

Short summary – Verification Report on the Immediate Action Programmes 2022 for the Building and Transport Sectors

In the report prepared pursuant to § 12 of the Federal Climate Protection Act (KSG), the Council of Experts on Climate Change examines the immediate action programmes for the building and transport sectors submitted by the competent federal ministries on 13.07.2022. The responsible ministries are the Federal Ministry of Economics and Climate Protection (BMWK) together with the Federal Ministry of Housing, Urban Development and Building (BMWSB) for the building sector and the Federal Ministry of Digital Affairs and Transport (BMDV) for the transport sector. The submission of immediate action programmes has become necessary pursuant to § 8 KSG because both sectors have exceeded their respective annual emission targets in 2021.

The review by the Council of Experts follows a three-part scheme that includes the review of the compatibility of the designated emission reduction with respect to compliance with the KSG target path, and the review of the methodology and realisation probability of the designated emission reduction.

The immediate action programme for the building sector comprises fifteen measures. About 90 percent of the cumulative reduction effect of 137 megatons (Mt) CO₂-eq. stated in the immediate action programme over the period 2022-2030 is attributable to the measures of the Building Energy Act (GEG), the Federal Promotion for Efficient Buildings (BEG) and the optimisation of existing heating systems. An additional emission reduction is assumed from the change to updated reference paths due to increased fossil fuel prices (19 and 25 Mt CO₂-eq.). In total, the cumulative compliance gap between the emission path and the KSG target path is thus balanced out by 2030, so that the building sector would return to the KSG target path in 2030.

The Council of Experts finds that the proposed immediate action programme for the building sector with the reduction effect indicated by the BMWK and BMWSB would fulfil the condition for an immediate action programme pursuant to § 8 (1) KSG, but only in a broad interpretation of the criterion. It can be assumed that the immediate action programme submitted can make a substantial contribution to reducing emissions in this sector. However, it is only partially probable that the designated reduction will be achieved with the implementation of the measures described. Thus, future compliance with the KSG target path for this sector is also not ensured.

The immediate action programme for the transport sector consists of six measures. According to the Federal Ministry of Digital Affairs and Transport (BMDV), the cumulative emission reduction of the immediate action programme over the entire period 2022-2030 corresponds to 14 Mt CO₂-eq. This still leaves a cumulative compliance gap of 261 Mt CO₂-eq. by 2030. Thus, the indicated emission reduction is not sufficient to reach the KSG target path again by 2030.

The Council of Experts states that although the proposed immediate action programme for the transport sector has an emission-reducing effect, it does not fulfil the requirement of an immediate action programme pursuant to § 8 (1) of the Federal Climate Protection Act. According to the Federal Ministry of Digital Affairs and Transport (BMDV), there is also no claim to return to the KSG target path with the immediate action programme, as this is only to be achieved with the federal government's larger 2022 climate action programme. At this point, the Council of Experts will refrain from carrying out the test steps in relation to the individual measures contained in the immediate action programme presented.

As already noted in previous reports of the Council of Experts, the application of the KSG also reveals open points and questions of interpretation, the clarification or specification of which is important from the point of view of the Council of Experts. These include, in particular, the time of involvement of the Council of Experts in the examination of an immediate action programme and the exact subject of the examination. The Council of Experts asks the Federal Government to create clarity and legal certainty here in good time before the next review.

