

Good afternoon, ladies and gentlemen.

I'm really happy to be here at this conference.

I gladly accepted the invitation from Daniel to come and talk about intergenerational justice in this session.

Not because I am a lawyer.

That's probably the last thing I could claim to be.

So don't expect me to venture into the legal intricacies of climate and intergenerational justice, especially after the brilliant exposure of Mrs Manner.

But let me give you a few perspectives from a policy practitioner who has worked with President von der Leyen since the launch of the European Green Deal at the end of 2019.

And in doing so, let me start with giving you a quote of the press statement that presidents von der Leyen and Biden made just one week ago after their meeting in the White House.

I quote from the US and EC presidents' joint statement.

"The US and the EU share the most comprehensive and dynamic economic relationship in the world. Our partnership is based on shared values and principles, including the responsibility to protect our planet for future generations and defend our workers."

In this statement, it is not difficult to guess which of the two Presidents emphasised the protection of the planet for future generations.

Since we launched the European Green Deal at the end of 2019, intergenerational justice or solidarity has been with us as a driving reason and motivation.

The European Green Deal was launched as a resolute growth and innovation strategy for several reasons.

One is of course that we see that we are reaching, if not crossing, the limits of a fossil fuel based, resource-wasting economy.

As you know, the Club of Rome in the 1970s talked about the limits to growth.

What we now see is the growth of limits.

And we will be reminded about this on Monday when the next IPCC synthesis reports will be published, which will give us some very cold facts about our warming world.

Today we have a rise in temperature of 1.1 degree since the start of the industrial age. With today's climate commitments, we will end up towards the end of this century 2.7 degrees warmer.

We know that already with today's warmer temperature, the Amazon is turning from a sink of carbon into a source.

A city like Jakarta is drowning into water.

With a world that is 1.5 degrees warmer, we will see half of the world's glaciers disappear.

These glaciers provide for 3/4 of global water supply.

I'm just saying this to make sure that everyone understands that our living environment will change.

The question for us, as inhabitants of this planet, is whether we want this change to happen by disaster or by design.

The European Green Deal is a policy programme for making sure that we do change our living environments in a way that we can design it so that we don't have to do it through disaster.

But there are also other reasons for the European Green Deal.

One is economic.

We need to sustain our economic growth.

We need a lot of innovation. Innovation in an industrial world like ours here in Europe is driving about 2/3rds of economic growth.

Our innovation engine has to be reignited so that we increase productivity.

That was also a big factor in the European Green Deal. And it is working because we see lots of innovation and investments happening these days.

There was also very strong factor of security.

As you all know, we are an economy that has probably the highest dependency on imports of fossil fuels.

In 2019, Europe paid a bill of € 300 billion for importing oil and gas from the rest of the world.

In 2021, this became € 500 billion.

And just to give you an idea, last year in the third quarter of 2022, Europe paid € 70 billion per month for the imports of fossil fuels. That forms a bill that is higher than what we need in terms of investments to achieve our climate neutrality goals.

There is also a very strong financial reason to the European Green Deal, because we know that lots of our assets are coming under risk.

They will be stranded assets in the future because of the impacts of climate change.

That's also the reason why the European Central Bank is undertaking climate stress tests of our financial institutions.

Another big motivation for the European Green Deal is the sense of justice - what I could call solidarity.

Solidarity is something that runs across our European Green Deal policies.

My experience is that whenever we talk about climate policy, be it laws, financing etc., at the end of each conversation, or beneath every discussion, there's always an issue of justice.

Who pays for what and who will benefit from what?

It is an issue that explicitly or implicitly runs through all discussions.

That's why we have ensure that solidarity is integrated in all our policies. That's why we need to ensure a just transition, so that everyone is benefiting from this transition and we leave no one behind.

Solidarity plays between sectors in the economy, so we need to find the balance there and make sure that all sectors contribute to climate action.

Solidarity, of course, plays between Member States and the European Union, where those with the strongest shoulders probably have to do more than others.

