this regard is the Act on Promotion of Renewable Energy (VE-loven) containing four schemes aimed at promoting the acceptance of the local population of the development of wind turbines and solar PV installations. Local opposition is, however, still considered among the greatest challenges to the green transition together with lack of storage and infrastructure capabilities.

Denmark has traditionally been a staunch opponent of nuclear power. The new geopolitical situation and enhanced focus on security of supply have, however, sparked interest for nuclear power as a possible future energy source in Denmark. However, it is still only the most liberal party of the parliament (Liberal Alliance) that actively supports this agenda.

A political agreement has been reached on a complete phase-out of oil and gas production from the Danish part of the North Sea as of 2050.

8. Land Use

How exactly are emissions from the land-use sector recorded nationally? What trends can be derived from this data? What strategies are being pursued at the national level to strengthen the land-use sector's contribution to emission reductions and to comply with the LULUCF-Regulation 2018/841?

Reply: *We do not have any knowledge of this.*

9. Special National Strategies, Programmes, and Ideas

What special strategies, regulatory programmes, and ideas—beyond those already mentioned—are being pursued nationally for climate mitigation? How do these national concepts and legal instruments relate to EU climate policy? Does a programme for carbon capture and storage exist?

Reply: *None apart from the ones mentioned in the replies to the previous questions.*

10. Social and Regional Compensation Mechanisms

Are there national mechanisms to provide social or regional compensation for the burdens arising from climate protection measures? Is any form of "climate dividend" or "climate payment" being issued?

Reply: *Most of Denmark is equally affected by climate changes.*

The Danish Natural Hazards Council decides on compensation to home-owners and companies which are affected by storm surges, floods and droughts. The compensation scheme is financed via fees on property insurance.

Coast protection is principally an obligation of the municipalities and the property owners of the affected areas. However, there are different state subsidy schemes available.

11. Adaptation

Are there national programmes for climate adaptation? How can these be briefly described? Should the EU, from a national perspective, develop climate adaptation programmes, or should this remain the responsibility of the Member States?

Reply: *In 2023, a long-awaited national programme for climate adaption for 2024-2027 was presented. In February 2026, the government presented a proposal for a new climate adaption programme. The current programme is mainly about financing different initiatives such as more coast protection and new rules which enable wastewater companies to implement collec-*

tive solutions to high groundwater levels in urban areas and provide funding. In total, approx. 174 million EUR have been allocated to the initiatives.

There is no debate in Denmark regarding an EU initiative in this regard.

12. New liability/compensation regime in the Air Quality Directive (2024/2881) and the amended IE Directive (2024/1784)

The new Air Quality Directive 2024/2881, art. 28. and the amended IE Directive (2024/1785) requires Member States to establish a liability/compensation regime regarding persons suffering damage to human health caused by violation of the EU-obligations under the two directives. The new EU-obligation should be seen in light of the CJEU-ruling in C-61/21 in which the CJEU rejected Member State liability for human health damage based on the (old) Air Quality Directive. The new obligations place Member States as the one who should pay compensation for the damage, but the legal implications of the new regimes are not entirely clear. How is the new obligation on liability/compensation in the new Air Quality Directive and the amended IE Directive intended to be implemented in your Member State?

Reply: *The new Air Quality Directive 2024/2881 and the amended IE Directive 2024/1785 have not yet been implemented in Danish legislation. Regarding air quality, the Ministerial Order no. 1472 of 12 December 2017 on assessment and management of air quality is the formal Danish implementation of the former Air Framework Directive 2008/50. The rules on industrial emissions are primarily implemented in the Environmental Protection Act together with several statutory orders.*

In December 2025, the Government sent a draft proposal for an amendment of the Environmental Protection Act in public hearing. According to the proposal, both the obligation to compensate damage to human health under Directive 2024/2881, art. 28 caused by negligence of the competent authorities and the right to compensation under the amended IE Directive 2024/1785, art. 79a will be implemented through new sections 64 g and 64 h of the Environmental Protection Act. These provisions will authorize the Minister of Environment to issue a Statutory Order and ensure that in so far it follows from EU obligations individuals suffering human health damage caused by violation of the Environmental Protection Act, the individuals have a right to be compensation by relevant physical and legal persons, if the human health damage is caused by negligence of the physical or legal persons. The proposal intends to cover the Danish implementation of the Air Frame Directive art 28. as well as the amended IE-Directive 2024/1785 art. 79 a. The proposal has not yet been adopted because of the Parliamentary Election in March 2026.