Terms of reference: Impact Assessments & Climate consistency study

Terms of Reference to carry out a study on how impact assessments carried out for the European Commission’s legislative proposals are integrating requirements to check consistency with the Climate Law and ‘Do no significant harm’.

I. Introduction

The WWF European Policy Office (EPO) functions as a major policy hub of the WWF Network and works to achieve WWF’s global mission by leading the WWF Network to shape EU decisions impacting on the European and global environment.

WWF EPO aims to ensure that EU policies and legislation are aligned with the commitment of the Paris Agreement to keep global temperature increase to below 1.5 C. A solid climate governance framework, comprising targets, policy consistency checks and scientific inputs are integral to this objective.

II. Content of the study

Over the past few years, the EU and the European Commission have adopted a series of measures to better assess the consistency of policies with the objectives of the European Green Deal. The result of these is, concretely, that for each Impact Assessment (IA) the European Commission needs to: (1) comply with/assess whether the proposed policy is in line with the ‘Do No Significant Harm’ (DNSH) rule, as set out in the Commission’s Better Regulation toolbox; and (2) assess the consistency of any draft measure or legislative proposal, including budgetary proposals, with the climate-neutrality objective and other EU emissions targets, as set out in Article 6(4) of the EU Climate Law.

The aim of the study is to analyse how these new requirements are being met, i.e. how the DNSH rule and Article 6(4) of the EU Climate Law, separately, are being implemented by the European Commission in its proposals for new legislation or other measures. The study will consist of:

- Identifying all the proposals to date that should have been subject to the new requirements
- Assessing how well and consistently these checks have been carried out in IAs from a wide range of policy areas, not only linked to climate & environment.
From the analysis outlined in the bullet points above, proposing conclusions and policy recommendations to further improve DNSH and climate policy consistency requirements.

The sample of impact assessments to analyse would be based on the Commission’s 2022 Work Programme. For a comprehensive overview of how climate is being integrated across EU policies, initiatives from across the EU's six priority areas should be considered as case studies.

III. **Deliverables, deadlines and budget**

January 2023: selection of consultant, signature of contract, agreement on scope and analytical approach.

January/February 2023: Start of the work

Early March 2023: Draft of study for feedback by WWF (Deliverable 1)

April 2023: Final study completed (Deliverable 2)

Second Quarter 2023: Publication of the study by WWF

*We foresee approximately 20-25 FTE working days for the completion of this report, which would amount to a budget of 20 000 EUR (VAT included).*

IV. **Roles and responsibilities**

WWF European Policy Office is commissioning this piece of work.

The supplier will:

- be under the direction of the WWF staff managing this project;
- commit to regular check-ins with WWF (at least fortnightly) and inform WWF if and when issues arise between these check-ins;
- produce the agreed deliverables to the agreed timescale.

WWF European Policy Office will:

- Work closely with the selected supplier, for example be on hand to answer queries;
- Provide feedback on draft versions of the report;
- Finalise the policy recommendations the study proposes;
- Provide final sign-off of the report.

V. **Application**
Proposals should include:

- relevant background of the supplier/consultant(s) involved, CVs of consultants who will participate in the project;
- cost estimate for the project, to include the daily rate, the number of days/breakdown of cost by task/milestone.
- detailed timeline for project deliverables and description of the proposed methodology.

The proposal should be no longer than 3-4 pages plus CVs of participating consultants/suppliers.

Proposals will be assessed using a selection of criteria, likely including: fit to brief, previous experience of consultancy, how quickly the work can be completed, value for money, credible proposed methodology.

**Closing date to submit proposals:** 9 January 2023

**Delivery of final report:** 3 April 2023

**Guidance on budget available:** around €20,000

**Date:** 19 December, 2022

**Commissioned by:** WWF-European Policy Office

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