

An Adaptation Instrument for the European Union: A Malta Forum Submission (June 2012)

















Zen Makuch
Barrister/Rapporteur

Why An Adaptation Instrument? The EU Value Proposition

- A climate resilient EU is one where Member States have an Adaptation Strategy
- It promotes cooperation among Member States on best climate proofing practice
- It better balances the mitigation agenda with the adaptation agenda
- At international level it demonstrates what the EU is doing practically on climate change adaptation

Why an Adaptation Instrument? The EU Value Proposition

- The EU level provides better support to address gaps that no one Member State can identify on its own
- An EU Strategy will address transboundary issues that no Member State can address alone
- Still, an Adaptation Instrument will recognise the important role of Member States at regional and national level
- Impact upon internal market policy
- It represents good EU citizenship, solidarity and leadership (e.g., for vulnerable groups)



So What's in an Adaptation Legal Proposal?

Article 1 – Objectives and Scope

 We are asking Member States to create Adaptation Strategies in order to improve EU resilience in addressing climate change. The Strategies should be developed by reference to climate change vulnerability assessment and risk mapping principles and methods.

Article 2 – Adaptation Strategy Logistics

- If you do not already have an Adaptation Strategy then follow Article 1
- If you do have an Adaptation Strategy then follow Article 1 when it is next reviewed
- Every Member State should have one by 2020
- Periodic Reviews should take place regularly since climate change is dynamic

So What's in an Adaptation Legal Proposal?

- Otherwise the Adaptation Instrument is about standard, predictable legal mechanics as follows:
 - It is not about the MMR
 - Adaptation Strategies should be amended as developing sound climate change science so dictates and as part of regular review processes
 - Commission will report on implementation with some consideration of best practice re: climate change vulnerability assessments and adaptation strategy content
 - Enforcement shall feature proportionate, clear and dissuasive sanctions

So What's in a Climate Change Vulnerability Assessment? A Bit of Detail on CCVA Principles

- We need principles for the first step climate change vulnerability assessments and risk mapping:
 - Content and structure principles
 - Mainstreaming CCVA and risk mapping across specific sectors (e.g., infrastructure – energy, buildings, transport; electricity supply, environmental competencies)
 - Promoting sectoral integration as appropriate
 - Addressing uncertainty and tipping points
 - Considering vulnerable groups/communities
 - Promoting transboundary cooperation

So What's in a Climate Change Vulnerability Assessment? CCVA and Risk Mapping Methods

- Identify the most relevant hazards
- Determine what is at stake from the risk
- Create a balanced set of strategic responses
- Implement a climate risk strategy
- Measure success and adjust strategies as climate scenarios change.

Imperial College

So What's in an Adaptation Strategy Itself? Adaptation Strategy Principles and Methods

- Mainstream adaptation through sectoral contingency plans
- Address risks and probabilities of occurrence of extreme events
- Identify anticipatory and reactive approaches
- Inform and communicate risk measures and responses
- Ensure cross border cooperation as appropriate
- Ideally, create a system of incentives to facilitate climate proofing measures

NOTE: Consequential amendments related to climate proofing EU legislation can play an important role