

# [35/2018 : 22 March 2018 – Judgment of the General Court in case T-540/15](#)

[Download PDF](#)

---

## [Sustainable Finance: High-Level Conference kicks EU's strategy for greener and cleaner economy into high gear](#)

This event is an opportunity to maintain the momentum established at the [One Planet Summit](#), cementing the support and commitment of EU leaders and key private players for the changes needed in the financial system and the economy. The event is jointly hosted in Brussels by Commission President Jean-Claude **Juncker** and Vice-President Valdis **Dombrovskis**. High-level keynote speakers include French President Emmanuel Macron and Michael Bloomberg, the United Nations Secretary-General's Special Envoy for Climate Action. European Commission Vice-President Jyrki **Katainen**, Commissioner for Climate action and Energy Miguel Arias **Cañete** and Commissioner for Environment Karmenu **Vella** will also address hundreds of participants discussing how best to put the Commission's [Action Plan on Sustainable Finance](#) into practice. The Action Plan, launched on March 8, is part of the [Capital Markets Union's \(CMU\)](#) efforts to connect finance with the specific needs of the European economy to the benefit of the planet and our society. It is also one of the key steps towards implementing the historic [Paris Agreement](#) and the [EU implementation of the 2030 Agenda for Sustainable Development](#).

Jean-Claude **Juncker**, President of the European Commission said: *“Through the ambitious targets set in the historic Paris climate agreement, and the commitment to be a world leader in renewables, Europe is already leading the fight against climate change. But to get there, Europe's financial sector must lead the green transition and make our Union the global destination for sustainable investment. There is no greater return on investment than a healthy planet and economy.”*

Valdis **Dombrovskis**, Vice-President responsible for Financial Stability, Financial Services and Capital Markets Union said: *“Europe is proud to be leading the global fight against climate change, just two years after the signature of the Paris Agreement. But to reach our commitments for emissions reductions, we are faced with a considerable task: we have a yearly funding gap of around 180 billion euros to fill. Public money alone will not be enough for this. The financial sector will have to throw its full weight*

*behind the fight against climate change. This is a challenge, but also an exceptional opportunity.”*

## **Key features of the Action Plan**

- Establishing a common language for sustainable finance, i.e. a unified **EU classification system – or taxonomy** – to define what is sustainable and identify areas where sustainable investment can make the biggest impact.
- Creating **EU labels** for green financial products on the basis of this EU classification system: this will allow investors to easily identify investments that comply with green or low-carbon criteria.
- Clarifying the **duty of asset managers and institutional investors** to take sustainability into account in the investment process and enhance disclosure requirements.
- Requiring insurance and investment firms to advise clients on the basis of their preferences on sustainability.
- Incorporating **sustainability in prudential requirements**: banks and insurance companies are an important source of external finance for the European economy. The Commission will explore the feasibility of recalibrating capital requirements for banks (the so-called green supporting factor) for sustainable investments, when it is justified from a risk perspective, while ensuring that financial stability is safeguarded.
- Enhancing transparency in **corporate reporting**: the Commission is proposing to revise the guidelines on non-financial information to further align them with the recommendations of the Financial Stability Board’s Task Force on Climate-related Financial Disclosures (TCFD).

## **Background**

The EU and governments around the world committed to the objective of a more sustainable economy and society when they adopted the [Paris Agreement](#) on climate change and the UN 2030 Agenda for Sustainable Development. The EU is already making a difference thanks to the [EU 2030 Energy and Climate framework, the Energy Union](#), the [Circular Economy Action Plan](#) and the [EU implementation of the 2030 Agenda for Sustainable Development](#)

The Juncker Commission has pledged to lead the implementation of the Paris climate agreement and the transition to a low-carbon and resilient economy. To succeed, more capital for green and other sustainable projects is needed: the funding gap to achieve EU climate and energy targets by 2030 is estimated at €180 billion each year. Ultimately, sustainable finance is also crucial in order to boost the EU’s long-term competitiveness and growth. With the United States withdrawing from the Paris Agreement, the EU should establish itself as the destination for low-carbon technologies and sustainable investments, securing a substantial competitive advantage.

