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Ratification of the second commitment period of the Kyoto Protocol to the United Nations Framework Convention on Climate Change

ANNEX

to the

**Proposal for a
COUNCIL DECISION**

on the conclusion of the Doha Amendment to the Kyoto Protocol to the United Nations Framework Convention on Climate Change and the joint fulfilment of commitments thereunder

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Notification of the terms of the agreement to fulfil jointly the commitments of the European Union, its Member States and Iceland under Article 3 of the Kyoto Protocol

1. MEMBERS OF THE AGREEMENT

The European Union, its Member States and the Republic of Iceland are members of this agreement ('the members'). The following States are at present Member States of the European Union:

the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Republic of Croatia, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden, the United Kingdom of Great Britain and Northern Ireland.

Iceland participates in this agreement pursuant to the agreement with Iceland concerning Iceland's participation in the joint fulfilment of the commitments of the European Union, its Member States and Iceland in the second commitment period of the Kyoto Protocol to the United Nations Framework Convention on Climate Change [insert reference following conclusion of the agreement].

2. JOINT FULFILMENT OF THE COMMITMENTS UNDER ARTICLE 3 OF THE KYOTO PROTOCOL

In accordance with Article 4(1) of the Kyoto Protocol, the Members will fulfil their commitments under Article 3 thereof as follows:

- The members shall jointly ensure that in the Member States and Iceland the combined sum of the aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A to the Kyoto Protocol does not exceed their joint assigned amount. This amount is calculated pursuant to the quantified emission limitation and reduction commitment listed in the third column of the table contained in Annex B to the Kyoto Protocol and in accordance with the provisions of Article 3 thereof.
- The application of Article 3(1) of the Kyoto Protocol to greenhouse gas emissions from aviation and shipping for the Member States and Iceland is based on the Convention's approach of only including emissions from domestic flights and

domestic shipping in Parties' targets. The European Union approach under the second commitment of the Kyoto Protocol remains the same as for the first commitment period, given the lack of progress since Decision 2/CP.3 in attributing these emissions to Parties' targets. This is without prejudice to the stringency of the European Union's commitments under the climate and energy package, which remain unchanged. It is also without prejudice to the need to take measures concerning emissions of such gases from aviation and marine bunker fuels.

- Each member may increase its ambition level through transferring assigned amount units, emission reduction units or certified emission reduction units to a cancellation account established in its national registry. The members shall jointly submit the information required by paragraph 9 of decision 1/CMP.8, and jointly make any proposals for the purpose of Article 3(1ter) and (1quater) of the Protocol.
- The members shall continue to apply Article 3(3) and (4) of the Protocol and decisions agreed thereunder individually.
- The combined base year emissions of the members shall equal the sum of emissions in the respective base years applicable to each Member State and Iceland.
- If land-use change and forestry constituted a net source of greenhouse gas emissions in 1990 for any Member State or Iceland, that member shall, pursuant to Article 3(7bis) of the Protocol, include in its 1990 emissions base year or period the aggregate anthropogenic carbon dioxide equivalent emissions by sources minus removals by sinks in 1990 from land-use change for the purpose of calculating the joint assigned amount of the members determined in accordance with Article 3 (7bis), (8) and (8bis) of the Protocol.
- The calculation pursuant to Article 3(7ter) of the Protocol shall apply to the joint assigned amount of the second commitment period for the members determined in accordance with Article 3 (7bis), (8) and (8bis) of the Protocol and the sum of the average annual emissions of the members for the first three years of the first commitment period multiplied by eight.

3. RESPECTIVE EMISSION LEVELS ALLOCATED TO THE MEMBERS TO THE AGREEMENT

The joint quantified emission limitation and reduction commitment for the members listed in the third column of Annex B of the Kyoto Protocol for the Members is 80%. The joint assigned amount of the Members will be determined pursuant to Article 3(7 bis), (8) and (8 bis) of the Protocol, and its calculation will be facilitated by the report submitted by the European Union pursuant to paragraph 2 of decision 2/CMP.8.

The respective emission levels of the members are as follows:

- The emission level for the European Union is the difference between the joint assigned amount of the members, and the sum of the emission levels of the Member States and Iceland. Its calculation will be facilitated by the report submitted pursuant to paragraph 2 of decision 2/CMP.8.
- The respective emission levels of the Member States and Iceland in accordance with Article 4(1) and (5) of the Protocol are the sum of their respective amounts listed in table 1 and any results of the application of Article 3(7bis) of the Protocol for that Member State or Iceland.

The assigned amounts of the members shall be equal to their respective emission levels.

The assigned amount of the European Union covers the emissions of greenhouse gases under the European Union Emissions Trading System, in which its Member States and Iceland participate, to the extent that these emissions are covered under the Protocol. The respective assigned amounts of the Member States and Iceland cover the greenhouse gas emissions by sources and removals by sinks in each Member State or Iceland from sources and sinks not covered under the European Union scheme for greenhouse gas emission allowance trading. This includes all emissions from sources and removals by sinks covered by Article 3(3) and (4) of the Protocol as well as all emissions of nitrogen trifluoride (NF₃) under the Protocol.

Members to this agreement shall report separately on the emissions by sources and removals by sinks covered by their respective assigned amounts.

Table 1: Emission levels of the Member States and Iceland (before application of Article 3(7bis))

| | |
|----------------|---|
| Belgium | 584 228 513 |
| Bulgaria | 222 945 983 |
| Czech Republic | 520 515 203 |
| Denmark | 269 321 526 |
| Germany | 3 592 699 888 |
| Estonia | 51 056 976 |
| Ireland | 343 467 221 |
| Greece | 480 791 166 |
| Spain | 1 766 877 232 |
| France | 3 014 714 832 |
| Croatia | 162 271 086 |
| Italy | 2 410 291 421 |
| Cyprus | 47 450 128 |
| Latvia | 76 633 439 |
| Lithuania | 113 600 821 |
| Luxembourg | 70 736 832 |
| Hungary | 434 486 280 |
| Malta | 9 299 769 |
| Netherlands | 919 963 374 |
| Austria | 405 712 317 |
| Poland | 1 583 938 824 |
| Portugal | 402 210 711 |
| Romania | 656 059 490 |
| Slovenia | 99 425 782 |
| Slovakia | 202 268 939 |
| Finland | 240 544 599 |
| Sweden | 315 554 578 |
| United Kingdom | 2 743 362 625 |
| Iceland | [figure to be determined in agreement with Iceland] |