Solidarity, of course, also plays between the global north and the global south, which is the international dimension of our climate action.

But then also very, very strongly solidarity plays between generations. We know that lack of action today on climate and environment will disproportionately restrict the freedom of future generations.

So the European Green Deal is also designed as a programme for systemic transformation by design to keep our planet liveable in the future.

Climate change is an existential threat - not for our planet but for humanity on the planet.

Whatever happens, the planet will always exist. It's really a question of whether we can keep the planet inhabitable for the future generations.

This intergenerational solidarity, or justice if you like, is enshrined in EU law.

We have the European climate law, which says that by 2050 we need to become climate neutral.

If you think of it, I find it quite remarkable that a Union of 27 Member States have democratically agreed to bind themselves to an outcome in more than 30 years, which says that we will not generate more emissions than we can absorb.

The European Union was and still is the first continent that has such a binding law with such a long term time frame.

And we do not only a law but also a blueprint, a road map of laws and policy instruments to get us there.

The European Green Deal's core mission is to achieve climate neutrality.

But we all know that achieving climate neutrality requires much more than simply cutting emissions.

What it boils down to is that we need to decouple economic growth from resource use and in doing so leave no person and no place behind.

The transition to a climate neutral Europe will be just or it will not be.

That requires a whole-of-government approach so that we can address and cover all sectors of economy and society an in-all-of-instruments approach.

That is what we have done with the fit for 55 package of proposals with the incredible help of the legal service in the European Commission, and I would like to really commend the colleagues in the legal service for their help.

In putting this together, what we basically have is, in my view, a smart mix of pricing.

We price pollution because nature cannot pay the price anymore.

So those who pollute have to pay the price and we use the revenues from this pollution pricing to re-invest in innovation and in social policies so that we leave no one behind.

And we couple this with targets for sectors, for countries; some binding, some aspirational.

We also couple this with regulations where the market is failing to deliver what we need or is not going fast enough.

And in order to achieve all this we mobilise a lot of funding.

Incidentally, it is interesting to note that young climate activists are now starting to take issue with the growth and Stability Pact or budgetary discipline policy. They say that actually we have to make a lot of debt now so that we avoid deaths later.

The EU has been able to mobilise funding through the post COVID reconstruction programme, which was very aptly called, at this instigation of President von der Leyen, NextGenerationEU.

This tells us how important intergenerational solidarity is.

What we have been able to do since 2019, despite the COVID pandemic, despite the consequences of the Ukraine war, we have been able to stay the course on climate.

We have not given in to those who said “let's pause a little bit on the climate transition, let's maybe take a bit more care first of the economy.”

To the contrary, we have doubled down on the ambition of a green transition. The latest challenge to Europe, the IRA in the United States, is again for us an invitation to get our act together on industrial policy as well.

I strongly believe that this staying the course is, besides economic necessity and political opportunity, very much due to the very strong moral imperative of intergenerational solidarity and justice.

Let me mention a few upcoming or ongoing landmarks which will be with us in the near and midterm future.

When it comes to intergenerational justice and fairness in relation to climate policy, we are about to finish the legislation that we need to achieve or climate targets for 2030 and reduce greenhouse gas emissions by at least 55%, which is quite an ambitious venture.

It is not a walk in the park and will require a lot of transition. The European climate law requires us to already think about and work on a climate target for 2040.

Picking up on what Mrs. Miller was saying, the European climate law requires us to take into account the carbon budget, which is something we have never done before at European level.

We know that if we want to achieve a maximum warming of 1.5 degrees, we, as humanity, have a budget of 400 gigatonnes of CO2 equivalents that we can still emit in the air.

To give you an idea, the world is emitting, roughly speaking, every year 40 gigatonnes of CO2.

That means that with the current economic practice, we have 10 years left if we want to achieve and respect the 1.5 degree warming limit.

That's why it is so important that we set ourselves on a course to reducing emissions.

