

Avosetta Meeting
May 29th/30th 2026 – Copenhagen
“Instruments of Climate Mitigation and Energy Transition”

Introduction

The EU is pursuing a comparatively ambitious climate policy. However, it is increasingly coming under pressure. Achieving the self-imposed targets appears uncertain.

In Regulation (EU) 2021/1119 establishing the framework for achieving climate neutrality (“European Climate Law”), the EU committed itself to achieving climate neutrality by 2050 and reducing net greenhouse gas emissions by 55% by 2030 and by 90% by 2040 (compared to 1990 levels).

The central instrument for achieving these targets is the EU Emissions Trading System (ETS I). From 2028 onwards, emissions from the buildings and road transport sectors are to be included in the EU Emissions Trading System (ETS II). For areas that (so far) are not fully integrated into emissions trading, the Effort Sharing Regulation 2018/842 (ESR) applies. It sets national reduction targets for the Member States. Member States that fail to meet these targets will in the future have to buy emission allowances from other EU countries that have overachieved their targets. In addition to these more or less market-based instruments, the EU also relies on regulatory measures. With the Renewable Energy Directive 2023/2413 (RED III), the EU target for the share of renewable energy in 2030 was raised to 42.5% (with the aim of reaching 45%). There are also stricter energy efficiency requirements. In the transport sector, the EU initially adopted a ban on combustion engines from 2035 onwards but has since moved back significantly from this position. In the land-use sector (LULUCF), the EU obliges Member States to increase the removal of CO₂ through natural sinks (forests, wetlands) (“no debit rule” plus restoration targets). To cushion the social impacts of the measures under ETS II in particular, the EU has created a compensation mechanism, the Social Climate Fund. In addition, the Just Transition Mechanism is intended to help regions that are heavily dependent on fossil-fuel-based industries finance structural change.

Objective of the Copenhagen Meeting

The aim of our meeting and of the subsequent questionnaire is to make the national implementation of EU environmental policy requirements transparent. Implementation successes and shortcomings should be highlighted, as well as nationally independent climate policy and regulatory approaches.

QUESTIONNAIRE

The following questionnaire is intended to give us some common ground for discussion and analysis. Please feel free to choose the topics that are particularly relevant while leaving out the questions that are irrelevant in your national context.

Please remember also the obligation to provide a brief **National Report on Recent Developments in Environmental Law**, including a section on Recent Developments in Climate Litigation.

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?

Until the early 2020s, there appeared to be a fairly broad consensus in favor of European and national climate policies, at least in terms of objectives. The most recent manifestation of this consensus was undoubtedly the adoption of Law No. 2021-1104 of August 22, 2021, on combating climate change and strengthening resilience to its effects. This law reflected—albeit in a watered-down form—the proposals put forward by the 150 citizens selected by lottery for the Citizens’ Climate Convention (“Convention citoyenne pour le climat”). This Citizens’ Climate Convention was convened in 2019 by President Emmanuel Macron as a response to the “Yellow Vests” protests triggered by the increase in France’s carbon tax. The mandate of the Citizens’ Climate Convention was to define a series of measures to achieve a reduction of at least 40% in greenhouse gas emissions by 2030 (compared to 1990 levels)—which was then the European Union’s target—in a spirit of social justice. Article 1 of the law of August 22, 2021, sets the goal of achieving the objectives of the Paris Agreement and the Green Deal.

Starting in 2022, it seems, the superficial consensus surrounding climate policies has gradually eroded against the broader backdrop of an “anti-environmental backlash,” making it difficult to distinguish between opposition to European policies and opposition to national policies in the strict sense. Several events have significantly contributed to this erosion, including:

- Russia’s large-scale invasion of Ukraine in February 2022, which drove up energy prices and the cost of raw materials;
- the very significant rise of the far right in the National Assembly during the 2022 and, above all, 2024 elections, a political force aligned with climate-skeptical views that exerts pressure on the entire political establishment and exploits feelings of social injustice (regarding the efforts required to reduce greenhouse gas emissions) to reject all measures aimed at the energy transition;
- the agricultural crisis that has been raging in France since 2024, initially centered on the issue of farmers’ incomes but exploited by pro-productivity agricultural unions to demand a relaxation of environmental protection standards applicable to agricultural production.

In an unstable political climate (there has been no absolute majority in the National Assembly since 2022, and not even a true relative majority since the dissolution of 2024), marked by extremely frequent changes in government, issues related to climate change and the energy transition no longer appear to be a political priority for the executive branch (despite proactive rhetoric on the international stage). Political forces opposed to the energy transition (the far right and a segment of the right that aligns with its views) are increasingly free, in the National Assembly, to roll back the gains in climate policy achieved up to the law of August 22, 2021. The most recent example: on April 14, 2026, as part of a bill on “simplifying economic life,” lawmakers voted to abolish low-emission zones, which, under the law of August 22, 2021, were intended to gradually restrict the circulation of the most polluting vehicles in urban areas with more than 150,000 inhabitants. Similarly, the goal of combating land development set forth in the law of August 22, 2021, known as “Zero Net Land Development,” (“Zéro artificialisation nette”) has been progressively stripped of its substance as the list of development and construction projects exempt from the obligations arising from this measure has been expanded.

Unfortunately, it is highly likely that this regressive trend will continue in the coming months as the presidential election, scheduled for spring 2027, draws nearer. The risk that the far right will come to power through the ballot box has never been greater in France since World War II.

When it comes to key controversies in the national political debate, we can undoubtedly distinguish between those that emerged prior to the phase of widespread regression in climate policies (around 2022) and those that emerged or gained visibility afterward.

Historically, there has been a heated debate in France over the preferred energy mix in the dual context of combating climate change and achieving energy independence. Since France chose to develop civilian nuclear energy as early as the 1970s, the question arises of whether to favor this low-carbon energy source—which is relatively easy to manage but poses other very serious problems (risk of accidents, waste management, cost of decommissioning plants, etc.)—and/or the development of renewable energy. The development of renewable energy is generally favored over nuclear power by environmentalist parties and NGO’s, while the right, the far right, and part of the social-democratic left support nuclear power and more or less overwhelmingly reject renewable energy. Criticism centers on the challenges of managing these intermittent energy sources and the impact on the landscape (especially in the case of onshore wind power).

Starting in 2018 (the “Yellow Vests” crisis) and even more so since 2022, the controversies have taken on a distinctly more social dimension. Energy transition policies are increasingly perceived as socially unjust, insofar as they place a disproportionate burden on low-income households, which often have no choice but to use their polluting private cars for transportation due to a lack of alternatives. Political forces opposed to the energy transition are exploiting this anger to reject outright any climate policy worthy of the name, while those more supportive of the energy transition struggle to formulate a coherent message that effectively links the fight against climate change with social justice.

Whether before or after the “backlash,” the issue of energy sobriety remains largely overlooked at the political level in France. It can even be the subject of mockery at the highest levels of government, framed as a “return to candles” and anti-progress.

