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

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PURPOSE: to ratify the second commitment period of the Kyoto Protocol to the United Nations Framework Convention on Climate Change (UNFCC).

PROPOSED ACT: Council Decision.

ROLE OF THE EUROPEAN PARLIAMENT: the European Parliament decides in accordance with the ordinary legislative procedure and on an equal footing with the Council.

BACKGROUND: the Council agreed, in its conclusions of 9 March 2012, to propose **a joint quantified emission reduction commitment of 20% for the second commitment period of the Kyoto Protocol for the Union.**

In December 2012, at the Doha Climate Change Conference, the 192 Parties to the Kyoto Protocol to the United Nations Framework Convention on Climate Change adopted an amendment to the Protocol. This **'Doha Amendment' establishes a second commitment period under the Kyoto Protocol,** starting on 1 January 2013 and ending on 31 December 2020, with legally binding emission reduction commitments for the Parties listed in its Annex B.

The agreement on the Doha Amendment came as part of a broader package.

- Apart from the 38 Parties covered under the second commitment period, more than 60 other countries, including the United States, China, India, South Africa and Brazil, have now pledged mitigation action under the UNFCCC. This brings **the total share of global emissions covered by international mitigation commitments under both the Kyoto Protocol and the Convention to more than 80%.**

- A further essential element of this broader package is the consensus of Parties to the Convention, **no later than 2015**, to adopt a protocol, **another legal instrument or an agreed outcome with legal force** under the Convention applicable to all Parties, which should come into effect and be implemented from 2020.

Under the Doha Amendment, the European Union, its Member States and Iceland commit to limit their average annual greenhouse gas (GHG) emissions in the years 2013 to 2020 to 80 % of their base year emissions (mostly 1990).

The Doha Amendment also makes further amendments to the text of the Protocol to be implemented in the second commitment period. these amendments concern: (i) the inclusion of a new gas - nitrogen trifluoride (NF3); (ii) an 'ambition mechanism' which provides for a simplified procedure which allows a Party to adjust its commitment by increasing its ambition during a commitment period; (iii) a provision which automatically adjusts a Party's target to prevent an increase in its emissions for the period 2013 to 2020 beyond its average emissions for the years 2008 to 2010.

IMPACT ASSESSMENT: no impact assessment was undertaken.

LEGAL BASIS: Article 192(1), in conjunction with Article 218(6)(a) of the Treaty on the Functioning of the European Union (TFEU).

CONTENT: the proposal for a Council Decision provides the basis for the **conclusion of the Doha Amendment by the European Union** and sets out the terms of the joint fulfilment of the commitments by the European Union, its Member States and Iceland. It is accompanied by a proposal for a regulation on technical issues related to implementation by the EU and Member States of the second commitment period.

The ratification Decision enables the EU, as a Party to the Kyoto Protocol, to ratify the Doha amendment. It also sets out the terms according to which the EU, its Member States and Iceland will fulfil the 20% emissions reduction commitment jointly.

The formal entry into force of the Doha Amendment is an important objective for the European Union.

The Commission would like Member States to take the necessary steps to **complete their domestic ratification processes not later than 16 February 2015.** Once they have finalised their own ratification processes, Member States together with the EU, will simultaneously deposit their instruments of acceptance to enable simultaneous entry into force for all of them. This should take place well before the Paris Climate Change Conference at the end of 2015.

On the international level, the Doha amendment will enter into force when it has been ratified by three quarters of Parties to the Protocol (144 of the 192 Parties). The European Union is a Party to the Protocol in its own right, as are all Member States and Iceland.

BUDGETARY IMPLICATIONS: the proposal has no implications for the budget of the European Union.