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

2013/0376(NLE) - 09/01/2015 - Legislative proposal

PURPOSE: to enable the ratification of 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: Council may adopt the act only if Parliament has given its consent to the act.

BACKGROUND: at the Doha Climate Change Conference in December 2012, parties to the Kyoto Protocol to the United Nations Framework Convention on Climate Change adopted the Doha Amendment, establishing a second commitment period of the Kyoto Protocol, starting on 1 January 2013 and ending on 31 December 2020.

The Doha Amendment amends Annex B to the Kyoto Protocol, setting out further legally-binding mitigation commitments for parties listed in that Annex for the second commitment period.

The Union and its Member States agreed to the Doha Amendment as part of a package whereby parties to the United Nations Framework Convention on Climate Change agreed to adopt, by the end of 2015, 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.

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 and its Member States. The Council further agreed, in line with this approach, that the emission reduction obligations of individual Member States are not to exceed the obligations agreed in Union legislation, and that the commitment is to be based on the sum of base year emissions of the Member States in accordance with the Kyoto Protocol. Accordingly, the Union and its Member States agreed at the Doha Climate Change Conference to a quantified emission reduction commitment that limits their average annual emissions of greenhouse gases during the second commitment period to **80% of the sum of their base year emissions**. This is reflected in the Doha Amendment.

The Union and its Member States have also offered to move to a **30% reduction by 2020 compared to 1990 levels**, as part of a global and comprehensive agreement for the period beyond 2012, provided that other developed countries commit themselves to comparable emission reductions, and that developing countries contribute adequately according to their responsibilities and respective capabilities.

The targets for the Union and its Member States are listed in the Doha Amendment with a footnote stating that those targets are based on the understanding that they **will be fulfilled jointly by the European Union and its Member States**.

The Union, its Member States, Croatia and Iceland also stated, in a joint statement that they intend to jointly fulfil their commitments during the second commitment period. In the same statement, they stated that Article 3(7ter) of the Kyoto Protocol will be applied to the joint assigned amount pursuant to the

agreement on joint fulfilment by the Union, its Member States, Croatia and Iceland and will not be applied to any Member State, Croatia or Iceland individually. The Council, at its meeting on 15 December 2009, welcomed a request by Iceland **to fulfil its commitments under a second commitment period jointly with the Union and its Member States**. An agreement has been found between the parties.

The Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol has decided that each party with a commitment listed for the second commitment period should, by 15 April 2015, submit to the Convention Secretariat a report to facilitate the calculation of its assigned amount. The Commission should prepare a report to facilitate the calculation of the assigned amount of the Union, and a report to facilitate the calculation of the joint assigned amount of the Union, its Member States and Iceland.

In order to underline the commitment of the Union and its Member States to a timely entry into force of the Doha Amendment, the Union, its Member States and Iceland should endeavour to ratify it not later than the first quarter of 2015.

The Doha Amendment should be approved on behalf of the Union.

CONTENT: under this proposed Decision, the Council is requested to approve, on behalf of the Union, the Doha Amendment to the Kyoto Protocol to the United Nations Framework Convention on Climate Change agreed on 8 December 2012 in Doha.

The text of the Doha Amendment is attached to this Decision.

Notification: the EU and its Member States shall fulfil their commitments in accordance with the notification of the terms of the agreement to fulfil jointly the commitments of the European Union, its Member States and Iceland as set out in Annex I to this Decision.

The assigned amounts of the Member States and Iceland shall be equal to the emission levels set out in the notification.

By 15 April 2015, each Member State shall submit to the Convention Secretariat a report to facilitate the calculation of its assigned amount, in accordance with the requirements of the Kyoto Protocol, the Doha Amendment and decisions adopted thereunder.

The Commission shall prepare a report to facilitate the calculation of the assigned amount of the Union, and a report to facilitate the calculation of the joint assigned amount of the Union, its Member States and Iceland.

For further details of the protocol, please refer to the summary of the *Commission's initial legislative proposal dated 06/11/2013*.