

Kyoto Protocol to the United Nations Framework Convention on Climate Change: technical implementation

2013/0377(COD) - 15/05/2014 - Final act

PURPOSE: to ensure the technical implementation of the Kyoto Protocol in the European Union after 2012.

LEGISLATIVE ACT: Regulation (EU) No 662/2014 of the European Parliament and of the Council amending Regulation (EU) No 525/2013 as regards the technical implementation of the Kyoto Protocol to the United Nations Framework Convention on Climate Change.

CONTENT: the new regulation amends the [Regulation \(EU\) No 525/2013](#) on a mechanism for monitoring and reporting greenhouse gas emissions. It provides the legal basis enabling the Commission to adopt the necessary technical implementation rules for the second commitment period of the Kyoto protocol in the EU.

These rules are necessary to enable the effective operation of the joint fulfilment of the commitments of the EU, its Member States and Iceland for the second commitment period, and to ensure the alignment of the technical implementation of the Kyoto protocol with the operation of the EU emissions trading scheme and the effort sharing decision ([Decision No 406/2009/EC](#)).

On 8 December 2012, the Conference of the Parties to the United Nations Framework Convention on Climate Change (UNFCCC) serving as the meeting of the Parties to the Kyoto Protocol, adopted the Doha Amendment, establishing a second commitment period of the Kyoto Protocol, **starting on 1 January 2013 and ending on 31 December 2020**.

Establishment and management of registries: the amended Regulation stipulates that the Union and the Member States should set up and manage party holding accounts, including a deposit account, and issue an amount of AAUs corresponding to their respective assigned amounts for the second commitment period of the Kyoto Protocol.

The Commission shall also be empowered to **adopt delegated** acts in order to:

- give effect, by means of the registries of the Union and of the Member States, to the necessary technical implementation of the Kyoto Protocol pursuant to Decision 1/CMP.8 or other relevant decisions of the UNFCCC or Kyoto Protocol bodies and a joint fulfilment agreement;
- ensure that any net transfers of annual emission allocations in accordance with Decision No 406/2009/EC and any net transfers of allowances with third countries participating in the scheme established for greenhouse gas emissions trading within the Union by Directive 2003/87/EC which are not parties to a joint fulfilment agreement, are followed by a transfer of a corresponding number of AAUs through a clearing process at the end of the second commitment period of the Kyoto Protocol;
- ensure that those transactions which are necessary to align the application of the limits established by decisions of the UNFCCC or Kyoto Protocol bodies on the carry-over of ERUs and CERs from the first to the second commitment period of the Kyoto Protocol with the implementation of Article 11a of Directive 2003/87/EC are performed.

Where a Member State is seriously disadvantaged by a specific and exceptional situation, including accounting inconsistencies in matching the implementation of Union legislation with the rules agreed under the Kyoto Protocol, the Commission should, subject to the availability of units at the end of the second commitment period of the Kyoto Protocol, adopt measures to address that situation. For that purpose, the Commission should be empowered to adopt **implementing acts** to transfer CERs, ERUs or AAUs held in the Union registry to the registry of that Member State.

Retiring from registries: the Regulation stipulates that the Union and the Member States should each, at the end of the second commitment period under the Kyoto Protocol, retire from their respective registries AAUs, RMUs, ERUs, CERs, tCERs or ICERs equivalent to the greenhouse gas emissions from sources and removals by sinks covered by their respective assigned amounts.

Delegated powers: in order to establish coherent rules to ensure the technical implementation of the second commitment period of the Kyoto Protocol in the Union, including the transition from the first to the second commitment period, powers are delegated to the Commission from the date of conclusion by the Union of the Doha Amendment to the end of the additional period for fulfilling commitments under the second commitment period of the Kyoto Protocol.

ENTRY INTO FORCE: 17.07.2014.