EUROPEAN COMMISSION

Brussels, XXX
[…](2012) XXX draft

COMMISSION DECISION

of XXX

on […] determining Member States' annual emission allocations for the period from 2013 to 2020 pursuant to Decision 406/2009/EC

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THE EUROPEAN COMMISSION,

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

Having regard to Decision No 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 reduction commitments up to 2020[1], and in particular the forth subparagraph of Article 3(2) thereof,

Whereas:

(1) The greenhouse gas emissions from installations covered by Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC[2] as deriving from the Union Registry, Commission Decisions, National Allocation Plans and the official correspondence between the Commission and the respective Member States constitute verified emission data in the sense of the fourth paragraph of Article 3(2) of Decision No 406/2009/EC.

(2) The total greenhouse gas emissions from gases and activities as defined in Article 2(1) of Decision No 406/2009/EC submitted pursuant to Decision No 280/2004/EC of the European Parliament and of the Council of 11 February 2004 concerning a mechanism for monitoring community greenhouse gas emissions and for implementing the Kyoto Protocol[3] in the year 2012 as established following the 2012 initial review conducted by the Commission pursuant to the Guidelines for the 2012 Technical Review of Greenhouse Gas Emission Inventories[4] constitute reviewed greenhouse gas emissions data for the years 2005, 2008, 2009 and 2010 in the sense of the fourth paragraph of Article 3(2) of Decision No 406/2009/EC.

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1 OJ L 140, 5.06.2009, p. 136.
2 OJ L 275, 25.10.2003, p. 32.
3 OJ L 49, 19.02.2004, p. 1.
4 SWD (2012) 107 final, 26.04.2012.

(3) To ensure consistency between the determination of the annual emission allocations and the reported greenhouse gas emissions for each year, Member States' annual emission allocations should be calculated also by applying the global warming potential values from the 4th IPCC assessment report adopted by Decision15/CP.17. The annual emission allocation calculated as such should become applicable from the first year for which the reporting of greenhouse gas inventories using these new global warming potential values becomes compulsory pursuant to Article 3 of Decision No 280/2004/EC.

(4) Data currently reported in the national greenhouse gas inventories and the national and Union registries are not sufficient to determine, at Member State level, the CO_2 civil aviation emissions at national level that are not covered by Directive 2003/87/EC. CO_2 emissions from flights not covered by Directive 2003/87/EC represent only a very minor part of the total greenhouse gas emissions, and collecting additional information on these emissions would create a disproportionate administrative burden. Therefore, the quantity of CO_2 emissions of the inventory category '1.A.3.A civil aviation' should be considered equal to zero for the purpose of determining the annual emission allocations.

(5) The annual emission allocations for a Member State for the year 2020 should be calculated by subtracting the quantity of verified greenhouse gas emissions of installations that existed in 2005 from the reviewed greenhouse gas emissions for the year 2005 and adjusting the outcome by the percentage laid down in Annex II of Decision No 406/2009.

(6) The quantity of verified greenhouse gas emissions of installations should be determined as follows :

– For Member States that participated in the Emissions Trading Scheme as of 2005: the quantity of emissions of installations covered by Directive 2003/87/EC in 2005 adjusted by the quantity of greenhouse gas emissions of those installations which were included in or excluded from the Emissions Trading Scheme from 2008 to 2012 due to an adjusted scope applied by the Member States and the quantity of greenhouse gas emissions from installations temporarily excluded in the year 2005 but not excluded between 2008 and 2012 from the Emissions Trading Scheme;

– For Member States that participated in the Emissions Trading Scheme as of 2007: the quantity of greenhouse gas emissions of installations covered by Directive 2003/87/EC in 2007;

– For Member States participating in the Emissions Trading Scheme as of 2013: the quantity of greenhouse gas emissions of installations covered by Directive 2003/87/EC in 2005 (as communicated by the respective Member State and reviewed by the Commission).

(7) The average quantity of greenhouse gas emissions in the year 2009 of a Member State with a positive greenhouse gas emission limit pursuant to Annex II of Decision No 406/2009/EC should be calculated by subtracting an average quantity of verified greenhouse gas emissions from installations covered by Directive 2003/87/EC in the years 2008, 2009 and 2010 in the respective Member State from

its average total reviewed greenhouse gas emissions for the years 2008, 2009 and 2010.

