



SENATE  
OF THE PARLIAMENT OF THE CZECH REPUBLIC  
13<sup>TH</sup> TERM

340<sup>TH</sup>

**RESOLUTION OF THE SENATE**

Delivered on the 17<sup>th</sup> session held on 5<sup>th</sup> of November 2021

**Fit for 55 package – EU ETS system revision**

**Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/87/EC establishing a system for greenhouse gas emission allowance trading within the Union, Decision (EU) 2015/1814 concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading scheme, and Regulation (EU) 2015/757 /Senate Print no. N 074/13, COM(2021) 551/**

**Proposal for a Decision of the European Parliament and of the Council amending Decision (EU) 2015/1814 as regards the amount of allowances to be placed in the market stability reserve for the Union greenhouse gas emission trading scheme until 2030 /Senate Print no. 075/13, COM(2021) 571/**

**The Senate**

**I.**

**1. Has come to the conclusion**

that the Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/87/EC establishing a system for greenhouse gas emission allowance trading within the Union, Decision (EU) 2015/1814 concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading scheme, and Regulation (EU) 2015/757 does not comply with the principle of subsidiarity according to Article 5(3) of the Treaty on European Union for the following reasons:

- the European Commission has not submitted impact assessments in relation to individual Member States, their households, and economic sectors, despite the fact that it has been invited to do so several times in the past, thus preventing National Parliaments from fully assessing all the implications of the Proposal, including compliance with the principle of subsidiarity; in addition, the impact assessment on EU level is based on already unrealistic estimates of the development of emission allowances prices;

## *Courtesy translation*

- the Commission has insufficiently taken into account the different negative economic and social impacts of the proposed measures in each Member State, especially in those with lower purchasing power, in particular in case of proposed introduction of separate emissions trading system for road transport and buildings, and in case of absence of mechanisms preventing speculative trading with emission allowances; this questions the added value of the chosen approach at the EU level compared to measures taken at Member States' level, which would meet their different economic and social conditions and capabilities; the impacts of the proposed changes are also not sufficiently compensated in the Fit for 55 package (by the volume and method of distribution of the Social Climate Fund, and by exemptions and reductions according to the Proposal for a Directive on taxation of energy products and electricity);

### **2. Adopts**

therefore a **Reasoned Opinion** on the incompatibility of the Proposal for a Directive of the European Parliament and of the Council amending Directive 2003/87/EC establishing a system for greenhouse gas emission allowance trading within the Union, Decision (EU) 2015/1814 concerning the establishment and operation of a market stability reserve for the Union greenhouse gas emission trading scheme, and Regulation (EU) 2015/757 with the principle of subsidiarity in accordance with Article 6 of the Protocol on the Application of the Principles of Subsidiarity and Proportionality attached to the Treaties;

## **II.**

### **1. Requests**

the Government to inform the Senate by the 31st March 2022 about the way this Resolution was taken into account and about the further development of negotiations;

### **2. Authorises**

the President of the Senate to forward this Reasoned Opinion to the Presidents of the European Commission, the European Parliament and the Council.

Miloš Vystrčil  
sign manual  
President of the Senate

Josef Bazala  
sign manual  
Senate Verifier