## **For More Information**

[Programme of the High Level Conference on Sustainable Finance](#)

[Webpage of the High Level Conference on Sustainable Finance](#)

[Factsheet](#)

[Webstream Recording of proceedings](#)

[Broadcast quality video footage of main speakers](#)

More information on [sustainable growth](#)

---

## **New calls to cities and investors announced to deliver sustainable finance growth in cities worldwide**

Today, in the context of the European Union's High Level Conference on Sustainable Finance, and three months after the One Planet Summit in Paris, further progress of the Global Urbis partnership and two new calls to cities and financial investors were announced. Global Covenant of Mayors for Climate and Energy (GCoM) Co-Chairs, the UN Secretary General's Special Envoy for Climate Action Michael Bloomberg and European Commission Vice President Maroš Šefčovič, the Presidents of the European Investment Bank (EIB), Werner Hoyer, and the European Bank for Reconstruction and Development (EBRD), Suma Chakrabarti, and the World Bank Group (WBG) announced an Invest4Cities Call to the global investment community worldwide to fast track the delivery on the commitments announced at the One Planet Summit. In addition, the EIB and the Global Covenant announced a first-of-its-kind Call for Interest to the GCoM network of thousands of cities around the world to provide access to technical support and financing for low-carbon infrastructure investments. Combined, the two Calls will address both ends of the critical urban finance gap: They will support the development of high quality bankable low carbon and resilient infrastructure projects in cities and mobilize financial resources at an unprecedented scale from banks, institutional investors and private donors.

Three months ago, at the One Planet Summit hosted by President Emmanuel Macron, attended by over 50 Heads of State, the European Union, the Global Convent of Mayors, the European Investment Bank and the European Bank for Reconstruction and Development announced Global Urbis, an ambitious global initiative to provide cities on a global scale with financing and technical assistance to mobilize private capital. President Macron included it as one of the global transformative initiatives of the Summit.

Today, we are proud to announce progress and next steps. EIB President Werner Hoyer and the Global Covenant of Mayors announce, as part of the Global Urbis implementation, a global partnership under which the EIB will open a new Call

**for Interest to access technical and financial support for low-carbon and resilient infrastructure projects to the GCoM network of thousands of global cities.** The partnership builds upon the experience gained by the EIB, a global financial institution active in 160 countries covering the majority of GCoM cities, in setting up and starting to deliver URBIS – a dedicated advisory platform for investment support to cities launched at the Cities Forum in 2017 and developed in partnership with the European Commission in the framework of the EU Urban Agenda. The Call for Interest will be piloted starting at the Global Climate Action Summit in San Francisco in September this year. The global partnership is articulated around 3 key pillars: (1) raising awareness among local authorities, civil society organisations, businesses, private investors and philanthropies concerning the investment needs for climate action in urban areas, the expected long and short-term benefits as well as the available financing solutions, (2) providing dedicated advisory services for climate action planning and project preparation in cities, (3) fostering the financing of urban climate action projects, through the identification of financing opportunities, direct EIB funding, the development of new financing approaches and fund-raising from the GCoM and EIB networks to provide grant funding for credit enhancement and technical assistance as needed. Under Global Urbis, action under the EIB-GCoM Partnership will strengthen and complement initiatives supported by other partners, e.g. programs such as the WBG City Resilience Program.

The EBRD is also fast advancing delivery of Global Urbis under their **Green Cities Framework**, launched last year as part of the partnership with the Global Covenant. The EBRD with seed contributions from bilateral donors is already financing US\$ 50 million of green urban infrastructure projects and supporting the development of an additional pipeline of US\$ 360 million for 20 of the 50 cities they intend to serve.

The other large scale financial partnership announced at the One Planet Summit by the Global Covenant with the World Bank Group is already showing first results too. Under their **Cities Resilience Program** the WBG has already raised seed donors funding of US\$ 12 million and has a pipeline of green cities projects of US\$ 400 million today to work with 55 cities by July this year.

