

(English version)

Question for written answer E-003166/25
to the Commission
Erik Marquardt (Verts/ALE)
(1 August 2025)

Subject: International Court of Justice (ICJ) advisory opinion on climate change and the EU's climate obligations

On 23 July 2025, the International Court of Justice (ICJ) issued a landmark advisory opinion on international law and climate protection, stating that 'a clean, healthy and sustainable environment' is a human right and that, therefore, states are obliged under international law to take ambitious measures to mitigate the climate crisis in order to protect human rights and the livelihoods of future generations.

1. How is the Commission assessing the legal implications of the ICJ opinion for the climate policy commitments of the EU and its Member States?
2. What concrete political or legislative measures does the Commission plan to take to ensure that EU climate policies align with the ICJ's findings, especially regarding the 2040 climate target and the potential negative outsourcing of climate action through international emission credits?
3. How will the Commission take the advisory opinion into account when assessing the Member States' climate targets under the European Green Deal and the Fit for 55 package?

Submitted: 1.8.2025

Answer given by Mr Hoekstra on behalf of the European Commission
(10 September 2025)

The Commission welcomes the Advisory Opinion of the International Court of Justice (ICJ) on climate change, which broadly reflects the EU's position as submitted to the ICJ proceedings.

The Court confirms the importance of the challenge faced and the importance of climate and environmental protection efforts. It also reaffirms the obligation for States to cooperate and take collective and ambitious climate and environmental measures.

The Commission considers that its proposal for a 2040 target of a reduction of net greenhouse gas emissions of 90% compared to 1990 levels, including ⁽¹⁾ a possible limited contribution of high-quality credits from outside the EU, is in line with its obligations under the Paris Agreement and international law.

The Commission calls on co-legislators for a swift political agreement on the 2040 target so as to enable the communication of a Nationally Determined Contribution ahead of the next Conference of the Parties COP30 in Belem.

The Commission will continue to lead international efforts to stay on the Paris Agreement trajectory and to further develop, implement and enforce EU climate and environmental policies to comply with the obligations and commitments under other applicable law specifically identified by the ICJ.

The Commission also considers the 2030 target of a reduction of net greenhouse gas emissions of at least 55% compared to 1990 levels to be in line with the Paris Agreement and international law.

The Commission's assessment of the final National Energy and Climate Plans ⁽²⁾ of 27 May 2025 shows that the EU is well on track of its 2030 energy and climate goals, but gaps remain.

The Commission calls on Member States with identified gaps in specific sectors to fully implement the agreed level of ambition.

⁽¹⁾ Starting from 2036.
⁽²⁾ COM(2025) 274 final.