



EUROPEAN PARLIAMENT

2014 - 2019

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*Plenary sitting*

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**A8-0167/2015**

18.5.2015

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## **RECOMMENDATION**

on the draft Council decision on the conclusion, on behalf of the European Union, of the Doha Amendment to the Kyoto Protocol to the United Nations Framework Convention on Climate Change and the joint fulfilment of commitments thereunder  
(10400/2014 – C8-0029/2015 – 2013/0376(NLE))

Committee on the Environment, Public Health and Food Safety

Rapporteur: Elisabetta Gardini

***Symbols for procedures***

- \* Consultation procedure
- \*\*\* Consent procedure
- \*\*\*I Ordinary legislative procedure (first reading)
- \*\*\*II Ordinary legislative procedure (second reading)
- \*\*\*III Ordinary legislative procedure (third reading)

(The type of procedure depends on the legal basis proposed by the draft act.)

## CONTENTS

	<b>Page</b>
DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION .....	5
SHORT JUSTIFICATION.....	6
OPINION IN LETTER FORM OF THE COMMITTEE ON INDUSTRY, RESEARCH AND ENERGY (ITRE) .....	9
RESULT OF FINAL VOTE IN COMMITTEE .....	10



## DRAFT EUROPEAN PARLIAMENT LEGISLATIVE RESOLUTION

**on the draft Council decision on the conclusion, on behalf of the European Union, of the Doha Amendment to the Kyoto Protocol to the United Nations Framework Convention on Climate Change and the joint fulfilment of commitments thereunder (10400/2014 – C8-0029/2015 – 2013/0376(NLE))**

**(Consent)**

*The European Parliament,*

- having regard to the draft Council decision (10400/2014),
  - having regard to the Amendment to the Kyoto Protocol adopted at the eighth session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol, held in Doha, Qatar in December 2012 (Doha Amendment to the Kyoto Protocol),
  - having regard to the request for consent submitted by the Council in accordance with Article 192(1) and Article 218(6), second subparagraph, point (a), of the Treaty on the Functioning of the European Union (C8-0029/2015),
  - having regard to Rule 99(1), first and third subparagraphs, Rule 99(2), and Rule 108(7) of its Rule of Procedures,
  - having regard to the letter of the Committee on Industry, Research and Energy,
  - having regard to the recommendation of the Committee on the Environment, Public Health and Food Safety (A8-0167/2015),
1. Gives its consent to conclusion of the Doha Amendment to the Kyoto Protocol;
  2. Instructs its President to forward its position to the Council, the Commission and the governments and parliaments of the Member States and to the United Nations.

## SHORT JUSTIFICATION

on the proposal for a Council decision on the Conclusion, on behalf of the European Union, of the Doha Amendment to the Kyoto Protocol to the United Nations Framework Convention on Climate Change and the joint fulfilment of commitments

### Background

The Kyoto Protocol to the United Nations Framework Convention on Climate Change was signed in 1997 setting an internationally binding emission reduction target. The EU ratified the Protocol in 2002 and stated that it and its 15 Member States at the time would make use of this provision to fulfil the EU's emissions commitment jointly. The European Union and its Member States were thus jointly responsible under the Kyoto Protocol's compliance mechanism for fulfilling the commitment to reduce their collective GHG emissions in the first (2008-2012) period to 8% below 1990 levels.

In its conclusions of 9 March 2012, the Council agreed to propose a joint quantified emission reduction commitment of 20% below 1990 levels for the second commitment period of the Kyoto Protocol for the Union.

This Council position was followed by its Member States during the Doha Climate Change Conference held in December 2012, where the 192 Parties to the Kyoto Protocol to the United Nations Framework Convention on Climate Change adopted an amendment to the Protocol.

The Doha amendment establishes a second commitment period under the Kyoto Protocol (KP CP2), starting on 1 January 2013 and ending on 31 December 2020, with legally binding emission reduction commitments according to which the European Union, its Member States and Iceland are committed to limit their average annual greenhouse gas (GHG) emissions in the years 2013 to 2020 to 80% of their base year emissions (mostly 1990). That commitment was determined on the basis of the total greenhouse gas emissions allowed during the period 2013-2020 under the EU Climate and Energy Package.

Alongside with it, the Doha Amendment makes three more changes to the text of the Kyoto Protocol to be implemented in this second commitment period which concern the following: firstly, the inclusion of a new gas (nitrogen trifluoride); secondly, an ambition mechanism providing for a simplified procedure to allow a Party to adjust its commitment by increasing its ambition during a commitment period; and thirdly, 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.

The Doha Amendment is subject to acceptance by the Parties to the Kyoto Protocol and will enter into force only after the date of receipt by the Convention Depository of the acceptance instruments by at least three fourths of the Parties to the Kyoto Protocol.

### Position of the Rapporteur

The draft 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 requires Member States to take the necessary steps to complete their domestic ratification process no later than the third quarter of 2015.

The Rapporteur welcomes the draft Council Decision on the Conclusion of the Doha Amendment to the Kyoto Protocol and the joint fulfilment of commitments thereunder. The Rapporteur would like to highlight herewith some aspects of the draft Council decision.

First of all, the Rapporteur notes with regret that in the KP CP2, as shown in Annex B of the Kyoto protocol, mainly the EU countries are joining this second commitment period, while major polluting countries are abstaining. The EU should put in place all the possible political, diplomatic and economic tools at its disposal to convince these countries to sign a binding international agreement that establishes a level playing field, in order for the EU not to keep being alone to undertake all the climate commitments. Any new international agreement later this year in Paris needs to be very ambitious and realistic at the same time, if we need to maintain the pathway towards keeping the planet's temperature below the 2° C objective.

