COMMISSION RECOMMENDATION

of 18.12.2023

on the draft updated integrated national energy and climate plan of Malta covering the period 2021-2030

and on the consistency of Malta’s measures with the Union’s climate-neutrality objective

and with ensuring progress on adaptation

{SWD(2023) 920 final}

(Only the English and Maltese texts are authentic)
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THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union, and in particular Article 292 thereof,


Whereas:

Recommendation on Malta’s draft updated integrated National Energy and Climate Plan (NECP) of Malta covering the period 2021-2030

(1) Malta submitted its draft updated integrated national energy and climate plan on 6 October 2023.

(2) Article 3 and Annex I to Regulation (EU) 2018/1999 (‘the Governance Regulation’) lay down the elements that are to be included in the updated integrated national energy and climate plans. In December 2022, Commission adopted the Guidance to Member States on the process and scope of preparing the draft and final updated national energy and climate plans3. The Guidance identified good practices and outlined the implications of recent policy, legal and geopolitical developments in energy and climate policies.

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2 OJ L 243, 9.7.2021, p. 1
3 2022/C 495/02
In connection with the REPowerEU plan\(^4\), and as part of the 2022 and 2023 European Semester cycles, the Commission has put a strong focus on Member States’ energy and climate related reform and investment needs to strengthen energy security and affordability by accelerating the green and fair transition. This is reflected in the 2022 and 2023 Country Reports for Malta\(^5\) and the Council Recommendations to Malta\(^6\). Member States should take into account the latest country-specific recommendations in their final updated integrated national energy and climate plans.

The Commission’s recommendations with regard to the delivery of national targets under the Effort Sharing Regulation\(^7\) (ESR) are based on the likelihood that the Member States will respect the 2030 targets, taking into account the use of flexibilities under the ESR.

The Commission’s recommendations regarding Carbon Capture, Utilisation and Storage (CCUS) aim at having an overview of the intended deployment of these technologies at national level, including information about annual volumes of CO\(_2\) planned to be captured by 2030, split by source of CO\(_2\) captured coming from installations covered by Directive 2003/87/EC\(^8\) or from other sources, such as biogenic sources or direct air capture; about planned CO\(_2\) transport infrastructure; and about potential domestic CO\(_2\) storage capacity and injection volumes of CO\(_2\) planned to be available in 2030.

The Commission’s recommendations regarding the performance under the Land Use, Land Use Change and Forestry Regulation (‘LULUCF Regulation’)\(^9\) address the delivery by the Member State on the “no debit” rule for the period 2021-2025 (Period 1) and its national target for the period 2026-2030 (Period 2), taking into account the rules governing the use of flexibilities as set out in that Regulation. The Commission’s recommendations also take into account that in Period 1 any excess in emissions under the LULUCF Regulation will automatically be transferred to the ESR.

For climate adaptation to properly support the achievement of energy and climate mitigation objectives, it is essential to identify the potential climate change hazards and analyse climate vulnerabilities and risks that may affect relevant areas, populations and sectors. The Commission’s recommendations on adaptation consider the extent to which Malta integrated in its updated NECP adaptation goals that account for climate risks, that could prevent Malta from meeting the objectives and targets of the Energy Union. Without specific adaptation policies and measures, planned and implemented, the achievement of objectives in Energy Union dimensions is at risk.

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\(^4\) COM(2022) 230 final

\(^5\) SWD (2022) 620 final, SWD (2023) 618 final

\(^6\) COM (2022) 620 final Recommendation for a Council Recommendation; COM (2023) 618 final, Recommendation for a Council Recommendation


Water management in changing climatic conditions requires particular attention due to risks of electricity disruption as floods, heat and drought impact the energy production.