National courts have played a significant role in France in pushing the government to take further action to meet its international and European commitments, as well as those arising from domestic law itself. Indeed, the Council of State, France’s highest administrative court, agreed to review France’s “climate trajectory” in a lawsuit brought by

the municipality of Grande-Synthe¹. Finding that France was not on track to meet its targets, the administrative judge ordered the government to take additional measures to ensure that the pace of greenhouse gas emissions reductions aligns with the reduction trajectory adopted by the state. Nevertheless, the results remain limited in terms of raising climate ambition, and they have been partially undermined by the populist and anti-environmental wave that has been gaining strength in France in recent years.

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?

The general climate targets were primarily established at the national level by Article 1 of Law No. 2019-1147 of November 8, 2019, on Energy and Climate (codified in Article L. 100-4 of the Energy Code). In other words, these targets were set before the European targets were raised. Consequently, while the final target remains the same (carbon neutrality by 2050), the interim target under French law (if not in public policy) is still a 40% reduction in greenhouse gas emissions by 2030 compared to 1990 (rather than 55% as at the European level). Regarding the share of renewable energy in the energy mix, the French legislative target of at least 33% of gross final energy consumption by 2030 now also lags behind the new European Union target of 42.5% by the same deadline. Furthermore, while it is not possible to speak of a greater ambition than at the European level, it should be noted that the French national targets are more precise in terms of timing due to the existence of national "carbon budgets," that is, greenhouse gas emission caps per period set by the National Low-Carbon Strategy (see the answer to question 9 for further details).

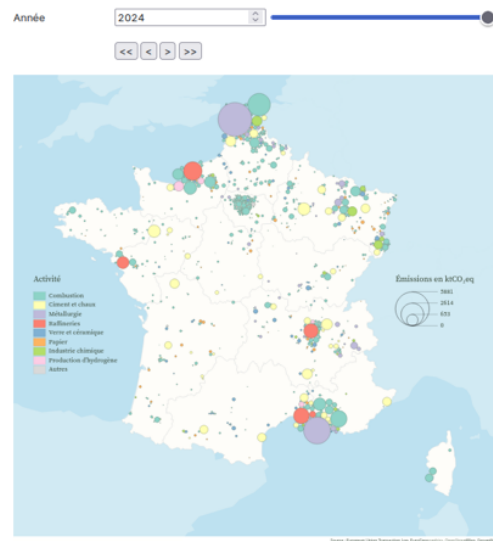
3. Emission Trading System I (Industry)

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

Factual background

The EU Emissions Trading System ETS 1 currently covers 1109 installations in France (February 2026 List <https://www.ecologie.gouv.fr/politiques-publiques/marches-du-carbone-seqe-ue-2>)

- An interactive Dorling cartogram of EU ETS CO₂ emissions in metropolitan France from 2005 to 2024 : <https://www.data.gouv.fr/reuses/carte-interactive-des-emissions-2005-2024-de-co2-seqe-ue-en-france-hexagonale-corse>



According to the High Council for Climate (Haut Conseil pour le Climat), industrial sector emissions amounted to 62,4Mt CO₂eq in 2024, representing 16,9% of national greenhouse gas emissions.

Pursuant to Commission Regulation 2026/784 updating the list of aircraft operators performing an aviation activity listed in annex I to Directive 2003/87/EC, 156 aircraft operators are administered by the French competent authority. (OJEU L 2026/784) As matters currently stand, the free allocation of allowances for the aviation sector remains predominant, as evidenced by "arrêté" of 31 July 2024 fixing the number of greenhouse gas emission allowances freely allocated for the period 2024-2025 ([JORF n°0217 du 12 septembre 2024](#))

Commission Decision (EU) 2020/2166 determines the Member States' auction shares for the period 2021-2030 under the EU Emissions Trading System (OJ 2020 L 431/66): 6, 1% for France (chap III) and 11,3% in respect of aviation allowances.

Assessment and critiques

High Council for Climate : In its annual report « *Reviving climate action in response to growing impacts and weakened governance* », it observes that « *the pace of reductions in the industrial sector has slowed markedly,*

¹ CE, 19 nov. 2020, n° 427301, Cne de Grande-Synthe ; CE, 1^{er} juill. 2021, n° 427301, Cne de Grande-Synthe ; CE, 10 mai 2023, n° 467982, Cne de Grande-Synthe et a.

declining by only 1,4% between 2023 and 2024, compared with a reduction of 10,2 % between 2022 and 2023- In order to meet the targets set out in the third draft national law carbon Strategy, the rate of reduction in this sector would need to be, on average, three times greater than that recorded between 2023 and 2024 ». (traduction)

The Council specifically recommends the establishment of a national observatory for the decarbonisation of the fifty largest industrial emitters, with a view to monitoring and reporting in granular terms on the progress achieved.

https://www.hautconseilclimat.fr/wp-content/uploads/2025/07/HCC_RA_2025-18.07_web.pdf

<https://www.hautconseilclimat.fr/en/publications/2025-annual-report-reviving-climate-action-in-response-to-growing-impacts-and-weakened-governance/>

National Assembly: In a report by Deputy Xavier Roseren on « *evaluating carbon offsetting and the EU emissions trading scheme in the context of the Carbon Border Adjustment Mechanism* », the efficacy of the EU ETS is subjected to critical scrutiny. The rapporteur argues that « *even if the decarbonisation of industry appears more effective towards the end of the period, with a reduction in greenhouse gas emissions recorded in 2022, the effects attributable to the implementation of the EU ETS are necessarily limited, given the concurrent phenomenon of deindustrialisation* ». Furthermore, the deputy contends that by setting the new EU target of a 62% reduction in greenhouse gas emissions for companies by 2030, « *the reform of the EU ETS fails to adequately account for the feasibility of that objective for industry* ». He also raises the question of accountability, namely, which entity could be held responsible in the event that the climate targets are not met in sectors covered by both the EU ETS and the Effort Sharing Regulation. Report n°2725/2024 https://questions.assemblee-nationale.fr/dyn/16/dossiers/compensation_carb_eval

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French Legislative sources:

Loi 2024/364 portant diverses dispositions d'adaptation au droit de l'UE en matière d'économie, de finances, de transition écologiques, de droit pénal, de droit sociale et en matière agricole JORF n°95 du 23 avril 24

Loi 2025/391 portant diverses dispositions d'adaptation au droit de l'UE en matière économique, financière, environnementale, financière, énergétique, transport, santé et de circulation des personnes, JORF n°103 du 2 mai 25

- Environmental Code : L 229-5 to L 229-18.8 – L 229-70 to L 229-80-3 (Carbon Border Adjustment Mechanism)

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?

