



2016/0231(COD)

7.2.2017

AMENDMENTS

35 - 268

Draft report
Gerben-Jan Gerbrandy
(PE592.423v02-00)

Binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 for a resilient Energy Union and to meet commitments under the Paris Agreement and amending Regulation No 525/2013 of the European Parliament and the Council on a mechanism for monitoring and reporting greenhouse gas emissions and other information relevant to climate change

Proposal for a regulation
(COM(2016)0482 – C8-0331/2016 – 2016/0231(COD))

Amendment 35

Jadwiga Wiśniewska, Urszula Krupa, Bolesław G. Piecha, Bogusław Liberadzki, Adam Gierek, Krystyna Łybacka, Janusz Zemke

Proposal for a regulation

Recital 2

Text proposed by the Commission

(2) The European Council conclusions of October 2014 foresaw that the target should be delivered collectively by the Union in the most cost-effective manner possible, with the reductions in the Emissions Trading System (ETS) and non-ETS sectors amounting to 43% and 30% by 2030 compared to 2005 respectively, with efforts distributed on the basis of relative Gross Domestic Product (GDP) per capita. All sectors of the economy should contribute to achieving these emission reductions, and all Member States should participate in this effort, balancing considerations of fairness and solidarity, and national targets within the group of Member States with a GDP per capita above the Union average should be relatively adjusted to reflect cost-effectiveness in a fair and balanced manner. Achieving these greenhouse gas emission reductions should boost efficiency and innovation in the European economy and in particular should promote improvements, notably in buildings, agriculture, waste management and transport, in so far as they fall under the scope of this Regulation.

Amendment

(2) The European Council conclusions of October 2014 foresaw that the target should be delivered collectively by the Union in the most cost-effective manner possible, with the reductions in the Emissions Trading System (ETS) and non-ETS sectors amounting to 43% and 30% by 2030 compared to 2005 respectively, with efforts distributed on the basis of relative Gross Domestic Product (GDP) per capita. All sectors of the economy should contribute to achieving these emission reductions, and all Member States should participate in this effort, balancing considerations of fairness and solidarity, and national targets within the group of Member States with a GDP per capita above the Union average should be relatively adjusted to reflect cost-effectiveness in a fair and balanced manner. ***The emissions level allocated to each Member State in the context of the 2030 climate and energy framework should take into account Member States' specificities in respect of their energy mix.*** Achieving these greenhouse gas emission reductions should boost efficiency and innovation in the European economy and in particular should promote improvements, notably in buildings, agriculture, waste management and transport, in so far as they fall under the scope of this Regulation.

Or. en

Amendment 36

Simona Bonafè, Nicola Caputo, Elena Gentile, Massimo Paolucci, Damiano Zoffoli, Caterina Chinnici, Renata Briano

Proposal for a regulation
Recital 2

Text proposed by the Commission

(2) The European Council conclusions of October 2014 foresaw that the target should be delivered collectively by the Union in the most cost-effective manner possible, with the reductions in the Emissions Trading System (ETS) and non-ETS sectors amounting to 43% and 30% by 2030 compared to 2005 respectively, with efforts distributed on the basis of relative Gross Domestic Product (GDP) per capita. All sectors of the economy should contribute to achieving these emission reductions, and all Member States should participate in this effort, balancing considerations of fairness and solidarity, and national targets within the group of Member States with a GDP per capita above the Union average should be relatively adjusted to reflect cost-effectiveness in a fair and balanced manner. Achieving these greenhouse gas emission reductions should boost efficiency and innovation in the European economy and in particular should promote improvements, notably in buildings, agriculture, waste management and transport, in so far as they fall under the scope of this Regulation.

Amendment

(2) The European Council conclusions of October 2014 foresaw that the target should be delivered collectively by the Union in the most cost-effective manner possible, with the reductions in the Emissions Trading System (ETS) and non-ETS sectors amounting to 43% and 30% by 2030 compared to 2005 respectively, with efforts distributed on the basis of relative Gross Domestic Product (GDP) per capita. ***This distribution of efforts should be proportional to the level of Member States' GDP per capita in 2013 compared to the EU28 average GDP per capita in the same year.*** All sectors of the economy should contribute to achieving these emission reductions, and all Member States should participate in this effort, balancing considerations of fairness and solidarity, and national targets within the group of Member States with a GDP per capita above the Union average should be relatively adjusted to reflect cost-effectiveness in a fair and balanced manner. Achieving these greenhouse gas emission reductions should boost efficiency and innovation in the European economy and in particular should promote improvements, notably in buildings, agriculture, waste management and transport, in so far as they fall under the scope of this Regulation.

Or. en

Amendment 37
Bas Eickhout

Proposal for a regulation
Recital 2

Text proposed by the Commission

Amendment

(2) The European Council conclusions of October 2014 foresaw that the target should be delivered collectively by the Union in the most cost-effective manner possible, with the reductions in the Emissions Trading System (ETS) and non-ETS sectors amounting to 43% and 30% by 2030 compared to 2005 respectively, with efforts distributed on the basis of relative Gross Domestic Product (GDP) per capita. All sectors of the economy should contribute to achieving these emission reductions, and all Member States should participate in this effort, balancing considerations of fairness and solidarity, and national targets within the group of Member States with a GDP per capita above the Union average should be relatively adjusted to reflect cost-effectiveness in a fair and balanced manner. Achieving these greenhouse gas emission reductions should boost efficiency and innovation in the European economy and in particular should promote improvements, notably in buildings, agriculture, waste management *and transport*, in so far as they fall under the scope of this Regulation.

(2) The European Council conclusions of October 2014 foresaw that the target should be delivered collectively by the Union in the most cost-effective manner possible, with the reductions in the Emissions Trading System (ETS) and non-ETS sectors amounting to 43% and 30% by 2030 compared to 2005 respectively, with efforts distributed on the basis of relative Gross Domestic Product (GDP) per capita. All sectors of the economy should contribute to achieving these emission reductions, and all Member States should participate in this effort, balancing considerations of fairness and solidarity, and national targets within the group of Member States with a GDP per capita above the Union average should be relatively adjusted to reflect cost-effectiveness in a fair and balanced manner. Achieving these greenhouse gas emission reductions should boost efficiency and innovation in the European economy and in particular should promote improvements, notably in buildings, agriculture, waste management, *transport and dietary patterns*, in so far as they fall under the scope of this Regulation.

Or. en

Amendment 38
Annie Schreijer-Pierik

Proposal for a regulation
Recital 3

Text proposed by the Commission

(3) On 10 June 2016 the Commission presented the proposal for the EU to ratify the Paris agreement. This legislative proposal forms part of the implementation of the EU's commitment in the Paris agreement. The Union's commitment to economy-wide emission reductions was confirmed in the intended nationally determined contribution of the Union and its Member States that was submitted to the

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Amendment

(3) On 10 June 2016 the Commission presented the proposal for the EU to ratify the Paris agreement. This legislative proposal forms part of the implementation of the EU's commitment in the Paris agreement *which aims at strengthening the global response to the threat of climate change by holding the increase in global average temperatures to well below 2 °C above pre-industrial levels and*

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Secretariat of the UNFCCC on 6 March 2015.

pursuing efforts to limit the temperature increase to 1,5 °C above pre-industrial levels, and to foster low greenhouse gas emissions development in a manner that does not threaten food production either at Union or Member State level. The Union's commitment to economy-wide emission reductions was confirmed in the intended nationally determined contribution of the Union and its Member States that was submitted to the Secretariat of the UNFCCC on 6 March 2015.

Or. en

Amendment 39

Elisabeth Köstinger, Nicola Caputo

Proposal for a regulation

Recital 3

Text proposed by the Commission

(3) *On 10 June 2016 the Commission presented the proposal for the EU to ratify the Paris agreement.* This legislative proposal forms part of the implementation of the EU's commitment in the Paris agreement. The Union's commitment to economy-wide emission reductions was confirmed in the intended nationally determined contribution of the Union and its Member States that was submitted to the Secretariat of the UNFCCC on 6 March 2015.

Amendment

(3) *The Council ratified the Paris Agreement on 5 October 2016, following the consent given by the European Parliament on 4 October 2016. The Paris agreement entered into force on 4 November 2016 and aims at keeping the increase in global temperature to well below 2 °C above pre-industrial levels and to pursue efforts to limit the temperature increase to 1,5 °C above pre-industrial levels, in a manner that does not threaten food production and food security and by emphasizing the role of sustainable forest management for reaching the target of balancing emissions and removals.* This legislative proposal forms part of the implementation of the EU's commitment in the Paris agreement. The Union's commitment to economy-wide emission reductions was confirmed in the intended nationally determined contribution of the Union and its Member States that was submitted to the Secretariat of the UNFCCC on 6 March 2015.

Justification

An update of the text further to ratification of Paris Agreement is essential. Recital 3 also needs to be complemented with a reference to art. 2.1b of the Paris Agreement regarding food production and art. 5 on the role of sustainable management of forests for reaching the target of balancing emissions and removals.

Amendment 40**Ian Duncan, Jørn Dohrmann****Proposal for a regulation****Recital 3***Text proposed by the Commission*

(3) On 10 June 2016 the Commission presented the proposal for the EU to ratify the Paris **agreement**. This legislative proposal forms part of the implementation of the EU's commitment in the Paris **agreement**. The Union's commitment to economy-wide emission reductions was confirmed in the intended nationally determined contribution of the Union and its Member States that was submitted to the Secretariat of the UNFCCC on 6 March 2015.

Amendment

(3) On 10 June 2016 the Commission presented the proposal for the EU to ratify the Paris Agreement. This legislative proposal forms part of the implementation of the EU's commitment in the Paris Agreement. The **Paris Agreement sets out a long-term goal in line with the objective to keep the global temperature increase well below 2 °C above pre-industrial levels and to pursue efforts to keep it to 1,5 °C above pre-industrial levels in a manner that does not threaten food production.** **The** Union's commitment to economy-wide emission reductions was confirmed in the intended nationally determined contribution of the Union and its Member States that was submitted to the Secretariat of the UNFCCC on 6 March 2015.

Justification

In this piece of legislation aimed at implementing the Paris Agreement within the EU, reference ought to be made to its legally binding article 2 1b, which states that mitigation efforts within all countries ought to be undertaken in a manner that does not threaten food production. Adequate flexibility mechanisms to this Regulation are paramount in this respect.

Amendment 41**Eleonora Evi, Dario Tamburrano, Piernicola Pedicini**

Proposal for a regulation
Recital 3

Text proposed by the Commission

(3) On 10 June 2016 the Commission presented the proposal for the EU to ratify the Paris agreement. This legislative proposal forms part of the implementation of the EU's commitment in the Paris agreement. The Union's commitment to economy-wide emission reductions was confirmed in the intended nationally determined contribution of the Union and its Member States that was submitted to the Secretariat of the UNFCCC on 6 March 2015.

Amendment

(3) On 10 June 2016 the Commission presented the proposal for the EU to ratify the Paris agreement. This legislative proposal forms part of the implementation of the EU's commitment in the Paris agreement ***and recognises the need to limit the rise in temperature to 1.5° by the end of the century.*** The Union's commitment to economy-wide emission reductions was confirmed in the intended nationally determined contribution of the Union and its Member States that was submitted to the Secretariat of the UNFCCC on 6 March 2015.

Or. it

Amendment 42
Annie Schreijer-Pierik

Proposal for a regulation
Recital 3 a (new)

Text proposed by the Commission

Amendment

(3 a) The Paris Agreement requires Parties to take action to conserve and enhance, as appropriate, sinks and reservoirs of greenhouse gases, including forests.

Or. en

Amendment 43
Elisabeth Köstinger, Nicola Caputo

Proposal for a regulation
Recital 5

Text proposed by the Commission

Amendment

(5) The transition to clean energy requires changes in investment behaviour and incentives across the entire policy spectrum. It is a key Union priority to establish a resilient Energy Union to provide secure, sustainable, competitive and affordable energy to its citizens. Achieving this requires continuation of ambitious climate action with this Regulation and progress on the other aspects of Energy Union as set out in the Framework Strategy for a Resilient Energy Union with a Forward-Looking Climate Change Policy.¹⁶

¹⁶ COM(2015)80

(5) The transition to clean energy requires changes in investment behaviour and incentives across the entire policy spectrum. It is a key Union priority to establish a resilient Energy Union to provide secure, sustainable, competitive and affordable energy to its citizens. Achieving this requires ***a clear distinction between green and fossil CO₂ emissions and*** continuation of ambitious climate action with this Regulation and progress on the other aspects of Energy Union as set out in the Framework Strategy for a Resilient Energy Union with a Forward-Looking Climate Change Policy.¹⁶

¹⁶ COM(2015)80

Or. en

Amendment 44 **Eleonora Evi, Dario Tamburrano, Piernicola Pedicini**

Proposal for a regulation **Recital 5**

Text proposed by the Commission

(5) The transition to clean energy requires changes in investment behaviour and incentives across the entire policy spectrum. It is a key Union priority to establish a resilient Energy Union to provide secure, sustainable, competitive and affordable energy to its citizens. Achieving this requires continuation of ambitious climate action with this Regulation and progress on the other aspects of Energy Union as set out in the Framework Strategy for a Resilient Energy Union with a Forward-Looking Climate Change Policy.¹⁶

¹⁶ COM(2015)80

Amendment

(5) The transition to clean energy requires changes in investment behaviour and incentives across the entire policy spectrum, ***starting with the reduction and optimisation of energy consumption***. It is a key Union priority to establish a resilient Energy Union to provide secure, sustainable, competitive and affordable energy to its citizens. Achieving this requires continuation of ambitious climate action with this Regulation and progress on the other aspects of Energy Union as set out in the Framework Strategy for a Resilient Energy Union with a Forward-Looking Climate Change Policy¹⁶.

¹⁶ COM(2015)80.

Or. it

Amendment 45
Bas Eickhout

Proposal for a regulation
Recital 6 a (new)

Text proposed by the Commission

Amendment

(6 a) Greenhouse gas emissions from the agricultural sector are linked to food demand. Implementing strategies to foster sustainable, nutritionally healthy dietary patterns provides an opportunity to enhance agriculture's contribution to fulfilling the objectives of this Regulation and the Paris Agreement.

Or. en

Amendment 46
Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation
Recital 7

Text proposed by the Commission

Amendment

(7) 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 CO₂ civil aviation emissions at national level that are not covered by Directive 2003/87/EC. In adopting reporting obligations, the Union should not impose upon Member States and small and medium-sized enterprises (SMEs) burdens that are disproportionate to the objectives pursued. CO₂ emissions from flights not covered by Directive 2003/87/EC represent only a very minor part of the total greenhouse gas emissions, and establishing a reporting system for these emissions would be unduly burdensome in the light of existing requirements for the wider sector pursuant to Directive 2003/87/EC. Therefore, CO₂ emissions from IPCC

(7) 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 CO₂ civil aviation emissions at national level that are not covered by Directive 2003/87/EC. In adopting reporting obligations, the Union should not impose upon Member States and small and medium-sized enterprises (SMEs) burdens that are disproportionate to the objectives pursued. emissions from flights not covered by Directive 2003/87/EC represent only a very minor part of the total greenhouse gas emissions, and establishing a reporting system for these emissions would be unduly burdensome in the light of existing requirements for the wider sector pursuant to Directive 2003/87/EC. Therefore, ***provision should be made for***

source category '1.A.3.A civil aviation' should be *treated as being equal to zero* for the *purposes of this Regulation*.

subscription to a fund to finance national compensation measures for CO2 emissions from IPCC source category '1.A.3.A civil aviation' for the purposes of this Regulation. The annual subscription charge should be calculated on the basis of an estimate of emissions inferred from fuel consumption in the previous year, to which the market price for the CO2 quotas for the sectors covered by Directive 2003/87/EC should be applied.

Or. it

Amendment 47

Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation

Recital 8

Text proposed by the Commission

(8) The reduction of each Member State for 2030 *should* be determined in relation to the level of its 2005 reviewed greenhouse gas emissions covered by this Regulation, excluding verified emissions from installations that operated in 2005 which were only included in the EU ETS after 2005. Annual emissions allocations for 2021 to 2030 *should* be determined on the basis of data submitted by the Member States and reviewed by the Commission.

Amendment

(8) The reduction of each Member State for 2030 *must* be determined in relation to the level of its 2005 reviewed greenhouse gas emissions covered by this Regulation, excluding verified emissions from installations that operated in 2005 which were only included in the EU ETS after 2005. Annual emissions allocations for 2021 to 2030 *must* be determined on the basis of data submitted by the Member States and reviewed by the Commission.

Or. it

Amendment 48

Simona Bonafè, Nicola Caputo, Elena Gentile, Massimo Paolucci, Damiano Zoffoli, Caterina Chinnici, Renata Briano

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) The approach of annually binding national limits taken in Decision No

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Amendment

(9) The approach of annually binding national limits taken in Decision No

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406/2009/EC of the European Parliament and of the Council¹⁹ should be continued from 2021 to 2030, with the start of the trajectory calculation in 2020 on the average of the greenhouse gas emissions during 2016 to 2018 and the end of the trajectory being the 2030 limit for each Member State. An adjustment to the allocation in 2021 is provided for Member States with both a positive limit under Decision 406/2009/EC and increasing annual emission allocations between 2017 and 2020 determined pursuant to Decisions 2013/162/EU and 2013/634/EU, to reflect the capacity for increased emissions in those years. The European Council concluded that the availability and use of existing flexibility instruments within the non-ETS sectors should be significantly enhanced in order to ensure cost-effectiveness of the collective Union effort and convergence of emissions per capita by 2030.

¹⁹ 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 emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

406/2009/EC of the European Parliament and of the Council¹⁹ should be continued from 2021 to 2030, with the start of the trajectory calculation in 2020 on the *value of the 2020 annual emission allocation according to Commission Implementing Decision 2013/634/EU^{19a} and subsequent amendments, or on the* average of the greenhouse gas emissions during 2016 to 2018, *using whichever value is lower*, and the end of the trajectory being the 2030 limit for each Member State. *In order to ensure the effort sharing is fair and balanced, Member States with an average of greenhouse gas emissions during 2016, 2017 and 2018 below its 2020 annual emission allocation and with a GDP per capita below EU28 average GDP per capita in 2013, can opt for starting on the value of the 2020 annual emission allocation.* An adjustment to the allocation in 2021 is provided for Member States with both a positive limit under Decision 406/2009/EC and increasing annual emission allocations between 2017 and 2020 determined pursuant to Decisions 2013/162/EU and 2013/634/EU, to reflect the capacity for increased emissions in those years. The European Council concluded that the availability and use of existing flexibility instruments within the non-ETS sectors should be significantly enhanced in order to ensure cost-effectiveness of the collective Union effort and convergence of emissions per capita by 2030.

¹⁹ 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 emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

^{19a} 2013/634/EU: Commission Implementing Decision of 31 October 2013 on the adjustments to Member States' annual emission allocations for

the period from 2013 to 2020 pursuant to Decision No 406/2009/EC of the European Parliament and of the Council (OJ L 292, 1.11.2013, p. 19).

Or. en

Justification

The introduction of the option between the 2020 targets and the average of emissions 2016-2018, using whichever value is lower, incentivise action both from "early movers" Member States and Member States who will fall short of achieving their 2020 targets. A specific provision is introduced for "early movers" Member States with a GDP per capita below EU28 GDP per capita in 2013. In this case for a matter of cost-effectiveness of their effort and fairness, an exception should be foreseen .

Amendment 49 **Andrzej Grzyb**

Proposal for a regulation **Recital 9**

Text proposed by the Commission

(9) The approach of annually binding national limits taken in Decision No 406/2009/EC of the European Parliament and of the Council¹⁹ should be continued from 2021 to 2030, with the start of the trajectory calculation in 2020 on the **average of the greenhouse gas emissions during 2016 to 2018** and the end of the trajectory being the 2030 limit for each Member State. An adjustment to the allocation in 2021 is provided for Member States with both a positive limit under Decision 406/2009/EC and increasing annual emission allocations between 2017 and 2020 determined pursuant to Decisions 2013/162/EU and 2013/634/EU, to reflect the capacity for increased emissions in those years. The European Council concluded that the availability and use of existing flexibility instruments within the non-ETS sectors should be significantly enhanced in order to ensure cost-effectiveness of the collective Union effort and convergence of emissions per capita by 2030.

Amendment

(9) The approach of annually binding national limits taken in Decision No 406/2009/EC of the European Parliament and of the Council should be continued from 2021 to 2030, with the start of the trajectory calculation in 2020 on the **value of annual emission allocation in this year** and the end of the trajectory being the 2030 limit for each Member State. An adjustment to the allocation in 2021 is provided for Member States with both a positive limit under Decision 406/2009/EC and increasing annual emission allocations between 2017 and 2020 determined pursuant to Decisions 2013/162/EU and 2013/634/EU, to reflect the capacity for increased emissions in those years. The European Council concluded that the availability and use of existing flexibility instruments within the non-ETS sectors should be significantly enhanced in order to ensure cost-effectiveness of the collective Union effort and convergence of emissions per capita by 2030. **To that end, unused annual emission allocations from**

the period from 2013 to 2020 should be transferred to a dedicated reserve for each Member State upon its request, to be utilised in the period from 2021 to 2030, where a Member State's emissions exceed its annual emission allocations for a given year.

¹⁹ *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 emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).*

Or. en

Amendment 50
Giovanni La Via, Elisabetta Gardini

Proposal for a regulation
Recital 9

Text proposed by the Commission

(9) The approach of annually binding national limits taken in Decision No 406/2009/EC of the European Parliament and of the Council¹⁹ should be continued from 2021 to 2030, with the start of the trajectory calculation in **2020** on the average of the greenhouse gas emissions during 2016 to 2018 and the end of the trajectory being the 2030 limit for each Member State. An adjustment to the allocation in 2021 is provided for Member States with both a positive limit under Decision 406/2009/EC and increasing annual emission allocations between 2017 and 2020 determined pursuant to Decisions 2013/162/EU and 2013/634/EU, to reflect the capacity for increased emissions in those *years*. The European Council concluded that the availability and use of existing flexibility instruments within the non-ETS sectors should be significantly

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Amendment

(9) The approach of annually binding national limits taken in Decision No 406/2009/EC of the European Parliament and of the Council¹⁹ should be continued from 2021 to 2030, with the start of the trajectory calculation in **2021** on the average of the greenhouse gas emissions during 2016 to 2018 and the end of the trajectory being the 2030 limit for each Member State. An adjustment to the allocation in 2021 is provided for Member States with both a positive limit under Decision 406/2009/EC and increasing annual emission allocations between 2017 and 2020 determined pursuant to Decisions 2013/162/EU and 2013/634/EU, to reflect the capacity for increased emissions in those years. ***A new flexibility is created to allow Member States that have shown early compliance with the limits set for 2020, in Decision 406/2009/EC, to start***

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enhanced in order to ensure cost-effectiveness of the collective Union effort and convergence of emissions per capita by 2030.

their linear trajectory with the value of their national allocation for 2020. The European Council concluded that the availability and use of existing flexibility instruments within the non-ETS sectors should be significantly enhanced in order to ensure cost-effectiveness of the collective Union effort and convergence of emissions per capita by 2030.