(8) The annual emission allocations for a Member State with a positive greenhouse gas emission limit pursuant to Annex II of Decision No 406/2009/EC for the years 2013 to 2019 should be defined by a linear trajectory starting with that member State's average quantity of greenhouse gas emissions in the year 2009 and ending with its annual emission allocation for the year 2020.

(9) The annual emission allocation for a Member State with a negative greenhouse gas emission limit pursuant to Annex II of Decision No 406/2009/EC for the year 2013 should be calculated by subtracting average quantity of verified greenhouse gas emissions from installations covered by Directive 2003/87/EC in the years 2008, 2009 and 2010 in the respective Member State from its average total reviewed greenhouse gas emissions for the years 2008, 2009 and 2010.

(10) The annual emission allocation for a Member State with a negative greenhouse gas emission limit pursuant to Annex II of Decision No 406/2009/EC for the years 2014 to 2019 should be defined by a linear trajectory starting with that member State's annual emission allocation for the year 2013 and ending with its annual emission allocation for the year 2020.

(11) The verified greenhouse gas emissions of installations unilaterally included in the Emissions Trading Scheme in accordance with Article 24 of Directive 2003/87/EC during the period from 2008 to 2012 should not be accounted for in the average quantity of verified greenhouse gas emissions from installations covered by Directive 2003/87/EC for the years 2008, 2009 and 2010 as this would result in double counting of greenhouse gas emissions during future adjustments of the annual emission allocations pursuant to Article 10 of Decision No 406/2009/EC.

(12) In view of Croatia's accession to the Union, its annual emission allocation for each year of the period from 2013 to 2020 should be determined using the same methodology as for the other Member States. These values should become applicable as of the date of Croatia's accession.

(13) Given the adoption by the European Council of the Decision 2012/419/EU of 11 July 2012 on amending the status of Mayotte with regard to the European Union as of 2014, the annual emission allocations for France as of 2014 are calculated by taking into account the relevant reviewed greenhouse gas emissions.[5]

(14) The measures provided for in this Decision are in accordance with the opinion of the Climate Change Committee.

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[5] *OJ L 204, 31.7.2012, p. 131–131*

HAS ADOPTED THIS DECISION:

Article 1

The annual emission allocations for each Member State for each year of the period from 2013 to 2020 are set out in Annex I and shall apply subject to any adjustments published pursuant to Article 10 of Decision No 406/2009/EC.

Article 2

Notwithstanding Article 1, where an act adopted pursuant to Article 3 of Decision No 280/2004/EC provides for Member States to submit greenhouse gas emissions inventories determined using global warming potential values from the 4th IPCC assessment report as adopted by Decision15/CP.17 of the Conference of the Parties of the United Nations Framework Convention on Climate Change, the annual emission allocations set out in Annex II shall apply as of the first year for which such reporting of greenhouse gas inventories becomes compulsory.

Article 3

The annual emission allocations for Croatia as set out in Annex I shall apply as of the date of entry into force of the Treaty of Accession of Croatia.

This Decision is addressed to the Member States.

Done at Brussels,

For the Commission

Member of the Commission

ANNEX I

Member States Annual Emissions Allocation for the year 2013 to 2020 calculated applying global warming potential values from the second IPCC assessment report

Country	Annual Emission Allocation (tonnes of carbon dioxide equivalent)							
	2013	2014	2015	2016	2017	2018	2019	2020
Belgium	81206753	79635010	78063267	76491523	74919780	73348037	71776293	70204550
Bulgaria	27308615	27514835	27721056	27927276	28133496	28339716	28545936	28752156
Czech Republic	63569006	64248654	64928302	65607950	66287597	66967245	67646893	68326541
Denmark	35873692	34996609	34119525	33242442	32365359	31488276	30611193	29734110
Germany	487095510	480020642	472945774	465870905	458796037	451721169	444646301	437571432
Estonia	6111145	6133644	6156143	6178641	6201140	6223639	6246137	6268636
Ireland	45163667	44066074	42968480	41870887	40773293	39675700	38578106	37480513
Greece	58909882	59158791	59407700	59656609	59905518	60154427	60403336	60652245
Spain	228883459	226977713	225071967	223166221	221260475	219354728	217448982	215543236
France	397926454	393291390	388254953	383218516	378182079	373145642	368109206	363072769
Croatia	20596027	20761917	20927807	21093696	21259586	21425476	21591366	21757255
Italy	310124250	308146930	306169610	304192289	302214969	300237649	298260329	296283008
Cyprus	5552863	5547275	5541687	5536100	5530512	5524924	5519336	5513749
Latvia	9005483	9092810	9180137	9267464	9354791	9442119	9529446	9616773
Lithuania	16661613	16941467	17221321	17501174	17781028	18060882	18340736	18620590