(8) The Commission’s recommendations regarding Malta’s renewable energy ambition are based on the formula set out in Annex II of Regulation (EU) 2018/1999, which is based on objective criteria, and on the main policies and measures missing in Malta’s draft updated NECP to enable a timely and cost-effective achievement of Malta’s national contribution to the Union’s binding renewable energy target of at least 42.5% in 2030, with the collective endeavour to increase it to 45% pursuant to Directive (EU) 2018/2001 as regards the promotion of energy from renewable sources as amended by Directive (EU) 2023/2413. The Commission’s recommendations are also based on Malta’s contribution to the specific targets of Articles 15a, 22a, 23, 24 and 25 of that Directive and the related policies and measures to rapidly transpose it and implement it. The recommendations reflect the importance of developing comprehensive long-term planning for the deployment of renewable energy, and in particular wind, to increase visibility for the European manufacturing industry and grid operators in line with the European Wind Power Package.

(9) The Commission’s recommendations regarding Malta’s the national contribution to energy efficiency are based on Article 4 of the Directive (EU) 2023/1791 on energy efficiency; and the formula in Annex I to that Directive and the related policies and measures to implement it.

(10) The Commission’s recommendations pay particular attention to the targets, objectives and contributions and related policies and measures to deliver on the REPowerEU plan in order to rapidly phase out dependence from Russian fossil fuels. They take into account lessons learnt from the implementation of the Save gas for a Safe winter Package. The recommendations reflect the imperative to make the energy system more resilient in light of the obligations stemming from Regulation (EU) 2019/941 on risk preparedness in the electricity sector and Regulation (EU) 2017/1938 on the security of gas supply, and in line with the Commission Recommendation on energy storage.

(11) The Commission’s recommendations take into account the need to accelerate the integration of the internal energy market to strengthen the role of flexibility and

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11 Communication on European Wind Power Action Plan COM (2023) 669 final, 24.10.2023 and Communication on delivering EU offshore renewable energy ambition, COM (2023) 668 final
13 Communication from the Commission to the European Parliament, the Council, the European economic and social committee, “Save gas for a safe winter”, COM/2022/360 final
empower and protect consumers. The Commission’s recommendations also consider the importance of assessing the number of households in energy poverty in line with the requirements of Article 3 of Regulation (EU) 2018/1999, and the Commission Recommendation (EU) 2023/240717.

(12) The Commission’s recommendations reflect the importance of ensuring sufficient investments in clean energy research and innovation to boost their development and manufacturing capacities, including appropriate policies and measures for energy intensive industries and other businesses; and the need to upskill workforce for a net-zero industry in order to consolidate a strong, competitive and clean economy within the Union.

(13) The Commission’s recommendations build on the commitments taken under the Paris Agreement to phase down the use of fossil fuels, as well as on the importance of phasing out fossil fuel subsidies.

(14) The Commission’s recommendation on investment needs follows its assessment of whether the draft updated plan provides a general overview of investment needs to achieve the objectives, targets and contributions for all dimensions of the Energy Union; indicates the sources of financing, distinguishing private and public sources; and outlines investments consistent with Malta’s Recovery and Resilience Plan, Malta’s Territorial Just Transition Plan and the 202-2023 country-specific recommendations issued under the European Semester, and includes a robust macro-economic assessment of planned policies and measures. The NECP should ensure the transparency and predictability of national policies and measures, to support investment certainty.

(15) The Commission’s recommendations reflect the crucial importance of a wide regional consultation, and of ensuring early and inclusive consultation on the plan, including effective public participation with sufficient information and timeframe, in line with the Aarhus Convention.18

(16) The Commission’s recommendations on just transition reflect the assessment of whether the Malta’s plan identifies in sufficient depth the relevant social, employment and skills impacts of the climate and energy transition and outlines adequate accompanying policies and measures to promote a just transition, while contributing to the promotion of both human rights and gender equality.

(17) The Commission’s recommendations to Malta are underpinned by the assessment of its draft updated NECP19, which is published alongside this Recommendation.

(18) Malta should take due account of the present recommendations when developing its final updated integrated NECP to be submitted by 30 June 2024.