¹⁹ 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 emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

¹⁹ 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 emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

Or. en

Amendment 51

Jadwiga Wiśniewska, Urszula Krupa, Bolesław G. Piecha, Bogusław Liberadzki, Adam Gierak, Krystyna Łybacka, Janusz Zemke

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) The approach of annually binding national limits taken in Decision No 406/2009/EC of the European Parliament and of the Council¹⁹ should be continued from 2021 to 2030, with the start of the trajectory calculation in **2020** on the **average of the greenhouse gas emissions during 2016 to 2018** and the end of the trajectory being the 2030 limit for each Member State. An adjustment to the allocation in 2021 is provided for Member States with both a positive limit under Decision 406/2009/EC and increasing annual emission allocations between 2017 and 2020 determined pursuant to Decisions 2013/162/EU and 2013/634/EU, to reflect the capacity for increased emissions in those years. The European Council

Amendment

(9) The approach of annually binding national limits taken in Decision No 406/2009/EC of the European Parliament and of the Council¹⁹ should be continued from 2021 to 2030, with the start of the trajectory calculation in **2021** on the **value of annual emission allocation in 2020** and the end of the trajectory being the 2030 limit for each Member State. An adjustment to the allocation in 2021 is provided for Member States with both a positive limit under Decision 406/2009/EC and increasing annual emission allocations between 2017 and 2020 determined pursuant to Decisions 2013/162/EU and 2013/634/EU, to reflect the capacity for increased emissions in those years. The European Council concluded that the

concluded that the availability and use of existing flexibility instruments within the non-ETS sectors should be significantly enhanced in order to ensure cost-effectiveness of the collective Union effort and convergence of emissions per capita by 2030.

availability and use of existing flexibility instruments within the non-ETS sectors should be significantly enhanced in order to ensure cost-effectiveness of the collective Union effort and convergence of emissions per capita by 2030. *To that end, unused annual emission allocations from the period from 2013 to 2020 should be transferred to a dedicated reserve for each Member State upon its request, to be utilised in the period from 2021 to 2030, where a Member State's emissions exceed its annual emission allocations for a given year .*

¹⁹ 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 emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

¹⁹ 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 emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

Or. en

Amendment 52

Pilar Ayuso

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) The approach of annually binding national limits taken in Decision No 406/2009/EC of the European Parliament and of the Council¹⁹ should be continued from 2021 to 2030, with the start of the trajectory calculation in 2020 on the average of the greenhouse gas emissions during 2016 to 2018 and the end of the trajectory being the 2030 limit for each Member State. An adjustment to the allocation in 2021 is provided for Member States with both a positive limit under Decision 406/2009/EC and increasing annual emission allocations between 2017

Amendment

(9) The approach of annually binding national limits taken in Decision No 406/2009/EC of the European Parliament and of the Council¹⁹ should be continued from 2021 to 2030, with the start of the trajectory calculation in 2020 on the average of the greenhouse gas emissions during 2016 to 2018 and the end of the trajectory being the 2030 limit for each Member State. An adjustment to the allocation in 2021 is provided for Member States with both a positive limit under Decision 406/2009/EC and increasing annual emission allocations between 2017

and 2020 determined pursuant to Decisions 2013/162/EU and 2013/634/EU, to reflect the capacity for increased emissions in those years. The European Council concluded that the availability and use of existing flexibility instruments within the non-ETS sectors should be significantly enhanced in order to ensure cost-effectiveness of the collective Union effort and convergence of emissions per capita by 2030.

and 2020 determined pursuant to Decisions 2013/162/EU and 2013/634/EU, to reflect the capacity for increased emissions in those years. ***A new flexibility is created to allow Member States that have shown early compliance with the limits set for 2020, in Decision 406/2009/EC, to start their linear trajectory in 2020.*** The European Council concluded that the availability and use of existing flexibility instruments within the non-ETS sectors should be significantly enhanced in order to ensure cost-effectiveness of the collective Union effort and convergence of emissions per capita by 2030.

¹⁹ 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 emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

¹⁹ 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 emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

Or. en

Amendment 53

Bas Eickhout

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) The approach of annually binding national limits taken in Decision No 406/2009/EC of the European Parliament and of the Council¹⁹ should be continued from 2021 to 2030, with the start of the trajectory calculation in 2020 on the average of the greenhouse gas emissions during 2016 to 2018 and the end of the trajectory being the 2030 limit for each Member State. ***An adjustment to the allocation*** in 2021 ***is provided for*** Member States with both a positive limit under Decision 406/2009/EC and increasing

Amendment

(9) The approach of annually binding national limits taken in Decision No 406/2009/EC of the European Parliament and of the Council¹⁹ should be continued from 2021 to 2030, with the start of the trajectory calculation in 2020 on the average of the greenhouse gas emissions during 2016 to 2018 and the end of the trajectory being the 2030 limit for each Member State. ***A quantity of 40 million annual emission allocations should be auctioned*** in 2021 ***and 2022 for the use in*** Member States with both a positive limit

annual emission allocations between 2017 and 2020 determined pursuant to Decisions 2013/162/EU and 2013/634/EU, *to reflect the capacity for increased emissions in those years. The European Council concluded that the availability and use of existing flexibility instruments within the non-ETS sectors should be significantly enhanced in order to ensure cost-effectiveness of the collective Union effort and convergence of emissions per capita by 2030.*

under Decision 406/2009/EC and increasing annual emission allocations between 2017 and 2020 determined pursuant to Decisions 2013/162/EU and 2013/634/EU *through energy saving and renewables investments funds established for sectors covered by the Regulation, in particular for building renovation.*

¹⁹ 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 emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

¹⁹ 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 emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

Or. en

Justification

The Commission proposal provides a total of 39,14 million tonnes CO₂eq extra allocation for Member States that were allowed to grow their emissions in the sectors covered by the Effort Sharing Decision in the period up to 2020. The amendment proposes to instead use 40 million emission allowances for financing energy savings and renewables in the sectors covered by the Effort Sharing Regulation, in the same Member States. The auctioning platform and the funds created for that purpose could also be used to facilitate transfers between Member States.

Amendment 54

Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) The approach of annually binding national limits taken in Decision No 406/2009/EC of the European Parliament and of the Council¹⁹ should be continued from 2021 to 2030, with the start of the trajectory calculation in **2020** on the

Amendment

(9) The approach of annually binding national limits taken in Decision No 406/2009/EC of the European Parliament and of the Council¹⁹ should be continued from 2021 to 2030, with the start of the trajectory calculation in **2017** on the

average of the greenhouse gas emissions during 2016 to 2018 and the end of the trajectory being the 2030 limit for each Member State. An adjustment to the allocation in 2021 is provided for Member States with both a positive limit under Decision 406/2009/EC and increasing annual emission allocations between 2017 and 2020 determined pursuant to Decisions 2013/162/EU and 2013/634/EU, to reflect the capacity for increased emissions in those years. The European Council concluded that the availability and use of existing flexibility instruments within the non-ETS sectors should be significantly enhanced in order to ensure cost-effectiveness of the collective Union effort and convergence of emissions per capita by 2030.

average of the greenhouse gas emissions during 2016 to 2018, **or the 2020 target, whichever is lower**, and the end of the trajectory being the 2030 limit for each Member State. An adjustment to the allocation in 2021 is provided for Member States with both a positive limit under Decision 406/2009/EC and increasing annual emission allocations between 2017 and 2020 determined pursuant to Decisions 2013/162/EU and 2013/634/EU, to reflect the capacity for increased emissions in those years. The European Council concluded that the availability and use of existing flexibility instruments within the non-ETS sectors should be significantly enhanced in order to ensure cost-effectiveness of the collective Union effort and convergence of emissions per capita by 2030.

¹⁹ 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 emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

¹⁹ 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 emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

Or. it

Amendment 55 **Annie Schreijer-Pierik**

Proposal for a regulation **Recital 9**

Text proposed by the Commission

(9) The approach of annually binding national limits taken in Decision No 406/2009/EC of the European Parliament and of the Council¹⁹ should be continued from 2021 to 2030, with the start of the trajectory calculation in **2020** on the average of the greenhouse gas emissions during 2016 to 2018 and the end of the

Amendment

(9) The approach of annually binding national limits taken in Decision No 406/2009/EC of the European Parliament and of the Council¹⁹ should be continued from 2021 to 2030, with the start of the trajectory calculation in **2021** on the average of the greenhouse gas emissions during 2016 to 2018 and the end of the

trajectory being the 2030 limit for each Member State. An adjustment to the allocation in 2021 is provided for Member States with both a positive limit under Decision 406/2009/EC and increasing annual emission allocations between 2017 and 2020 determined pursuant to Decisions 2013/162/EU and 2013/634/EU, to reflect the capacity for increased emissions in those years. The European Council concluded that the availability and use of existing flexibility instruments within the non-ETS sectors should be significantly enhanced in order to ensure cost-effectiveness of the collective Union effort and convergence of emissions per capita by 2030.

¹⁹ 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 emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

trajectory being the 2030 limit for each Member State. An adjustment to the allocation in 2021 is provided for Member States with both a positive limit under Decision 406/2009/EC and increasing annual emission allocations between 2017 and 2020 determined pursuant to Decisions 2013/162/EU and 2013/634/EU, to reflect the capacity for increased emissions in those years. The European Council concluded that the availability and use of existing flexibility instruments within the non-ETS sectors should be significantly enhanced in order to ensure cost-effectiveness of the collective Union effort and convergence of emissions per capita by 2030.

¹⁹ 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 emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

Or. en

Amendment 56

Miriam Dalli, Seb Dance, Claudiu Ciprian Tănăsescu, Gilles Pargneaux, Susanne Melior, Paul Brannen, Tibor Szanyi, Soledad Cabezón Ruiz, Christel Schaldemose, Jytte Guteland, Jo Leinen

Proposal for a regulation

Recital 9

Text proposed by the Commission

(9) The approach of annually binding national limits taken in Decision No 406/2009/EC of the European Parliament and of the Council¹⁹ should be continued from 2021 to 2030, with the start of the trajectory calculation in **2020** on the average of the greenhouse gas emissions during 2016 to 2018 and the end of the trajectory being the 2030 limit for each

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Amendment

(9) The approach of annually binding national limits taken in Decision No 406/2009/EC of the European Parliament and of the Council¹⁹ should be continued from 2021 to 2030, with the start of the trajectory calculation in **2017** on the average of the greenhouse gas emissions during 2016 to 2018 and the end of the trajectory being the 2030 limit for each

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Member State. An adjustment to the allocation in 2021 is provided for Member States with both a positive limit under Decision 406/2009/EC and increasing annual emission allocations between 2017 and 2020 determined pursuant to Decisions 2013/162/EU and 2013/634/EU, to reflect the capacity for increased emissions in those years. The European Council concluded that the availability and use of existing flexibility instruments within the non-ETS sectors should be significantly enhanced in order to ensure cost-effectiveness of the collective Union effort and convergence of emissions per capita by 2030.

¹⁹ 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 emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

Member State. An adjustment to the allocation in 2021 is provided for Member States with both a positive limit under Decision 406/2009/EC and increasing annual emission allocations between 2017 and 2020 determined pursuant to Decisions 2013/162/EU and 2013/634/EU, to reflect the capacity for increased emissions in those years. The European Council concluded that the availability and use of existing flexibility instruments within the non-ETS sectors should be significantly enhanced in order to ensure cost-effectiveness of the collective Union effort and convergence of emissions per capita by 2030.

¹⁹ 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 emission reduction commitments up to 2020 (OJ L 140, 5.6.2009, p. 136).

Or. en

Amendment 57

Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation

Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) The emissions reduction of each Member State from 2031 onwards should intend to achieve a linear trajectory leading to at least a 95% greenhouse gas emission reduction, to be achieved reliably by 2050 compared to the 2005 baseline. Each Member State should continue beyond 2031 to reduce the greenhouse gas emissions covered by this Regulation. In order to achieve that goal, Member States should take into account the international objectives of attaining a

stable equilibrium between anthropogenic emissions and removal of sinks in the second half of this century. The Commission should present a legislative proposal to achieve that goal.

Or. en

Amendment 58
Christofer Fjellner

Proposal for a regulation
Recital 9 a (new)

Text proposed by the Commission

Amendment

(9 a) After 2030, national reduction targets should be based on cost-effectiveness rather than GDP per capita.

Or. en

Amendment 59
Bas Eickhout

Proposal for a regulation
Recital 10

Text proposed by the Commission

Amendment

(10) A new one-off flexibility is created in order to facilitate the achievement of targets for Member States with national reduction targets significantly above both the Union average and their cost effective reduction potential as well as for Member States that did not allocate any allowances for free to industrial installations in 2013, as set out in the impact assessment²⁰.

deleted

²⁰ SWD(2016) 247

Or. en

Justification

It is not appropriate to interfere in the ETS cap for compliance under this Regulation. In order to ensure availability of AEAs for those Member States that might need to purchase them, it is proposed to create an auctioning platform with 40 million AEAs to be auctioned in equal shares in 2021 and 2022 earmarked for energy saving and renewables investments in Member States that were allowed to increase their emissions in the period up to 2020.

Amendment 60 **Ivo Belet**

Proposal for a regulation **Recital 10**

Text proposed by the Commission

(10) A new one-off flexibility is created in order to facilitate the achievement of targets for Member States with national reduction targets significantly above both the Union average and their cost effective reduction potential as well as for Member States that did not allocate any allowances for free to industrial installations in 2013, as set out in the impact assessment²⁰.

²⁰ SWD(2016) 247

Amendment

(10) A new one-off flexibility is created in order to facilitate the achievement of targets for Member States with national reduction targets significantly above both the Union average and their cost effective reduction potential as well as for Member States that did not allocate any allowances for free to industrial installations in 2013, as set out in the impact assessment²⁰. ***In order to maximise the cost effectiveness and environmental integrity of the European climate framework, Member States should be allowed to revise their initial decision to use the one-off flexibility downwards, with a two-year notification period.***

²⁰ SWD(2016) 247

Or. en

Amendment 61 **Eleonora Evi, Dario Tamburrano, Piernicola Pedicini**

Proposal for a regulation **Recital 10**

Text proposed by the Commission

(10) A new one-off flexibility is created in order to facilitate the achievement of

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Amendment

(10) A new one-off flexibility is created in order to facilitate the achievement of

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targets for Member States with national reduction targets significantly above both the Union average and their cost effective reduction potential *as well as for Member States that did not allocate any allowances for free to industrial installations in 2013, as set out in the impact assessment*²⁰ .

targets for Member States with national reduction targets significantly above both the Union average and their cost effective reduction potential.

²⁰ SWD(2016) 247

Or. it

Justification

Flexibility should be allowed only in relation to the reduction capacities of the Member State. Moreover, the more installations pay for their emissions, the greater the financial scope that the Member State will have to invest in mitigation.

Amendment 62 **Iskra Mihaylova**

Proposal for a regulation **Recital 11**

Text proposed by the Commission

(11) A range of Union measures enhance Member States' ability to meet their climate commitments and are crucial to achieving *necessary emission* reductions in the sectors covered by this Regulation. These include legislation on fluorinated greenhouse gases, *CO₂*-reductions from road vehicles, energy performance of building, renewables, energy efficiency and the Circular Economy, as well as Union funding instruments for climate-related investments.

Amendment

(11) A range of Union measures enhance Member States' ability to meet their climate commitments and are crucial to achieving *sustainable linear annual emissions* reductions in the sectors covered by this Regulation. These include legislation on fluorinated greenhouse gases, *CO₂*-reductions from road vehicles, energy performance of building, renewables, energy efficiency and the Circular Economy, as well as Union funding instruments for climate-related investments *and will be further developed in complementary legislative proposals*.

Or. en

Amendment 63 **Julie Girling**

Proposal for a regulation
Recital 11

Text proposed by the Commission

(11) A range of Union measures enhance Member States' ability to meet their climate commitments and are crucial to achieving necessary emission reductions in the sectors covered by this Regulation. These include legislation on fluorinated greenhouse gases, *CO₂*-reductions from road vehicles, energy performance of building, renewables, energy efficiency and the Circular Economy, as well as Union funding instruments for climate-related investments.

Amendment

(11) A range of Union measures enhance Member States' ability to meet their climate commitments and are crucial to achieving necessary emission reductions in the sectors covered by this Regulation. These include legislation on fluorinated greenhouse gases, *CO₂*-reductions from road vehicles, energy performance of building, renewables, energy efficiency and the Circular Economy, as well as Union funding instruments for climate-related investments, ***including all instruments under the common agricultural policy (CAP).***

Or. en

Justification

Achieving mitigation targets in the agricultural sector will require new incentives and support to help farmers adopt technologies and farming practices that reduce greenhouse gas emissions. In this regard, the CAP is the single most important EU policy affecting farming practices across the Union, and will be critical to achieving mitigation targets both for agriculture and for the Effort Sharing Regulation.

Amendment 64
Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation
Recital 11

Text proposed by the Commission

(11) A range of Union measures enhance Member States' ability to meet their climate commitments and are crucial to achieving necessary emission reductions in the sectors covered by this Regulation. These include legislation on fluorinated greenhouse gases, *CO₂*-reductions from road vehicles, energy performance of ***building***, renewables, energy efficiency and the Circular Economy, as well as

Amendment

(11) A range of Union measures enhance Member States' ability to meet their climate commitments and are crucial to achieving necessary emission reductions in the sectors covered by this Regulation. These include legislation on fluorinated greenhouse gases, *CO₂*-reductions from road vehicles, ***improvements in the*** energy performance of ***buildings***, ***an increase in*** renewables, ***greater*** energy efficiency and

Union funding instruments for climate-related investments.

promotion of the Circular Economy, as well as Union funding instruments for climate-related investments.

Or. it

Amendment 65

Miriam Dalli, Biljana Borzan, Seb Dance, Claudiu Ciprian Tănăsescu, Gilles Pargneaux, Susanne Melior, Paul Brannen, Tibor Szanyi, Carlos Zorrinho, Christel Schaldemose, Jo Leinen

Proposal for a regulation

Recital 11 a (new)

Text proposed by the Commission

Amendment

(11 a) This Regulation should provide a strong incentive for greenhouse gas emissions reductions consistent with other Union climate, energy and vehicle emissions legislation, taking into account that transport, buildings and agriculture are responsible for over 35%, 25% and 17% of the emissions in the ESR respectively. When transforming this Regulation into national policies, Member States should set strict targets and compliance rules, and should properly invest in emissions reductions across all sectors. Moving towards zero-emissions vehicles and speeding up the deployment of low-emission alternative energy are key for the transport sector in order to reduce road vehicle emissions, keep Europe competitive and respond to the increasing mobility needs of citizens. Energy efficiency of buildings is key not only for reducing energy bills and decarbonising the economy, but also for creating skilled jobs and tackling energy poverty. Measuring emissions in agriculture is complex because of the range of agricultural practices, inputs, technology and the variables of soil, climate and land cover. Nonetheless, there are clear opportunities for emission reductions in agriculture and many are associated with long-term cost savings. In this regard, the Commission should adopt a delegated act,

one year after the entry into force of this Regulation, specifying minimum targets for emission reductions within each sector covered by this Regulation for each Member State. For the purpose of that delegated act, the Commission should carry out a comprehensive assessment of the actions already made in order to ensure Member States effectively reduce actual greenhouse gas emissions in the context of the sectoral legislation. That report shall, if appropriate, be accompanied by a legislative proposal to increase the sectoral emissions reduction contributions of Member States.

Or. en

Amendment 66

Simona Bonafè, Nicola Caputo, Elena Gentile, Massimo Paolucci, Damiano Zoffoli, Caterina Chinnici, Renata Briano

Proposal for a regulation

Recital 11 a (new)

Text proposed by the Commission

Amendment

(11 a) This Regulation should provide an incentive for emission reductions consistent with other Union climate and energy legislation. Taking into account that over 75% of the Union's greenhouse gas emissions are related to energy, for sectors covered by this Regulation a particular significance is to be given to energy efficiency policies. Energy efficiency is key not only for reducing energy bills, decarbonising the economy, and ensuring energy security, but also for strengthening economic competitiveness, creating skilled jobs and tackling energy poverty. Furthermore, measures taken in the sectors covered by this Regulation, while helping Member States achieve their targets, pay for themselves over time. When transforming this Regulation into national policies, Member States should properly invest in energy efficiency across

sectors.

Or. en

Amendment 67

Julie Girling

Proposal for a regulation

Recital 11 a (new)

Text proposed by the Commission

Amendment

(11 a) Achieving, in a mutually coherent manner, the multiple Union objectives linked to the agricultural sector, including climate mitigation and adaptation, the conservation of biodiversity and ecosystem services, long-term food security, and support for rural economies, will require integrated development aimed towards achieving a sustainable and low-emissions agriculture and land use sector. This transition will require changes in investment and incentives, supported by Union measures, such as the CAP.

Or. en

Amendment 68

Fredrick Federley

Proposal for a regulation

Recital 11 a (new)

Text proposed by the Commission

Amendment

(11 a) It is important to ensure the possibility for a sustainable and climate efficient increase in agricultural production in the Union. In order to do so, it is important that the Member States do not hinder development in the agricultural sector when fulfilling the obligations under this Regulation and in this regard ensure that Union financial instruments for climate efficient agricultural production are mobilised.