Luxembourg	9737871	9535962	9334053	9132144	8930235	8728326	8526417	8324508
Hungary	49291591	50388303	51485014	52581726	53678437	54775149	55871861	56968572
Malta	1113574	1112781	1111988	1111195	1110402	1109609	1108816	1108023
Netherlands	121835387	119628131	117420874	115213617	113006361	110799104	108591847	106384590
Austria	53598131	53032042	52465953	51899864	51333775	50767686	50201597	49635508
Poland	197978330	198929081	199879833	200830584	201781336	202732087	203682838	204633590
Portugal	47653190	47920641	48188091	48455541	48722992	48990442	49257893	49525343
Romania	79108341	80681687	82255034	83828380	85401727	86975074	88548420	90121767
Slovenia	11890136	11916713	11943289	11969866	11996442	12023018	12049595	12076171
Slovakia	25095979	25413609	25731240	26048870	26366500	26684130	27001761	27319391
Finland	32732387	32232553	31732719	31232885	30733051	30233217	29733383	29233549
Sweden	42526869	41863309	41199748	40536188	39872627	39209066	38545506	37881945
United Kingdom	350411692	346031648	341651604	337271559	332891515	328511471	324131426	319751382

ANNEX II

Member States Annual Emissions Allocation for the year 2013 to 2020 calculated applying global warming potential values from the fourth IPCC assessment report

Country	Annual Emission Allocation (tonnes of carbon dioxide equivalent)							
	2013	2014	2015	2016	2017	2018	2019	2020
Belgium	82376327	80774027	79171726	77569425	75967124	74364823	72762523	71160222
Bulgaria	28661817	28897235	29132652	29368070	29603488	29838906	30074324	30309742
Czech Republic	65452506	66137845	66823185	67508524	68193864	68879203	69564542	70249882
Denmark	36829163	35925171	35021179	34117187	33213195	32309203	31405210	30501218
Germany	495725112	488602056	481479000	474355944	467232888	460109832	452986776	445863720
Estonia	6296988	6321312	6345636	6369960	6394284	6418608	6442932	6467256
Ireland	47226256	46089109	44951963	43814816	42677670	41540523	40403377	39266230
Greece	61003810	61293018	61582226	61871434	62160642	62449850	62739057	63028265
Spain	235551490	233489390	231427291	229365191	227303091	225240991	223178891	221116791
France	408762813	403877606	398580044	393282481	387984919	382687356	377389794	372092231
Croatia	21196005	21358410	21520815	21683221	21845626	22008031	22170436	22332841
Italy	317768849	315628134	313487419	311346703	309205988	307065273	304924558	302783843
Cyprus	5919071	5922555	5926039	5929524	5933008	5936493	5939977	5943461
Latvia	9279248	9370072	9460897	9551721	9642546	9733370	9824194	9915019
Lithuania	17153997	17437556	17721116	18004675	18288235	18571794	18855354	19138913

Luxembourg	9814716	9610393	9406070	9201747	8997423	8793100	8588777	8384454
Hungary	50796264	51906630	53016996	54127362	55237728	56348094	57458460	58568826
Malta	1168514	1166788	1165061	1163334	1161608	1159881	1158155	1156428
Netherlands	125086859	122775394	120463928	118152462	115840997	113529531	111218065	108906600
Austria	54643228	54060177	53477125	52894074	52311023	51727971	51144920	50561869
Poland	204579390	205621337	206663283	207705229	208747175	209789121	210831068	211873014
Portugal	49874317	50139847	50405377	50670907	50936437	51201967	51467497	51733027
Romania	83080513	84765858	86451202	88136547	89821891	91507236	93192581	94877925
Slovenia	12278677	12309309	12339941	12370573	12401204	12431836	12462468	12493100
Slovakia	25877815	26203808	26529801	26855793	27181786	27507779	27833772	28159765
Finland	33497046	32977333	32457619	31937905	31418191	30898477	30378764	29859050
Sweden	43386459	42715001	42043544	41372087	40700630	40029172	39357715	38686258
United Kingdom	358980526	354455751	349930975	345406200	340881425	336356649	331831874	327307099