

**Avosetta Meeting
29-30 May 2026 – Copenhagen**

**“Instruments of Climate Mitigation and Energy Transition”
Questionnaire on Spain**

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1. POLITICAL SITUATION

Is EU climate (and energy transition) policy generally supported or viewed critically in the respective national political context?

In general, EU climate and energy transition policies and objectives are fully backed by the national coalition-government that has been in power since 2019. The right-wing opposition is less supportive or “enthusiastic” about them, although it does not question those policies openly. Finally, the extreme right-wing opposition is clearly against and advocates for a total reset (and even elimination) of such policies.

In this area, Spain is not a noticeable or remarkable example. We don’t have well-known climate activists, we don’t have acclaimed climate advocates or moral leaders; our voice is not anxiously expected by the international community.

Moreover, and based on our experience in university teaching, the degree of awareness (and even knowledge) of university students about Climate Change is rather limited. If this is so among the “elite”, what is the level of awareness or knowledge on this subject among the “mainstream” citizens...?

How has national climate (and energy transition) policy developed in recent years?

Due to the abovementioned political context, the national climate and energy transition policies have developed in recent years fully in line with the EU requirements and objectives.

Currently, the main national legal and planning instruments of Spain in this domain are the following ones:

- National Climate Change Law: Act 7/2021 of May 20 on Climate Change and Energy Transition
- The National Energy and Climate Plan 2023–2030, the key strategic document setting out targets for reducing greenhouse gas emissions, increasing the share of renewable energy, and improving energy efficiency
- The National Climate Change Adaptation Plan 2021–2030, whose main objective is to prevent or reduce current and future damages resulting from climate change
- The Fair Transition Strategy, whose objective is to ensure that climate policies do not have negative impacts on the population
- The Long-Term Decarbonization Strategy

In addition, the main EU legal rules in this domain were properly (although not timely transposed:

- ✓ Directive 2003/87 (“ETS”) → Act 1/2005, of 9 March 2005 (a decree-law had been approved previously, in 2004)
- ✓ Directive 2009/31 (CCS)→ Act 40/2010, of 29 December 2010

Apart from the abovementioned State rules and plans, there is a plethora of legal rules, plans and initiatives taken at regional and local level. For instance, some “regions” (*Comunidades Autónomas*) have approved their own “framework” legislation for the deployment of all sorts of strategies in this domain. Ex:

- ✓ Catalonia: Act 16/2017, of 1 August 2017, on Climate Change;
- ✓ Basque Country: Act 1/2024, of 8 February 2024 on Energy transition and climate change

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What are the prospects for future political developments? What are the key climate (and energy transition) policy controversies in the national political debate?

No relevant political developments are expected in the short future, in view of the present political situation, which seems to be stable at least in the short term (general elections are not expected until July 2027).

However, it is important to remark that for several reasons there is currently an intense debate about the soundness and the pace of the total transformation of our energy production grid/system (see below, point 7).

What has been the role of the Courts in your national context?

National courts have played a rather limited role during these years, in the field of climate change and energy transition (see the appendix, below on “recent developments).

2. OVERALL CLIMATE POLICY TARGETS

Are the EU’s overall climate targets (2035/2040/2050) considered adequate / too ambitious / insufficient in national politics?

As a matter of fact, the adequacy or pertinence of the EU overall climate targets are not under discussion in national politics. They are considered as something “coming from Brussels”, that the political parties (except the parties in Government) cannot influence.

In accordance with the alignment of positions explained above, the parties forming the coalition Government are happy with those targets, while the far-right opposition (Vox) believe they are totally unrealistic and extreme

Has Spain set more ambitious national climate targets (“gold plating”)? If so, what additional national targets are being pursued?