Amendment 69

Merja Kyllönen, Kateřina Konečná

Proposal for a regulation

Recital 11 a (new)

Text proposed by the Commission

Amendment

(11 a) More than 75% of the Union's greenhouse gas emissions are energy-related. Therefore, all measures to improve the energy efficiency in a cost-effective way and thus reduce the energy demand should be prioritised and promoted, and duly integrated with climate policy actions across sectors;

Or. en

Amendment 70

Merja Kyllönen, Kateřina Konečná

Proposal for a regulation

Recital 11 b (new)

Text proposed by the Commission

Amendment

(11 b) In view of the aim of achieving a more effective "Climate Union", the Union and its Member States should make sure that their climate, energy and other sectoral policies mutually reinforce each other and are compatible with the long-term aim of achieving a carbon-neutral world. The impact of energy and sectoral policies on the Union and national climate commitments should be assessed with common quantified methods, so that their impacts are transparent and verifiable.

Or. en

Amendment 71
Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation
Recital 12

Text proposed by the Commission

Amendment

(12) Regulation [] [on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework] lays down accounting rules on greenhouse gas emissions and removals relating to land use, land-use change and forestry (LULUCF). While the environmental outcome under this Regulation in terms of the levels of greenhouse gas emission reductions that are made is affected by taking into account a quantity up to the sum of total net removals and total net emissions from deforested land, afforested land, managed cropland and managed grassland as defined in Regulation [], flexibility for a maximum quantity of 280 million tonnes of CO₂ equivalent of these removals divided among Member States according to the figures in Annex III should be included as an additional possibility for Member States to meet their commitments when needed. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Article 7 to reflect a contribution of the accounting category managed forest land in the flexibility provided by that Article. Before adopting such a delegated act, the Commission should evaluate the robustness of accounting for managed forest land based on available data, and in particular the consistency of projected and actual harvesting rates. In addition, the possibility to voluntarily delete annual emission allocation units should be *deleted*

allowed under this Regulation in order to allow for such amounts to be taken into account when assessing Member States' compliance with requirements under Regulation [].

Or. it

Amendment 72
Bas Eickhout

Proposal for a regulation
Recital 12

Text proposed by the Commission

Amendment

(12) Regulation [] [on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework] lays down accounting rules on greenhouse gas emissions and removals relating to land use, land-use change and forestry (LULUCF). While the environmental outcome under this Regulation in terms of the levels of greenhouse gas emission reductions that are made is affected by taking into account a quantity up to the sum of total net removals and total net emissions from deforested land, afforested land, managed cropland and managed grassland as defined in Regulation [], flexibility for a maximum quantity of 280 million tonnes of CO₂ equivalent of these removals divided among Member States according to the figures in Annex III should be included as an additional possibility for Member States to meet their commitments when needed. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Article 7 to reflect a contribution of the accounting

deleted

category managed forest land in the flexibility provided by that Article. Before adopting such a delegated act, the Commission should evaluate the robustness of accounting for managed forest land based on available data, and in particular the consistency of projected and actual harvesting rates. In addition, the possibility to voluntarily delete annual emission allocation units should be allowed under this Regulation in order to allow for such amounts to be taken into account when assessing Member States' compliance with requirements under Regulation [].

Or. en

Justification

The accuracy of accounting for emissions and removals from land use sector under LULUCF is not comparable to the emissions covered by the ESR. For that reason, as well as the non-permanent nature of removals from land use sector the compliance regimes under the two pillars should not be mixed up.

Amendment 73

Elisabeth Köstinger, Nicola Caputo

Proposal for a regulation

Recital 12

Text proposed by the Commission

(12) Regulation [] [on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework] lays down accounting rules on greenhouse gas emissions and removals relating to land use, land-use change and forestry (LULUCF). While the environmental outcome under this Regulation in terms of the levels of greenhouse gas emission reductions that are made is affected by taking into account a quantity up to the sum of total net removals and total net emissions from deforested land, afforested land, managed cropland and managed grassland as defined

Amendment

(12) Regulation [] [on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework] lays down accounting rules on greenhouse gas emissions and removals relating to land use, land-use change and forestry (LULUCF). While the environmental outcome under this Regulation in terms of the levels of greenhouse gas emission reductions that are made is affected by taking into account a quantity up to the sum of total net removals and total net emissions from deforested land, afforested land, managed **forest, managed** cropland and managed

in Regulation [], flexibility for a maximum quantity of **280** million tonnes of **CO₂** equivalent of these removals divided among Member States *according to the figures in Annex III* should be included as an additional possibility for Member States to meet their commitments when needed. *Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Article 7 to reflect a contribution of the accounting category managed forest land in the flexibility provided by that Article. Before adopting such a delegated act, the Commission should evaluate the robustness of accounting for managed forest land based on available data, and in particular the consistency of projected and actual harvesting rates.* In addition, the possibility to voluntarily delete annual emission allocation units should be allowed under this Regulation in order to allow for such amounts to be taken into account when assessing Member States' compliance with requirements under Regulation [].

grassland as defined in Regulation [], flexibility for a maximum quantity of **425** million tonnes of **CO₂** equivalent of these removals divided among Member States should be included as an additional possibility for Member States to meet their commitments when needed. In addition, the possibility to voluntarily delete annual emission allocation units should be allowed under this Regulation in order to allow for such amounts to be taken into account when assessing Member States' compliance with requirements under Regulation [].

Or. en

Justification

There is sufficient time to review the forest reference levels based on the national forestry accounting plans and to consider managed forest land. The cap on LULUCF credits' distribution should be set at 425 Mt in line with the highest flexibility proposed in the Commission's IA, the Paris Agreement and specific concerns regarding the lower mitigation potential in the agriculture sector and therefore the need to optimise the sector's contribution to GHG reduction goals through LULUCF activities.

Amendment 74

Pilar Ayuso, Giovanni La Via, Elisabetta Gardini, Michel Dantin

Proposal for a regulation

Recital 12

(12) Regulation [] [on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework] lays down accounting rules on greenhouse gas emissions and removals relating to land use, land-use change and forestry (LULUCF). While the environmental outcome under this Regulation in terms of the levels of greenhouse gas emission reductions that are made is affected by taking into account a quantity up to the sum of total net removals and total net emissions from deforested land, afforested land, managed cropland and managed grassland as defined in Regulation [], flexibility for a maximum quantity of **280** million tonnes of **CO₂** equivalent of these removals divided among Member States according to the figures in Annex III should be included as an additional possibility for Member States to meet their commitments when needed. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Article 7 to reflect a contribution of the accounting category managed forest land in the flexibility provided by that Article. Before adopting such a delegated act, the Commission should evaluate the robustness of accounting for managed forest land based on available data, and in particular the consistency of projected and actual harvesting rates. In addition, the possibility to voluntarily delete annual emission allocation units should be allowed under this Regulation in order to allow for such amounts to be taken into account when assessing Member States' compliance with requirements under Regulation [].

(12) Regulation [] [on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework] lays down accounting rules on greenhouse gas emissions and removals relating to land use, land-use change and forestry (LULUCF). While the environmental outcome under this Regulation in terms of the levels of greenhouse gas emission reductions that are made is affected by taking into account a quantity up to the sum of total net removals and total net emissions from deforested land, afforested land, managed cropland, **managed forest land** and managed grassland as defined in Regulation [], flexibility for a maximum quantity of **425** million tonnes of **CO₂** equivalent of these removals divided among Member States according to the figures in Annex III should be included as an additional possibility for Member States to meet their commitments when needed. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Article 7 to reflect a contribution of the accounting category managed forest land in the flexibility provided by that Article. Before adopting such a delegated act, the Commission should evaluate the robustness of accounting for managed forest land based on available data, and in particular the consistency of projected and actual harvesting rates. ***In accordance with the European Council conclusions of October 2014, the optimisation of the sector's contribution shall be done in any case before 2020 to be taken into account during the period starting in 2021.*** In addition, the possibility to voluntarily delete annual emission allocation units should be allowed under this Regulation in

order to allow for such amounts to be taken into account when assessing Member States' compliance with requirements under Regulation [].

Or. en

Amendment 75
Paul Brannen, Miriam Dalli

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) Regulation [] [on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework] lays down accounting rules on greenhouse gas emissions and removals relating to land use, land-use change and forestry (LULUCF). While the environmental outcome under this Regulation in terms of the levels of greenhouse gas emission reductions that are made is affected by taking into account a quantity up to the sum of total net removals and total net emissions from deforested land, afforested land, managed cropland and managed **grassland** as defined in Regulation [], flexibility for a maximum quantity of **280** million tonnes of **CO₂** equivalent of these removals divided among Member States according to the figures in Annex III should be included as an additional possibility for Member States to meet their commitments when needed. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Article 7 to reflect a contribution of the accounting category managed forest land in the flexibility provided by that

Amendment

(12) Regulation [] [on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework] lays down accounting rules on greenhouse gas emissions and removals relating to land use, land-use change and forestry (LULUCF). While the environmental outcome under this Regulation in terms of the levels of greenhouse gas emission reductions that are made is affected by taking into account a quantity up to the sum of total net removals and total net emissions from deforested land, afforested land, managed cropland, **managed grassland** and managed **wetland (including peatland)** as defined in Regulation [], flexibility for a maximum quantity of **190** million tonnes of **CO₂** equivalent of these removals divided among Member States according to the figures in Annex III should be included as an additional possibility for Member States to meet their commitments when needed. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Article 7 to reflect a contribution of the accounting category managed forest

Article. Before adopting such a delegated act, the Commission should evaluate the robustness of accounting for managed forest land based on available data, and in particular the consistency of projected and actual harvesting rates. In addition, the possibility to voluntarily delete annual emission allocation units should be allowed under this Regulation in order to allow for such amounts to be taken into account when assessing Member States' compliance with requirements under Regulation [].

land in the flexibility provided by that Article. Before adopting such a delegated act, the Commission should evaluate the robustness of accounting for managed forest land based on available data, and in particular the consistency of projected and actual harvesting rates. In addition, the possibility to voluntarily delete annual emission allocation units should be allowed under this Regulation in order to allow for such amounts to be taken into account when assessing Member States' compliance with requirements under Regulation [].

Or. en

Amendment 76 **Norbert Lins**

Proposal for a regulation **Recital 12**

Text proposed by the Commission

(12) Regulation [] [on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework] lays down accounting rules on greenhouse gas emissions and removals relating to land use, land-use change and forestry (LULUCF). While the environmental outcome under this Regulation in terms of the levels of greenhouse gas emission reductions that are made is affected by taking into account a quantity up to the sum of total net removals and total net emissions from deforested land, afforested land, managed cropland *and* managed *grassland* as defined in Regulation [], flexibility for a maximum quantity of 280 million tonnes of *CO₂* equivalent of these removals divided among Member States according to the figures in Annex III should be included as an additional possibility for Member States to meet their commitments when needed. Where the delegated act to update the forest reference levels based on the

Amendment

(12) Regulation [] [on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework] lays down accounting rules on greenhouse gas emissions and removals relating to land use, land-use change and forestry (LULUCF). While the environmental outcome under this Regulation in terms of the levels of greenhouse gas emission reductions that are made is affected by taking into account a quantity up to the sum of total net removals and total net emissions from deforested land, afforested land, managed cropland, *managed grassland and also from managed forest land for those Member States with a new forest reference level* as defined in Regulation [], flexibility for a maximum quantity of *at least* 280 million tonnes of *CO₂* equivalent of these removals divided among Member States according to the figures in Annex III should be included as an additional possibility for Member States to meet their

national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Article 7 *to reflect a* contribution of the accounting category managed forest land in the flexibility provided by that Article. Before adopting such a delegated act, the Commission should evaluate the robustness of accounting for managed forest land based on available data, and in particular the consistency of projected and actual harvesting rates. In addition, the possibility to voluntarily delete annual emission allocation units should be allowed under this Regulation in order to allow for such amounts to be taken into account when assessing Member States' compliance with requirements under Regulation [].

commitments when needed. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Article 7 *in order to enable it to immediately amend paragraph 1 of that Article to take into account the* contribution of the accounting category managed forest land in the flexibility provided by that Article. Before adopting such a delegated act, the Commission should evaluate the robustness of accounting for managed forest land based on available data, and in particular the consistency of projected and actual harvesting rates. In addition, the possibility to voluntarily delete annual emission allocation units should be allowed under this Regulation in order to allow for such amounts to be taken into account when assessing Member States' compliance with requirements under Regulation [].

Or. en

Amendment 77
Anneli Jäätteenmäki

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) Regulation [] [on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework] lays down accounting rules on greenhouse gas emissions and removals relating to land use, land-use change and forestry (LULUCF). While the environmental outcome under this Regulation in terms of the levels of greenhouse gas emission reductions that

Amendment

(12) Regulation [] [on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework] lays down accounting rules on greenhouse gas emissions and removals relating to land use, land-use change and forestry (LULUCF). While the environmental outcome under this Regulation in terms of the levels of greenhouse gas emission reductions that

are made is affected by taking into account a quantity up to the sum of total net removals and total net emissions from deforested land, afforested land, managed cropland and managed grassland as defined in Regulation [], flexibility for a maximum quantity of 280 million tonnes of **CO₂** equivalent of these removals divided among Member States according to the figures in Annex III should be included as an additional possibility for Member States to meet their commitments when needed. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Article 7 to reflect a contribution of the accounting category managed forest land in the flexibility provided by that Article. Before adopting such a delegated act, the Commission should evaluate the robustness of accounting for managed forest land based on available data, and in particular the consistency of projected and actual harvesting rates. In addition, the possibility to voluntarily delete annual emission allocation units should be allowed under this Regulation in order to allow for such amounts to be taken into account when assessing Member States' compliance with requirements under Regulation [].

are made is affected by taking into account a quantity up to the sum of total net removals and total net emissions from deforested land, afforested land, managed **forest land, harvested wood products, managed** cropland and managed grassland as defined in Regulation [], flexibility for a maximum quantity of 280 million tonnes of **CO₂** equivalent of these removals divided among Member States according to the figures in Annex III should be included as an additional possibility for Member States to meet their commitments when needed. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Article 7 to reflect a contribution of the accounting category managed forest land in the flexibility provided by that Article. Before adopting such a delegated act, the Commission should evaluate the robustness of accounting for managed forest land based on available data, and in particular the consistency of projected and actual harvesting rates. In addition, the possibility to voluntarily delete annual emission allocation units should be allowed under this Regulation in order to allow for such amounts to be taken into account when assessing Member States' compliance with requirements under Regulation [].

Or. en

Justification

Managed forest land and harvested wood products are included in the flexibility within the proposal for a LULUCF regulation. Therefore, it is justified to include forest-related categories also in the flexibility from LULUCF to ESR already from 2021 onwards. Including wood products as a separate category would be consistent with the IPCC methodology and UNFCCC reporting practice. Including harvested wood products would incentivize the long-lasting use of wood for example in construction, and promote substitution.

Amendment 78

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Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) Regulation [] [on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework] lays down accounting rules on greenhouse gas emissions and removals relating to land use, land-use change and forestry (LULUCF). While the environmental outcome under this Regulation in terms of the levels of greenhouse gas emission reductions that are made is affected by taking into account a quantity up to the sum of total net removals and total net emissions from deforested land, afforested land, managed cropland and managed grassland as defined in Regulation [], flexibility for a maximum quantity of **280** million tonnes of **CO₂** equivalent of these removals divided among Member States according to the figures in Annex III should be included as an additional possibility for Member States to meet their commitments when needed. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Article 7 to reflect a contribution of the accounting category managed forest land in the flexibility provided by that Article. Before adopting such a delegated act, the Commission should evaluate the robustness of accounting for managed forest land based on available data, and in particular the consistency of projected and actual harvesting rates. In addition, the possibility to voluntarily delete annual emission allocation units should be allowed under this Regulation in order to allow for

Amendment

(12) Regulation [] [on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework] lays down accounting rules on greenhouse gas emissions and removals relating to land use, land-use change and forestry (LULUCF). While the environmental outcome under this Regulation in terms of the levels of greenhouse gas emission reductions that are made is affected by taking into account a quantity up to the sum of total net removals and total net emissions from deforested land, afforested land, managed **forest land, managed** cropland and managed grassland as defined in Regulation [], flexibility for a maximum quantity of **425** million tonnes of **CO₂** equivalent of these removals divided among Member States according to the figures in Annex III should be included as an additional possibility for Member States to meet their commitments when needed. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Article 7 to reflect a contribution of the accounting category managed forest land in the flexibility provided by that Article. Before adopting such a delegated act, the Commission should evaluate the robustness of accounting for managed forest land based on available data, and in particular the consistency of projected and actual harvesting rates. In addition, the possibility to voluntarily delete annual emission allocation units should be allowed

such amounts to be taken into account when assessing Member States' compliance with requirements under Regulation [].

under this Regulation in order to allow for such amounts to be taken into account when assessing Member States' compliance with requirements under Regulation [].

Or. en

Amendment 79
Andrzej Grzyb

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) Regulation [] [on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework] lays down accounting rules on greenhouse gas emissions and removals relating to land use, land-use change and forestry (LULUCF). While the environmental outcome under this Regulation in terms of the levels of greenhouse gas emission reductions that are made is affected by taking into account a quantity up to the sum of total net removals and total net emissions from deforested land, afforested land, managed cropland and managed **grassland** as defined in Regulation [], flexibility for a maximum quantity of **280** million tonnes of **CO₂** equivalent of these removals divided among Member States according to the figures in Annex III should be included as an additional possibility for Member States to meet their commitments when needed. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Article 7 to reflect a contribution of the accounting category managed forest land in the flexibility provided by that

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Amendment

(12) Regulation [] [on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework] lays down accounting rules on greenhouse gas emissions and removals relating to land use, land-use change and forestry (LULUCF). While the environmental outcome under this Regulation in terms of the levels of greenhouse gas emission reductions that are made is affected by taking into account a quantity up to the sum of total net removals and total net emissions from deforested land, afforested land, managed cropland, **managed grassland** and managed **forest land** as defined in Regulation [], flexibility for a maximum quantity of **425** million tonnes of **CO₂** equivalent of these removals divided among Member States according to the figures in Annex III should be included as an additional possibility for Member States to meet their commitments when needed. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Article 7 to reflect a contribution of the accounting category managed forest

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Article. Before adopting such a delegated act, the Commission should evaluate the robustness of accounting for managed forest land based on available data, and in particular the consistency of projected and actual harvesting rates. In addition, the possibility to voluntarily delete annual emission allocation units should be allowed under this Regulation in order to allow for such amounts to be taken into account when assessing Member States' compliance with requirements under Regulation [].

land in the flexibility provided by that Article. Before adopting such a delegated act, the Commission should evaluate the robustness of accounting for managed forest land based on available data, and in particular the consistency of projected and actual harvesting rates. In addition, the possibility to voluntarily delete annual emission allocation units should be allowed under this Regulation in order to allow for such amounts to be taken into account when assessing Member States' compliance with requirements under Regulation [].

Or. en

Amendment 80 **Christofer Fjellner**

Proposal for a regulation **Recital 12**

Text proposed by the Commission

(12) Regulation [] [on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework] lays down accounting rules on greenhouse gas emissions and removals relating to land use, land-use change and forestry (LULUCF). While the environmental outcome under this Regulation in terms of the levels of greenhouse gas emission reductions that are made is affected by taking into account a quantity up to the sum of total net removals and total net emissions from deforested land, afforested land, managed cropland and managed grassland as defined in Regulation [], flexibility for a maximum quantity of **280** million tonnes of **CO₂** equivalent of these removals divided among Member States according to the figures in Annex III should be included as an additional possibility for Member States to meet their commitments when needed. Where the delegated act to update the forest reference levels based on the

Amendment

(12) Regulation [] [on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework] lays down accounting rules on greenhouse gas emissions and removals relating to land use, land-use change and forestry (LULUCF). While the environmental outcome under this Regulation in terms of the levels of greenhouse gas emission reductions that are made is affected by taking into account a quantity up to the sum of total net removals and total net emissions from deforested land, afforested land, managed cropland and managed grassland as defined in Regulation [], flexibility for a maximum quantity of **400** million tonnes of **CO₂** equivalent of these removals divided among Member States according to the figures in Annex III should be included as an additional possibility for Member States to meet their commitments when needed. Where the delegated act to update the forest reference levels based on the

national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Article 7 to reflect a contribution of the accounting category managed forest land in the flexibility provided by that Article. Before adopting such a delegated act, the Commission should evaluate the robustness of accounting for managed forest land based on available data, and in particular the consistency of projected and actual harvesting rates. In addition, the possibility to voluntarily delete annual emission allocation units should be allowed under this Regulation in order to allow for such amounts to be taken into account when assessing Member States' compliance with requirements under Regulation [].

national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Article 7 to reflect a contribution of the accounting category managed forest land in the flexibility provided by that Article. Before adopting such a delegated act, the Commission should evaluate the robustness of accounting for managed forest land based on available data, and in particular the consistency of projected and actual harvesting rates. In addition, the possibility to voluntarily delete annual emission allocation units should be allowed under this Regulation in order to allow for such amounts to be taken into account when assessing Member States' compliance with requirements under Regulation [].

Or. en

Amendment 81
Annie Schreijer-Pierik

Proposal for a regulation
Recital 12

Text proposed by the Commission

(12) Regulation [] [on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework] lays down accounting rules on greenhouse gas emissions and removals relating to land use, land-use change and forestry (LULUCF). While the environmental outcome under this Regulation in terms of the levels of greenhouse gas emission reductions that are made is affected by taking into account a quantity up to the sum of total net removals and total net emissions from deforested land, afforested land, managed cropland and managed grassland as defined in Regulation [], flexibility for a maximum

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Amendment

(12) Regulation [] [on the inclusion of greenhouse gas emissions and removals from land use, land use change and forestry into the 2030 climate and energy framework] lays down accounting rules on greenhouse gas emissions and removals relating to land use, land-use change and forestry (LULUCF). While the environmental outcome under this Regulation in terms of the levels of greenhouse gas emission reductions that are made is affected by taking into account a quantity up to the sum of total net removals and total net emissions from deforested land, afforested land, managed cropland and managed grassland as defined in Regulation [], flexibility for a maximum

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quantity of **280** million tonnes of CO₂ equivalent of these removals divided among Member States according to the figures in Annex III should be included as an additional possibility for Member States to meet their commitments when needed. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Article 7 to reflect a contribution of the accounting category managed forest land in the flexibility provided by that Article. Before adopting such a delegated act, the Commission should evaluate the robustness of accounting for managed forest land based on available data, and in particular the consistency of projected and actual harvesting rates. In addition, the possibility to voluntarily delete annual emission allocation units should be allowed under this Regulation in order to allow for such amounts to be taken into account when assessing Member States' compliance with requirements under Regulation [].

quantity of **336** million tonnes of CO₂ equivalent of these removals divided among Member States according to the figures in Annex III should be included as an additional possibility for Member States to meet their commitments when needed. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Article 7 to reflect a contribution of the accounting category managed forest land in the flexibility provided by that Article. Before adopting such a delegated act, the Commission should evaluate the robustness of accounting for managed forest land based on available data, and in particular the consistency of projected and actual harvesting rates. In addition, the possibility to voluntarily delete annual emission allocation units should be allowed under this Regulation in order to allow for such amounts to be taken into account when assessing Member States' compliance with requirements under Regulation [].