The EU represents 8% of global emissions in the world, as compared to 15% for the US and about 30% for China.

Now when we talk, when we look at the 2040 target and then also the 2050 goal of climate neutrality, we know that we in Europe will have, between 2030 and 2050, about 20 gigatonnes of emissions that we can put in the atmosphere.

That means that between 2030 and 2050 we will be allowed to emit 1G carbon of emissions per year maximum. To give you an idea, between 1990 and 2020, Europe emitted 120 gigatonnes. 4 gigatonnes per year on average. That, of course, raises a host of questions about fairness.

Fairness not only within Europe, between Member States: who can emit what. But also fairness between Europe and the rest of the world.

We will have to rely on a lot of scientific but also legal advice on how to deal with this question of fairness.

The European Climate Law has set up a scientific Advisory Board, which is chaired by the Director of the Potsdam Institute in Germany. The first insights we have from the Board is that we have to find the right balance between fairness and feasibility in dealing with this carbon budget.

If we look forward at intergenerational solidarity, there are also of course people who look at it backwards, at the historic responsibility of Europe and the developed world. If you look at all cumulative emissions since 1750, the the EU is responsible for 22% of all emissions then have been put in the atmosphere.

The US 25%.

China is at 13% historic responsibility, but with its current rate of its emissions, it will at some point become the biggest in terms of historic emissions.

Africa and South America as a continent each are responsible for 3% of all cumulative historic emissions.

That means that we are in for difficult discussions which started in Sharm El Sheikh at COP 27 and they will continue at the Dubai COP later this year on what is generally called finance for loss and damage from climate change.

Those who suffer from climate change, like island states in the Pacific for example, say that they are suffering from the impact of climate change for which they have not been responsible at all.

So they are asking for support to address loss and damage.

Some call it climate reparations, which will be a very challenging discussion to have.

At the same time, we see that there is more and more climate litigation, as Ms Madner mentioned, court rulings in different countries.

I personally understand that climate activists are using all the tools and their disposal to get governments to act.

It is better this way than falling in fatality.

You may know that in a country like Sweden, for example, there is now a growing profession of climate psychologists to accompany young people who don't see a future anymore.

So it's better that activists use legal tools like the courts to get to action.

And what all this means is indeed, as Mrs Madner indicated, that court rulings point to the fact that governments and legislators have to act.

The way I read the German Constitutional Court ruling on climate change is that elected politicians have the duty to protect the planet for future generations, and climate and environmental protection are not a question of political preferences.

And I can say that this is also something that strongly inspired and motivated the President of the European Commission to have this ambitious climate programme.

In Germany it worked because the German Government did increase its targets for 2030.

It increased to its goal to at least 65% by 2030, 80% by 2040 and climate neutrality by 2045, five years ahead of what European climate law requires from Europe.

We also see this increasingly playing at the international level.

You probably know that Vanuatu, instigated by university students, has requested an advisory opinion from the International Court of Justice on the legal obligation of States under international law to ensure the protection of present and future generations from the adverse effects of climate change.

I'm very happy to be able to inform you that the EU will support this request through a statement to the United Nations General Assembly, while clarifying that such advisory opinion should be non-binding, that it should not be a basis for liability or compensation, and clarifying the preeminent role of the Paris Agreement.

Ladies and gentlemen, I hope I have been able to give you a few perspectives from a climate policy practitioner who is anything but a lawyer.

But I would not like to end my intervention by pointing to the President von der Leyen's state of the Union speech last year after her meeting with 1500 young people in Taizé in France.

She was very, very impressed by the motivation and the inspiration of young people. Following this, she declared in her state of the Union speech that the solidarity between generations should be enshrined in the founding treaties of the European Union.

She even called for a European Convention to reform the European Treaties to anchor this intergenerational justice in our founding treaties.

So this question of intergenerational solidarity and justice will not go away.

It will increase in power.

And that's why I'm so grateful that the legal service has also dedicated this session to intergenerational justice.

Thank you very much.