No, the targets set by Spain are just in line with its share in the EU-27 common mitigation efforts. As noted *supra*, the two key policy documents approved by the Spanish government are the “Long-Term Decarbonisation Strategy” and the “Integrated National Energy and Climate Plan” (“PNIEC” in Spanish) as demanded by EU Law (“governance regulation”). According to those documents, the main targets are:

- Overall reduction of GHG emissions by 2030 (compared to 1990 figures): the original target was -23%, but this target was raised by a 2024 revision of the National Plan, and now the target is: - 32%.
- In particular, the long-term Decarbonisation Strategy has set the objective that Spain should reduce its greenhouse gas (GHG) emissions by 90% compared to 1990 levels by 2050 at the latest. This entails reducing CO₂ emissions from the 334 million tonnes of carbon dioxide equivalent (MtCO₂eq) emitted in 2018 to a maximum of 29 MtCO₂eq by 2050.
- Apart from that, the Spanish plan seeks to obtain in 2030:
 - ✓ 48% of renewable energies in the final energy consumption
 - ✓ 81% of electric energy coming from renewables
 - ✓ 44% increase in energy efficiency

As for the achievement of those targets: according to the figures contained in the last “staff working document” of the Commission (see Ludwig’s paper) Spain is very far from achieving these goals, as the current progress (in late 2025) was identified as 0% reduction (compared to 1990 figures). The report of the EEA Agency shows different figures, but this issue should be discussed during the seminar.

3. EMISSION TRADING SYSTEM I (INDUSTRY)

Is ETSI considered appropriate?

We don’t identify a real debate about this topic in the country, this is not a matter of concern in the current Spanish political arena. We have not seen any meaningful discussion about this in Parliament, or in TV-political shows.

On the other hand, this topic is far to raise the interest of the legal academia. Only a few scholars work or have worked on this topic, or made publications on it. We remember very few seminars or conference on this, too. Academics usually comment the features of the applicable legal rules , and there is, in general, little criticism on this. One possible explanation for this is that this topic is very technical and extremely complicated (this trend will increase in the future).

If not, what reforms are viewed as priorities from the national perspective?

In general, we think that the political debate on these topics seems to be “closed” and settled, and no new priorities have been set from the national perspective. Apart from that, the usual position of Spanish politicians is “to hold the wheel” (using a cycling terminology) of whatever comes or is decided in Brussels. In this vein, there are no reforms expected on this matter (exception: see point 12, below).

4. EMISSION TRADING SYSTEM II (BUILDINGS AND ROAD TRANSPORT)

What share of national total energy consumption is attributable to buildings and road transport?

In Spain, transportation (primarily road transport) is the largest consumer of final energy, accounting for over 40% of the total, while the building sector (residential and commercial) accounts for approximately 25–30% of final energy consumption, including heating, cooling, hot water, and lighting.

Road Transport accounts for nearly 80% of the energy consumption of the entire transportation sector. In general terms, it ranks first in consumption, accounting for over 30% of final energy.

Buildings (residential and services): households and facilities devoted to the services sector together consume a very significant portion of energy. According to general data, the residential sector alone typically accounts for around 18–20% of final energy consumption, but when the services sector is added, the figure rises significantly, to roughly 25% of the total.

In terms of emissions, road transport is the largest source of emissions, accounting for nearly 28.4% of total greenhouse gas (GHG) emissions. When all subsectors are included, total transport emissions reach 30.7%. As for buildings (residential and commercial), they account for approximately 10% of direct emissions.

Is the postponement of ETS II to 2028 viewed positively?

In line with the statement made above about the overall political “climate”, we are not aware of any formal or express position adopted by any Spanish political parties on this particular issue.

Are buildings and road transport already part of a national regulatory regime that anticipates elements of ETS II?

No

How are the prospects for decarbonizing the national building and transport sectors assessed?

The political assessment of the prospects for decarbonization in the sectors of building and transportation shows a rather polarized landscape, with great differences between the governing coalition (PSOE-Sumar) and the opposition (PP-Vox).

The left and extreme-left parties forming the coalition government (PSOE and Sumar) advocate for an accelerated green transition, based on the energy retrofitting of buildings and the electrification of transportation, supported by European funds and direct public aid.

