

**Report to the federal Parliament:  
implementation of the Kyoto protocol by the federal government**

**30 June 2009 – In its audit on the implementation of the climate measures taken within the framework of the Kyoto protocol, the Court noted that the federal authorities fail to have a federal climate plan. There is no accurate description of the measures aiming at achieving the Kyoto goals or of their cost. The carbon reduction objectives are not accounted for or are missing. Reporting on the policy outcome is insufficient and the federal climate policy has not yet been evaluated. The federal government cannot comply with its commitment contained in the burden-sharing agreement between the regions and the federal authorities because it failed or delayed to carry out major measures or because some measures had little success. Therefore, the Court recommended to evaluate critically all measures in terms of their internal coherence and, if necessary, to adjust them.**

The Belgian burden-sharing agreement allocates the Kyoto efforts between the regions and the federal state. Under that agreement the federal authorities have a double commitment. They intend both to cut emissions by 24 million tons (on average 4,8 Mtons a year) and to buy 12,2 Mtons of emission credits abroad (on average 2,44 Mtons a year).

This audit examined the planning and the evaluation aspects of the federal climate policy and assessed to what extent the sixteen most important federal measures were carried out and whether their effects were known. Several ministers and government administrations were involved in this audit. The minister for Climate and Energy declared that he subscribed to the conclusions and recommendations and that the Court's critical report corresponded to the current situation.

There is neither a federal climate plan nor an accurate description of the measures and their cost. The carbon reduction targets which the government intends to achieve through the measures are not accounted for or are missing. Reporting on the measures and their implementation is not sufficient and the federal climate policy has not yet been evaluated. The Court considered that a good federal climate plan should also clearly determine who is responsible for the implementation, the evaluation and the monitoring. This is especially true with tax measures, which do not often indicate clearly who is responsible for decision-making and evaluation. The minister competent for climate should develop such a plan and the follow-up plan should be assigned to one department unit only, preferably the climate service of the department of Public Health, Security of the food chain and Environment. A good plan and adequate follow-up and evaluation are only possible if the ministers who are substantially responsible for the implementation of the measures collate the necessary information and provide them on time. The ministers concerned have not responded to these Court's recommendations.

On the basis of the outcome of the carried out policy, the Court found that the government is currently not able to meet its reduction commitment under the Belgian burden-sharing agreement. It noted that the government failed or delayed to carry out several measures and that other measures had little success. It cited some examples:

- The construction of wind mill parks offshore has been delayed and the development is being slowed down by the restricted capacity of the electricity grid on land and the implantation area available offshore.
- The installation of the regional express train network (RER) underwent a long delay.
- The bio-fuel quantitative objectives have not been achieved so far. There is a double discrepancy problem: the allocated quotas are lower than the production necessary to reach the target and supply does not meet demand.

- Until now no energy reduction project in government buildings has been financed by a third investor. Fedesco's tasks (the "third party" that concluded a partnership agreement with the Belgian service in charge of the state-owned buildings (Régie des bâtiments/Regie der gebouwen) on energy-saving projects in federal government buildings) and the Regie's tasks are not coordinated.

In response to the audit, the ministers concerned announced several initiatives to meet the Court's observations.

The purchase of emission credits through the *flexibility mechanisms* (mechanisms allowing industrialized countries to meet part of their reduction commitments abroad) is not optimal: there is no link between the implementation of the flexibility mechanisms and the domestic reduction policy. Moreover, the purchase of emission credits does not take into account the estimates of greenhouse gas emissions predicted by the federal plan bureau (Bureau fédéral du plan/Federaal Planbureau) in May 2008. According to the minister for Climate and Energy, the federal government is due to buy 12,2 Mtons of emission credits under the burden-sharing agreement. The Court, however, was of the opinion that a rational use of the flexibility mechanisms requires the revision of the burden-sharing agreement now that Belgium has reached the Kyoto targets.

Therefore, the Court recommended to evaluate all measures critically in terms of their internal coherence, including the place of the flexibility mechanisms within the climate policy, and, if necessary, to adjust them.