Concerning the joint fulfilment agreement, the Rapporteur reminds that based on the Climate and Energy Package adopted in 2009, in particular the EU's Emissions Trading System (EU ETS) and the Effort Sharing Decision, the EU and its Member States are already implementing a 20% emissions reduction by 2020 which in fact allowed them to agree to implement their commitments for the KP CP2. In this respect the Rapporteur wishes to underline that the proposal does not change Member States' targets or obligations under the 2009 Climate and Energy Package legislation.

The Kyoto Protocol requires Parties to a joint fulfilment agreement to set out and notify, together with their ratification instruments, the emission levels allocated to each member of that agreement (Article 4(1) of the Kyoto Protocol). The emission levels allocated to each Member State and Iceland are set out in Table 1 to Annex I of the proposed Council Decision (in tonnes of carbon dioxide equivalent (tCO<sub>2</sub>eq)).

Although Iceland is not an EU Member State, it does participate in the EU ETS and it intends to fulfil its commitment in KP CP2 jointly with the EU and its Member States. The rights and obligations applying to Member States in the joint fulfilment need to be made applicable to Iceland through EU legislation and the new agreement between the EU, all Member States and Iceland, which is subject to a parallel consent procedure.

Concerning the reporting and accounting requirements, under the KP CP2 each Party is required to submit a report to facilitate the calculation of its assigned amount and to demonstrate its capacity to account for its emissions and assigned amount (the initial report). The detailed requirements for the initial reports are laid down in the UNFCCC Decision 2/CMP.8.

The proposed ratification decision allows a joint initial report of the EU, its Member States and Iceland, to be prepared by the Commission, and individual Initial Reports of each Member State and Iceland. The joint initial report should contain the required information relating to the joint commitment, based on which the joint assigned amount is calculated, and set out the EU assigned amount.

## **Conclusion**

The Rapporteur considers that the ratification decision on the conclusion of the Doha Amendment to the Kyoto Protocol and the joint fulfilment of the commitments by the European Union will send a strong signal about the efforts and the leadership of the EU and its Member States to address climate change at international level. That is why the Rapporteur perceives the formal entry into force of the Doha Amendment among the priority objectives for the European Union since the Kyoto Protocol has a crucial contribution in global efforts to tackle climate change. The Rapporteur also invites the Council to ensure that the domestic ratification processes in the Member States can take place no later than the third quarter of 2015 and together with the EU; they can deposit their instrument of acceptance well before the Paris UNFCCC Conference in 2015.

Given the above mentioned considerations, the Rapporteur suggests that the Committee responsible and the European Parliament give their consent to the Council Decision without unnecessary delays.

**OPINION IN LETTER FORM OF THE COMMITTEE ON INDUSTRY, RESEARCH  
AND ENERGY (ITRE)**

**305433 25.03.2015**

Ref:IPOL-COM-ITRE D (2015) 9602  
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Giovanni La Via  
Chair  
Committee on Environment, Public Health and Food Safety

Brussels,

Subject: Opinion of the Committee on Industry, Research and Energy (ITRE) for the Committee on Environment, Public Health and Food Safety (ENVI) 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 (ITRE/8/002S4 \_ COM (2013)0768.- 2013/0376(NLE)]

Dear President,

The Committee on Industry, Research and Energy (ITRE) calls on the Committee on Environment, Public Health and Food Safety (ENVI), as the Committee responsible, to recommend that Parliament gives its consent 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.

Yours sincerely,

(signed)

JerzyBuzek

## RESULT OF FINAL VOTE IN COMMITTEE

<b>Date adopted</b>	6.5.2015
<b>Result of final vote</b>	+:               60 -:                3 0:                0
<b>Members present for the final vote</b>	Marco Affronte, Margrete Auken, Pilar Ayuso, Zoltán Balczó, Catherine Bearder, Ivo Belet, Biljana Borzan, Lynn Boylan, Cristian-Silviu Buşoi, Nessa Childers, Birgit Collin-Langen, Mireille D'Ornano, Miriam Dalli, Angélique Delahaye, Jørn Dohrmann, Ian Duncan, Stefan Eck, Bas Eickhout, Eleonora Evi, José Inácio Faria, Karl-Heinz Florenz, Francesc Gambús, Iratxe García Pérez, Elisabetta Gardini, Gerben-Jan Gerbrandy, Jens Gieseke, Sylvie Goddyn, Françoise Grossetête, Andrzej Grzyb, Jytte Guteland, György Hölvényi, Anneli Jäätteenmäki, Jean-François Jalkh, Josu Juaristi Abaunz, Kateřina Konečná, Giovanni La Via, Peter Liese, Norbert Lins, Valentinas Mazuronis, Susanne Melior, Miroslav Mikolášik, Massimo Paolucci, Gilles Pargneaux, Piernicola Pedicini, Pavel Poc, Marcus Pretzell, Frédérique Ries, Daciana Octavia Sârbu, Annie Schreijer-Pierik, Davor Škrlec, Dubravka Šuica, Tibor Szanyi, Damiano Zoffoli
<b>Substitutes present for the final vote</b>	Renata Briano, Nicola Caputo, Mark Demesmaeker, Jan Huitema, Merja Kyllönen, James Nicholson, Aldo Patriciello, Gabriele Preuß, Bart Staes
<b>Substitutes under Rule 200(2) present for the final vote</b>	Marek Jurek, Emilian Pavel, Catherine Stihler