Or. en

Amendment 82

Paul Brannen, Miriam Dalli

Proposal for a regulation

Recital 12 a (new)

Text proposed by the Commission

Amendment

(12 a) The additional possibility provided for Member States to meet their commitments under this Regulation by using net removals from deforested land, afforested land, managed cropland and managed grassland is to be only used when taking fully into account the potential of different LULUCF categories not only from the CO₂ perspective, but as

well the environmental, soil and biodiversity perspective. For that purpose, it is recognised that not all afforestation is beneficial, in particular from the biodiversity perspective, and that also climate benefits of afforestation depend on vegetation and soil properties being present before afforestation. Afforestation actions taking place in 2017 to 2030 affecting wetlands (including peatlands), the Natura 2000 network and habitats listed in Annex I to Council Directive 92/43/EEC^{1a}, in particular natural and semi-natural grassland formations and raised bogs and mires and fens, and other wetland (including peatlands) or afforestation actions using potentially invasive or recognized invasive species, should therefore eliminate the possibility of that Member State to use credits from that afforestation for any given year in 2021 to 2030.

^{1a} Council Directive 92/43/EEC of 21 May 1992 on the conservation of natural habitats and of wild fauna and flora (OJ L 206, 22.7.1992, p. 7).

Or. en

Amendment 83
Ian Duncan, Jørn Dohrmann

Proposal for a regulation
Recital 12 a (new)

Text proposed by the Commission

Amendment

(12 a) In order to improve environmental integrity while enhancing flexibilities and at the same time address the limited mitigation potential in agriculture, access to the new flexibility set out in this Regulation should be made conditional on the Member States concerned committing to mitigation measures in other sectors where insufficient results have been achieved in the past. The Commission

should establish a list of such measures and sectors before 2020 by means of a delegated act.

Or. en

Justification

The October 2014 European Council conclusions acknowledge “the multiple objectives of the agriculture and land use sector, with their lower mitigation potential”; hence flexibilities aimed at safeguarding food production ought not to indirectly benefit other sectors that have not delivered CO2 reductions in the past. Introducing conditionality on Member States' access to new Art 6 and 7 flexibilities, making their availability dependent on additional measures in other non-ETS sectors, seeks to mitigate this risk.

Amendment 84
Elisabeth Köstinger

Proposal for a regulation
Recital 12 a (new)

Text proposed by the Commission

Amendment

(12 a) The multiple objectives of the agriculture and land use sector, with their lower mitigation potential, needs to be acknowledged, as well as the need to ensure coherence between the Unions's food security and climate change objectives. For the national limit of LULUCF credits, the methodology should create transparent and proportionate allocation amongst the Member States.

Or. en

Justification

The methodology proposed by the Commission in Annex III creates an imbalance between MS by grouping the MS in 3 categories resulting in a total flexibility of share of annual agricultural emissions between 148% and 38%. By using the national average annual emissions for the agricultural sector during the period 2008 and 2012, one could use a straight forward methodology that aims at treating the MS in a fair way as the emissions from agriculture would be treated in a similar manner in all MS.

Amendment 85
Pilar Ayuso, Giovanni La Via, Elisabetta Gardini, Michel Dantin

Proposal for a regulation
Recital 12 a (new)

Text proposed by the Commission

Amendment

(12 a) The climate change policy of the Union should not limit removals from sustainably managed forest land. Complete accounting of these removals would help promote additional mitigation action, keep forests in good environmental conditions and give more coherence to the Union policies.

Or. en

Amendment 86
Paul Brannen, Miriam Dalli

Proposal for a regulation
Recital 12 b (new)

Text proposed by the Commission

Amendment

(12 b) Given that the flexibility for Member States to meet their commitments under this Regulation by using net removals from deforested land, afforested land, managed cropland and managed grassland is provided in particular due to limited non-CO₂ emission reduction potential of the agricultural sector, this sector needs to first do its utmost to use its own potential in CO₂ emission reduction. For that purpose, it should be possible to use credits for afforestation and, if applicable, forest management only if that Member State provides the right incentives in its agricultural sector to increase the content of soil carbon via measures carried out in its agricultural policy.

Or. en

Amendment 87

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Elisabeth Köstinger, Nicola Caputo

**Proposal for a regulation
Recital 12 b (new)**

Text proposed by the Commission

Amendment

(12 b) In order to make a clear distinction between fossil and green CO₂ emissions the flexibility mechanisms for a maximum of 425 million tonnes of CO₂ equivalent from deforested land, afforested land, managed forest land, managed cropland and managed grassland as defined in Regulation [LULUCF], should be earmarked to the agricultural sector;

Or. en

**Amendment 88
Paul Brannen, Miriam Dalli**

**Proposal for a regulation
Recital 12 c (new)**

Text proposed by the Commission

Amendment

(12 c) Credits from afforestation and, if applicable, forest management should be used only if the presence of landscape features, such as trees, in agricultural land, which represents carbon sink in a similar way as trees in forests, is supported and incentivized. This should be done in particular, but not only, via maintenance and restoration of non-forest habitats, such as agro-forestry, for example 6310 – Dehesas with evergreen Quercus spp, *6230 -species rich grasslands on siliceous substrates, *6530-Fennoscandian wooded meadow.

Or. en

Justification

Same reasoning as in Amendment 86 for a new Recital 12b.

Amendment 89
Paul Brannen, Miriam Dalli

Proposal for a regulation
Recital 12 d (new)

Text proposed by the Commission

Amendment

(12 d) In order to boost restoration action on wetlands, including peatlands, the category of managed wetlands should also generate credits that can be used for purpose of Article 7 of this Regulation.

Or. en

Amendment 90
Bas Eickhout

Proposal for a regulation
Recital 13

Text proposed by the Commission

Amendment

(13) In order to ensure efficient, transparent and cost-effective reporting and verification of greenhouse gas emissions and of other information necessary to assess progress with Member State's annual emissions allocations, the requirements for annual reporting and evaluation under this Regulation are integrated with the relevant Articles under Regulation (EU) No. 525/2013, which should therefore be amended accordingly. The amendment of that Regulation should also ensure that progress of Member States in making emission reductions continues to be evaluated annually, taking into account progress in Union policies and measures and information from Member States. Every two years, the evaluation should include the projected progress of the Union towards meeting its reduction commitments and of Member States towards fulfilling their obligations.
However, the application of deductions

(13) In order to ensure efficient, transparent and cost-effective reporting and verification of greenhouse gas emissions and of other information necessary to assess progress with Member State's annual emissions allocations, the requirements for annual reporting and evaluation under this Regulation are integrated with the relevant Articles under Regulation (EU) No. 525/2013, which should therefore be amended accordingly. The amendment of that Regulation should also ensure that progress of Member States in making emission reductions continues to be evaluated annually, taking into account progress in Union policies and measures and information from Member States. Every two years, the evaluation should include the projected progress of the Union towards meeting its reduction commitments and of Member States towards fulfilling their obligations. This is without prejudice to the duty of the

should only be considered at five-year intervals, so that the potential contribution from deforested land, afforested land, managed cropland and managed grassland taking place pursuant to Regulation [] can be considered. This is without prejudice to the duty of the Commission to ensure compliance with the obligations of Member States resulting from this Regulation or to the power of the Commission to initiate infringement proceedings for this purpose.

Commission to ensure compliance with the obligations of Member States resulting from this Regulation or to the power of the Commission to initiate infringement proceedings for this purpose.

Or. en

Amendment 91

Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) In order to ensure efficient, transparent and cost-effective reporting and verification of greenhouse gas emissions and of other information necessary to assess progress with Member State's annual emissions allocations, the requirements for annual reporting and evaluation under this Regulation are integrated with the relevant Articles under Regulation (EU) No. 525/2013, which should therefore be amended accordingly. The amendment of that Regulation should also ensure that progress of Member States in making emission reductions continues to be evaluated annually, taking into account progress in Union policies and measures and information from Member States. Every two years, the evaluation should include the projected progress of the Union towards meeting its reduction commitments and of Member States towards fulfilling their obligations. ***However, the application of deductions should only be considered at five-year intervals, so that the potential contribution from deforested land,***

Amendment

(13) In order to ensure efficient, transparent and cost-effective reporting and verification of greenhouse gas emissions and of other information necessary to assess progress with Member State's annual emissions allocations, the requirements for annual reporting and evaluation under this Regulation are integrated with the relevant Articles under Regulation (EU) No. 525/2013, which should therefore be amended accordingly. The amendment of that Regulation should also ensure that progress of Member States in making emission reductions continues to be evaluated annually, taking into account progress in Union policies and measures and information from Member States. Every two years, the evaluation should include the projected progress of the Union towards meeting its reduction commitments and of Member States towards fulfilling their obligations. ***The application of deductions must be annual, and the Commission must ensure compliance with the obligations of Member States resulting from this***

afforested land, managed cropland and managed grassland taking place pursuant to Regulation [] can be considered. This is without prejudice to the duty of the Commission to ensure compliance with the obligations of Member States resulting from this Regulation or to the power of the Commission to initiate infringement proceedings for this purpose.

Regulation by exercising all its powers and prerogatives, including the power to initiate infringement proceedings in the event of non-compliance.

Or. it

Amendment 92
Nicola Caputo, Elisabeth Köstinger

Proposal for a regulation
Recital 13

Text proposed by the Commission

(13) In order to ensure efficient, transparent and cost-effective reporting and verification of greenhouse gas emissions and of other information necessary to assess progress with Member State's annual emissions allocations, the requirements for annual reporting and evaluation under this Regulation are integrated with the relevant Articles under Regulation (EU) No. 525/2013, which should therefore be amended accordingly. The amendment of that Regulation should also ensure that progress of Member States in making emission reductions continues to be evaluated annually, taking into account progress in Union policies and measures and information from Member States. Every two years, the evaluation should include the projected progress of the Union towards meeting its reduction commitments and of Member States towards fulfilling their obligations. However, the application of deductions should only be considered at five-year intervals, so that the potential contribution from deforested land, afforested land, managed cropland and managed grassland taking place pursuant to Regulation [] can be considered. This is without prejudice to

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Amendment

(13) In order to ensure efficient, transparent and cost-effective reporting and verification of greenhouse gas emissions and of other information necessary to assess progress with Member State's annual emissions allocations, the requirements for annual reporting and evaluation under this Regulation are integrated with the relevant Articles under Regulation (EU) No. 525/2013, which should therefore be amended accordingly. The amendment of that Regulation should also ensure that progress of Member States in making emission reductions continues to be evaluated annually, taking into account progress in Union policies and measures and information from Member States. Every two years, the evaluation should include the projected progress of the Union towards meeting its reduction commitments and of Member States towards fulfilling their obligations. However, the application of deductions should only be considered at five-year intervals, so that the potential contribution from deforested land, afforested land, managed **forest land, managed** cropland and managed grassland taking place pursuant to Regulation [] can be

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the duty of the Commission to ensure compliance with the obligations of Member States resulting from this Regulation or to the power of the Commission to initiate infringement proceedings for this purpose.

considered. This is without prejudice to the duty of the Commission to ensure compliance with the obligations of Member States resulting from this Regulation or to the power of the Commission to initiate infringement proceedings for this purpose.

Or. en

Justification

There is sufficient time to review the forest reference levels based on the national forestry accounting plans as foreseen in Article 8 (6) of the LULUCF Regulation. Therefore it is suggested to consider also the managed forest land contribution in the credits generation.

Amendment 93

Pilar Ayuso, Giovanni La Via, Elisabetta Gardini, Michel Dantin

Proposal for a regulation

Recital 13

Text proposed by the Commission

(13) In order to ensure efficient, transparent and cost-effective reporting and verification of greenhouse gas emissions and of other information necessary to assess progress with Member State's annual emissions allocations, the requirements for annual reporting and evaluation under this Regulation are integrated with the relevant Articles under Regulation (EU) No. 525/2013, which should therefore be amended accordingly. The amendment of that Regulation should also ensure that progress of Member States in making emission reductions continues to be evaluated annually, taking into account progress in Union policies and measures and information from Member States. Every two years, the evaluation should include the projected progress of the Union towards meeting its reduction commitments and of Member States towards fulfilling their obligations. However, the application of deductions should only be considered at five-year intervals, so that the potential contribution

Amendment

(13) In order to ensure efficient, transparent and cost-effective reporting and verification of greenhouse gas emissions and of other information necessary to assess progress with Member State's annual emissions allocations, the requirements for annual reporting and evaluation under this Regulation are integrated with the relevant Articles under Regulation (EU) No. 525/2013, which should therefore be amended accordingly. The amendment of that Regulation should also ensure that progress of Member States in making emission reductions continues to be evaluated annually, taking into account progress in Union policies and measures and information from Member States. Every two years, the evaluation should include the projected progress of the Union towards meeting its reduction commitments and of Member States towards fulfilling their obligations. However, the application of deductions should only be considered at five-year intervals, so that the potential contribution

from deforested land, afforested land, managed cropland and managed grassland taking place pursuant to Regulation [] can be considered. This is without prejudice to the duty of the Commission to ensure compliance with the obligations of Member States resulting from this Regulation or to the power of the Commission to initiate infringement proceedings for this purpose.

from deforested land, afforested land, managed cropland, ***managed forest land*** and managed grassland taking place pursuant to Regulation [] can be considered. This is without prejudice to the duty of the Commission to ensure compliance with the obligations of Member States resulting from this Regulation or to the power of the Commission to initiate infringement proceedings for this purpose.

Or. en

Amendment 94

Merja Kyllönen, Kateřina Konečná

Proposal for a regulation

Recital 13 a (new)

Text proposed by the Commission

Amendment

(13 a) As the sectors covered by this Regulation constitute more than half of the Union's greenhouse gas emissions, the emission reduction policies in these sectors are highly important in order to fulfil the Union's commitments in accordance with the Paris Agreement. Therefore, the monitoring, reporting and follow up procedures under this Regulation should be fully transparent. Member States and the Commission should make the information concerning compliance with this Regulation publicly available and should ensure the proper involvement of the stakeholders and the public in the review process of this Regulation. The Commission is also urged to create an efficient and transparent system to monitor the outcome of the flexibilities introduced.

Or. en

Amendment 95

Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

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Proposal for a regulation
Recital 14

Text proposed by the Commission

(14) As a means to enhance the overall cost-effectiveness of total reductions, Member States should be able to transfer part of their annual emission allocation to *other* Member States. ***The transparency of such transfers should be ensured and may be carried out in a manner that is mutually convenient, including by means of auctioning, the use of market intermediaries acting on an agency basis, or by way of bilateral arrangements.***

Amendment

(14) As a means to enhance the overall cost-effectiveness of total reductions, Member States should be able to transfer part of their annual emission allocation to ***those*** Member States ***whose total reduction targets have already been attained.*** ***The transparency of such transfers should be ensured*** by way of bilateral arrangements.

Or. it

Justification

It is preferable to limit exchanges so that they can only be made to Member States which have already fulfilled their reduction obligations under this regulation and Directive 87/2003/EC. It is also inadvisable to favour the use of market intermediaries in order to reduce speculation on financial transactions whose purpose is measures to mitigate climate change, as is already happening as a result of exchanges of the quotas of sectors of industry.

Amendment 96
Merja Kyllönen, Kateřina Konečná

Proposal for a regulation
Recital 14 a (new)

Text proposed by the Commission

Amendment

(14 a) In order to meet international commitments and Union targets, it is crucial to make a comprehensive move towards a low-carbon economy. There is an immediate need, therefore, to renew the allocation criteria of different Union funds in order to foster the decarbonisation and energy-efficiency measures in different sectors and guarantee that those funds will not be allocated to projects which do not comply with CO₂ reduction targets or policies of the Union. The Commission should carry

out a comprehensive, cross-sectorial study of the impact of funding granted from the Union budget or otherwise pursuant to Union law on the mitigation of climate change. The Commission should present to the European Parliament and the Council a report of the findings of that study which should be accompanied, if appropriate, by legislative proposals aimed at discontinuing any Union funding which is not compatible with the CO₂ reduction targets or policies of the Union. That should include the proposal of a mandatory ex-ante climate compatibility check which applies to every new Union investment from 1 January 2020 and the obligation to make the results public in a transparent and accessible way.

Or. en

Amendment 97
Bas Eickhout

Proposal for a regulation
Recital 16

Text proposed by the Commission

(16) In order to provide for the appropriate accounting of transactions under this Regulation *including the use of flexibilities* and the application of compliance checks the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Article 11. The necessary provisions should be contained in a single instrument combining the accounting provisions pursuant to Directive 2003/87/EC, Regulation (EU) No 525/2013, Regulation [] and this Regulation. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level conducted in accordance with the principles laid down in

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Amendment

(16) In order to provide for the appropriate accounting of transactions under this Regulation and the application of compliance checks the power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of Article 11. The necessary provisions should be contained in a single instrument combining the accounting provisions pursuant to Directive 2003/87/EC, Regulation (EU) No 525/2013, Regulation [] and this Regulation. It is of particular importance that the Commission carry out appropriate consultations during its preparatory work, including at expert level conducted in accordance with the principles laid down in the Inter-institutional Agreement on Better

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the Inter-institutional Agreement on Better Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Law-Making of 13 April 2016. In particular, to ensure equal participation in the preparation of delegated acts, the European Parliament and Council receive all documents at the same time as Member States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. en

Amendment 98

Miriam Dalli, Seb Dance, Biljana Borzan, Carlos Zorrinho, Tibor Szanyi, Paul Brannen, Susanne Melior, Gilles Pargneaux, Claudiu Ciprian Tănăsescu, Soledad Cabezón Ruiz, Christel Schaldemose, Jytte Guteland, Jo Leinen, Massimo Paolucci, Elena Gentile, Simona Bonafè

Proposal for a regulation Recital 17

Text proposed by the Commission

(17) *In order to ensure uniform conditions for the implementation of Article 4 according to which annual emission limits for Member States will be established, implementing powers should be conferred on the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council²¹.*

²¹ *Regulation (EU) No 182/2011 of the European Parliament and of the Council of 16 February 2011 laying down the rules and general principles concerning mechanisms for control by Member States of the Commission's exercise of implementing powers (OJ L 55, 28.2.2011, p. 13).*

Amendment

(17) *The power to adopt acts in accordance with Article 290 of the Treaty on the Functioning of the European Union should be delegated to the Commission in respect of supplementing this Directive by determining which annual emission limits will be established for Member States.*

Or. en

Amendment 99
Merja Kyllönen, Kateřina Konečná

Proposal for a regulation
Recital 18 a (new)

Text proposed by the Commission

Amendment

(18 a) In addition to the efforts to reduce its own emissions, the Union, in line with the aim of increasing its positive impact on the global carbon footprint, should envisage, together with third countries, climate solutions by implementing joint projects with those countries, in the 2030 climate policy context, taking into account that the Paris Agreement refers to a new international cooperation mechanism for combating climate change.

Or. en

Amendment 100
Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation
Recital 19

Text proposed by the Commission

Amendment

(19) Any adjustments in the coverage as set out in Articles 11, 24, 24a and 27 of Directive 2003/87/EC of the European Parliament and of the Council²² **should** be matched by a corresponding adjustment in the maximum quantity of greenhouse gas emissions covered by this Regulation. Consequently, where Member States include additional emissions into their commitments under this Regulation from installations that were previously covered by Directive 2003/87/EC, those Member States should implement additional policies and measures in the sectors covered by this Regulation in order to **reduce those emissions**.

(19) Any adjustments in the coverage as set out in Articles 11, 24, 24a and 27 of Directive 2003/87/EC of the European Parliament and of the Council²² **must** be matched by a corresponding adjustment in the maximum quantity of greenhouse gas emissions covered by this Regulation. Consequently, where Member States include additional emissions into their commitments under this Regulation from installations that were previously covered by Directive 2003/87/EC, those Member States should implement additional policies and measures in the sectors covered by this Regulation in order to **comply with reduction obligations in all sectors**.

²² Directive 2003/87/EC of the European

²² Directive 2003/87/EC of the European

Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).

Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).

Or. it

Amendment 101
Bas Eickhout

Proposal for a regulation
Recital 20

Text proposed by the Commission

(20) This Regulation should be reviewed as of **2024** and every 5 years thereafter in order to assess its overall functioning. The review should take into account evolving national circumstances and be informed by the results of the global stocktake of the Paris Agreement.

Amendment

(20) This Regulation should be reviewed as of **2018** and every 5 years thereafter in order to assess its overall functioning. The review should take into account evolving national circumstances and be informed by the results of the global stocktake of the Paris Agreement. ***In order for Member States to be better prepared for increasing ambition, the Commission should establish a fair distribution of efforts between Member States of a 45% reduction effort for 2030 based on GDP and cost efficient potential for reductions for the sectors covered by this Regulation, to be used as a benchmark in Member States planning for climate policies and measures.***

Or. en

Amendment 102
Miriam Dalli, Seb Dance, Biljana Borzan, Claudiu Ciprian Tănăsescu, Gilles Pargneaux, Susanne Melior, Paul Brannen, Tibor Szanyi, Carlos Zorrinho, Soledad Cabezón Ruiz, Christel Schaldemose, Jytte Guteland, Massimo Paolucci, Elena Gentile, Simona Bonafè

Proposal for a regulation
Recital 20

Text proposed by the Commission

(20) This Regulation should be reviewed as of **2024** and every **5** years thereafter in order to assess its overall functioning. The review should take into account evolving national circumstances and be informed by the results of the global stocktake of the Paris Agreement.