Recommendations on the consistency with the Union’s climate-neutrality objective and with ensuring progress on adaptation

(19) Pursuant to Regulation (EU) 2021/1119 (the European Climate Law), the Commission is required to assess the consistency of national measures with the climate-neutrality

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17 Commission Recommendation (EU) 2023/2407 of 20 October 2023 on energy poverty, C:2023/4080, OJL 2023/2407, 23.10.2023
18 Convention on access to information, Public Participation in Decision-making and Access to Justice in Environmental Matters of 25 June 1998 (the ‘Aarhus convention’)
19 SWD(2023) 920
objective and with ensuring progress on adaptation. The Commission assessed the consistency of Malta’s measures with these objectives\(^{20}\). The below recommendations are based on that assessment. Malta should take due account of the present recommendations and follow up on them in accordance with the European Climate Law.

(20) While the Union’s net greenhouse gas emissions (including from land use, land change and forestry (LULUCF) and excluding international transport) show a steady downward trend overall, broadly in line with the linear trajectory achieving the Union’s 2030 climate target of -55% and the Union’s 2050 climate-neutrality objective, the pace of emission reduction needs to accelerate and action by Member States is essential. Progress across Member States has been mixed with several sectoral challenges and weaknesses that need to be remedied without further delay. The assessment, based on the available information, shows that progress towards the Union’s climate-neutrality objective appears largely insufficient for Malta. Reliable long-term strategies are the cornerstone for achieving the economic transformation needed to move towards the Union’s climate-neutrality objective.

(21) The first step in strengthening adaptation should be adopting an appropriate legal framework for national climate policy that sets binding, regularly updated adaptation goals to measure overall progress in building resilience. Effective adaptation across all exposed sectors requires a clearly mandated governance and coordination structure with high-level political support. Strong adaptation strategies and plans are needed. To assist Member States in updating and implementing national adaptation strategies and plans the Commission adopted a set of guidelines in July 2023\(^{21}\). Monitoring and evaluation of adaptation efforts is necessary for accountability and improving adaptation policy. Various Union funding instruments can be mobilised to fund adaptation. Climate resilience considerations should be put in the forefront when Member States design their national plans under the relevant EU funds. None of the spending should do harm to adaptation: that is, increase vulnerabilities either for the beneficiaries or for others. The investment needs of climate adaptation are increasing and will accelerate over the next decades. Improved funding should be accompanied by sufficient capacity and expertise necessary for administration as well as implementation to ensure quality of spending and absorption capacity and avoid maladaptation. In addition to public and private funding, innovative funding instruments could also be explored through cooperation with the private sector and financial institutions.

(22) The most vulnerable communities are those with elevated likelihood of being impacted by climate change. Unequal exposure and vulnerability to climate impacts of different regions and socio-economic groups worsens pre-existing inequalities and vulnerabilities. Progress in adaptive capacity is needed at all levels of the government, and in the public and private sectors, and requires increased awareness on vulnerabilities and risks. The systemic ability to adjust to climate change is a key feature to avoid or moderate potential damage, to take advantage of opportunities, and to cope with the consequences. Physical impacts of climate change are evolving at a

\(^{20}\) EU Climate Action Progress Report 2023, COM(2023) 653 final, and Commission Staff Working Document Assessment of progress on climate adaptation in the individual Member States according to the European Climate Law, SWD(2023) 932.

\(^{21}\) Commission Notice Guidelines on Member States’ adaptation strategies and plans, C/2023/4802, OJ C 264, 27.7.2023, p.1
faster pace than expected. Progress in adaptive capacity is needed at all levels of the
government, and in the public and private sectors, and requires increased awareness on
vulnerabilities and risks.

(23) Nature-based solutions offer efficient and cost-effective adaptation and mitigation
options, if their deployment is incentivised through strategic frameworks, policies and
funding. They can be implemented independently or integrated in other adaptation and
mitigation measures, combined with more technological or infrastructure-based
solutions. Implementation needs to consider the complexity of ecosystems and the
projected effects of climate change, the local context, linked interests and values, and
socio-economic conditions.