These partnerships show how seed money used for technical assistance and credit enhancement financing can catalyze significant amounts of sustainable finance. They generate bankable investment opportunities and accelerate the deployment of green infrastructure finance to cities' public finance. They are turning sustainable finance growth and the delivery of the Paris Agreement into a reality.

**Ambitious urban climate action is key to delivering on the goals of the 2015 Paris Agreement.** Global Covenant cities alone – which represent almost 10 percent of the global population – have the potential to collectively reduce 1.3 billion tons of CO2 emissions per year from business as usual by 2030. This equals the emissions of 276 million cars taken off the road. Yet to meet these ambitions, cities around the world require massive and targeted financial resources to deliver low carbon and resilient infrastructure for their populations, and public funds and development finance alone cannot bank

them. The Paris Agreement funding shortfall is further enhanced by the US\$ 2 billion deficit left by President Trump bailing out the US contributions to the Green Climate Fund. We need to leverage on public funds to mobilize significant private capital flows.

In response to this funding shortfall **the Global Covenant, the EU, EIB, EBRD and World Bank Group are announcing a second call today: an Invest4Cities Call to the global investment community.** The Call aims to raise an initial US\$ 200 million for technical assistance for 400 cities, primarily in the Global South, and US\$ 600 million for credit enhancement financing, which combined can catalyze up to US\$ 6 billion in green and resilient urban infrastructure – making public funds go further. It will **finance low-carbon initiatives and resilience projects such as public transit, e-mobility and bike sharing infrastructure, energy-efficient buildings, clean energy, waste management and flood walls,** improving the quality of life for citizens even in the most vulnerable communities. As recently reported by the OECD, in 2012 to 2015, US\$ 81.1 billion were already mobilised from the private sector by strategically leveraging official development finance in the form of guarantees and other risk-sharing instruments.

The Invest4Cities Call aspires to connect the dots with other initiatives announced by French President Emmanuel Macron during the Climate Finance One Planet Summit, such as the Climate Action 100+, where 225 of the most influential global institutional investors with more than US\$ 26.3 trillion in assets under management committed to engage with the world's largest corporate greenhouse gas emitters to step up their actions on climate change.

**Werner Hoyer, President of the European Investment Bank:** Climate Action is at the core of the EU Bank's mission. As the biggest single multilateral financier of climate action projects worldwide, we are committed to helping deliver on the Paris Agreement. But partnerships are key to success. The real results will happen through working together on the ground – particularly in cities around the world where we see not only some of the most devastating effects of climate change but some of the most innovative solutions. That's why our partnership with the Global Covenant is so promising. Helping cities get projects off the ground is one of the most concrete ways we can tackle global warming – and I urge the cities themselves to take up the challenge.

**Michael Bloomberg, Co-Chair of the Global Covenant of Mayors, UN Secretary General's Special Envoy for Climate Action:** Investment in modern, low-carbon infrastructure makes cities better places to live, which helps them attract new residents and new investment. It's a virtuous cycle – and this effort will help to speed it up, by making city climate initiatives more attractive to investors.

**Maroš Šefčovič, Co-Chair of the Global Covenant of Mayors, Vice President of the European Commission:** There is clearly a momentum and we have to seize it. The partnerships with the EIB and the EBRD, which we announced at the One Planet Summit, are delivering. They will ensure that cities around the world, including in Africa, have access to much-needed finance for urban infrastructure developments. Only through massive and targeted investment from non-state actors – combined with public funding – can we ensure that

cities can build the low emission and climate resilient infrastructure that is needed to implement the Paris Agreement.

**Suma Chakrabarti, President of the European Bank for Reconstruction and Development:** Our work with the Global Covenant of Mayors is already leading to increased green financing and we are pleased to step-up our partnership in a growing number of climate change mitigation and adaptation projects across cities in the EBRD regions of operations. Further, faster, greener and smarter is the way to go for city climate finance to the benefit of their citizens, of businesses and of the world.