Amendment

(20) This Regulation should be reviewed as of **2023** and every **3** years thereafter in order to assess its overall functioning. The review should take into account evolving national circumstances and be informed by the results of the global stocktake of the Paris Agreement. ***Where necessary, the review of this Regulation should be accompanied by legislative proposals in order to further improve the Union's climate action, taking into account the current status of implementation of relevant sectoral policies, and in line with the facilitative dialogue under the UNFCCC.***

Or. en

Amendment 103
Jytte Guteland

Proposal for a regulation
Recital 20

Text proposed by the Commission

(20) This Regulation should be reviewed as of 2024 and every 5 years thereafter in order to assess its overall functioning. The review should take into account evolving national circumstances and be informed by the results of the global stocktake of the Paris Agreement.

Amendment

(20) This Regulation should be reviewed as of 2024 and every 5 years thereafter in order to assess its overall functioning. The review should ***fully*** take into account ***the high end of the Union's long-term climate and energy target for 2050***, evolving national circumstances and be informed by the results of the global stocktake of the Paris Agreement.

Or. en

Amendment 104
Merja Kyllönen, Kateřina Konečná

Proposal for a regulation
Article 1 – paragraph 1

Text proposed by the Commission

This Regulation lays down obligations on the minimum contributions of Member States to meeting the greenhouse gas emission reduction commitment of the Union for the period from 2021 to 2030, rules on determining annual emission allocations and for the evaluation of Member States' progress towards meeting their minimum contributions.

Amendment

This Regulation ***requires Member States to collectively reduce greenhouse gas emissions referred to in Article 2 by at least 30% in 2030 compared to 2005. It*** lays down obligations on the minimum contributions of Member States to meeting the greenhouse gas emission reduction commitment of the Union for the period from 2021 to 2030, rules on determining annual emission allocations and for the evaluation of Member States' progress towards meeting their minimum contributions.

Or. en

Amendment 105

Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

**Proposal for a regulation
Article 1 – paragraph 1**

Text proposed by the Commission

This Regulation lays down ***obligations on the minimum contributions of*** Member States to ***meeting the*** greenhouse gas ***emission reduction commitment of the Union for the period*** from 2021 to 2030, ***rules*** on determining annual emission allocations and for the evaluation of Member States' progress towards meeting their minimum contributions.

Amendment

This Regulation lays down ***the annual obligations for*** Member States to ***reduce*** greenhouse gas ***emissions in the sectors not covered by Directive 2003/87/EC which are necessary in order to reduce emissions in those sectors by 30%*** from 2021 to 2030. ***Rules*** on determining annual emission allocations and for the evaluation of Member States' progress towards meeting their minimum contributions ***shall also be established.***

Or. it

Amendment 106

Pilar Ayuso, Michel Dantin

**Proposal for a regulation
Article 1 – paragraph 1**

Text proposed by the Commission

This Regulation lays down obligations on the minimum contributions of Member States to meeting the greenhouse gas emission reduction commitment of the Union for the period from 2021 to 2030, rules on determining annual emission allocations and for the evaluation of Member States' progress towards meeting their minimum contributions.

Amendment

This Regulation lays down obligations on the minimum contributions of Member States to meeting the greenhouse gas emission reduction commitment of the Union for the period from 2021 to 2030 ***in a cost-effective manner***, rules on determining annual emission allocations and for the evaluation of Member States' progress towards meeting their minimum contributions.

Or. en

Amendment 107
Bas Eickhout

Proposal for a regulation
Article 1 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

This Regulation implements greenhouse gas emission reductions of at least 30% by 2030 compared to 2005 as regards sources covered under Article 2. The Commission shall establish a fair distribution of efforts between Member States of a 45% reduction effort for 2030 based on GDP and cost efficient potential for reductions to be used as a benchmark in Member States planning for climate policies and measures.

Or. en

Amendment 108
Jytte Guteland

Proposal for a regulation
Article 1 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The objective of this Regulation is to set the Union on a predictable and cost-

efficient pathway towards a low-carbon society fully in line with the Union's long-term climate and energy target for 2050 as well as the Paris Agreement's goal of limiting the increase in average global temperature well below 2 °C and furthermore to pursue efforts to limit it to 1,5 °C.

Or. en

Amendment 109

Miriam Dalli, Seb Dance, Biljana Borzan, Claudiu Ciprian Tănăsescu, Gilles Pargneaux, Susanne Melior, Paul Brannen, Tibor Szanyi, Carlos Zorrinho, Soledad Cabezón Ruiz, Christel Schaldemose, Jytte Guteland, Jo Leinen, Massimo Paolucci, Elena Gentile, Simona Bonafè

Proposal for a regulation

Article 1 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The general objective of this Regulation is to help set the Union on a cost-effective path to reach the goals of the Paris Agreement, to strengthen the Union's response to the threat of climate change, to further the transition to a sustainable economy and to set a clear trajectory towards net-zero emissions in the second half of this century.

Or. en

Amendment 110

Simona Bonafè, Nicola Caputo, Elena Gentile, Massimo Paolucci, Damiano Zoffoli, Caterina Chinnici, Renata Briano

Proposal for a regulation

Article 1 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The general objective of this Regulation is to contribute to setting the Union on a cost-effective path to reach the goals of the Paris Agreement, being consistent

with the Union energy roadmap towards 2050.

Or. en

Amendment 111
Bas Eickhout

Proposal for a regulation
Article 1 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

This Regulation also lays down the obligation of Member States to reduce their greenhouse gas emissions covered by the Regulation by 95% compared to 2005 levels by 2050 in a linear manner starting from their annual emission allocation in 2030 achieving net-zero emissions in the second half of this century.

Or. en

Amendment 112
Bas Eickhout

Proposal for a regulation
Article 2 – paragraph 1

Text proposed by the Commission

Amendment

1. This Regulation applies to the greenhouse gas emissions from IPCC source categories of energy, industrial processes and product use, agriculture and waste as determined pursuant to Regulation (EU) No 525/2013, excluding emissions from the activities listed in Annex I to Directive 2003/87/EC.

1. This Regulation applies to the greenhouse gas emissions from IPCC source categories of energy, industrial processes and product use, agriculture and waste as determined pursuant to Regulation (EU) No 525/2013, excluding emissions from the activities listed in Annex I to Directive 2003/87/EC. ***The zero emission factor for biomass is only applied to bioenergy from waste and residues.***

Or. en

Justification

IPCC Guidelines allow for biomass to be accounted as zero in the energy sector with the condition that the emissions are accurately accounted for in the LULUCF sector. However, the practice of allowing for projected baselines for forest management will allow for a reduction of sink to go unaccounted for and hence the zero emission factor in the energy sector should be limited to bioenergy from waste and residues.

Amendment 113

Bas Eickhout

Proposal for a regulation

Article 2 – paragraph 3

Text proposed by the Commission

3. For the purposes of this Regulation, **CO₂** emissions from IPCC source category '1.A.3.A civil aviation' shall be treated as zero.

Amendment

3. For the purposes of this Regulation, **CO₂** emissions from IPCC source category '1.A.3.A civil aviation' ***covered by the Directive 2003/87/EC*** shall be treated as zero.

Or. en

Amendment 114

Bas Eickhout

Proposal for a regulation

Article 2 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. This Regulation applies to CO₂ emissions from IPCC source category '1.A.3.D navigation' which are not covered by Directive 2003/87/EC.

Or. en

Justification

Shipping emissions should be covered under this Regulation unless they are included in the ETS.

Amendment 115

Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

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Proposal for a regulation
Article 4 – paragraph 1

Text proposed by the Commission

1. Each Member State shall, **in** 2030, **limit** its greenhouse gas emissions at least by the percentage set for that Member State in Annex I to this Regulation in relation to its emissions in 2005 determined pursuant to paragraph 3.

Amendment

1. Each Member State shall, **by** 2030, **reduce** its greenhouse gas emissions at least by the percentage set for that Member State in Annex I to this Regulation in relation to its emissions in 2005 determined pursuant to paragraph 3, **whose total amount is -30% in relation to the base year**.

Or. it

Amendment 116
Elisabetta Gardini, Stefano Maullu, Aldo Patriciello, Alberto Cirio

Proposal for a regulation
Article 4 – paragraph 1

Text proposed by the Commission

1. Each Member State shall, **in** 2030, limit its greenhouse gas emissions at least by the percentage set for that Member State in Annex I to this Regulation in relation to its emissions in 2005 determined pursuant to paragraph 3.

Amendment

1. Each Member State shall, **by** 2030, limit its greenhouse gas emissions at least by the percentage set for that Member State in Annex I to this Regulation in relation to its emissions in 2005 determined pursuant to paragraph 3.

Or. en

Amendment 117
Iskra Mihaylova

Proposal for a regulation
Article 4 – paragraph 2

Text proposed by the Commission

2. Subject to the flexibilities provided for in Articles 5, 6 and 7, to the adjustment pursuant to Article 10(2) and taking into account any deduction resulting from the application of Article 7 of Decision No

Amendment

2. Subject to the flexibilities provided for in Articles 5, 6 and 7, to the adjustment pursuant to Article 10(2) and taking into account any deduction resulting from the application of Article 7 of Decision No

406/2009/EC, *each* Member *State* shall ensure that *its* greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in 2020 on the average of its greenhouse gas emissions during 2016, 2017 and 2018 determined pursuant to paragraph 3 and ending in 2030 on the limit set for that Member State in Annex I to this Regulation.

406/2009/EC, *and in respect of the limits set in Annex II to Decision No 406/2009/EC, a distinction shall be made between Member States with positive emission limits and Member States with negative emission limits. Member States with positive emissions limits shall ensure that their greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in 2020 on the limits set in Annex II to Decision No 406/2009/EC and ending in 2030 on the limits set in Annex I to this Regulation. Member States with a negative emissions limits shall ensure that their* greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in 2020 on the average of its greenhouse gas emissions during 2016, 2017 and 2018 determined pursuant to paragraph 3 and ending in 2030 on the limit set for that Member State in Annex I to this Regulation.

Or. en

Amendment 118

Simona Bonafè, Nicola Caputo, Elena Gentile, Massimo Paolucci, Damiano Zoffoli, Caterina Chinnici, Renata Briano

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. Subject to the flexibilities provided for in Articles 5, 6 and 7, to the adjustment pursuant to Article 10(2) and taking into account any deduction resulting from the application of Article 7 of Decision No 406/2009/EC, each Member State shall ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in 2020 on the average of its greenhouse gas emissions during 2016, 2017 and 2018 determined pursuant to paragraph 3 and ending in 2030 on the

Amendment

2. Subject to the flexibilities provided for in Articles 5, 6 and 7, to the adjustment pursuant to Article 10(2) and taking into account any deduction resulting from the application of Article 7 of Decision No 406/2009/EC, each Member State shall ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in 2020 on the *value of the 2020 annual emission allocation according to Decision 2013/634/EU and subsequent amendments, or on the*

limit set for that Member State in Annex I to this Regulation.

average of its greenhouse gas emissions during 2016, 2017 and 2018 determined pursuant to paragraph 3, **using whichever value is lower**, and ending in 2030 on the limit set for that Member State in Annex I to this Regulation. **In order to ensure the effort sharing is fair and balanced, Member States with an average of greenhouse gas emissions during 2016, 2017 and 2018 below its 2020 annual emission allocation and with a GDP per capita below EU28 average GDP per capita in 2013, can opt for starting on the value of the 2020 annual emission allocation.**

Or. en

Justification

The introduction of the option between the 2020 targets and the average of emissions 2016-2018, using whichever value is lower, incentivise action both from "early movers" Member States and Member States who will fall short of achieving their 2020 targets. A specific provision is introduced for "early movers" Member States with a GDP per capita below EU28 GDP per capita in 2013. In this case for a matter of cost-effectiveness of their effort and fairness, an exception should be foreseen.

Amendment 119

Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. ***Subject to the flexibilities provided for in Articles 5, 6 and 7, to the adjustment pursuant to Article 10(2) and taking into account any deduction resulting from the application of Article 7 of Decision No 406/2009/EC, each Member State shall ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in 2020 on the average of its greenhouse gas emissions during 2016, 2017 and 2018 determined pursuant to paragraph 3 and ending in 2030 on the limit set for that***

Amendment

2. ***Each*** Member State shall ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in **2017 at the level** of its **average** greenhouse gas emissions **in the period 2016-2018, or its 2020 target, whichever is lower**, and ending in 2030 on the limit set for that Member State in Annex I to this Regulation.

Member State in Annex I to this Regulation.

Or. it

Amendment 120
Kateřina Konečná

Proposal for a regulation
Article 4 – paragraph 2

Text proposed by the Commission

2. Subject to the flexibilities provided for in Articles 5, 6 and 7, to the adjustment pursuant to Article 10(2) and taking into account any deduction resulting from the application of Article 7 of Decision No 406/2009/EC, each Member State shall ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in **2020** on the average of its greenhouse gas emissions during 2016, 2017 and 2018 determined pursuant to paragraph 3 and ending in 2030 on the limit set for that Member State in Annex I to this Regulation.

Amendment

2. Subject to the flexibilities provided for in Articles 5, 6 and 7, to the adjustment pursuant to Article 10(2) and taking into account any deduction resulting from the application of Article 7 of Decision No 406/2009/EC, each Member State shall ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in **2021** on the average of its greenhouse gas emissions during 2016, 2017 and 2018 determined pursuant to paragraph 3 and ending in 2030 on the limit set for that Member State in Annex I to this Regulation. ***Each Member State shall also ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the limit set for each Member State by 2020 in Decision No 406/2009/EC.***

Or. en

Justification

For the methodology to be in line with the current ESD, the trajectory should start the first year of the new period, i.e. 2021.

Amendment 121
Peter Liese

Proposal for a regulation
Article 4 – paragraph 2

Text proposed by the Commission

2. Subject to the flexibilities provided for in Articles 5, 6 and 7, to the adjustment pursuant to Article 10(2) and taking into account any deduction resulting from the application of Article 7 of Decision No 406/2009/EC, each Member State shall ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in 2020 on the average of its greenhouse gas emissions during 2016, 2017 and 2018 determined pursuant to paragraph 3 and ending in 2030 on the limit set for that Member State in Annex I to this Regulation.

Amendment

2. Subject to the flexibilities provided for in Articles 5, 6 and 7, to the adjustment pursuant to Article 10(2) and taking into account any deduction resulting from the application of Article 7 of Decision No 406/2009/EC, each Member State shall ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in 2020 ***either*** on the average of its greenhouse gas emissions during 2016, 2017 and 2018 determined pursuant to paragraph 3 ***or the binding national limit for 2020 defined in Article 3 of Decision 406/2009/EC, whichever is lower***, and ending in 2030 on the limit set for that Member State in Annex I to this Regulation.

Or. en

Amendment 122

Miriam Dalli, Seb Dance, Claudiu Ciprian Tănăsescu, Gilles Pargneaux, Susanne Melior, Paul Brannen, Tibor Szanyi, Carlos Zorrinho, Soledad Cabezón Ruiz, Christel Schaldemose, Jytte Guteland, Jo Leinen

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. Subject to the flexibilities provided for in Articles 5, 6 and 7, to the adjustment pursuant to Article 10(2) and taking into account any deduction resulting from the application of Article 7 of Decision No 406/2009/EC, each Member State shall ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in **2020** on the average of its greenhouse gas emissions during 2016, 2017 and 2018 determined pursuant to paragraph 3 and ending in 2030 on the limit set for that Member State in Annex I to this Regulation.

Amendment

2. Subject to the flexibilities provided for in Articles 5, 6 and 7, to the adjustment pursuant to Article 10(2) and taking into account any deduction resulting from the application of Article 7 of Decision No 406/2009/EC, each Member State shall ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in **2017** on the average of its greenhouse gas emissions during 2016, 2017 and 2018 determined pursuant to paragraph 3 ***and using the 2020 targets established in Decision No 406/2009/EC as a maximum limit, whichever is the lower value***, and ending in 2030 on the

limit set for that Member State in Annex I to this Regulation.

Or. en

Amendment 123

Bas Eickhout

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. Subject to the flexibilities provided for in **Articles 5, 6 and 7, to the adjustment pursuant to Article 10(2)** and taking into account any deduction resulting from the application of Article 7 of Decision No 406/2009/EC, each Member State shall ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in **2020** on the average of its greenhouse gas emissions during 2016, 2017 and 2018 determined pursuant to paragraph 3 and ending in 2030 on the limit set for that Member State in Annex I to this Regulation.

Amendment

2. Subject to the flexibilities provided for in **Article 5** and taking into account any deduction resulting from the application of Article 7 of Decision No 406/2009/EC, each Member State shall ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in **2017** on the average of its greenhouse gas emissions during 2016, 2017 and 2018 determined pursuant to paragraph 3, **or on the 2020 limit established in Decision No 406/209/EC, whichever is lower**, and ending in 2030 on the limit set for that Member State in Annex I to this Regulation.

Or. en

Justification

Linked to amendments deleting Article 6 and 7 and amending Article 10(2).

Amendment 124

Jadwiga Wiśniewska, Urszula Krupa, Bolesław G. Piecha, Bogusław Liberadzki, Adam Gierek, Krystyna Łybacka, Janusz Zemke

Proposal for a regulation

Article 4 – paragraph 2

Text proposed by the Commission

2. Subject to the flexibilities provided for in Articles 5, 6 and 7, to the adjustment

Amendment

2. Subject to the flexibilities provided for in Articles 5, 6 and 7, to the adjustment

pursuant to Article 10(2) and taking into account any deduction resulting from the application of Article 7 of Decision No 406/2009/EC, each Member State shall ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in **2020** on the ***average of its greenhouse gas emissions during 2016, 2017 and 2018 determined pursuant to paragraph 3*** and ending in 2030 on the limit set for that Member State in Annex I to this Regulation.

pursuant to Article 10(2) and taking into account any deduction resulting from the application of Article 7 of Decision No 406/2009/EC, each Member State shall ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in **2021** on the ***value of annual emission allocation in 2020*** and ending in 2030 on the limit set for that Member State in Annex I to this Regulation.

Or. en

Justification

The emissions allocation should be a continuation of the current period, otherwise the EU policy loses cohesion.

Amendment 125 **Andrzej Grzyb**

Proposal for a regulation **Article 4 – paragraph 2**

Text proposed by the Commission

2. Subject to the flexibilities provided for in Articles 5, 6 and 7, to the adjustment pursuant to Article 10(2) and taking into account any deduction resulting from the application of Article 7 of Decision No 406/2009/EC, each Member State shall ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in 2020 on the ***average of its greenhouse gas emissions during 2016, 2017 and 2018 determined pursuant to paragraph 3*** and ending in 2030 on the limit set for that Member State in Annex I to this Regulation.

Amendment

2. Subject to the flexibilities provided for in Articles 5, 6 and 7, to the adjustment pursuant to Article 10(2) and taking into account any deduction resulting from the application of Article 7 of Decision No 406/2009/EC, each Member State shall ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in 2020 on the ***value of annual emission allocation in this year*** and ending in 2030 on the limit set for that Member State in Annex I to this Regulation.

Or. en

Amendment 126
Annie Schreijer-Pierik

Proposal for a regulation
Article 4 – paragraph 2

Text proposed by the Commission

2. Subject to the flexibilities provided for in Articles 5, 6 and 7, to the adjustment pursuant to Article 10(2) and taking into account any deduction resulting from the application of Article 7 of Decision No 406/2009/EC, each Member State shall ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in **2020** on the average of its greenhouse gas emissions during 2016, 2017 and 2018 determined pursuant to paragraph 3 and ending in 2030 on the limit set for that Member State in Annex I to this Regulation.

Amendment

2. Subject to the flexibilities provided for in Articles 5, 6 and 7, to the adjustment pursuant to Article 10(2) and taking into account any deduction resulting from the application of Article 7 of Decision No 406/2009/EC, each Member State shall ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in **2021** on the average of its greenhouse gas emissions during 2016, 2017 and 2018 determined pursuant to paragraph 3 and ending in 2030 on the limit set for that Member State in Annex I to this Regulation.

Or. en

Amendment 127
Giovanni La Via

Proposal for a regulation
Article 4 – paragraph 2

Text proposed by the Commission

2. Subject to the flexibilities provided for in Articles 5, 6 and 7, to the adjustment pursuant to Article 10(2) and taking into account any deduction resulting from the application of Article 7 of Decision No 406/2009/EC, each Member State shall ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in **2020** on the average of its greenhouse gas emissions during 2016, 2017 and 2018 determined pursuant to paragraph 3 and ending in 2030 on the limit set for that Member State in Annex I to this Regulation.

Amendment

2. Subject to the flexibilities provided for in Articles 5, 6 and 7, to the adjustment pursuant to Article 10(2) and taking into account any deduction resulting from the application of Article 7 of Decision No 406/2009/EC, each Member State shall ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in **2021** on the average of its greenhouse gas emissions during 2016, 2017 and 2018 determined pursuant to paragraph 3 and ending in 2030 on the limit set for that Member State in Annex I to this Regulation.

Justification

According to the European Council Conclusions of October 2014 that foresaw that "all the elements as applied in the Effort Sharing Decision for 2020, will be continued until 2030" it is proposed to set the starting point in 2021.

Amendment 128

Elisabetta Gardini, Stefano Maullu, Aldo Patriciello, Alberto Cirio

Proposal for a regulation**Article 4 – paragraph 2***Text proposed by the Commission*

2. Subject to the flexibilities provided for in Articles 5, 6 and 7, to the adjustment pursuant to Article 10(2) and taking into account any deduction resulting from the application of Article 7 of Decision No 406/2009/EC, each Member State shall ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in **2020** on the ***average of its greenhouse gas emissions during 2016, 2017 and 2018 determined pursuant to paragraph 3*** and ending in 2030 on the limit set for that Member State in Annex I to this Regulation.

Amendment

2. Subject to the flexibilities provided for in Articles 5, 6 and 7, to the adjustment pursuant to Article 10(2) and taking into account any deduction resulting from the application of Article 7 of Decision No 406/2009/EC, each Member State shall ensure that its greenhouse gas emissions in each year between 2021 and 2029 do not exceed the level defined by a linear trajectory, starting in **2021** on the ***value of 2020 annual emission allocation according to Implementing Decision 2013/634/EU*** and ending in 2030 on the limit set for that Member State in Annex I to this Regulation.