Factual background

Emissions from the transport sector: According to the 2025 report of High Council for Climate, the transport sector emitted 124.9 Mt CO₂e in 2024, accounting for 34% of national greenhouse gas emissions, and recorded a 1.2% year-on-year decrease, following a 4.4% decline in 2023. Emissions remain predominantly attributable to passenger cars (53%), followed by heavy goods vehicles (21.7%) and light commercial vehicles (15.4%). Emissions from passenger cars stagnated in 2024, while the electrification rate of new vehicle registrations remained broadly stable at 16.8% (compared with 16.7% in 2023)

Emissions from the buildings sector: According to the 2025 report of High Council for Climate, this emitted 57.1 MtCO₂ in 2024, accounting for 15% of national greenhouse gas emissions.

Delay in the transposition of the directive (EU) 2023/959

The Ministry for Ecological Transition (Direction générale de l'énergie et du climat, DGEC) has focused on the operational implementation of the scheme, including the organisation of webinars for regulated entities in 2025 and 2026, as well as the publication of emissions monitoring guidance. The short-term operational obligations identified by the DGEC are the submission of the monitoring plan (31 December 2025) and the submission of the verified emissions report (30 April 2026), prior to the European Union's proposal to postpone the entry into force of the ETS 2 system to 2028 <https://www.ecologie.gouv.fr/politiques-publiques/marches-du-carbone-sege-ue-2>

Assessment and Critiques

2025 report of High Council for Climate

Road transport emissions: According to 2025 report of High Council for Climate, road transport emissions from passenger cars stagnated in 2024, following a decline between 2022 and 2023, with no overall reduction recorded

in 2024. To meet the 2030 targets of the draft third National Low-Carbon Strategy (SNBC 3), emissions would need to decrease at a rate approximately four times higher than that observed between 2023 and 2024. Overall, the pace of emissions reduction slowed markedly in 2024.

Emissions from the buildings sector: According to 2025 report of High Council for Climate, successive annual energy and climate targets have been established for more than 15 years without being fully achieved. The sector is currently governed in particular by the 2020 Environmental and Energy Regulation for new buildings (RE2020 — environmental and energy performance regulation for all new buildings)². While these regulatory frameworks support the decarbonisation of both new and existing buildings, they remain insufficient to achieve carbon neutrality of the building stock by 2050, with SNBC-aligned reductions requiring emissions reductions approximately nine times higher than those observed between 2023 and 2024.

National Assembly Report by Deputy Xavier Roseren on « evaluating carbon offsetting and the EU emissions trading scheme in the context of the Carbon Border Adjustment Mechanism »

The rapporteur nevertheless questions the appropriateness of extending the EU Emissions Trading System (EU ETS) and of creating a parallel mechanism, at a time when the carbon market has not yet fully demonstrated its capacity to enable European undertakings to meet their climate targets.

French Court of Accounts (Cour des comptes): In its report on « energy and environmental taxation » (2024), it estimates that a carbon price of €50/tCO₂ added to the current carbon component of energy excise duties (€44.60/tCO₂) would increase prices in France by 11–13% for gas and 10–11% for fuels. It considers, inter alia, the removal from 2027 of the carbon component of energy excise duties to offset the impact of ETS 2, and highlights an unresolved tension between the existing fiscal framework and the new EU mechanism, whose overlap may prove socially unsustainable without adjustment. <https://www.ccomptes.fr/sites/default/files/2024-09/20240906-S2024-0646-Place-fiscalite-energie-dans-politique-energetique-et-climatique-francaise.pdf>

In the view of the NGO **Réseau Action Climat**, the carbon market was not considered the most appropriate instrument and risks placing the price signal on consumers with no viable alternatives, in the absence of adequate compensatory measures, thereby generating an additional CO₂-related cost on heating fuels (oil and gas) and transport fuels (petrol and diesel). The application of ETS 2 is therefore considered unfair without first ensuring access to lower-emission alternatives and an equitable cushioning of the burden on households with constrained budgets. Furthermore, the postponement to 2028 would not soften the entry into force of ETS 2, which would in practice become less gradual and therefore more abrupt. Member States would also forgo significant transition revenues, estimated at around €50 billion due to the delay, while the Social Climate Fund would automatically lose approximately 16% of its revenues. <https://reseauactionclimat.org/ets-2-permettre-aux-menages-de-se-deplacer-et-de-se-chauffer-sans-avoir-a-choisir-entre-lecologie-et-le-pouvoir-dachat>

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?

Installations covered by the EU Emissions Trading System (EU ETS) remain subject, under French law, to the regime for installations classified for environmental protection (ICPE). They are therefore required both to surrender CO₂ allowances under the ETS and to comply with ICPE obligations, including emission limit values, energy efficiency requirements, and measures to reduce environmental nuisances. While the ETS seeks to achieve an overall reduction in emissions through carbon pricing, the ICPE framework thus pursues broader objectives, including the prevention of local pollution, the control of industrial risks, energy efficiency, and the application of best available techniques.

Buildings and road transport sectors: France already provides national regulatory requirements in the buildings and road transport sectors, including energy-efficient building renovation obligations, energy performance standards, low-emission zones (Zones à faibles émissions, ZFE), fleet greening requirements, and industrial energy efficiency standards. The Climate and Resilience Law (2021, Article 103) provided, inter alia, for the establishment of low-emission zones in urban areas with more than 150,000 inhabitants.

Entities covered by the EU ETS 2 are also subject to French energy excise duties (excise duties on energy products, natural gas and coal; formerly TICPE, TICGN and TICC). While the French legislator seeks to avoid direct double

² See: Decree No. 2024-1258 of 30 December 2024 amending the energy and environmental performance requirements for buildings in mainland France. For or specific tertiary-sector: Decree No. 2019-771 of 23 July 2019 on obligations to reduce final energy consumption in tertiary buildings ("Tertiary Decree") and Decree No. 2026-16 of 15 January 2026 on energy and environmental performance requirements for specific tertiary-sector, industrial and craft buildings in mainland France.

counting, concerns remain regarding the overlap between carbon pricing instruments and energy taxation, in particular as regards petroleum products, natural gas and coal, which may result in a cumulative fiscal burden.

The ELAN Law (Law No. 2018-1021 of 23 November 2018 on the evolution of housing, planning and digital development, Article 175) and Decree No. 2019-771 of 23 July 2019 on obligations to reduce final energy consumption in tertiary buildings (“Tertiary Decree”) require tertiary buildings to reduce energy consumption by 40% by 2030, 50% by 2040, and 60% by 2050, compared with a baseline year.

The Climate and Resilience Law of 22 August 2021 (Article L. 111-1 et seq. of the Construction and Housing Code) introduced RE2020 (new-build energy performance regulation), performance requirements for existing buildings, and a progressive ban on renting energy-inefficient dwellings (class G from January 2025 and class F from 2028).