HEREBY RECOMMENDS THAT MALTA TAKES ACTION TO:

CONCERNING THE DRAFT UPDATED NATIONAL ENERGY AND CLIMATE PLAN UNDER
REGULATION (EU) 2018/1999

1. Set out cost-efficient additional policies and measures, notably in the transport
sector, and for non-CO₂ emissions, including F-gases from industrial processes and
product use and methane emissions from waste management and agriculture, to meet
the national greenhouse gas target of -19 % in 2030 compared to 2005 levels under
the ESR. Provide projections to show how the existing and planned policies will
deliver on the target and if necessary, specify how flexibilities available under the
ESR will be used to ensure compliance. Complement the information on the policies
and measures, clearly spelling out their scope, timeline and expected greenhouse gas
reduction impact, including for measures in Union funding programmes such as the
common agricultural policy.

2. Set out a concrete pathway towards reaching the national LULUCF target as defined
in Regulation (EU) 2018/841. Include a complete description of existing measures,
as well as detailing any additional measures in the LULUCF sector, quantifying their
expected impacts to ensure that greenhouse gas removals in this sector are effectively
aligned with the 2030 EU net removal target of -310 MtCO₂eq and with the country
specific removal target of -2 ktCO₂eq defined in Regulation (EU) 2018/841. Provide
clear information on how public funds (both Union funds, including the common
agricultural policy and State aid) and private financing through carbon farming
schemes are consistently and effectively used to achieve the net removal national
target. Provide information on the status and progress to be made in ensuring the
enhancements to higher tier levels/geographically explicit datasets for monitoring,
reporting and verification in line with Part 3 of Annex V to Regulation (EU)

3. Provide additional analysis on the relevant climate vulnerabilities and risks regarding
the achievement of the national objectives, targets and contributions and the policies
and measures in the different dimensions of the Energy Union. Better outline and
quantify the link to the specific Energy Union objectives and policies, that adaptation
policies and measures should support. Set out additional adaptation policies and
measures in sufficient detail to support Malta’s achievement of national objectives,
targets and contributions under the Energy Union. Pay particular attention to water
management in changing climatic conditions due to risks of electricity disruption as
floods, heat and drought impact the energy production.

4. Significantly raise the ambition for the share of renewable energy sources of at least
28% as a contribution to the Union’s binding renewable energy target for 2030 laid

5. Provide estimated trajectories and a long-term plan for the deployment of renewable energy technologies over the next 10 years, with an outlook to 2040. Include an indicative target for innovative renewable energy technologies in line with Directive (EU) 2018/2001 as amended. Include specific targets to contribute to the indicative sub-targets in buildings and industry for 2030 and the binding sub-target for renewable fuels of non-biological origin (RFNBOs) in industry by 2030 and an indicative target to achieve the top-ups of Annex IA to Directive (EU) 2018/2001 as amended. Include the binding targets in heating and cooling for both 2021-2025 and 2026-2030. Specify which target Malta intends to achieve in the transport sector through the obligation on fuel suppliers, including by means of a sub-target for advanced biofuels and renewable fuels of non-biological origin (RFNBOs), making sure the minimum level of RFNBO in 2030 is observed.

6. Include detailed and quantified policies and measures in a way that enables a timely and cost-effective achievement of its national contribution to the Union’s binding renewable energy target of at least 42.5% in 2030, with the collective endeavour to increase it to 45%. Describe in particular how it plans to accelerate permitting and detail the renewable energy technologies for which it plans to designate ‘renewables acceleration areas’ with faster and simpler procedures. Describe how it aims to accelerate the deployment of renewables via the uptake of renewable power purchase agreements, guarantees of origin and an enabling framework to promote self-consumption and energy communities. Describe how it aims to cover the design of the obligation on fuel suppliers in the transport sector as well as comparable measures for promoting hydrogen in industry.