Or. en

Justification

As clearly stated in the 2014 European Council Conclusions, the EU target has to be achieved during the 2021-2030 period, and not only in the 2030 year. In order to take into account early actions of MSs that will overachieve their 2020 emissions target, a starting point equal to the level of AEA in 2020 is proposed. Moreover, according to the European Council Conclusions of October 2014 that foresaw that "all the elements as applied in the Effort Sharing Decision for 2020, will be continued until 2030", it is proposed to set the starting point in 2021.

Amendment 129

Pilar Ayuso, Giovanni La Via

Proposal for a regulation

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Article 4 – paragraph 2 – subparagraph 1 (new)

Text proposed by the Commission

Amendment

This linear trajectory shall start on the Member State's national limit for 2020, set in Annex II of Decision 406/2009/EC, if the average of its greenhouse gas emissions during 2016, 2017 and 2018 is below that limit.

Or. en

Amendment 130

Jadwiga Wiśniewska, Urszula Krupa, Bolesław G. Piecha, Bogusław Liberadzki, Adam Gierek, Krystyna Łybacka, Janusz Zemke

Proposal for a regulation

Article 4 – paragraph 3

Text proposed by the Commission

Amendment

3. The Commission shall adopt an implementing act setting out the annual emission allocations for the years from 2021 to 2030 in terms of tonnes of **CO₂** equivalent as specified in paragraphs 1 and 2. ***For the purposes of this implementing act, the Commission shall carry out a comprehensive review of the most recent national inventory data for the years 2005 and 2016 to 2018 submitted by Member States pursuant to Article 7 of Regulation No (EU) 525/2013.***

3. The Commission shall adopt an implementing act setting out the annual emission allocations for the years from 2021 to 2030 in terms of tonnes of **CO₂** equivalent as specified in paragraphs 1 and 2.

Or. en

Justification

As a consequence of the change in paragraph 2, the review is no longer necessary.

Amendment 131

Andrzej Grzyb

Proposal for a regulation

Article 4 – paragraph 3

Text proposed by the Commission

3. The Commission shall adopt an implementing act setting out the annual emission allocations for the years from 2021 to 2030 in terms of tonnes of **CO₂** equivalent as specified in paragraphs 1 and 2. ***For the purposes of this implementing act, the Commission shall carry out a comprehensive review of the most recent national inventory data for the years 2005 and 2016 to 2018 submitted by Member States pursuant to Article 7 of Regulation No (EU) 525/2013.***

Amendment

3. The Commission shall adopt an implementing act setting out the annual emission allocations for the years from 2021 to 2030 in terms of tonnes of **CO₂** equivalent as specified in paragraphs 1 and 2.

Or. en

Amendment 132

Miriam Dalli, Seb Dance, Biljana Borzan, Claudiu Ciprian Tănăsescu, Gilles Pargneaux, Susanne Melior, Paul Brannen, Tibor Szanyi, Carlos Zorrinho, Soledad Cabezón Ruiz, Christel Schaldemose, Jo Leinen, Jytte Guteland, Massimo Paolucci, Elena Gentile, Simona Bonafè

**Proposal for a regulation
Article 4 – paragraph 3**

Text proposed by the Commission

3. The Commission shall adopt ***an implementing act*** setting out the annual emission allocations for the years from 2021 to 2030 in terms of tonnes of **CO₂** equivalent as specified in paragraphs 1 and 2. For the purposes of this ***implementing act***, the Commission shall carry out a comprehensive review of the most recent national inventory data for the years 2005 and 2016 to 2018 submitted by Member States pursuant to Article 7 of Regulation No (EU) 525/2013.

Amendment

3. The Commission shall adopt ***a delegated act in accordance with Article 12 to supplement this Regulation by*** setting out the annual emission allocations for the years from 2021 to 2030 in terms of tonnes of **CO₂** equivalent as specified in paragraphs 1 and 2. For the purposes of this ***delegated act***, the Commission shall carry out a comprehensive review of the most recent national inventory data for the years 2005 and 2016 to 2018 submitted by Member States pursuant to Article 7 of Regulation No (EU) 525/2013.

Or. en

**Amendment 133
Bas Eickhout**

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

Amendment

4. This implementing act shall also specify, based on the percentages notified by Member States under Article 6(2), the quantities that may be taken into account for their compliance under Article 9 between 2021 and 2030. If the sum of all Member States' quantities were to exceed the collective total of 100 million, the quantities for each Member State shall be reduced on a pro rata basis so that the collective total is not exceeded.

deleted

Or. en

Justification

Linked to amendment deleting Article 6.

Amendment 134
Annie Schreijer-Pierik

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

Amendment

4. This implementing act shall also specify, based on the percentages notified by Member States under Article 6(2), the quantities that may be taken into account for their compliance under Article 9 between 2021 and 2030. If the sum of all Member States' quantities were to exceed the collective total of **100** million, the quantities for each Member State shall be reduced on a pro rata basis so that the collective total is not exceeded.

4. This implementing act shall also specify, based on the percentages notified by Member States under Article 6(2), the quantities that may be taken into account for their compliance under Article 9 between 2021 and 2030. If the sum of all Member States' quantities were to exceed the collective total of **200** million, the quantities for each Member State shall be reduced on a pro rata basis so that the collective total is not exceeded.

Or. en

Amendment 135
Ian Duncan, Jørn Dohrmann

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

4. This implementing act shall also specify, based on the percentages notified by Member States under Article 6(2), the quantities that may be taken into account for their compliance under Article 9 between 2021 and 2030. If the sum of all Member States' quantities were to exceed the collective total of **100** million, the quantities for each Member State shall be reduced on a pro rata basis so that the collective total is not exceeded.

Amendment

4. This implementing act shall also specify, based on the percentages notified by Member States under Article 6(2), the quantities that may be taken into account for their compliance under Article 9 between 2021 and 2030. If the sum of all Member States' quantities were to exceed the collective total of **200** million, the quantities for each Member State shall be reduced on a pro rata basis so that the collective total is not exceeded.

Or. en

Justification

Increasing the maximum from 100 to 200 million EU ETS allowances in accordance with option O3 of the Impact Assessment p. 65 contributes to strengthening the EU ETS by reducing the oversupply of allowances in the market, and helps countries with very high 2030 domestic reduction targets significantly above their cost effective reduction potential comply with the Regulation.

Amendment 136

Simona Bonafè, Elena Gentile, Massimo Paolucci, Damiano Zoffoli, Renata Briano

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

4. This implementing act shall also specify, based on the percentages notified by Member States under Article 6(2), the quantities that may be taken into account for their compliance under Article 9 between 2021 and 2030. If the sum of all Member States' quantities were to exceed the collective total of **100** million, the quantities for each Member State shall be reduced on a pro rata basis so that the collective total is not exceeded.

Amendment

4. This implementing act shall also specify, based on the percentages notified by Member States under Article 6(2), the quantities that may be taken into account for their compliance under Article 9 between 2021 and 2030. If the sum of all Member States' quantities were to exceed the collective total of **50** million, the quantities for each Member State shall be reduced on a pro rata basis so that the collective total is not exceeded.

Or. en

Amendment 137
Kateřina Konečná

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

4. This implementing act shall also specify, based on the percentages notified by Member States under Article 6(2), the quantities that may be taken into account for their compliance under Article 9 between 2021 and 2030. If the sum of all Member States' quantities were to exceed the collective total of **100** million, the quantities for each Member State shall be reduced on a pro rata basis so that the collective total is not exceeded.

Amendment

4. This implementing act shall also specify, based on the percentages notified by Member States under Article 6(2), the quantities that may be taken into account for their compliance under Article 9 between 2021 and 2030. If the sum of all Member States' quantities were to exceed the collective total of **50** million, the quantities for each Member State shall be reduced on a pro rata basis so that the collective total is not exceeded.

Or. en

Amendment 138
Miriam Dalli, Seb Dance, Biljana Borzan, Claudiu Ciprian Tănăsescu, Gilles Pargneaux, Susanne Melior, Paul Brannen, Tibor Szanyi, Carlos Zorrinho, Soledad Cabezón Ruiz, Christel Schaldemose, Jytte Guteland, Jo Leinen, Massimo Paolucci, Elena Gentile, Simona Bonafè

Proposal for a regulation
Article 4 – paragraph 4

Text proposed by the Commission

4. This **implementing** act shall also specify, based on the percentages notified by Member States under Article 6(2), the quantities that may be taken into account for their compliance under Article 9 between 2021 and 2030. If the sum of all Member States' quantities were to exceed the collective total of 100 million, the quantities for each Member State shall be reduced on a pro rata basis so that the collective total is not exceeded.

Amendment

4. This **delegated** act shall also specify, based on the percentages notified by Member States under Article 6(2), the quantities that may be taken into account for their compliance under Article 9 between 2021 and 2030. If the sum of all Member States' quantities were to exceed the collective total of 100 million, the quantities for each Member State shall be reduced on a pro rata basis so that the collective total is not exceeded.

Or. en

Amendment 139

Miriam Dalli, Seb Dance, Biljana Borzan, Claudiu Ciprian Tănăsescu, Gilles Pargneaux, Susanne Melior, Paul Brannen, Tibor Szanyi, Carlos Zorrinho, Soledad Cabezón Ruiz, Christel Schaldemose, Jytte Guteland, Jo Leinen, Massimo Paolucci, Elena Gentile, Simona Bonafè

Proposal for a regulation

Article 4 – paragraph 5

Text proposed by the Commission

Amendment

5. This implementing act shall be adopted in accordance with the examination procedure referred to in Article 13. *deleted*

Or. en

Amendment 140

Jytte Guteland

Proposal for a regulation

Article 4 – paragraph 5

Text proposed by the Commission

Amendment

5. This implementing act shall be adopted in accordance with the examination procedure referred to in Article 13. *deleted*

Or. en

Amendment 141

Miriam Dalli, Seb Dance, Claudiu Ciprian Tănăsescu, Gilles Pargneaux, Susanne Melior, Paul Brannen, Tibor Szanyi, Carlos Zorrinho, Soledad Cabezón Ruiz, Christel Schaldemose, Jo Leinen

Proposal for a regulation

Article 4 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. The Commission shall adopt a delegated act, one year after the entry into

force of this Regulation, specifying minimum targets for emission reductions within each sector covered by the Regulation for each Member State. For the purpose of that delegated act, the Commission shall carry out a comprehensive assessment of the actions already made in order to ensure Member States effectively reduce actual greenhouse gas emissions in the context of the sectoral legislation. That report shall, if appropriate, be accompanied by a legislative proposal to increase the sectoral emissions reduction contributions of Member States.

Or. en

Amendment 142
Ivo Belet

Proposal for a regulation
Article 4 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. In order to reach these targets in the most cost efficient way and to maintain the Union level playing field, the Commission shall examine through an impact assessment and, if appropriate, present proposals by 1 January 2018, establishing a carbon pricing mechanism for the non ETS sectors, building upon best practices in Member States and shall come forward with further proposals for effective carbon dioxide emission standards for cars and heavy duty vehicles to be in place by 2025 at the latest.

Or. en

Amendment 143
Jo Leinen, Miriam Dalli, Susanne Melior

Proposal for a regulation
Article 4 a (new)

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Article 4 a

***Long-term emission reduction trajectory
from 2031***

Each Member State shall, for each year from 2031 to 2050, continue to reduce the greenhouse gas emissions covered by this Regulation. Each Member State shall ensure that its greenhouse gas emissions in each year between 2031 and 2050 do not exceed the level defined by a linear trajectory, starting in 2027 on the average of its greenhouse gas emissions during 2026, 2027 and 2028 and leading to a reduction of emissions in 2050 that is in line with their respective mid-century, long-term low greenhouse gas emission development strategies as requested by the Paris Agreement and that in sum leads to the higher end of the overall Union goal of reducing between 80 to 95 % of emissions compared to 1990 levels as well as taking into account the international objective of achieving a balance between anthropogenic emissions by sources and removals by sinks of greenhouse gases in the second half of this century.

The Commission shall adopt a delegated act in accordance with Article 12 to supplement this Regulation by specifying the annual emission allocations for the years from 2031 to 2050 in terms of tonnes of CO₂ equivalent as well as specifying minimum targets for emission reductions within each sector covered by this Regulation for each Member State.

This Article shall be subject to review in accordance with Article 14.

Or. en

**Amendment 144
Bas Eickhout**

Proposal for a regulation

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Article 4 a (new)

Text proposed by the Commission

Amendment

Article 4 a

Annual emission levels for the period from 2031

Each Member State shall, for each year from 2031 continue to reduce the greenhouse gas emissions covered by this Regulation. Each Member State shall ensure that its greenhouse gas emissions in each year from 2031 do not exceed the level defined by a linear trajectory, starting from its annual emission allocations for 2030 and ending in 2050 on a level of emissions that is 95% below 2005 levels for that Member State for the sectors covered by this Regulation, and achieving net-zero emissions in the second half of the century.

The Commission shall adopt a delegated act in accordance with Article 12 to supplement this Regulation by specifying the annual emission allocations for the years from 2031 in terms of tonnes of CO₂ equivalent.

Or. en

Amendment 145

Julie Girling

Proposal for a regulation

Article 4 a (new)

Text proposed by the Commission

Amendment

Article 4 a

Long-term greenhouse gas emission reduction goals

The Commission shall, by 2026, assess progress towards the Unions's long term greenhouse gas emission reduction goals and the Member States' ability to meet their individual commitments, taking into account the results of the first global

stocktake of the implementation of the Paris Agreement in 2023.

The Commission shall use the information resulting from that assessment to ensure that Member States are on course to reduce emissions to 80 % below 1990 levels by 2050, taking into account those international objectives.

Or. en

Amendment 146
Andrzej Grzyb

Proposal for a regulation
Article 5 – paragraph 1

Text proposed by the Commission

1. Member States may use the flexibilities set out in paragraphs 2 to 6 of this Article, and in Articles 6 and 7.

Amendment

1. Member States may use the flexibilities set out in paragraphs 2 to **6a** of this Article, and in Articles 6 and 7.

Or. en

Amendment 147
Bas Eickhout

Proposal for a regulation
Article 5 – paragraph 1

Text proposed by the Commission

1. Member States may use the flexibilities set out in paragraphs 2 to 6 of this Article, **and in Articles 6 and 7.**

Amendment

1. Member States may use the flexibilities set out in paragraphs 2 to 6 of this Article.

Or. en

Justification

Linked to amendments deleting Articles 6 and 7.

Amendment 148
Simona Bonafè, Elena Gentile, Massimo Paolucci, Damiano Zoffoli, Renata Briano

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Proposal for a regulation
Article 5 – paragraph 2

Text proposed by the Commission

2. In respect of the years 2021 to 2029, a Member State may borrow a quantity of up to 5% from its annual emission allocation for the following year.

Amendment

2. In respect of the years 2021 to **2025, a Member State may borrow a quantity of up to 10% from its annual emission allocation for the following year. In respect of the years 2026 to 2029**, a Member State may borrow a quantity of up to 5% from its annual emission allocation for the following year.

Or. en

Amendment 149

Jadwiga Wiśniewska, Urszula Krupa, Bolesław G. Piecha, Bogusław Liberadzki, Adam Gierek, Krystyna Łybacka, Janusz Zemke

Proposal for a regulation
Article 5 – paragraph 2

Text proposed by the Commission

2. In respect of the years 2021 to 2029, a Member State may borrow a quantity of up to **5%** from its annual emission allocation for the following year.

Amendment

2. In respect of the years 2021 to 2029, a Member State may borrow a quantity of up to **10%** from its annual emission allocation for the following year.

Or. en

Justification

ESR should be as flexible as possible, especially as some Member States will have to enormously step up efforts in comparison to the current period.

Amendment 150
Christofer Fjellner

Proposal for a regulation
Article 5 – paragraph 2

Text proposed by the Commission

2. In respect of the years 2021 to 2029, a Member State may borrow a
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Amendment

2. In respect of the years 2021 to 2029, a Member State may borrow a
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quantity of up to **5%** from its annual emission allocation for the following year.

quantity of up to **10%** from its annual emission allocation for the following year.

Or. en

Amendment 151

Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation

Article 5 – paragraph 2

Text proposed by the Commission

2. In respect of the years 2021 to **2029**, a Member State may borrow a quantity of up to **5%** from its annual emission allocation for the following year.

Amendment

2. In respect of the years 2021 to **2025**, a Member State may borrow a quantity of up to **3%** from its annual emission allocation for the following year.

Or. it

Amendment 152

Andrzej Grzyb

Proposal for a regulation

Article 5 – paragraph 2

Text proposed by the Commission

2. In respect of the years 2021 to 2029, a Member State may borrow a quantity of up to **5%** from its annual emission allocation for the following year.

Amendment

2. In respect of the years 2021 to 2029, a Member State may borrow a quantity of up to **10%** from its annual emission allocation for the following year

Or. en

Amendment 153

Pilar Ayuso, Michel Dantin

Proposal for a regulation

Article 5 – paragraph 2 a (new)

Text proposed by the Commission

Amendment

2 a. A Member State may request an increased borrow rate in excess of 5 % in

the event of extreme meteorological conditions which have led to substantially increased greenhouse gas emissions compared to years with normal meteorological conditions.

Or. en

Amendment 154
Peter Liese

Proposal for a regulation
Article 5 – paragraph 3

Text proposed by the Commission

3. A Member State whose greenhouse gas emissions for a given year are below its annual emission allocation for that year, taking into account the use of flexibilities pursuant to this Article and Article 6, may bank **that** excess part of its annual emission allocation to subsequent years until 2030.

Amendment

3. A Member State whose greenhouse gas emissions for a given year are below its annual emission allocation for that year, taking into account the use of flexibilities pursuant to this Article and Article 6, may bank **the** excess part of its annual emission allocation **up to 10% of its annual emission allocation for that year during 2021 to 2025 and up to 5% of its annual emission allocation for that year during 2026 to 2030** to subsequent years until 2030.

Or. en

Amendment 155
Jytte Guteland

Proposal for a regulation
Article 5 – paragraph 3

Text proposed by the Commission

3. A Member State whose greenhouse gas emissions for a given year are below its annual emission allocation for that year, taking into account the use of flexibilities pursuant to this Article and Article 6, may bank that excess part of its annual emission allocation to subsequent years until **2030**.

Amendment

3. A Member State whose greenhouse gas emissions for a given year are below its annual emission allocation for that year, taking into account the use of flexibilities pursuant to this Article and Article 6, may bank **a maximum of 5% of** that excess part of its annual emission allocation to subsequent years until **2029**.

Amendment 156

Pilar Ayuso, Giovanni La Via, Elisabetta Gardini, Michel Dantin

Proposal for a regulation

Article 5 – paragraph 3

Text proposed by the Commission

3. A Member State whose greenhouse gas emissions for a given year are below its annual emission allocation for that year, taking into account the use of flexibilities pursuant to this Article and Article 6, may bank that excess part of its annual emission allocation to subsequent years until 2030.

Amendment

3. A Member State whose greenhouse gas emissions for a given year are below its annual emission allocation for that year, taking into account the use of flexibilities pursuant to this Article, **Article 6**, and Article 7, may bank that excess part of its annual emission allocation to subsequent years until 2030.

Or. en

Amendment 157

Karin Kadenbach, Kathleen Van Brempt

Proposal for a regulation

Article 5 – paragraph 3

Text proposed by the Commission

3. A Member State whose greenhouse gas emissions for a given year are below its annual **emission** allocation for that year, taking into account the use of flexibilities pursuant to this Article and Article 6, may bank that excess part of its annual emission allocation to subsequent years until **2030**.

Amendment

3. A Member State whose greenhouse gas emissions for a given year are below its annual Emission allocation for that year, taking into account the use of flexibilities pursuant to this Article and Article 6, may bank **up to 5% of** that excess part of its annual emission allocation to subsequent years until **2029**.

Or. en

Justification

Unlimited banking will allow countries to use the surplus carbon allowances from the beginning of the period towards the later years of the commitment period, when targets get tighter. To avoid that MS meet the targets on paper but not in practice, a restriction similar to the 5% borrowing restriction should be introduced. Banking should also end in 2029 to avoid

that the 2030 target will be achieved through “excess credits” earned in the 2020-2029 period and ensure real world delivery of the 2030 target.

Amendment 158

Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation Article 5 – paragraph 3

Text proposed by the Commission

3. A Member State whose greenhouse gas emissions for a given year are below its annual emission allocation for that year, taking into account the use of flexibilities pursuant to this Article and Article 6, may **bank** that excess part of its annual emission allocation to **subsequent years until 2030**.

Amendment

3. A Member State whose greenhouse gas emissions for a given year are below its annual emission allocation for that year, taking into account the use of flexibilities pursuant to this Article and Article 6, may **use** that excess part of its annual emission allocation to **meet the target for the next year**.

Or. it

Amendment 159

Bas Eickhout

Proposal for a regulation Article 5 – paragraph 3

Text proposed by the Commission

3. A Member State whose greenhouse gas emissions for a given year are below its annual emission allocation for that year, taking into account the use of flexibilities pursuant to this Article **and Article 6**, may bank that excess part of its annual emission allocation to subsequent years until 2030.

Amendment

3. A Member State whose greenhouse gas emissions for a given year are below its annual emission allocation for that year, taking into account the use of flexibilities pursuant to this Article, may bank **20% of** that excess part of its annual emission allocation to subsequent years until 2030.

Or. en

Justification

Instead of providing for flexibilities that undermine the environmental effectiveness of the Regulation, the amount of banking of overachievement should be limited. This would incentivise trading between Member States, reducing overall compliance costs, and would ensure a more consistent and predictable emission pathway at Member State level as well as for the Union.

Amendment 160
Christofer Fjellner

Proposal for a regulation
Article 5 – paragraph 3

Text proposed by the Commission

3. A Member State whose greenhouse gas emissions for a given year are below its annual emission allocation for that year, taking into account the use of flexibilities pursuant to this Article and Article 6, may bank that excess part of its annual emission allocation to subsequent years **until 2030**.

Amendment

3. A Member State whose greenhouse gas emissions for a given year are below its annual emission allocation for that year, taking into account the use of flexibilities pursuant to this Article and Article 6, may bank that excess part of its annual emission allocation to subsequent years.