Assessment and Critiques

A recurrent critique is that, if carbon pricing is intended to steer behaviour, the addition of bans, quotas, and technical standards appears inconsistent. Proponents of this “dual regulation” argue, however, that carbon price signals alone are insufficient, that certain markets suffer from structural failures, that low-carbon investment requires regulatory visibility and planning certainty, and that social acceptability necessitates accompanying measures.

In its 2025 report, the [High Council for Climate](#) notes that, while carbon taxation is theoretically efficient, current energy taxation produces a heterogeneous carbon price signal across sectors and actors. It recommends, inter alia, a moratorium on road infrastructure projects, the maintenance of the 2035 target of 100% zero tailpipe-emission vehicle sales, and limiting corporate fleet obligations (for companies with more than 100 vehicles) to zero-emission vehicles. The [High Council for Climate \(2025 report\)](#) further criticises 2025 policy reversals, including the suspension of deep renovation support under MaPrimeRénov’, the weakening of low-emission zones (ZFE), and France’s support at EU level for delaying the 2035 internal combustion engine phase-out. It stresses that the ban on renting class G dwellings remains a key lever for large-scale renovation and must be fully implemented. It also calls for a stable trajectory of public support for deep renovations targeting low-income households, and for integrating into RE2020 the revised EU Energy Performance of Buildings Directive, notably on on-site renewable energy, to achieve a zero-emission building stock by 2050.

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?

Regulation (EU) 2023/857 amending Regulation (EU) 2018/842 (Effort Sharing Regulation) sets binding annual greenhouse gas emission reduction targets for Member States, differentiated according to GDP per capita. For France, the target was strengthened from –37.5% (2018 framework) to –47.5% by 2030 (2023 revision). Carbon Capture and Storage (CCS) is included in the NECP as a complementary strategy, with an objective of 4–8.5 MtCO₂ captured annually by 2030, supported by financial incentives and ongoing assessments of storage capacity and CO₂ transport infrastructure.

In its 2025 assessment of France’s National Energy and Climate Plan (SWD (2025) 140 final), the Commission finds that France projects a –37% reduction under existing measures and –46% with additional measures, against a legal target of –47.5%, concluding that France is not fully aligned under current policies but may achieve compliance through further measures. France’s updated NECP foresees a –50% reduction in total GHG emissions by 2030 compared to 1990 (–51% including LULUCF) and climate neutrality by 2050. While the plan is considered adequate in terms of planning, it requires significant implementation efforts. The Commission further notes that the gap between “existing measures” and “additional measures” scenarios remains substantial, underscoring the need for further policy reinforcement. France is not identified among Member States in formal delay (unlike Germany, Ireland, and Malta), but must accelerate efforts in key ESR sectors.

Sectorally, transport remains challenging, with slow emissions reductions despite ZFE schemes, vehicle incentives, electrification policies, and modal shift objectives; road freight emissions continue to rise in some areas. The building sector is governed by renovation policies (MaPrimeRénov’, progressive ban on inefficient buildings, replacement of fossil fuel boilers), but progress remains constrained by high costs and insufficient depth of renovations. Agriculture remains structurally high-emitting (livestock methane, fertilisers), with only gradual reductions despite methane mitigation and agro-ecological policies.

In its 2025 report, the High Council for Climate notes that decarbonisation trajectories since 2010 have been significantly slower in transport and agriculture than in buildings, energy, and industry. France does not currently

rely heavily on flexibility mechanisms, although these may be used in the event of marginal shortfalls in certain years.

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?

According to the **Energy Programming Document** (2026), electricity production—more than 90% decarbonised—covers most of France's national demand over time, although the energy mix remains largely dependent on fossil fuels, with oil accounting for 37% and natural gas for 21% of final energy consumption. The share of renewable energy in final energy consumption rose to 23% in 2024 (https://www.legifrance.gouv.fr/download/file/UVMOuKNMrpZzIWk8_yvF4c1EHFQ2DgWXsjxXY-a5RFQ=/DAE)

The adoption of the Multiannual Energy Programming framework (PPE), set out in Decree No. 2026-76 of 12 February 2026 (JORF n°37 du 13 février 2026), defines national objectives for reducing energy consumption and expanding low-carbon energy production for the 2019–2028 period. It establishes targets for increasing decarbonised electricity production to 650–693 TWh per year by 2035, raising the share of low-carbon energy in final consumption to 60% by 2030 and 70% by 2035, and reducing fossil fuel consumption to 330 TWh in 2035 compared with 900 TWh in the baseline year. It also confirms the relaunch of nuclear energy, targeting optimisation of the existing fleet of 57 reactors and an increase in nuclear output to 380–420 TWh by 2030 (compared with 320 TWh in 2023), alongside revised targets for each energy source.

Solar Energy

In France, installed solar photovoltaic capacity reached 19.3 GW in mainland France in 2023 (provisional data), slightly below the Multiannual Energy Programming target of 20.6 GW. Onshore wind capacity reached 21.9 GW at the end of 2023, also below the Multiannual Energy Programming target of 24.1 GW, partly due to lengthy permitting procedures, often further extended by litigation challenging authorisation decisions.

For photovoltaics, the current regulatory and legislative framework is increasingly constraining ground-mounted project development. Law No. 2023-175 on the Acceleration of Renewable Energy Production (Law “APER”) introduces measures to facilitate renewable deployment, with implementing acts progressively adopted since its entry into force. It notably defines agrivoltaics and regulates its development, and—consistent with EU law—recognises renewable energy projects as serving an overriding reason of public interest, thereby strengthening legal certainty for derogations relating to protected species granted to project developers. In onshore wind energy, development is constrained by civil aviation and military restrictions, and in some cases by local opposition. Despite recent reforms aimed at accelerating offshore wind deployment, **the 2023 capacity target has not been met.**

Law n°2020/1525 on the Acceleration and Simplification of Public Action (Law ASAP, JORF n° 296 du 8 décembre 2020) introduced several measures to streamline offshore wind development, including the anticipation of candidate pre-selection phases in offshore wind tenders in parallel with public debate procedures, thereby reducing procurement timelines without limiting public participation; the pooling of public debates for offshore wind projects within the same maritime façade, improving strategic planning and enhancing public visibility; and conferring jurisdiction on the Council of State to hear offshore wind-related litigation at first and last instance, thereby reducing judicial review timelines by at least two years.

Law n°2023-175 on the Acceleration of Renewable Energy Production (APER), together with Decree No. 2023-1419 and Decree No. 2023-1209, further enabled the pooling of public consultations for offshore wind and maritime spatial planning processes, anticipatory grid connection works independently of tendering procedures, and clarification and simplification of the offshore permitting regime, particularly in the exclusive economic zone.

Nevertheless, the **Multiannual Energy Programming (PPE) target of 2.4 GW of installed offshore wind capacity by 2023 was not achieved**, mainly due, according to the Government, to lengthy permitting procedures, litigation, and delays in construction affecting the first two offshore wind tender rounds. Three projects totalling 1.5 GW have been commissioned, including Saint-Nazaire (480 MW, operational in 2022), Fécamp, and Saint-Brieuc (both operational in May 2024). The Yeu–Noirmoutier project is expected to be fully operational by 2026, followed by Dieppe–Le Tréport and Courseulles-sur-Mer.