**Mohamed Sefiani, Mayor of Chefchaouen, Morocco, and GCoM Board Member:** The impact of climate change is already felt all over the world, in rich and poor, developed and emerging countries – and especially in cities that are often situated in exposed and particularly vulnerable areas. We are proud of the progress we've made in my own city, Chefchaouen, to adapt to and mitigate the impacts of climate change, but there is always more to be done. Accelerating cities' access, particularly for those in the Global South, to funding for sustainable infrastructure developments is critical as we work together toward the shared goals of the Paris Agreement.

---

## [Sabine Lautenschläger: Banking regulation and supervision – you can't have one without the other](#)

The financial crisis showed what can happen when banks are not safe and sound. So the goal is to make banks safe and sound, and avoid future crises.

To that end, we have revamped regulation, and we have strengthened supervision. It's indeed vital to work on both fronts. Without supervisors, rules would have little effect; without rules, supervisors would have no job – or at least no firm basis for doing their job. You can't have one without the other: regulation and supervision need to be aligned.

But are they? Let us take a look at the euro area. In 2014, banking supervision was transferred from national to European level. And since then, we've achieved a lot. However, we could do more, and that brings me to regulation. How European is regulation? Well, it's true, of course, that there is a single rulebook. But by and large, regulation in Europe remains fragmented to a degree that makes it hard to reap the full benefits of European banking supervision.

And the problem starts with the scope of that supervision. Large investment firms and third-country branches are still not covered by it. This situation should be changed to restrict regulatory and supervisory arbitrage. Then

there are the options and national discretions contained in European regulation. Some of them are still exercised differently across the euro area. It's up to legislators to harmonise them. The same is true for fit and proper assessments. The rules here are also very diverse. And finally there are the tools for crisis management. We still have no common approach to such things as insolvency laws and moratoriums. This too needs to change. Likewise, the rules for early intervention measures need to be streamlined.

All this begs the question: is the banking union living up to its full potential? I would say: it's not, at least not yet. But it could if the rules were further harmonised.

Now let's turn to the global level. With Basel III finalised, we have a global set of regulatory standards. As standards, they are not always detailed and they are not binding, of course. So they still need to be transposed into hard law. And this is crucial; the banking sector is global in scope, and the rules that govern it need to reflect that – at least so far as the big banks are concerned.

But as I said just now, rules can only work together with supervision. How effective global rules are also depends on how supervisors apply them. Supervisors must faithfully apply the rules which transpose the Basel standards. To do so, they need adequate resources and they must be shielded from political interference.

And there's more. There is also a strong case for supervisors from around the world to exchange information, to cooperate and to coordinate. This would help to facilitate strong and effective banking supervision worldwide.

We have done a lot to make banks safer and sounder, both at European and global level. The important thing is that we keep working together – within Europe and around the world.

Thank you for your attention.

---

## [Joint statement on the ratification of the Border Demarcation Agreement between Kosovo and Montenegro](#)

Following the ratification of the Border Demarcation Agreement between Kosovo and Montenegro, High Representative/Vice-President Federica **Mogherini**, Commissioner for Migration, Home Affairs and Citizenship Dimitris **Avramopoulos** and Commissioner for European Neighbourhood Policy and Enlargement Negotiations Johannes **Hahn** have issued this statement:

*"The ratification today of the Border Demarcation Agreement with Montenegro, by the Assembly of Kosovo, represents a real achievement, a welcome and concrete progress, very much in the spirit of good neighbourly relations as well as the new Commission Strategy for the Western Balkans. The ratification is also the fulfilment of one of the key criteria for Kosovo's visa liberalisation. As President Juncker said during his recent visit to Kosovo, it is a crucial step towards visa liberalisation which will first and foremost benefit the people.*

*In 2016, the European Commission proposed to the Council and the European Parliament to lift the visa requirements for Kosovo citizens on the understanding that Kosovo would ratify the Border Demarcation Agreement with Montenegro and strengthen its track record in the fight against organised crime and corruption. The assessment of the track record on the fight against organised crime and corruption continues also in the light of the latest information provided by the Kosovo authorities.*

*The European Union expects all sides in Kosovo to continue the hard work and successful efforts to achieve visa-free travel for the people of Kosovo and in the interest of the region."*