Or. en

Amendment 161
Giorgos Grammatikakis

Proposal for a regulation
Article 5 – paragraph 4

Text proposed by the Commission

4. **A Member State may** transfer up to **5% of its** annual emission allocation for a given year to **other Member States**. The receiving Member State may use this quantity for compliance under Article 9 for the given year or for subsequent years until 2030.

Amendment

4. **Member States may agree on and may make arrangements for the transfer of up to 10% of one Member State's** annual emission allocation for a given year to **another Member State. The Member State which transfers such an emission allocation shall invest the proceeds from the transfer of that emission allocation in projects that aim at reducing the emissions referred to in Article 2(1).** The receiving Member State may use this quantity for compliance under Article 9 for the given year or for subsequent years until 2030.

Or. en

Amendment 162
Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation
Article 5 – paragraph 4

Text proposed by the Commission

4. A Member State *may transfer up to 5% of its annual emission allocation for a given year* to other Member States. *The* receiving Member State may use this quantity for compliance under Article 9 for *the given* year or *for subsequent* years until 2030.

Amendment

4. A Member State *which, before 2030, has already reached its own national targets as provided for in this Regulation and Directive 2003/87/EC may transfer* to other Member States *up to 50% of the quotas for each year after reaching the target, until 2030*. A receiving Member State may use this quantity for compliance under Article 9 for *that* year or *the next two* years until 2030.

Or. it

Justification

In this way, it could be ensured that a transfer was made only after it had become certain that the reduction assigned to the Member State had been attained, and an incentive could be provided to take reduction measures early on, thereby enabling a larger quantity of emission quotas to be transferred to other Member States.

Amendment 163
Kateřina Konečná

Proposal for a regulation
Article 5 – paragraph 4

Text proposed by the Commission

4. A Member State may transfer up to **5%** of its annual emission allocation for a given year to other Member States. The receiving Member State may use this quantity for compliance under Article 9 for the given year or for subsequent years until 2030.

Amendment

4. A Member State may transfer up to **10%** of its annual emission allocation for a given year to other Member States. The receiving Member State may use this quantity for compliance under Article 9 for the given year or for subsequent years until 2030.

Or. en

Justification

Increase the possibility of trading to 10% in order to promote functioning of the market between Member States and ensure fulfilment of targets.

Amendment 164

Jadwiga Wiśniewska, Urszula Krupa, Bolesław G. Piecha, Bogusław Liberadzki, Adam Gierek, Krystyna Łybacka, Janusz Zemke

Proposal for a regulation

Article 5 – paragraph 4

Text proposed by the Commission

4. A Member State may transfer up to **5%** of its annual emission allocation for a given year to other Member States. The receiving Member State may use this quantity for compliance under Article 9 for the given year or for subsequent years until 2030.

Amendment

4. A Member State may transfer up to **10%** of its annual emission allocation for a given year to other Member States. The receiving Member State may use this quantity for compliance under Article 9 for the given year or for subsequent years until 2030.

Or. en

Justification

ESR should be as flexible as possible, especially as some Member States will have to enormously step up efforts in comparison to the current period.

Amendment 165

Andrzej Grzyb

Proposal for a regulation

Article 5 – paragraph 4

Text proposed by the Commission

4. A Member State may transfer up to **5%** of its annual emission allocation for a given year to other Member States. The receiving Member State may use this quantity for compliance under Article 9 for the given year or for subsequent years until 2030.

Amendment

4. A Member State may transfer up to **10%** of its annual emission allocation for a given year to other Member States. The receiving Member State may use this quantity for compliance under Article 9 for the given year or for subsequent years until 2030.

Or. en

Amendment 166

Pilar Ayuso, Michel Dantin

Proposal for a regulation
Article 5 – paragraph 5

Text proposed by the Commission

5. A Member State may transfer the part of its annual emission allocation for a given year that exceeds its greenhouse gas emissions for that year, taking into account the use of flexibilities pursuant to paragraphs 2 to 4 and Article 6, to other Member States. A receiving Member State may use this quantity for compliance under Article 9 for that year or subsequently until 2030.

Amendment

5. A Member State may transfer the part of its annual emission allocation for a given year that exceeds its greenhouse gas emissions for that year, taking into account the use of flexibilities pursuant to paragraphs 2 to 4, **Article 6** and Article 7, to other Member States. A receiving Member State may use this quantity for compliance under Article 9 for that year or subsequently until 2030.

Or. en

Amendment 167
Pilar Ayuso, Michel Dantin

Proposal for a regulation
Article 5 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. A Member State cannot transfer any part of its annual emission allocation if, at the time of transfer, that Member State's emissions exceed its annual emission allocation.

Or. en

Amendment 168
Bas Eickhout

Proposal for a regulation
Article 5 – paragraph 5 a (new)

Text proposed by the Commission

Amendment

5 a. A Member State may cancel part of its annual emission allocations at any point in time, and shall notify such cancellation to the Commission.

Amendment 169

Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation

Article 5 – paragraph 6

Text proposed by the Commission

Amendment

6. Member States shall be able to use credits from projects issued pursuant to Article 24a (1) of Directive 2003/87/EC for compliance under Article 9, without any quantitative limit and while avoiding double-counting. **deleted**

Or. it

Amendment 170

Bas Eickhout

Proposal for a regulation

Article 5 – paragraph 6

Text proposed by the Commission

Amendment

6. Member States shall be able to use credits from projects issued pursuant to Article 24a (1) of Directive 2003/87/EC for compliance under Article 9, without any quantitative limit and while avoiding double-counting. **deleted**

Or. en

Amendment 171

Annie Schreijer-Pierik

Proposal for a regulation

Article 5 – paragraph 6

Text proposed by the Commission

Amendment

6. Member States shall be able to use credits from projects issued pursuant to PE599.569v01-00

6. Member States shall be able to use credits from projects issued pursuant to 92/145 AM\1116256EN.docx

Article 24a (1) of Directive 2003/87/EC for compliance under Article 9, without any quantitative limit and while avoiding double-counting.

Article 24a (1) of Directive 2003/87/EC for compliance under Article 9, without any quantitative limit *whatsoever* and while avoiding double-counting. *Member States shall provide economic and fiscal incentives to private-private and public-private partnerships established for those projects as well as to households, decentralised public bodies, enterprises, estates and the private sector in general, in order to increase their participation.*

Or. en

Amendment 172
Fredrick Federley

Proposal for a regulation
Article 5 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6 a. *When using the flexibilities provided in order to fulfil the obligations under this Regulation, Member States shall take into account actions already taken and possibilities for different sectors to efficiently contribute to climate mitigation. The Commission and the Member States shall not hinder development in the agricultural sector and shall take action in order to ensure that the Union's financial instruments are mobilised in order to enable a sustainable and climate efficient production.*

Or. en

Amendment 173
Andrzej Grzyb

Proposal for a regulation
Article 5 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6 a. *A Member State whose*

greenhouse gas emissions for a given period are below the sum of its annual emission allocations for that period, taking into account the use of flexibilities laid down in this Article and in Article 6, may bank that excess part of its emission allocations to a subsequent period.

Or. en

Amendment 174

Jadwiga Wiśniewska, Urszula Krupa, Bolesław G. Piecha, Bogusław Liberadzki, Adam Gierek, Krystyna Łybacka, Janusz Zemke

Proposal for a regulation

Article 5 – paragraph 6 a (new)

Text proposed by the Commission

Amendment

6 a. *Member States may carry-over excess annual emission allocations from the previous commitment period.*

Or. en

Justification

ESR should be as flexible as possible, especially as some Member States will have to enormously step up efforts in comparison to the current period.

Amendment 175

Jadwiga Wiśniewska, Urszula Krupa, Bolesław G. Piecha, Bogusław Liberadzki, Adam Gierek, Krystyna Łybacka, Janusz Zemke

Proposal for a regulation

Article 5 – paragraph 6 b (new)

Text proposed by the Commission

Amendment

6 b. *The previous period banking reserve for each Member State is hereby established. Upon request of the Member State, the unused annual emission allocations from a commitment period shall be carried over to the previous period banking reserve.*

Justification

ESR should be as flexible as possible, especially as some Member States will have to enormously step up efforts in comparison to the current period. This solution is similar in nature to the mechanism known from the Doha Amendment to the Kyoto Protocol.

Amendment 176

Jadwiga Wiśniewska, Urszula Krupa, Bolesław G. Piecha, Bogusław Liberadzki, Adam Gierek, Krystyna Łybacka, Janusz Zemke

Proposal for a regulation**Article 5 – paragraph 6 c (new)**

Text proposed by the Commission

Amendment

6 c. To the extent that a Member State's emissions exceed its annual emission allocations for a given year, a quantity up to the sum of unused annual emission allocations in the previous period banking reserve for that Member State, may be taken into account for its compliance under Article 9 of this Regulation for that year.

Justification

ESR should be as flexible as possible, especially as some Member States will have to enormously step up efforts in comparison to the current period. This solution is similar in nature to the mechanism known from the Doha Amendment to the Kyoto Protocol.

Amendment 177

Jadwiga Wiśniewska, Urszula Krupa, Bolesław G. Piecha, Bogusław Liberadzki, Adam Gierek, Krystyna Łybacka, Janusz Zemke

Proposal for a regulation**Article 5 a (new)**

Text proposed by the Commission

Amendment

Article 5 a

Additional use of 100 million annual emission allocations for implementation

of projects

1. A European Project Mechanism (EPM) is hereby established.

2. Within the EPM, 100 million annual emission allocations shall be made available for the purpose of implementing projects or programmes that reduce greenhouse gas emissions not covered by the EU ETS in the Member States listed in Annex IV.

3. In the period from 2021 to 2030, 100 million annual emission allocations shall be auctioned through a Central Union Auctioning Platform. Any Member State is eligible to bid and may use the quantity acquired to comply with Article 9 for the given year or subsequent years. Auctioning revenues shall be made available for emission reduction projects or programmes within the EPM in the Member States listed in Annex IV.

4. Any projects under this mechanism shall not result in the double counting of emission reductions.

5. The Commission shall adopt an implementing act that sets out the details, rules and conditions concerning timing, administration, use of revenues and other aspects of auctioning annual emission allocations through the central platform, as well as the modalities and procedures for the EPM.

6. That implementing act shall be adopted in accordance with the examination procedure referred to in Article 13.

Or. en

Justification

This proposal for a new article introduces a new union mechanism as a complement to existing flexibilities by setting up a new pot of allowances to finance project in the non-ETS sectors.

Amendment 178
Bas Eickhout

PE599.569v01-00

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Proposal for a regulation
Article 6

Text proposed by the Commission

Amendment

Article 6

deleted

***Flexibility for certain Member States
following reduction of EU ETS
allowances***

- 1. Member States that may have a limited cancellation of up to a maximum of 100 million EU ETS allowances as defined in Article 3(a) of Directive 2003/87/EC collectively taken into account for their compliance under this Regulation are listed in Annex II to this Regulation.***
- 2. Member States listed in Annex II shall notify the Commission by 31 December 2019 of any intention to make use of a limited cancellation of allowances up to the percentage listed in Annex II for that Member State, for their compliance under Article 9.***
- 3. At a Member State's request, the Central Administrator designated under Article 20 of Directive 2003/87/EC (hereafter "the Central Administrator") shall take into account the quantity referred to in Article 4(4) for that Member States' compliance under Article 9. One-tenth of the quantity of allowances determined pursuant to Article 4(4) shall be cancelled pursuant to Article 12(4) of Directive 2003/87/EC for each year from 2021 to 2030.***

Or. en

Justification

It is not appropriate to interfere in the ETS cap for compliance under this Regulation. In order to ensure availability of AEAs for those Member States that might need to purchase them, it is proposed to create an auctioning platform with 40 million AEAs to be auctioned in equal shares in 2021 and 2022, earmarked for energy saving and renewables investments in Member States that were allowed to increase their emissions in the period up to 2020.

Amendment 179
Christel Schaldemose

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

1. Member States that may have a limited cancellation of up to a maximum of **100** million EU ETS allowances as defined in Article 3(a) of Directive 2003/87/EC collectively taken into account for their compliance under this Regulation are listed in Annex II to this Regulation.

Amendment

1. Member States that may have a limited cancellation of up to a maximum of **200** million EU ETS allowances as defined in Article 3(a) of Directive 2003/87/EC collectively taken into account for their compliance under this Regulation are listed in Annex II to this Regulation ***whilst respecting the requirements for an additional flexibility scheme for all Member States as established in paragraph 3a. That additional flexibility scheme shall function within the 200 million EU ETS allowances.***

Or. en

Amendment 180
Ian Duncan, Jørn Dohrmann

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

1. Member States that may have a limited cancellation of up to a maximum of **100** million EU ETS allowances as defined in Article 3(a) of Directive 2003/87/EC collectively taken into account for their compliance under this Regulation are listed in Annex II to this Regulation.

Amendment

1. Member States that may have a limited cancellation of up to a maximum of **200** million EU ETS allowances as defined in Article 3(a) of Directive 2003/87/EC collectively taken into account for their compliance under this Regulation are listed in Annex II to this Regulation.

Or. en

Justification

Increasing the maximum from 100 to 200 million EU ETS allowances in accordance with option O3 of the Impact Assessment p. 65 contributes to strengthening the EU ETS by reducing the oversupply of allowances in the market, and helps countries with very high 2030 domestic reduction targets significantly above their cost effective reduction potential comply with the Regulation.

Amendment 181
Annie Schreijer-Pierik, Bendt Bendtsen

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

1. Member States that may have a limited cancellation of up to a maximum of **100** million EU ETS allowances as defined in Article 3(a) of Directive 2003/87/EC collectively taken into account for their compliance under this Regulation are listed in Annex II to this Regulation.

Amendment

1. Member States that may have a limited cancellation of up to a maximum of **200** million EU ETS allowances as defined in Article 3(a) of Directive 2003/87/EC collectively taken into account for their compliance under this Regulation are listed in Annex II to this Regulation.

Or. en

Amendment 182
Christofer Fjellner

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

1. Member States that may have a limited cancellation of up to a maximum of **100** million EU ETS allowances as defined in Article 3(a) of Directive 2003/87/EC collectively taken into account for their compliance under this Regulation are listed in Annex II to this Regulation.

Amendment

1. Member States that may have a limited cancellation of up to a maximum of **150** million EU ETS allowances as defined in Article 3(a) of Directive 2003/87/EC collectively taken into account for their compliance under this Regulation are listed in Annex II to this Regulation.

Or. en

Amendment 183
Simona Bonafè, Elena Gentile, Massimo Paolucci, Damiano Zoffoli, Renata Briano

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

1. Member States that may have a

Amendment

1. Member States that may have a

limited cancellation of up to a maximum of **100** million EU ETS allowances as defined in Article 3(a) of Directive 2003/87/EC collectively taken into account for their compliance under this Regulation are listed in Annex II to this Regulation.

limited cancellation of up to a maximum of **50** million EU ETS allowances as defined in Article 3(a) of Directive 2003/87/EC collectively taken into account for their compliance under this Regulation are listed in Annex II to this Regulation.

Or. en

Amendment 184

Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation

Article 6 – paragraph 1

Text proposed by the Commission

1. Member States that may have a limited cancellation of up to a maximum of **100** million EU ETS allowances as defined in Article 3(a) of Directive 2003/87/EC collectively taken into account for their compliance under this Regulation are listed in Annex II to this Regulation.

Amendment

1. Member States that may have a limited cancellation of up to a maximum of **40** million EU ETS allowances as defined in Article 3(a) of Directive 2003/87/EC collectively taken into account for their compliance under this Regulation are listed in Annex II to this Regulation.

Or. it

Amendment 185

Jytte Guteland

Proposal for a regulation

Article 6 – paragraph 1

Text proposed by the Commission

1. Member States that may have a limited cancellation of up to a maximum of **100** million EU ETS allowances as defined in Article 3(a) of Directive 2003/87/EC collectively taken into account for their compliance under this Regulation are listed in Annex II to this Regulation.

Amendment

1. Member States that may have a limited cancellation of up to a maximum of **50** million EU ETS allowances as defined in Article 3(a) of Directive 2003/87/EC collectively taken into account for their compliance under this Regulation are listed in Annex II to this Regulation.

Or. en

Amendment 186
Kateřina Konečná

Proposal for a regulation
Article 6 – paragraph 1

Text proposed by the Commission

1. Member States that may have a limited cancellation of up to a maximum of **100** million EU ETS allowances as defined in Article 3(a) of Directive 2003/87/EC collectively taken into account for their compliance under this Regulation are listed in Annex II to this Regulation.

Amendment

1. Member States that may have a limited cancellation of up to a maximum of **50** million EU ETS allowances as defined in Article 3(a) of Directive 2003/87/EC collectively taken into account for their compliance under this Regulation are listed in Annex II to this Regulation.

Or. en

Justification

In October 2014, the EU decided that the one-off reduction of the ETS allowances shall be limited, while preserving environmental integrity. Allowing countries to offset their non-ETS emissions through surplus ETS allowances, could lead to postponed action in the ESR sectors and overall higher emission levels in the EU until 2030. Allowing eligible countries to use EU allowances equal to 20% or 40% of their 2005 emissions can furthermore not be considered a limitation. The overall limit of 100 million EU ETS allowances should therefore be further reduced.

Amendment 187
Simona Bonafè, Elena Gentile, Massimo Paolucci, Damiano Zoffoli, Renata Briano

Proposal for a regulation
Article 6 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. With a view to preserve the overall reduction of emissions both in the ETS and non-ETS sectors, the limit of 50 million EU ETS allowances may be reconsidered, in accordance with possible evolutions of the balance of allowances in the ETS market, at the time when this Regulation is first amended.

Or. en

Amendment 188
Ivo Belet

Proposal for a regulation
Article 6 – paragraph 2

Text proposed by the Commission

2. Member States listed in Annex II shall notify the Commission by 31 December 2019 of any intention to make use of a limited cancellation of allowances up to the percentage listed in Annex II for that Member State, for their compliance under Article 9.

Amendment

2. Member States listed in Annex II shall notify the Commission by 31 December 2019 of any intention to make use of a limited cancellation of allowances up to the percentage listed in Annex II for that Member State, for their compliance under Article 9.

Member States shall notify the Commission by 31 December 2019 and every two years after that of their final decision on the cancellation of the equivalent amount of allowances for the two following years, for their compliance under Article 9.

Or. en

Amendment 189
Kateřina Konečná

Proposal for a regulation
Article 6 – paragraph 2

Text proposed by the Commission

2. Member States listed in Annex II shall notify the Commission by 31 December 2019 of any intention to make use of a limited cancellation of allowances up to the percentage listed in Annex II for that Member State, for their compliance under Article 9.

Amendment

2. Member States listed in Annex II shall notify the Commission by 31 December 2019 ***and five years thereafter*** of any intention to make use of a limited cancellation of allowances up to the percentage listed in Annex II for that Member State, for their compliance under Article 9.

Or. en

Justification

Allowing countries to offset their non-ETS emissions through surplus ETS allowances, could lead to postponed action in the ESR sectors and overall higher emission levels in the EU until 2030. If introduced, it should only be used as a last resort. Member States should therefore

also have the option of deciding during the 2021-2030 period if they want to make use of this flexibility, and how much, based on the availability of more environmentally integer flexibilities such as intra-EU trade of AEAs. (See also amendment 129.)

Amendment 190
Kateřina Konečná

Proposal for a regulation
Article 6 – paragraph 3

Text proposed by the Commission

3. At a Member State's request, the Central Administrator designated under Article 20 of Directive 2003/87/EC (hereafter "the Central Administrator") shall take into account the quantity referred to in Article 4(4) for that Member States' compliance under Article 9. One-tenth of the quantity of allowances **determined pursuant to Article 4(4)** shall be cancelled pursuant to Article 12(4) of Directive 2003/87/EC for each year from 2021 to 2030.

Amendment

3. **For every EU ETS allowance taken into account for compliance under this Regulation, another three EU ETS allowances shall be cancelled.** At a Member State's request, the Central Administrator designated under Article 20 of Directive 2003/87/EC (hereafter "the Central Administrator") shall take into account the quantity referred to in Article 4(4) for that Member States' compliance under Article 9. One-tenth of the quantity of allowances shall be cancelled pursuant to Article 12(4) of Directive 2003/87/EC for each year **in the periods** from 2021 **to 2025 and from 2026** to 2030.

Or. en

Justification

Allowing countries to offset their non-ETS emissions through surplus ETS allowances, could lead to postponed action in the ESR sectors and overall higher emission levels in the EU until 2030. If introduced, it should only be used as a last resort. A discounting factor of 4:1 will ensure that for each AEA generated through the new flexibility, four EUAs need to be cancelled. This can disincentive delaying actions in non-ETS sectors and correct the low carbon price under the EU ETS.

Amendment 191
Ivo Belet

Proposal for a regulation
Article 6 – paragraph 3

Text proposed by the Commission

3. At a Member State's request, the
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Amendment

3. At a Member State's request, the
103/145 PE599.569v01-00

Central Administrator designated under Article 20 of Directive 2003/87/EC (hereafter "the Central Administrator") shall take into account the quantity referred to in Article 4(4) for that Member States' compliance under Article 9. ***One-tenth of the quantity of*** allowances determined pursuant to Article 4(4) shall be cancelled pursuant to Article 12(4) of Directive 2003/87/EC for ***each year from 2021 to 2030.***

Central Administrator designated under Article 20 of Directive 2003/87/EC (hereafter "the Central Administrator") shall take into account the quantity referred to in Article 6(2) for that Member States' compliance under Article 9. ***The*** allowances determined pursuant to Article 6(2) shall be cancelled pursuant to Article 12(4) of Directive 2003/87/EC for ***the next year after notification between 2021 and 2030.***

Or. en

Amendment 192
Annie Schreijer-Pierik, Bendt Bendtsen

Proposal for a regulation
Article 6 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. A number of allowances equal to the difference between the maximum of 200 million EU ETS allowances allocated in Article 6 (1) as flexibility for Member States listed in Annex II, and the actual number of such allowances notified by Member States listed in Annex II in accordance with Article 6 (2) by 31 December 2019 for compliance with this Regulation, shall as of 1 January 2020 be made available for all Member States' compliance under this Regulation through the establishment of an additional flexibility mechanism for certified climate efficient farmers.