<https://www.eoliennesenmer.fr>

Hydropower Energy

Regarding hydropower, the second Multiannual Energy Programming set a target of increasing installed hydropower capacity in mainland France by approximately 200 MW by 2023 (reaching 25.7 GW) and by 900–1,200 MW by 2028 (for a total of 26.4–26.7 GW). **The 2023 target of 25.7 GW was achieved.**

The 2023-175 Law on the Acceleration of Renewable Energy Production enabled, as of 1 January 2025, the approval of approximately 60 MW of additional capacity increases within hydropower concessions. The concession of the Compagnie nationale du Rhône was extended on the development of the Rhône until 2041 (by Law 2022/271 on the development of the Rhône), JORF N° 50 du 1er mars 2022).

However, legal uncertainty surrounding the renewal of hydropower concessions, together with ongoing discussions with the European Commission, continues to cast doubt on the achievement of sectoral targets for 2028 and 2035.

Assessment of France's National Energy and Climate Plan

In its May 2025 assessment of France's National Energy and Climate Plan, the Commission notes that the plan does not set an explicit target for the share of renewables in gross final energy consumption by 2030. An extrapolation of the figures provided suggests a range of 35–41.4%, below the 44% indicative formula set out in Annex II of the Governance Regulation, and the plan does not include a clear indicative trajectory towards 2030. The Commission further finds that France does not sufficiently explain how it intends to close existing gaps to its renewable energy obligations, including the 2020 binding target and the 2021 baseline. While sectoral projections are provided, covering electricity, heating and cooling, industry, buildings, transport, and innovative renewable energy sources, they are not explicitly framed as binding national sub-targets under Directive (EU) 2018/2001 (revised RED II), and no specific target is set for renewable fuels of non-biological origin in industry by 2030. The plan is considered to partially address recommendations concerning policies and measures, including renewable electricity deployment, industrial capacity, renewable hydrogen uptake, and regulatory measures under the Renewable Energy Acceleration Law, notably planning and permitting reforms. However, the Commission highlights limited quantified impacts and budgetary details, as well as the conditional nature of several measures. Additional provisions relate to biomass sustainability, biogas and biomethane promotion, and alignment with LULUCF obligations. Finally, while France provides information on the transposition process of the revised RED II, the Commission notes that key elements remain insufficiently detailed, particularly regarding permitting procedures, renewable acceleration areas, and guarantees of origin.

(https://commission.europa.eu/publications/commission-assessment-final-updated-national-energy-and-climate-plan-france_en?prefLang=fr&ettrans=fr)

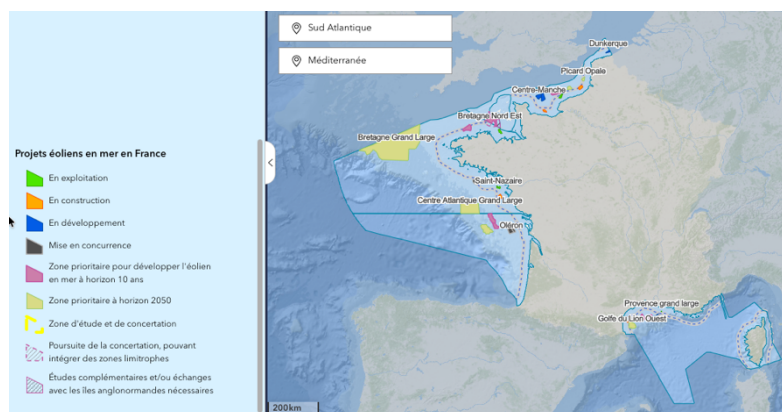
*Further information: Overview of renewable electricity
31 December 2024 : <https://assets.rte-france.com/prod/public/2025-06/2025-06-02-panorama-enr-2024.pdf>

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?

High Council for Climate

According to its 2025 report, the LULUCF sector recorded a net balance of –37.4 Mt CO₂ in 2023, including the buffer stock generated by deadwood, thereby offsetting approximately 10% of national greenhouse gas emissions. However, the second carbon budget for the Land Use, Land-Use Change and Forestry sector was not achieved.



The average carbon sink amounted to -36 Mt CO_2 per year over the 2019–2023 period, whereas the target set under the second National Low-Carbon Strategy (SNBC 2) was -45 Mt CO_2 per year.

The carbon sink deteriorated significantly between 2013 and 2017, declining from -50.2 to -28.1 Mt CO_2 , representing a 45% decrease. This sharp decline is primarily attributable to the impacts of climate change on forests, resulting in reduced growth, increased mortality, and, consequently, a rise in deadwood both standing and lying on the forest floor. Deadwood accounted for 41% of the carbon sink in 2023, compared with only 1% in 2013 prior to the forest mortality crisis.

In 2024, temporary carbon storage in deadwood represented nearly half of the forest carbon sink as a result of deteriorating forest health. The decomposition of accumulated deadwood therefore constitutes a structural constraint for the third carbon budget period, which commenced in 2024.

Forests (-51 Mt CO_2) remain the primary contributor to carbon sequestration, followed by grasslands (-4.2 Mt CO_2) and harvested wood products (-0.49 Mt CO_2). However, in 2023, these gross removals were offset by emissions amounting to 33% of the total, primarily originating from croplands (12.4 Mt CO_2), land artificialisation (5 Mt CO_2), and wetland degradation (0.62 Mt CO_2). Between 2022 and 2023, emissions related to agricultural land use (croplands and grasslands) increased by 4%, while emissions linked to land artificialisation rose by 6%.

Recommendations of the High Council for Climate

The draft Third National Low-Carbon Strategy (SNBC 3) envisages a reduced carbon sink of -19 Mt CO_2 (excluding deadwood), a level close to the current situation (-21 Mt CO_2 on average over the 2019–2023 period excluding deadwood). While this lower level of ambition for 2030 may be regarded as realistic in light of the deterioration in forest health, it should under no circumstances lead to disengagement. On the contrary, efforts must be directed towards restoring the LULUCF carbon sink and strengthening its resilience, through the establishment of milestones for 2030, 2040 and 2050.

The High Council for Climate is particularly critical of Law No. 2025-268 on food sovereignty and generational renewal in agriculture (JORF No. 0072 of 25 March 2025), the National Strategy for Food, Nutrition and Climate (draft version released for public consultation in April 2025 and subsequently published in February 2026), as well as of several legislative proposals still under discussion at the date of publication of the report. According to the High Council, these measures risk locking agricultural production into emissions-intensive models over the long term, rather than steering it towards low-carbon, more resilient, and therefore less vulnerable systems.