7. Provide to the extent possible an expected timeline of the steps leading to the adoption of legislative and non-legislative policies and measures aimed at transposing and implementing the provisions of the Directive (EU) 2018/2001 as amended, in particular for the measures mentioned in the previous points.

8. Include a national energy efficiency contribution to final energy consumption in the Union’s binding final energy consumption target for 2030 in line with Article 4 and Annex I of Directive (EU) 2023/1791, or equal to the corrected indicative national contribution that the Commission will submit to each Member State by 1 March 2024 under Article 4(5) of that Directive. Include a national energy efficiency contribution to primary energy consumption in the Union’s indicative primary energy consumption target in line with Article 4 and Annex I of Directive (EU) 2023/1791. Specify the amount of energy consumption reduction to be achieved by all public bodies disaggregated by sector and total floor area of heated and/or cooled buildings owned by public bodies to be renovated yearly or corresponding yearly energy savings.

9. Set out complete policies and measures to achieve the national contributions on energy efficiency, in particular by specifying robust energy efficiency financing programmes and support schemes, able to mobilise private investments and additional co-financing.

10. Include updated ambition level to ensure a highly energy efficient and decarbonised national building stock and to transform existing buildings into zero-emission
buildings by 2050, including intermediate milestones for 2030 and 2040, and a comparison of these milestones with the most recent long-term renovation strategy. Include more information on related measures for buildings including in terms of fundings and costs, and their impact in terms of energy savings.

11. Strengthen the resilience of the energy system, in particular by setting an objective for energy storage deployment and putting forward policies and measures to integrate the imperative of climate adaptation on the energy system. Assess the adequacy of the large proportion of oil stocks held abroad in the form of tickets (84%) which can be difficult to renew in the event of a supply crisis.

12. Put forward clear objectives and targets for demand response to improve the flexibility of the energy system underpinned by an assessment of the flexibility needs and describe specific measures to facilitate energy system integration in connection with Article 20a of Directive (EU) 2018/2001 as amended by Directive (EU) 2023/2413. Develop more competitive retail markets and increase the level of consumer empowerment in the retail market.

13. Further develop the approach to addressing energy poverty by including an assessment of the situation of currently affected households and indicating a specific measurable reduction target as required by Regulation (EU) 2018/1999, taking account of Commission’s Recommendation (EU) 2023/2407. Provide additional detail on existing and potential measures to address energy poverty and on the dedicated financial resources from the perspective of both social policy (affordability) and structural energy measures. Explain how the use of energy efficiency measures under the Energy Efficiency Obligations Scheme to alleviate energy poverty is foreseen to be deployed as required by Regulation (EU) 2018/1999.

14. Further clarify national objectives in research, innovation and competitiveness to deploy clean technologies, establishing a pathway for 2030 and 2050 with a view to support the decarbonisation of industry and promote the transition of businesses towards a net zero and circular economy. Put forward policies and measures to promote the development of net-zero projects including those relevant for the energy intensive industries. Describe a predictable and simplified regulatory framework for permitting procedures and how access to national funding will be simplified where needed. Provide detailed policies and measures for the development of clean energy-related skills, and to facilitate open trade for resilient and sustainable supply chains of key net-zero components and equipment.

15. Specify the reforms and measures to mobilise the private investments needed to achieve the energy and climate targets. Provide a comprehensive and consistent overview of the public and private investment needs in aggregate and by sector, complementing a top-down economy-wide approach with a bottom-up project specific assessment. Include a breakdown of total investment needs with additional information on the national, regional and Union funding sources as well as private financial sources to be mobilised. Add a short description of the type of financial support scheme chosen to implement the policies and measures, which are financed through public budget, and the use of blended financial instruments making use of grants, loans, technical assistance and public guarantees, including the role of national promotional banks in the respective schemes and/or how private financing is mobilised. Consider the cost-effective generation of transfers to other Member States
under the ESR as a funding source. Provide a robust assessment of the macroeconomic impact of the planned policies and measures.