For its part, the conservative opposition-Popular Party (PP) maintains a more moderate or critical stance, and has even voted against certain European climate targets as it considers them unsustainable for the Spanish economy, and prioritizes industrial competitiveness over the speed of decarbonization. Finally, the “Vox” Party rejects the “imposed” climate regulations,

depicting the emission reduction targets as unrealistic and advocating for the protection of traditional sectors (road transport).

Thus, in general terms, in the buildings and housing sectors an outlook of the main political positions and initiatives would be the following one:

- Coalition Government (PSOE/Sumar): promises have been made that, in 2026, income tax deductions (up to 60%) for energy efficiency improvements will be maintained and extended, and that air-source heat pumps will be promoted to replace fossil fuel boilers. Public housing projects based on sustainability criteria have been promoted.

The position in the government, though, is not “monolithic” and there are some basic difference among the two parties. Thus, although the overall objective is renovation, the government has experienced internal tensions regarding the management of the housing stock, with “Sumar” party pushing for stricter measures against energy poverty and rent control.

As for the Mobility and Transportation field, the outlook would be the following one:

Position of the Government (PSOE/Sumar): Following the enactment of the Sustainable Mobility Act (2025), the focus in 2026 will be put on investments in rail infrastructure and supporting the purchase of electric vehicles (Plan “Auto +”).

Opposition’s viewpoint: the PP and Vox parties have criticized the prospect of imposing restrictions on road transport and have voted against European emissions regulations, arguing that they harm Spanish competitiveness. The PP has presented proposals to use sovereign wealth funds to modernize vehicle fleets, focusing on the industrial aspect.

A final, bottom-line remark: since access to housing is one of the most critical national problems, with the price of apartments and houses skyrocketing every year, there is a fear that “decarbonising” the housing sector will make housing even more expensive.

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?

No, at least we are not aware of it.

6. EFFORT SHARING

Is Spain “on track” to meet its national reduction targets under the Effort Sharing Regulation 2018/842?

As noted supra, the available data (Commission working document) does not show positive accomplishments (0% reduction, 2024 data). The document by the EEA shows different figures

Is failure / compliance / over-achievement of the EU requirements expected?

It is too early to assess this question, and the figures available are sometimes diverging (see, above). However, the narrative of the government is that Spain is “on track”, to meet EU targets and that the national targets will be achieved. Over-achievement is not on the agenda.

What are the main challenges or success factors influencing compliance or non-compliance with the EU requirements?

There is a complex pattern of factors, including the political willingness, the economic scenario (economic growth), the fight against unemployment (last figure, 2,7 M), etc

Does the State intend to sell its own emission credits or to purchase such credits from other Member States?

As an EU member, Spain operates primarily within a system where companies purchase emission allowances (credits) if they exceed their limits, or sell them if they have a surplus, under the EU Emissions Trading System (EU ETS). Internationally, Spain and the EU are positioning themselves to acquire high-quality carbon credits from projects in other countries to meet their climate neutrality goals.

On purchase/acquisition, here are the key points: Spain, through the Carbon Fund for a Sustainable Economy (FES-CO2), purchases carbon credits to contribute to emissions reduction. In general, Spain acts primarily as a net buyer of credits to offset emissions through funds and companies, thereby supporting the financing of decarbonization projects, although internal trading does occur when specific companies have a surplus.

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?

As of early 2026, Spain keeps a leading position in Europe in the use of clean energy, with renewable energy accounting for over 56% of the national electricity mix at the end of 2025. Here are the key details on the penetration of renewable energies in the national energy mix: (2025/2026 data):

- In 2025, the Spanish electricity system closed out 2025 with a renewable generation share of 55.5%, rising to 56.6% if self-consumption estimates are included. This is all-time record, according to the Government.
- 2026 Trend: The year 2026 began with a strong renewable presence, reaching a 63.2% share of the national electricity mix in February.
- Leading Technologies (2025): Wind power remains the primary source of electricity generation, followed by nuclear and solar photovoltaic.
- Capacity growth: During 2025, nearly 10 GW of new renewable capacity (primarily solar PV and wind) was installed, bringing total installed capacity to over 80 GW.