The report further stresses that crisis responses adopted without anticipatory planning are incapable of delivering the transformative changes required to limit food inflation and reduce farmers' insecurity. On the contrary, such approaches risk entrenching the current agricultural and food system while delaying its adaptation.

Among its recommendations, the High Council notably calls for:

- the establishment of a national strategy for carbon storage in agricultural soils and biomass, together with a long-term multiannual financing strategy for forest renewal;
- the strengthening of climate-related conditionalities, including adaptation measures, applicable to sustainable forest management documents, as well as enhanced monitoring and enforcement mechanisms;
- the reinforcement of ecosystems' capacity to mitigate and adapt to climate change through the full implementation of the National Biodiversity Strategy and the adoption of an ambitious National Nature Restoration Plan;
- the reduction of emissions resulting from land artificialisation, together with the integration of soil and biomass carbon stock conservation into the objective of net zero land take (ZAN);
- the establishment of an action plan for agricultural soils aimed at increasing organic carbon stocks in cultivated soils;
- and the strengthening of the Low-Carbon Label (Label Bas-Carbone) in order to align it with the requirements of the European regulatory framework on carbon removal certification.

Draft of the Third National Low-Carbon Strategy (SNBC 3) in December 2025

The main objective is to absorb 25 Mt CO_2 per year by 2030 and 24 Mt CO_2 per year by 2050

To achieve this objective, the strategy sets out a series of specific objectives:

- to renew and adapt 10% of France's metropolitan forest area to climate change by 2032, with priority given to damaged, declining, and vulnerable stands.

- to increase the annual rate of afforestation outside existing forest areas, with the aim of afforesting 200,000 hectares between 2030 and 2039, and maintaining an afforestation rate of 15,000 hectares per year by 2050.

- to maintain permanent productive grasslands at approximately 7,150 thousand hectares (7.15 million hectares) from 2020 to 2050, in order to preserve their carbon storage capacity.

- to achieve the objective of net zero land take (zero net artificialisation of land) by 2050.

<https://www.ecologie.gouv.fr/sites/default/files/documents/2025->

[%20Projet%20SNBC%203%20compress-Partie%201_Vfin_vdef_clean_clean%20COMPRESS.pdf](https://www.ecologie.gouv.fr/sites/default/files/documents/2025-%20Projet%20SNBC%203%20compress-Partie%201_Vfin_vdef_clean_clean%20COMPRESS.pdf)

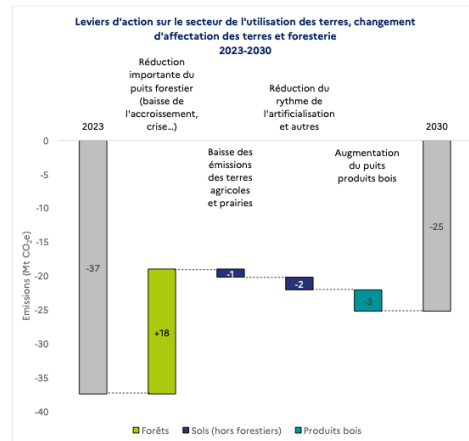


Figure 55 : Décomposition indicative par levier de l'évolution des émissions du secteur UTCAITF entre 2023 et 2030 sur la base des travaux de modélisation (Source : modélisations DGEC).

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?

France has planning tools for combating climate change—particularly in the area of mitigation—at all territorial levels. This is important for promoting the implementation of the energy transition in local areas and fostering local ownership of the process, even as France remains characterized by a tradition of administrative centralization.

At the national level, special mention should be made of the National Low-Carbon Strategy; “Stratégie nationale bas-carbone” (SNBC) and the Multi-Year Energy Program, “Programmation pluriannuelle de l’énergie” (PPE). Together with the National Climate Change Adaptation Plan (discussed in the response to Question 11), the SNBC and the PPE constitute the French Energy and Climate Strategy. Introduced by the Law of August 17, 2015 on the Energy Transition for Green Growth, the SNBC sets the trajectory for reducing greenhouse gas emissions through 2050, the date by which carbon neutrality must be achieved. It defines “carbon budgets,” that is, greenhouse gas emission caps per period. It provides sector-by-sector guidelines (building, transportation, agriculture, energy). The SNBC was adopted by Decree No. 2020-457 of April 21, 2020, on national carbon budgets and the national low-carbon strategy.

As for the multi-year energy program (PPE), it translates the SNBC's guidelines into concrete action in the energy sector. It sets quantified medium-term targets (5 to 10 years) and establishes priorities for the energy mix (in terms of production, consumption, and the development of renewable energy). The third PPE, covering the period 2026–2035, was adopted by Decree No. 2026-76 of February 12, 2026, on the multi-year energy plan. This new PPE sets several objectives: to increase carbon-free electricity production to between 650 and 693 TWh by 2035 (compared to 458 TWh in 2023), while reducing fossil fuel consumption to approximately 330 TWh by 2035 (compared to 900 TWh in 2023). Such a trajectory should thus reverse the country's energy consumption structure: shifting from 60% fossil fuels in final consumption today to 40% by 2030.

At the regional level (the highest level of local government in France), there is the Regional Climate-Air-Energy Plan, “Schéma régional climat-air-énergie” (SRCAE), which was established by the Law of July 12, 2010 on the National Commitment to the Environment (known as the “Grenelle 2” Law). Initially, this plan stood on its own, but in order (officially) to strengthen its integration with other public policies implemented at the regional level, a law dated August 7, 2015 led to its incorporation into a new framework with a broader scope and objectives: the Regional Plan for Land Use, Sustainable Development, and Territorial Equality, “Schéma régional d’aménagement, de développement durable et d’égalité des territoires” (SRADDET). The SRCAE now constitutes a chapter of the SRADDET, which must be aligned with the rest of the document, whose objectives are not strictly environmental but concern land use planning more broadly, as well as economic development. Based on an inventory of air pollutant and greenhouse gas emissions, as well as an assessment of air quality, the SRADDET chapters serving as SRCAEs must establish, by 2050, guidelines for mitigating the effects of climate change and adapting to it, as well as guidelines for preventing or reducing air pollution, in particular by defining air quality standards specific to certain zones (Article L. 222-1 of the Environmental Code). In particular, they have an important role to play in

planning the development of renewable energy (where and how much?) at the regional level, especially with regard to onshore wind power.

