



Council of the
European Union

141542/EU XXV. GP
Eingelangt am 02/05/17

Brussels, 2 May 2017
(OR. en)

8703/17

CLIMA 107
ENV 395
ENER 150
TRANS 160
AGRI 238
COMPET 280
ECOFIN 321

COVER NOTE

From:	European Commission
date of receipt:	2 May 2017
To:	General Secretariat of the Council
No. Cion doc.:	D050685/01
Subject:	COMMISSION DECISION of XXX amending Decision 2013/162/EU to revise Member States' annual emission allocations for the period from 2017 to 2020

Delegations will find attached document D050685/01.

Encl.: D050685/01



EUROPEAN
COMMISSION

Brussels, **XXX**
D050685/01
[...](2017) **XXX** draft

COMMISSION DECISION

of **XXX**

**amending Decision 2013/162/EU to revise Member States' annual emission allocations
for the period from 2017 to 2020**

COMMISSION DECISION

of **XXX**

amending Decision 2013/162/EU to revise Member States' annual emission allocations for the period from 2017 to 2020

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Decision 406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020¹, and in particular the fourth subparagraph of Article 3(2) thereof,

Whereas:

- (1) Commission Decision 2013/162/EU² determines Member States' annual emission allocations (AEAs) for the period from 2013 to 2020 using the data from Member States' greenhouse gas (GHG) inventories determined in accordance with the 1996 Intergovernmental Panel on Climate Change (IPCC) Guidelines for National Greenhouse Gas Inventories, available at the time of its adoption.
- (2) After the adoption of Decision 2013/162/EU, Article 6 of Commission Delegated Regulation (EU) No 666/2014³ required Member States to report greenhouse gas inventories determined in accordance with the 2006 IPCC Guidelines for National Greenhouse Gas Inventories, and the United Nations Framework Convention on Climate Change (UNFCCC) reporting guidelines on annual inventories as set out in Decision 24/CP.19 of the Conference of the Parties to the UNFCCC.
- (3) Article 27 of Regulation (EU) No 525/2013 of the European Parliament and of the Council⁴ requires the Commission to examine the impact of the use of the 2006 IPCC guidelines, or of changes to UNFCCC methodologies used, on the Member State's total greenhouse gas emissions relevant for Article 3 of Decision No 406/2009/EC by

¹ OJ L 140, 5.6.2009, p. 136.

² Commission Decision 2013/162/EU of 26 March 2013 on determining Member States' annual emission allocations for the period from 2013 to 2020 pursuant to Decision No 406/2009/EC of the European Parliament and of the Council (OJ L 90, 28.3.2013, p. 106).

³ Commission Delegated Regulation (EU) No 666/2014 of 12 March 2014 establishing substantive requirements for a Union inventory system and taking into account changes in the global warming potentials and internationally agreed inventory guidelines pursuant to Regulation (EU) No 525/2013 of the European Parliament and of the Council (OJ L 179, 19.6.2014, p. 26).

⁴ Regulation (EU) No 525/2013 of the European Parliament and of the Council of 21 May 2013 on a mechanism for monitoring and reporting greenhouse gas emissions and for reporting other information at national and Union level relevant to climate change and repealing Decision No 280/2004/EC (OJ L 165, 18.6.2013, p. 13).

December 2016, with a view to ensuring consistency between the methodologies used for the determination of the AEAs and the annual reporting by Member States after the date of that examination.

- (4) In accordance with Article 27 of Regulation (EU) No 525/2013 and based on the GHG inventory data as reviewed under Article 19 of that Regulation, the Commission examined the impact of the use of the 2006 IPCC Guidelines, and of changes to UNFCCC methodologies used, on Member State's GHG inventories. The difference in the total greenhouse gas emissions relevant for Article 3 of Decision No 406/2009/EC exceeds 1% for most Member States. In the light of this examination, all Member States' annual emission allocations for the years 2017 to 2020 contained in Annex II to Decision 2013/162/EU should be revised in order to take into account the updated inventory data reported and reviewed pursuant to Article 19 of Regulation (EU) No 525/2013 in 2016. Such revision should be done using the same methodology as the one used for determining the annual emission allocations by Decision 2013/162/EU.
- (5) The revision of AEAs should be limited to those that were allocated for the years 2017 to 2020, since for greenhouse gas emissions for the years 2013 to 2016 Member States can no longer change their policies and measures. However, in the interests of clarity the whole Annex II to Decision 2013/162/EU should be replaced, while keeping the AEAs for the years 2013 to 2016 unchanged.
- (6) Article 2 of Decision 2013/162/EU refers to global warming potential values from the 4th IPCC Assessment Report as adopted by Decision 15/CP.17 of the Conference of the Parties to the UNFCCC. In the meanwhile the Conference of the Parties to the UNFCCC adopted a new Decision 24/CP.19 recalling Decision 15/CP.17 and confirming the values from the 4th IPCC Assessment Report. Article 7 of Delegated Regulation (EU) No 666/2014 requires Member States and the Commission to use the global warming potentials listed in Annex III to Decision 24/CP.19 for the purpose of determining and reporting greenhouse gas inventories pursuant to paragraphs 1 to 5 of Article 7 of Regulation (EU) No 525/2013. In the interests of clarity the reference to Decision 15/CP.17 in Article 2 of Decision 2013/162/EU should therefore be replaced by a reference to Decision 24/CP.19.
- (7) The measures provided for in this Decision are in accordance with the opinion of the Climate Change Committee,

HAS ADOPTED THIS DECISION:

Article 1

Decision 2013/162/EU is amended as follows:

- (1) In Article 2, "Decision 15/CP.17" is replaced by "Decision 24/CP.19";
- (2) Annex II is replaced by the text in the Annex to this Decision.

Article 2

This Decision is addressed to the Member States.

Done at Brussels,

For the Commission

[\[...\]](#)

Member of the Commission