- Zero-emission impact: In 2025, 75.5% of electricity production in Spain was CO2-equivalent emission-free.

According to governmental sources, these figures indicate that Spain is on track to meet the decarbonization targets set out in the Integrated National Energy and Climate Plan (PNIEC), which seeks to obtain 81% of electricity generation from renewable sources by 2030

What are the major national regulatory instruments to support the transition to renewables?

See above, reply to Point 1

What major obstacles hinder a faster transition to renewable energy at the national level? And: “debates-issues”

For several reasons there is currently an intense debate about the soundness of the total transformation of our energy production grid/system, and specifically about the transition to renewable energies.

First, the occurrence of a total blackout episode that took place in the whole Iberian peninsula in April last year¹. Since that date, the Government has not produced a convincing explanation about what happened that year, and there is an ongoing parliamentary investigation of this episode. Among the several theories, some claim that too high reliance on renewable energies (unstable and intermittent by definition) might have triggered an imbalance in the total national grid. The opposition has asked for the removal of the head of the national electricity grid body (politically appointed), with no success.

Another hot issue is the future of the nuclear plants operating in Spain. In 1984, the then-socialist government prompted the adoption of a “nuclear moratorium”, eventually adopted that year as a part of the National Energy Plan. This decision subsequently slowed down the construction of nuclear power plants due to the economic crisis and public pressure. This moratorium was formalized in 1994 with the Act on the National Electricity System.

Since that date, no new power plants have been licensed. Moreover, the ongoing (partly built) projects of new nuclear plants (Lemóniz, Valdecaballeros) were suspended (for very different reasons, indeed).

The 5 nuclear plants that are operating now in Spain are expected to be closed down in the future (sometime between 2027 and 2032), but there is no clear deadline for that. In this political debate, the current government (left and extreme-left) strongly supports the dismantling of all the existing nuclear plants, while the opposition understands that nuclear reactors are a vital part of the national energy system, at least just as a supplementary energy source. Moreover, they stress that the abovementioned blackout was due for relying too much on renewables (depicted as unstable and erratic), among other factors.

¹ See: <https://www.entsoe.eu/publications/blackout/28-april-2025-iberian-blackout/>

The other axis in the development of the national energy policy in recent years has been the strong policy of promoting the deployment of renewable energy installations, whose number has skyrocketed. This development has been very controversial for two questions:

.- **(a)** on the one hand, the fast and (apparently) indiscriminate multiplication of such installations is questioned by e-NGOs. They claim, first, that the current fast-track licensing procedure, with the possibility of express (or not at all) environmental impact assessment for such projects is a very bad thing. Anyway, Spain is here implementing the measures and goals adopted by the EU Regulation 2022/2577. To this end, two decree-laws were adopted on this matter: R-D Law 6/2022 and R-D Law 20/2022.

Apart from that the e-NGOs refer to the important damage that many wind mills are producing on wild fauna, and many birds (even protected or highly-protected specimens) are regularly killed. Every week there is a piece of news reporting these deaths². Some local groups (especially in the rural areas) also oppose sharply those installations (especially, wind mills).

.- **(b)** on the other hand, this massive deployment of renewables was possible thanks to a very generous financial support scheme approved by the Government in 2013. This scheme fueled the investments (national and foreign) in the renewables sector. However, the system almost “died out of success” and the Government had to modify abruptly the supporting scheme. This decision triggered a plethora of legal actions, brought by the investors in national courts and in international ARM institutions (mainly the CIADI, based in Washington US). While most legal actions lodged in the national courts were dismissed on the grounds of political discretion of the Government, many other complaints have succeeded in the arbitration tribunals, on the grounds of a breach of the principle of legitimate expectations. The fact that Spain is a signatory of the 1994 Energy Charter Treaty has been an essential factor for that.

However, and due to the ECJ *Achmea* ruling, the Spanish government has in recent years systematically (and unsuccessfully) denied jurisdiction to those arbitration tribunals. This claim has not prevented those tribunal to pronounce a very high number of awards against Spain, but the Government systematically refuses to pay for them.