At the intermunicipal level (the municipality being the most local level of territorial administration in France), there are Territorial Climate, Air, and Energy Plans, “Plans climat-air-énergie territoriaux” (PCAETs). Like the SRCAE, this environmental planning tool was established by the Law of July 12, 2010, on the National Commitment to the Environment. PCAETs are a local adaptation of the national climate change adaptation plan (for more on this, see question 11). They must be established by intermunicipal groups with more than 20,000 residents. The content of the PCAET can be summarized as follows: based on the greenhouse gas emissions inventory that the largest intermunicipal groups are required to produce under the Environmental Code (Article L. 229-25), the plan defines:

- 1) the strategic and operational objectives of the intermunicipal group to effectively mitigate and combat global warming, and to adapt to it in line with France’s international commitments
- 2) the program of actions to be carried out to improve energy efficiency, increase renewable energy production, develop electricity, gas, and heat distribution networks in a coordinated manner, promote biodiversity to adapt the region to climate change, reduce the impact of activities in terms of greenhouse gas emissions, anticipate the impacts of climate change, etc. All aspects of the energy transition may thus be addressed: sustainable and low-carbon mobility, energy consumption management, promotion of district heating and cooling networks, air quality, etc.

- 3) A system for monitoring and evaluating results. Indeed, the content of the PCAET must be updated every six years based on the actions taken and the gap between objectives and results.

To ensure consistency in climate planning across different territorial levels, PCAETs must comply with the SRCAEs established at the regional level under a compatibility requirement (i.e., they are at a minimum required not to contradict the SRCAE and not to hinder the achievement of its objectives). Compliance with this obligation may be subject to review by an administrative judge. Furthermore, to ensure consistency between climate planning and local urban planning, local urban plans must comply with the PCAETs, pursuant to the aforementioned compatibility requirement.

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?

In its 2025 report, the High Council for Climate underscores the imperative that “climate policies must neither create nor exacerbate social inequalities” and, accordingly, that their “potential regressive effects” be effectively contained. It identifies several structural factors that entrench carbon-intensive lifestyles, including place of residence, housing type, heating systems, and access to affordable low-carbon alternatives (notably in transport and housing). Such constraints weigh particularly heavily on low-income households. By way of illustration, in metropolitan France, 17.4% of households were affected by housing-related energy vulnerability in 2021, of which 71% lived in dwellings classified E, F or G under the energy performance rating system (i.e., highly energy-intensive housing)

France has implemented a range of mechanisms designed to target public support measures, in particular towards low-income and/or vulnerable individuals and households, within both national and local policy frameworks. The draft 2025 National Low-Carbon Strategy provides that State funding will be refocused on non-profitable operations and allocated according to social justice criteria, with a view to supporting the most vulnerable households and businesses. The draft strategy also anticipates workforce training needs arising from the transition, as well as the measures required to support and safeguard the most vulnerable employment areas and labour markets. As acknowledged by the High Council for Climate, the draft National Low-Carbon Strategy further emphasizes the need to assess its socio-economic impacts, particularly on households, workers, businesses and territories most exposed to the effects of the transition.

Under the Social Climate Fund (Regulation (EU) 2023/955 and the European Commission’s guidance on Social Climate Plans), €86.7 billion is allocated to support measures and investments aimed at reducing dependence on fossil fuels, financed in part through revenues from ETS2, up to 25%. According to the Climate Action Network, postponing the implementation of ETS2 to 2028 would reduce the Fund’s revenues by 16%. For France, the allocation was estimated at €9.7 billion (including €2.4 billion in national co-financing) over the 2026–2032 period, although this figure would therefore need to be revised downward. The draft national implementation plan for the Social Climate Fund in France was due to be submitted to the European Commission in June 2025. At the time of writing, no public consultation or draft plan is publicly available.

Support measures should build on policy instruments already in place in France.

○ By way of example, in the **transport sector** and under the Mobility Orientation Law 2019/1428, various incentives support the acquisition of low-emission vehicles, including ecological bonuses (amounting in 2025 to €4,200 for low-income households and €3,100 for other households³), conversion premiums (for cars and bicycles, targeted in particular at low-income households⁴), and the “social leasing” scheme launched in 2024, which subsidises the rental of electric vehicles for individuals with a taxable income below €16,300⁵. According to the draft Multiannual Energy Programme (2026–2035), between 1 January 2018 and 30 September 2025, nearly 1.5 million purchase bonuses for electric vehicles and over 1.1 million conversion premiums were granted.

○ In the **housing sector**, several support schemes and dedicated loans are available to households to facilitate energy-efficient home renovation works. MaPrimeRénov’, introduced in 2020, has, according to the draft Multiannual Energy Programme (2026–2035), enabled approximately 2.44 million homes to be renovated between 2020 and 2024, including around 330,000 comprehensive renovations, mobilising approximately €11.8 billion in public support. These works have avoided 6.2 million tonnes of CO₂ emissions since 2020 and generated energy savings of 17.6 TWh per year. More than 589 France Rénov’ advisory centres and 2,700 advisers are now deployed across the territory as of 1 January 2025. The annual budget stood at €3.6 billion in 2025.

The zero-interest “advance renovation loan” (Prêt Avance Rénovation – PAR+), introduced on 1 January 2024, is a mortgage-based loan with interest deferred for ten years, targeted at low-income households and guaranteed up to 75% of losses through the Renovation Guarantee Fund (FGR) (<https://www.ecologie.gouv.fr/politiques-publiques/pre-avance-renovation>). The eco-loan for social housing (éco-PLS), introduced under the Grenelle de l’Environnement, supports social landlords in financing energy renovation works for the most energy-inefficient social housing stock (<https://www.ecologie.gouv.fr/politiques-publiques/eco-pre-logement-social>).

Since 2013, the French finance laws have provided that France’s auction revenues (which amounted to €1.5 billion in 2024) are allocated to the Agence nationale de l’habitat (ANAH), subject to a statutory ceiling, with any surplus being transferred to the State’s general budget. This ceiling has been revised several times and stood at €700 million in both 2023 and 2024. Revenues allocated to ANAH have, since 2022, contributed to funding the MaPrimeRénov’ scheme.

It is also worth noting the “energy voucher” scheme (“chèque énergie”), designed to support low-income households in paying their energy bills (approximately €150 per year on average), for households with incomes below €10,800 per year. Introduced by the 2015 Law on Energy Transition for Green Growth, it replaced the former social energy tariffs. However, this scheme covers all types of fuels, including fossil fuels, and has been subject to several criticisms in relation to France’s National Low-Carbon Strategy (see, inter alia, the 2022 report of the French Court of Auditors on the energy voucher⁶). According to the Ministry of the Economy, 3.8 million households are expected to benefit from the scheme in 2025.

Criticisms

In its 2025 report, the High Council for Climate highlights the shortcomings of the schemes and the lack of consistency in government action, which it identifies as sources of worrying backsliding and reduced predictability. Among the main criticisms:

-The instability of the schemes: it deplores the “instability of the funding rules of the Agence nationale de l’habitat (ANAH) in 2024, which led to a 40% reduction in the total number of renovations financed by the ANAH in that same year”. It cites the example of four successive generations of loan schemes with changing rules since its creation in 2009.