16. Outline how the policies and measures included in the updated plan are consistent with Malta’s national Recovery and Resilience Plan, including the RepowerEU chapter.

17. Explain in detail how and by when Malta intends to phase out fossil fuel subsidies.

18. Further detail the analytical basis by providing projections under the planned policies and measures on how the energy system will develop with an outlook to 2040.

19. Provide detailed information on the social, employment and skills consequences, or any other distributional impacts, of the climate and energy transition, and on the planned objectives, policies and measures to support a just transition. Specify the form of support, the impact of the initiatives, the targeted groups and the resources dedicated, taking into account the Council Recommendation on ensuring a fair transition towards climate neutrality. Include, to the extent possible, more elements to provide an adequate analytical basis for the preparation of a future Social Climate Plan, in accordance with Regulation (EU) 2023/955, including indications on how to assess the challenges and social impacts on the most vulnerable of the emissions trading system for fuel combustion in buildings, road transport and additional sectors, and to identify potential beneficiaries and a relevant policy framework. Explain how the policy framework identified in the NECP will contribute to the preparation of Malta’s Social Climate Plan and how the consistency between the two plans will be ensured.

20. Ensure inclusive public participation within a reasonable timeframe and broad participation of local authorities and civil society in the preparation of the plan. Provide a clear overview on how the consultation process will enable broad public participation from all relevant authorities, citizens, and stakeholders, including social partners, in the preparation of both the draft and final updated plan. Provide a summary of the views expressed by different actors, and a summary of how the plan integrates the views expressed during the consultations.

21. Pursue regional cooperation for the development of renewable energy projects; in particular by describing how Malta plans to establish a framework for cooperation with other Member States by 2025, in line with Article 9 of Directive (UE) 2018/2001 as amended.

**CONCERNING THE CONSISTENCY OF NATIONAL MEASURES WITH THE CLIMATE-NEUTRALITY OBJECTIVE AND WITH ENSURING PROGRESS ON ADAPTATION UNDER REGULATION (EU) 2021/1119**

1. Step up climate mitigation efforts by making tangible progress on the existing and planned policies and consider additional urgent measures to align the expected greenhouse gas emission reductions and projections with the climate-neutrality objective. In particular, efforts should be directed towards reducing emissions in the transport and waste sectors.

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2. Update and increase the ambition and quality of the national long-term strategy by clarifying how and by when Malta will become climate neutral, and by substantiating Malta’s emission reductions and enhancement of removals targets in individual sectors with credible policies and measures.

3. Establish an appropriate mandatory framework for climate change adaptation policy and action. Reinforce and clearly mandate a governance and coordination structure able to support strong planning, deployment of solutions and investment for adaptation across all sectors, population groups and administrative levels. Update the national adaptation strategy so that climate adaptation considerations are integrated in key vulnerable sectors, and that gaps and barriers to adaptation are addressed. Ensure that adaptation policies are monitored and evaluated systemically. Put climate resilience considerations more to the forefront in the use of support from Union funding programmes, such as the common agricultural policy, cohesion policy funding and other relevant Union funds. Union funds should be spent in such a way that they increase climate resilience and do not increase vulnerabilities (i.e., do no significant harm to adaptation). Ensure that public and private financing mechanisms for adaptation actions are in place and that the budgets are commensurate with the investment needs, in particular in the priority vulnerable sectors.

4. Engage stakeholder groups that are particularly vulnerable to the impact of climate change in Malta’s adaptation policy design and implementation. Document the processes and outcomes of relevant consultations. Improve coordination between different levels of governance (national/regional/local) to align planning tools and to help coordinated interventions aimed at systemic transformation.

5. Promote nature-based solutions and ecosystem-based adaptation in national strategies, policies and plans and provide investments for their deployment.

Done at Brussels, 18.12.2023

For the Commission
Kadri SIMSON
Member of the Commission