Little by little, the total amount that Spain has been ordered to pay in compensation as a result of these unfavourable arbitration awards continues to rise, and every week the media report the latest figure, which keeps growing. Then, it is estimated that by the end of April 2026, the total figure will have reached almost 2,3 billion euros (the result of roughly 30 arbitration awards, that have condemned Spain to pay compensation for the plaintiff companies).

These awards cannot be enforced in Spain, due to domestic rules on Governmental immunity, and the fact that public goods and properties cannot be seized by Spanish courts. In reaction to this domestic legal feature, the creditors who have obtained awards are investigating the existence of properties of the Spanish authorities located abroad (any place in the world), that could be seized and executed under local legal rules. In this vein, the latest surprising news (late April 2026) is that a Dutch court has recently seized the headquarters of the Cervantes Institute

² Recent “casualties” include specimens of eagles (“Aquila Bonelli”) vultures and even a specimen of “Urogallo” (Tetrao Urogallo) the most protected bird in Spain.

(the leading national governmental body for teaching Spanish abroad) in Utrecht, at the request of a subsidiary of Toyota, which has secured a favourable award in a recent arbitration case.³

Are adjustments to the EU's regulatory framework considered necessary?

No, at least there is no relevant political discussion on this, or on the public opinion

If so, which ones?

N.a

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8. LAND USE

How exactly are emissions from the land-use sector recorded nationally?

This is mainly done through the Spanish Inventory and Projections System for Atmospheric Emissions of Greenhouse Gases and Air Pollutants (managed by the environment ministry of the Spanish government). The Inventory compiles the National Inventory of greenhouse gas and air pollutant emissions and removals, as well as projections of emissions and removals into the atmosphere, which enable the assessment of Spain's compliance with the commitments it has undertaken under international and European regulations on atmospheric emissions.

According to the latest report for the period 1990-2024, agriculture and livestock sector (12.4% of total emissions): saw a slight increase of 0.6% in its GHG emissions compared with 2023. This result is due to an 8.5% rise in emissions from agriculture, with significant increases across all its activities. On the other hand, livestock farming activities, which account for 79.2% of this sector's emissions, have reduced their emissions by 1.3%, specifically due to improvements in emission reductions during manure management.

As regards, LULUCF sector, removals associated with this sector of the Inventory have been estimated at 51.9 million tonnes of CO₂-eq in 2024. These removals account for 19.4% of the year's gross emissions. Compared with 2023, removals were lower, representing a year-on-year decrease of 1.2%.

A report on carbon agriculture by the General Council of Official Associations of Agricultural Engineers⁴ reveals that crops absorb more CO₂ than they emit. The study indicates that Spanish agriculture has an annual absorption capacity of 57,795 kilotons of CO₂, compared to 26,031 kilotons of CO₂ equivalent in emissions, resulting in a net negative balance of 31,764 kilotons of CO₂ equivalent per year.

What trends can be derived from this data?

Already mentioned above. However, forecasts for the LULUCF sector in Spain (National Integrated Energy and Climate Plan (PNIEC 2023–2030)) continue to point to a saturation in the CO₂ absorption capacity of natural sinks, attributable to a range of factors, notably the

³ See: <https://www.euronews.com/culture/2026/04/28/headquarters-of-cervantes-institute-in-utrecht-seized-due-to-spains-debts>

⁴ <https://zenodo.org/records/18084699>.

impacts of climate change on the Spanish agroforestry sector (particularly rising temperatures and reduced water availability) and on its capacity to absorb CO₂, or the widespread increase in the risk of desertification across the entire territory.

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?

The strategies are adopted within the framework of Law 7/2021. The National Integrated Energy and Climate Plan (PNIEC 2023–2030) enlists a series of measures to be adopted in the agriculture sector:

Promotion of crop rotation on farmland.

Adjusting nitrogen inputs to crop requirements.

Frequent emptying of slurry in pig housing (Royal Decree establishing basic regulations for the management of intensive pig farms).

Covering of slurry ponds.

Solid-liquid separation of slurry.