-The “stop-the-clock” of MaPrimeRénov’ in 2025. The government suspended the MaPrimeRénov’ application window in June 2025, citing increased processing times due to a high volume of applications and suspicions of fraud affecting several thousand files, thereby justifying an audit. The application window was reopened at the end of September 2025. (<https://www.ecologie.gouv.fr/actualites/reouverture-du-guichet-maprimerenov-30-septembre-reponses-vos-questions>)

-The reduction of the maximum advance rate of Agence nationale de l’habitat (ANAH) from 70% in 2024 to 30% in 2025 sends a negative signal to low- and very low-income households regarding incentives for large-scale renovations.

³ <https://www.economie.gouv.fr/particuliers/voyager-et-se-deplacer/achat-dun-vehicule-comment-fonctionne-le-bonus-ecologique#>

⁴ <https://www.economie.gouv.fr/particuliers/gerer-mon-argent/beneficier-daides-et-de-reductions-dimpots/quest-ce-que-la-prime-la#>

⁵ En 2024 : 50 000 véhicules commandés, reconduit en 2025 (location de trois ans, loyer 140 euros, et aide maximale de 7000 par véhicule) <https://www.service-public.gouv.fr/particuliers/vosdroits/F39280>

⁶ <https://www.ccomptes.fr/sites/default/files/2022-02/20220224-rapport-cheque-energie.pdf>

-Public funding—particularly ANAH allocations—is not clearly prioritised towards areas with the highest energy vulnerability and the largest shares of energy-inefficient housing. The current trajectory remains too slow to achieve a carbon-neutral social housing stock by 2050.

-Policies remain favourable to car use, via tax advantages for professional mobility and continued road development generating additional traffic, while the fiscal framework also supports high-carbon long-distance air and maritime transport.

In its opinion on the National Low-Carbon Strategy (2026), the High Council for Climate highlights underinvestment in rail and cycling infrastructure and the lack of stable funding for multimodal transport, limiting access to alternatives. Measures targeting vulnerable groups remain insufficiently detailed, and their strengthening is not specified.

Recommendations of the High Council for Climate (examples)

-Solidarity mechanisms should be redesigned to improve acceptance of climate policies and ensure social cohesion, alongside reforms of social protection and the health system in order to adapt to climate change.

-Better diagnostics should be produced on inequalities in vulnerability across social groups and territories, both in terms of exposure to climate impacts and the distributive effects of mitigation policies.

-Gender-related inequalities in the transition should be better taken into account and systematically monitored, as they remain insufficiently addressed

-Access to low-carbon alternatives for all should be improved by combining conditionalities in industrial and spatial planning policies, increased investment in public infrastructure and services, and stronger targeted investment support for low-income households, with the aim of achieving zero out-of-pocket costs for the most vulnerable.

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?

As with mitigation (see the answer to question 9), there are planning tools for adaptation at various territorial levels. The goal is to be able to implement these guidelines at the local level while tailoring them as effectively as possible to the specific characteristics of each region.

At the national level, the main tool is the National Climate Change Adaptation Plan, “Plan national d’adaptation au changement climatique” (PNACC). It constitutes the cross-cutting national strategy for adaptation. The current version is PNACC-3, published on March 10, 2025 (following the 2011 and 2018 versions). Based on a reference warming trajectory for climate change adaptation, which is subject to revision, PNACC-3 aims to prepare France for a temperature increase of +4°C by 2100. To achieve this, it seeks to integrate adaptation into all public policies (urban planning, health, agriculture, etc.). The PNACC is organized around five priorities: protecting the population; ensuring the resilience of territories, infrastructure, and essential services; adapting human activities (economic, food, and energy); protecting our natural and cultural heritage; and mobilizing the nation’s resources to successfully adapt to climate change. From a legal standpoint, it should be noted that the PNACC is adopted directly by the government without a formal procedure (it is not recognized by law or at the regulatory level). This makes its legal standing uncertain.

At the subnational level, we find the main planning instruments mentioned in response to question 9, which address climate change mitigation and adaptation: the Regional Climate-Air-Energy Plan (SRCAE) at the regional level, and the Territorial Climate-Air-Energy Plan (PCAET) at the intermunicipal level.

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?

Neither Directive 2024/2881 nor Directive 2024/1785 has yet been transposed into French law. However, a ministerial directive dated March 31, 2026⁷, officially launches the preparatory work for the transposition of Directive 2024/1881. This directive requires prefects to: identify, as of 2026, the areas of the territory that will exceed future standards; prepare preventive action plans on air quality; and anticipate the revision of alert and information thresholds (pollution).

It should also be noted that the French government has already been held liable (under strict conditions) before administrative courts for failing to adequately combat air pollution in light of the obligations set forth in the previous Directive 2008/50 of May 21, 2008. We cite a judgment of the Paris Administrative Court dated June 16, 2023, which expressly refers to the CJEU ruling in Case C-61/21: “If, in light of this ruling by the Court of Justice of the European Union—which thereby applied the minimum framework for Member States’ liability toward individuals that it had established in this area—Member States cannot, according to the Court, validly invoke a breach of those articles of Directive 2008/ 50/EC of the European Parliament and of the Council of May 21, 2008 on ambient air quality and cleaner air for Europe to establish a Member State’s liability, even though no failure or inadequacy of transposition is alleged in the present case, this does not preclude the application of the special, less restrictive rules governing the State’s administrative liability under French law (...) It is for the court hearing an individual dispute concerning the consequences for the person concerned of exposure to pollution peaks resulting from the State’s fault to determine, in light of the latest scientific knowledge at issue before it, whether there is no probability that such a link exists. Conversely, it must examine the circumstances of the case and may only conclude that there is a causal link between the claimant’s exposure to pollution spikes and the symptoms she experienced if those symptoms appeared within a timeframe typical for this type of condition, and, furthermore, if it does not appear from the record that these symptoms can be regarded as resulting from a cause other than exposure to pollution spikes.” The establishment of a causal link, which is often a major obstacle to holding the State liable in such cases, was recognized in this instance. Some of the symptoms suffered by a young child (recurrent ear infections) were caused by pollution levels exceeding thresholds resulting from the State’s negligence. This is evidenced by the fact that the onset of symptoms coincided with episodes of threshold exceedances, and that, conversely, a marked improvement in the victim’s health was observed after the family moved out of the Paris region. This ruling was upheld by the Paris Administrative Court of Appeal in a decision dated October 9, 2024⁸, which ordered the State to pay compensation of 4,000 euros to cover the damages suffered. Although double the amount awarded in the lower court (€2,000), this sum remains quite meager in light of the actual assessment of the damages. It is not yet known what the position of the Council of State, France’s highest administrative court, would be.

⁷ Instruction du 31 mars 2026 relative aux plans d’action préventifs et à la révision des seuils d’information et d’alerte issus de la directive (UE) 2024/2881 concernant la qualité de l’air ambiant et un air pur en Europe (NOR : TECR2601718J).

⁸ CAA Paris, 9 oct. 2024, n^{os} 23PA03742 et 23PA03743.