Production of compost from the solid fraction of slurry.

Production of compost from the solid fraction of slurry.

Use of pruning residues from woody crops as biomass.

Promotion of conservation agriculture (direct sowing).

Maintenance of green cover.

With the measures set out in this Plan, it is expected that the diffuse sectors will contribute to an overall reduction in GHG emissions of 32% by 2030 compared with 1990 levels, with a reduction of around 42% by 2030 compared with 2005 levels.

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?

The main strategies and regulatory programmes (national level) have been presented above. As noted supra, there is a plethora of strategies, rules and programmes adopted at regional and local levels (Spain is a very decentralised country), which can only be mentioned here.

How do these national concepts and legal instruments relate to EU climate policy?

The reference to the EU climate policy, and targets is very usual, and the explanatory memorandums of such documents and rules usually make reference to that. EU climate policy is the real anchor and umbrella of any legal instrument, plan or strategy.

Does a programme for carbon capture and storage exist?

The carbon capture and storage technology was warmly welcome in the first time, and some news announced a very positive development (and huge profits) for this technology. The EU Directive was duly transposed in due time in 2010, by means of a national statute (see above, point 1).

However, the truth is that, 20 years after the publication of this Act, very little progress has been achieved. The Act was never developed or supplemented by the necessary regulations that would identify key technical and bureaucratic aspect of the legal scheme. Mining prospections have not discovered too many suitable locations for carbon storage, either.

There is indeed a State governmental program to promote studies and experimental projects on this technology, but currently there is only one experimental project (in Compostilla, Castilla y León region). In a nutshell: as in other countries, CCS is still a “sleeping beauty” in Spain. Apart from that, it is absolutely missing in the political debate, not to mention legal academia...

10. SOCIAL AND REGIONAL COMPENSATION MECHANISMS

Are there national mechanisms to provide social or regional compensation for the burdens arising from climate protection measures?

Yes, Spain has several national mechanisms designed to provide social compensation to societal groups and regions, and seeks to mitigate the burdens resulting from climate protection policies, primarily through the energy transition and the support for areas affected by the closure of polluting industries.

Apart from other regional initiatives and schemes, the main national ones are the following ones:

- The Fair Transition Fund (*Fondo de transición justa*): this specific program (2021–2027) is funded by European financial contributions to support regions affected by the closure of coal mines and thermal power plants. This fund focuses on economic restructuring and the creation of *green jobs*, particularly in areas of Andalusia, Aragon, Asturias, Castile and León, Galicia, and the Balearic Islands.
- The Social Climate Plan (*Plan social para el clima*): This scheme/fund is expected to receive significant funding (estimated at around 6.84 billion euros in European funds between 2026 and 2032) to support vulnerable households, small and medium-sized companies, and transport users affected by the expansion of the emissions trading system.
- Just Transition Agreements (*Convenios de transición justa*): Through the Institute for a Fair Transition, the government signs agreements with affected municipalities to promote green economic activities, workers training, and environmental restoration.
- Efficiency and Mobility Grants (*Ayudas a la eficiencia y movilidad*): The Recovery, Transformation, and Resilience Plan (PRTR) includes grants for energy-efficient home renovations and for the purchase of electric vehicles, aimed at reducing the economic impact on families.
- Just Transition Strategy (*Estrategia de transición justa*) This program includes protective measures for workers affected by the energy transition, such as early retirement or voluntary redundancy programs in the mining and energy sectors.

These mechanisms aim to meet the objectives of the abovementioned Act 7/2021 on Climate Change and Energy Transition. According to the Government, these schemes ensure a „fair“

transition that does not leave behind vulnerable groups or regions which are dependent on fossil fuels

Is any form of “climate dividend” or “climate payment” being issued?

This concepts are not used, at least to our knowledge

11. ADAPTATION

Are there national programmes for climate adaptation?

Climate change adaptation has been a relevant subject, and in 2006 Spain approved its first National Adaptation Plan.

A second plan (the current one) was approved in 2020. The current National Climate Change Adaptation Plan (PNACC) 2021–2030 was formally approved by the Council of Ministers on September 22, 2020. It serves as Spain’s framework for planning to address the impacts of climate change and is implemented through five-year work programs.

Here are the key details:

- Validity: it covers the period 2021–2030.
- Objective: To prevent or reduce current and future damage resulting from climate change by promoting resilience.
- 2021–2025 Work Program: Approved in 2022, this operational program details 257 measures and 11 sub-measures for the first five years of the plan’s implementation.
- Content: It defines 81 sectoral lines of action organized into 18 areas of work, including human health, water, biodiversity, agriculture, and coastal zones

Despite the approval of those plans, there was no substantive legislation on this matter. This loophole has been filled by the Act on Climate Change of 2021: arts. 17 to 22 enshrines several provision on climate change adaptation, which have meant a real novelty in our legal system, at least at national level.

Apart from that, the national government has approved a specific strategy on adaptation of the coastal areas to the effects of climate change. This is logical since Spain has almost 7.700 kms of shoreline.

Thus, climate change adaptation for the coastal areas has been a traditional priority objective for Spain, given the high vulnerability of the Spanish coastline to climate change and variability. In 2013, a statute amending the Act 22/1988 of July 28 on the Coastal Areas, introduced specific regulations to effectively address the fight against the effects of climate change on the coastline.

In accordance with the provisions of that statute, the Ministry of Agriculture, Fisheries, Food, and the Environment drafted and approved in 2017 the Strategy for Adaptation to Climate Change of the Spanish Coast⁵

How can these be briefly described?

They are too long and complex to be summarised in a couple of lines. Apart from that, they use strange and technically-complex terminologies

Should the EU, from a national perspective, develop climate adaptation programmes, or should this remain the responsibility of the Member States?

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In our view, the situation should remain as it is. The Commission has approved to far some policy documents on this:

- 2005: Commission Communication “winning the battle against climate change”
- 2013: EU Climate Change Adaptation Strategy, COM(2013) 216 final, of 16.4.2013
- 2021: The “new” EU Adaptation strategy

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..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?

According to the website of the Spanish Ministry of the Environment, the implementation in Spain of the new liability and compensation obligations set forth in Directive (EU) 2024/2881 (air quality) and the amended IE Directive (2024/1785) will be carried out by transposing both regulations into Spanish law by the end of 2026 (transposition deadline: 11 December 2026). This new legal rule will strengthen the civil liability of polluters, facilitating citizens’ right to obtain compensation for health damages. Transposition is expected to take place by means of a statute of the National Parliament

According to the information revealed by this source, the key points of the expected legal rule will be the following ones:

⁵ The statute is available (in Spanish) at the following link:

https://www.miteco.gob.es/content/dam/mitesco/es/costas/temas/proteccion-costa/estrategiaadaptacionccaprobada_tcm30-420088.pdf

- **Right to Compensation for Health Damages:** affected citizens will be entitled to claim compensation if their health is harmed by violations of air quality standards or environmental permits for industrial facilities.
- **Facilitation of Legal Action:** the new Act will allow NGOs and affected citizens to implement direct access to justice to claim this compensation and demand compliance with pollutant limits, such as PM2.5
- **Short-Term Action Framework:** The transposition includes amendments to the Royal Decree on Air Quality Improvement, establishing new thresholds and uniform measures nationwide in response to episodes of high pollution.
- **Industrial Liability (IE Directive):** The amended directive on industrial emissions (2024/1785) will require industrial installations to comply with stricter limits and will promote transparency regarding their emissions (new E-PRTR portal). Allegedly, this will make it easier to identify the responsible party in the event of environmental damage.

Compliance with the new regulations will be supported by the implementation of Low Emission Zones (LEZs) and the improvement of air quality monitoring stations to detect non-compliance at an early stage.

It should be observed that Spain has not yet complied with the CJEU's ruling in case C-278/20 of June 28, 2022, regarding liability for breaches of EU law, as the regulation contained in law 40/2015 was declared incompatible with basic EU standards on this matter.