The Commission shall adopt a delegated act in accordance with Article 12 in order to supplement this Directive by setting out the structure of this mechanism by 31 December 2019.

Or. en

Justification

In order to promote and not limit climate efficient agricultural production in the Union, third-party certification can be used as a means to recognize additional efforts made by farmers / cooperatives. Provided auditing of farm level emissions, documentation of climate efficiency on individual farms, and farmers' commitment to additional climate measures, all Member States must be able to provide farmers with opportunities to continue to develop their production; additional Member State flexibility enhances Member States' ability to do so.

Amendment 193 **Christel Schaldemose**

Proposal for a regulation **Article 6 – paragraph 3 a (new)**

Text proposed by the Commission

Amendment

3 a. A number of minimum 40 million allowances, representing 20% of the maximum 200 million tones allocated in paragraph 1 as flexibility for Member States listed in Annex II, shall following notification by those Member States listed in Annex II in accordance with Article 6 (2) by 31 December 2019 be made available for all Member States' compliance under this Regulation as of 1 January 2020 through the establishment of an additional flexibility mechanism for certified climate efficient organic and conventional farmers.

The Commission shall adopt a delegated act in accordance with Article 12 in order to supplement this Directive by setting out the the details governing this mechanism by 31 December 2019.

Or. en

Justification

It is important to promote climate efficient agricultural production in the EU. Third party certification represents a pragmatic approach to a difficult issue, and would aim at recognizing additional efforts made by farmers and cooperatives to cut CO2 emissions in sustainable food production.

By introducing a mechanism whereby farmers would effectively help their Member State gain access to additional flexibility allowances from the ETS, Member States would be empowered

to let climate efficient farmers develop their production, recognizing the limited reduction potential of agriculture due to fundamental biological processes.

Amendment 194

Ian Duncan, Jørn Dohrmann

Proposal for a regulation

Article 6 – paragraph 3 a (new)

Text proposed by the Commission

Amendment

3 a. Access to the flexibility set out in this Article and Annex II shall be granted on condition that the Member States concerned commit to taking measures in other sectors where insufficient results have been achieved in the past. The Commission shall supplement this Directive by adopting a delegated act in accordance with Article 12 setting out a list of such measures and sectors by 31 December 2019.

Or. en

Amendment 195

Ian Duncan, Jørn Dohrmann

Proposal for a regulation

Article 6 – paragraph 3 b (new)

Text proposed by the Commission

Amendment

3 b. The Commission shall supplement this Directive by adopting delegated acts in accordance with Article 12 in order to introduce an extra flexibility mechanism for certified climate efficient production in the margin of the ETS flexibility scheme.

Or. en

Justification

Development of climate efficient sustainable food production should be encouraged.

Amendment 196

Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation

Article 7

Text proposed by the Commission

Amendment

Article 7

deleted

Additional use of up to 280 million net removals from deforested land, afforested land, managed cropland and managed grassland

1. To the extent that a Member State's emissions exceed its annual emission allocations for a given year, a quantity up to the sum of total net removals and total net emissions from the combined accounting categories of deforested land, afforested land, managed cropland and managed grassland referred to in Article 2 of Regulation [] [LULUCF] may be taken into account for its compliance under Article 9 of this Regulation for that year, provided that:

(a) the cumulative quantity taken into account for that Member State for all years of the period from 2021 to 2030 does not exceed the level set in Annex III for that Member State;

(b) such quantity is in excess of that Member State's requirements under Article 4 of Regulation [] [LULUCF];

(c) the Member State has not acquired more net removals under Regulation [] [LULUCF] from other Member States than it has transferred; and

(d) the Member State has complied with the requirements of Regulation [] [LULUCF].

2. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the Commission shall be empowered to adopt a delegated

act to modify paragraph 1 of this Article in order to reflect a contribution of the accounting category managed forest land in accordance with Article 12 of this Regulation.

Or. it

Amendment 197
Bas Eickhout

Proposal for a regulation
Article 7

Text proposed by the Commission

Amendment

Article 7

deleted

Additional use of up to 280 million net removals from deforested land, afforested land, managed cropland and managed grassland

1. To the extent that a Member State's emissions exceed its annual emission allocations for a given year, a quantity up to the sum of total net removals and total net emissions from the combined accounting categories of deforested land, afforested land, managed cropland and managed grassland referred to in Article 2 of Regulation [] [LULUCF] may be taken into account for its compliance under Article 9 of this Regulation for that year, provided that:

(a) the cumulative quantity taken into account for that Member State for all years of the period from 2021 to 2030 does not exceed the level set in Annex III for that Member State;

(b) such quantity is in excess of that Member State's requirements under Article 4 of Regulation [] [LULUCF];

(c) the Member State has not acquired more net removals under Regulation [] [LULUCF] from other Member States than it has transferred; and

(d) the Member State has complied with

the requirements of Regulation [] [LULUCF].

2. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the Commission shall be empowered to adopt a delegated act to modify paragraph 1 of this Article in order to reflect a contribution of the accounting category managed forest land in accordance with Article 12 of this Regulation.

Or. en

Justification

The accuracy of accounting for emissions and removals from land use sector under LULUCF is not comparable to the emissions covered by the ESR. For that reason, as well as the non-permanent nature of removals from land use sector the compliance regimes under the two pillars should not be mixed up.

Amendment 198
Anneli Jäätteenmäki

Proposal for a regulation
Article 7 – title

Text proposed by the Commission

Additional use of up to 280 million net removals from deforested land, afforested land, managed cropland and managed grassland

Amendment

Additional use of up to 280 million net removals from deforested land, afforested land, managed **forest land, harvested wood products, managed** cropland and managed grassland

Or. en

Justification

Managed forest land and harvested wood products are included in the flexibility within the proposal for a LULUCF regulation. Therefore, it is justified to include forest-related categories also in the flexibility from LULUCF to ESR already from 2021 onwards. Including wood products as a separate category would be consistent with the IPCC methodology and UNFCCC reporting practice. Including harvested wood products would incentivize the long-lasting use of wood for example in construction, and promote substitution.

Amendment 199
Norbert Lins

Proposal for a regulation
Article 7 – title

Text proposed by the Commission

Additional use of up to 280 million net removals from deforested land, afforested land, managed cropland and managed *grassland*

Amendment

Additional use of *at least* up to 280 million net removals from deforested land, afforested land, managed cropland, *managed grassland* and managed *forest land conditionally*

Or. en

Amendment 200
Paul Brannen

Proposal for a regulation
Article 7 – title

Text proposed by the Commission

Additional use of up to **280** million net removals from deforested land, afforested land, managed cropland and managed *grassland*

Amendment

Additional use of up to **190** million net removals from deforested land, afforested land, managed cropland, *managed grassland* and managed *wetland (including peatlands)*

Or. en

Amendment 201

Jadwiga Wiśniewska, Urszula Krupa, Bolesław G. Piecha, Bogusław Liberadzki, Adam Gierek, Krystyna Łybacka, Janusz Zemke

Proposal for a regulation
Article 7 – title

Text proposed by the Commission

Additional use of up to **280** million net removals from *deforested land, afforested land, managed cropland and managed grassland*

Amendment

Additional use of up to **425** million net removals from *LULUCF*

Or. en

Justification

The amendment extends the possibility to account for LULUCF efforts within the ESR flexibilities in order to take a proper account of the potential of forest management. The Paris Agreement clearly states that there must be incentives to develop natural sinks and the Commission for some reason does not want to take it into account.

Amendment 202

Andrzej Grzyb

Proposal for a regulation

Article 7 – title

Text proposed by the Commission

Additional use of up to **280** million net removals from deforested land, afforested land, managed cropland and managed **grassland**

Amendment

Additional use of up to **425** million net removals from deforested land, afforested land, managed cropland, **managed grassland** and managed **forest land**

Or. en

Amendment 203

Pilar Ayuso, Giovanni La Via, Michel Dantin

Proposal for a regulation

Article 7 – title

Text proposed by the Commission

Additional use of up to **280** million net removals from deforested land, afforested land, managed cropland and managed grassland

Amendment

Additional use of up to **425** million net removals from deforested land, afforested land, managed cropland, **managed forest land** and managed grassland

Or. en

Amendment 204

Elisabetta Gardini, Alberto Cirio, Stefano Maullu, Aldo Patriciello

Proposal for a regulation

Article 7 – title

Text proposed by the Commission

Additional use of up to 280 million net
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Amendment

Additional use of up to 280 million net
111/145 PE599.569v01-00

removals from deforested land, afforested land, managed cropland and managed *grassland*

removals from deforested land, afforested land, managed cropland, *managed grassland* and managed *forest land*

Or. en

Justification

There is sufficient time to review the forest reference levels based on the national forestry accounting plans as foreseen in Article 8 (6) of Regulation [LULUCF]. Therefore the managed forest land contribution is already taken into account in the credits generation.

Amendment 205

Nicola Caputo, Elisabeth Köstinger

Proposal for a regulation

Article 7 – title

Text proposed by the Commission

Additional use of up to **280** million net removals from deforested land, afforested land, managed cropland and managed grassland

Amendment

Additional use of up to **425** million net removals from deforested land, afforested *land, managed forest land*, managed cropland and managed grassland

Or. en

Justification

The cap on LULUCF credits' distribution should be set at 425 Mt in line with the highest flexibility proposed in the Commission's IA, the Paris Agreement and specific concerns regarding the lower mitigation potential in the agriculture sector and therefore the need to optimise the sector's contribution to GHG reduction goals through LULUCF activities. There is sufficient time to review the forest reference levels based on the national forestry accounting plans and to consider managed forest land.

Amendment 206

Ian Duncan, Jørn Dohrmann

Proposal for a regulation

Article 7 – title

Text proposed by the Commission

Additional use of up to **280** million net removals from deforested land, afforested land, managed cropland and managed

Amendment

Additional use of up to **425** million net removals from deforested land, afforested land, *forest management*, managed

grassland

cropland and managed grassland

Or. en

Justification

Implementation of upper scenario in Commission Impact assessment.

Amendment 207
Christofer Fjellner

Proposal for a regulation
Article 7 – title

Text proposed by the Commission

Amendment

Additional use of up to **280** million net removals from deforested land, afforested land, managed cropland and managed grassland

Additional use of up to **400** million net removals from deforested land, afforested land, managed cropland and managed grassland

Or. en

Amendment 208
Annie Schreijer-Pierik

Proposal for a regulation
Article 7 – title

Text proposed by the Commission

Amendment

Additional use of up to **280** million net removals from deforested land, afforested land, managed cropland and managed grassland

Additional use of up to **336** million net removals from deforested land, afforested land, managed cropland and managed grassland

Or. en

Amendment 209
Kateřina Konečná

Proposal for a regulation
Article 7 – paragraph 1 – introductory part

1. ***To the extent that a Member State's emissions exceed its annual emission allocations for a given year, a*** quantity up to the sum of total net removals and total net emissions from the combined accounting categories of ***deforested land, afforested land, managed cropland*** and managed ***grassland*** referred to in Article 2 of Regulation [] [LULUCF] may be taken into account for its compliance under Article 9 of this Regulation for that year, provided that:

1. A quantity up to the sum of total net removals and total net emissions from the combined accounting categories of ***managed cropland, managed grassland*** and managed ***wetlands*** referred to in Article 2 of Regulation [] [LULUCF] may be taken into account for its compliance under Article 9 of this Regulation for that year, provided that:

Or. en

Justification

Cropland, grassland, and wetlands (i.e. peatlands) are all accounted for using a credible approach (net-net). Conserving and increasing carbon stored in soils and wetlands also has multiple benefits. A recent meta-analysis by Ricardo AEA found a feasible annual potential of 40MtCO₂e from measures that increase carbon storage. This is equivalent to about 10% of 2005 agricultural emissions. Moreover, farming practices that increase carbon storage, provide more habitat diversity within agricultural landscapes, which is good for biodiversity. Wetlands in particular have high biodiversity value and so synergies between carbon and biodiversity goals should be incentivized.

Amendment 210
Julie Girling

Proposal for a regulation
Article 7 – paragraph 1 – introductory part

1. To the extent that a Member State's emissions exceed its annual emission allocations for a given year, a quantity up to the sum of total net removals and total net emissions from the combined accounting categories of deforested land, afforested land, managed cropland and managed grassland referred to in Article 2 of Regulation [] [LULUCF] may be taken into account for its compliance under Article 9 of this Regulation for that year, provided that:

1. To the extent that a Member State's emissions exceed its annual emission allocations for a given year ***plus any emissions allocations banked pursuant to Article 5(3)***, a quantity up to the sum of total net removals and total net emissions from the combined accounting categories of deforested land, afforested land, managed cropland and managed grassland referred to in Article 2 of Regulation [] [LULUCF] may be taken into account for its compliance under Article 9 of this Regulation for that year, provided that:

Justification

In cases where Member States have overachieved their mitigation targets and banked credits from previous years, these Member States should use all of these banked credits for compliance, before credits from the LULUCF sector may be applied. This would ensure that LULUCF credits are genuinely required to achieve compliance, and limit an excess of credits which would undermine the incentive for mitigation in the non-ETS sectors.

Amendment 211**Ian Duncan, Jørn Dohrmann****Proposal for a regulation****Article 7 – paragraph 1 – introductory part***Text proposed by the Commission*

1. To the extent that a Member State's emissions exceed its annual emission allocations for a given year, a quantity up to the sum of total net removals and total net emissions from the combined accounting categories of deforested land, afforested land, managed cropland and managed grassland referred to in Article 2 of Regulation [] [LULUCF] may be taken into account for its compliance under Article 9 of this Regulation for that year, provided that:

Amendment

1. To the extent that a Member State's emissions exceed its annual emission allocations for a given year, a quantity up to the sum of total net removals and total net emissions from the combined accounting categories of deforested land, afforested land, managed cropland and managed grassland referred to in Article 2 of Regulation [] [LULUCF] **or a quantity based on Article 11 of Regulation [] [LULUCF]** may be taken into account for its compliance under Article 9 of this Regulation for that year, provided that:

Or. en

Amendment 212**Anneli Jäätteenmäki****Proposal for a regulation****Article 7 – paragraph 1 – introductory part***Text proposed by the Commission*

1. To the extent that a Member State's emissions exceed its annual emission allocations for a given year, a quantity up to the sum of total net removals and total net emissions from the combined accounting categories of deforested land,

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Amendment

1. To the extent that a Member State's emissions exceed its annual emission allocations for a given year, a quantity up to the sum of total net removals and total net emissions from the combined accounting categories of deforested land,

afforested land, managed cropland and managed grassland referred to in Article 2 of Regulation [] [LULUCF] may be taken into account for its compliance under Article 9 of this Regulation for that year, provided that:

afforested land, managed **forest land**, **harvested wood products**, **managed** cropland and managed grassland referred to in Article 2 of Regulation [] [LULUCF] may be taken into account for its compliance under Article 9 of this Regulation for that year, provided that:

Or. en

Justification

Managed forest land and harvested wood products are included in the flexibility within the proposal for a LULUCF regulation. Therefore, it is justified to include forest-related categories also in the flexibility from LULUCF to ESR already from 2021 onwards. Including wood products as a separate category would be consistent with the IPCC methodology and UNFCCC reporting practice. Including harvested wood products would incentivize the long-lasting use of wood for example in construction, and promote substitution.

Amendment 213

Pilar Ayuso, Michel Dantin

Proposal for a regulation

Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

1. To the extent that a Member State's emissions exceed its annual emission allocations for a given year, a quantity up to the sum of total net removals and total net emissions from the combined accounting categories of deforested land, afforested land, managed cropland and managed grassland referred to in Article 2 of Regulation [] [LULUCF] may be taken into account for its compliance under Article 9 of this Regulation for that year, provided that:

Amendment

1. To the extent that a Member State's emissions exceed its annual emission allocations for a given year, a quantity up to the sum of total net removals and total net emissions from the combined accounting categories of deforested land, afforested land, managed cropland, **managed forest land** and managed grassland referred to in Article 2 of Regulation [] [LULUCF] may be taken into account **by a Member State** for its compliance under Article 9 of this Regulation for that year, provided that:

Or. en

Amendment 214

Nicola Caputo, Elisabeth Köstinger

Proposal for a regulation

PE599.569v01-00

116/145

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Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

1. To the extent that a Member State's emissions exceed its annual emission allocations for a given year, a quantity up to the sum of total net removals and total net emissions from the combined accounting categories of deforested land, afforested land, managed cropland and managed grassland referred to in Article 2 of Regulation [] [LULUCF] may be taken into account for its compliance under Article 9 of this Regulation for that year, provided that:

Amendment

1. To the extent that a Member State's emissions exceed its annual emission allocations for a given year, a quantity up to the sum of total net removals and total net emissions from the combined accounting categories of deforested land, afforested land, managed **forest land**, **managed** cropland and managed grassland referred to in Article 2 of Regulation [] [LULUCF] may be taken into account for its compliance under Article 9 of this Regulation for that year, provided that:

Or. en

Justification

There is sufficient time to review the forest reference levels based on the national forestry accounting plans as foreseen in Article 8 (6) of the LULUCF Regulation. Therefore it is suggested to consider also the managed forest land contribution in the credits generation.

Amendment 215

Jadwiga Wiśniewska, Urszula Krupa, Bolesław G. Piecha, Bogusław Liberadzki, Adam Gierek, Krystyna Łybacka, Janusz Zemke

Proposal for a regulation

Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

1. To the extent that a Member State's emissions exceed its annual emission allocations for a given year, a quantity up to the sum of total net removals and total net emissions from the combined accounting categories of deforested land, afforested land, managed cropland and managed grassland referred to in Article 2 of Regulation [] [LULUCF] may be taken into account for its compliance under Article 9 of this Regulation for that year, provided that:

Amendment

1. To the extent that a Member State's emissions exceed its annual emission allocations for a given year, a quantity up to the sum of total net removals and total net emissions from the combined accounting categories of deforested land, afforested land, managed **forest land**, **managed** cropland and managed grassland referred to in Article 2 of Regulation [] [LULUCF] may be taken into account for its compliance under Article 9 of this Regulation for that year, provided that:

Or. en

Justification

The amendment extends the possibility to account for LULUCF efforts within the ESR flexibilities in order to take a proper account of the potential of forest management. The Paris Agreement clearly states that there must be incentives to develop natural sinks and the Commission for some reason does not want to take it into account.

Amendment 216

Elisabetta Gardini, Alberto Cirio, Aldo Patriciello, Stefano Maullu

Proposal for a regulation

Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

1. To the extent that a Member State's emissions exceed its annual emission allocations for a given year, a quantity up to the sum of total net removals and total net emissions from the combined accounting categories of deforested land, afforested land, managed cropland and managed **grassland** referred to in Article 2 of Regulation [] [LULUCF] may be taken into account for its compliance under Article 9 of this Regulation for that year, provided that:

Amendment

1. To the extent that a Member State's emissions exceed its annual emission allocations for a given year, a quantity up to the sum of total net removals and total net emissions from the combined accounting categories of deforested land, afforested land, managed cropland, **managed grassland** and managed **forest land** referred to in Article 2 of Regulation [] [LULUCF] may be taken into account for its compliance under Article 9 of this Regulation for that year, provided that:

Or. en

Amendment 217

Andrzej Grzyb

Proposal for a regulation

Article 7 – paragraph 1 – introductory part

Text proposed by the Commission

1. To the extent that a Member State's emissions exceed its annual emission allocations for a given year, a quantity up to the sum of total net removals and total net emissions from the combined accounting categories of deforested land, afforested land, managed cropland and managed **grassland** referred to in Article 2 of Regulation [] [LULUCF] may be taken

Amendment

1. To the extent that a Member State's emissions exceed its annual emission allocations for a given year, a quantity up to the sum of total net removals and total net emissions from the combined accounting categories of deforested land, afforested land, managed cropland, **managed grassland** and managed **forest land** referred to in Article 2 of Regulation [

into account for its compliance under Article 9 of this Regulation for that year, provided that:

] [LULUCF] may be taken into account for its compliance under Article 9 of this Regulation for that year, provided that:

Or. en

Amendment 218

Paul Brannen, Miriam Dalli

Proposal for a regulation

Article 7 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

1 a. For the purpose of using credits from afforestation for any given year within the period from 2017 to 2030, the Member State shall demonstrate that the afforestation did not take place in areas covered by Directive 92/43/EEC or Directive 2009/147/EC of the European Parliament and of the Council^{1b} or in habitats under Annex I of the Directive 92/43/EEC, in particular natural or semi-natural grassland formations, raised bogs, mires, fens, or other wetlands (including peatlands).

^{1b} Directive 2009/147/EC of the European Parliament and of the Council of 30 November 2009 on the conservation of wild birds (OJ L 20, 26.1.2010, p. 7).

Or. en

Amendment 219

Paul Brannen, Miriam Dalli

Proposal for a regulation

Article 7 – paragraph 1 b (new)

Text proposed by the Commission

Amendment

1 b. For the purpose of using credits from afforestation, that Member State shall provide documentation relating to

species used for this afforestation in the period from 2017 to 2030 among which no invasive or potentially invasive species were planted.

Or. en

Amendment 220
Paul Brannen, Miriam Dalli

Proposal for a regulation
Article 7 – paragraph 1 c (new)

Text proposed by the Commission

Amendment

1 c. For the purpose of using credits from afforestation and, if applicable, forest management, that Member State shall present information on the legal framework being in place to increase the content of soil carbon in the form of setting a baseline as of 2021 on soil cover, protection of soil from erosion and from desertification which will be evaluated and approved by the Commission.

Or. en

Amendment 221
Paul Brannen, Miriam Dalli

Proposal for a regulation
Article 7 – paragraph 1 d (new)

Text proposed by the Commission

Amendment

1 d. For the purpose of using credits from afforestation and, if applicable, forest management, that Member State shall provide proof that the existence of landscape features, in particular trees, in cropland and grassland is not disincentivized and instead that legal and financial tools by means of agricultural policy are used for promotion of landscape features in agro-ecosystems, including maintenance and restoration of

Amendment 222

Nicola Caputo, Elisabeth Köstinger

Proposal for a regulation

Article 7 – paragraph 2

Text proposed by the Commission

Amendment

2. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the Commission shall be empowered to adopt a delegated act to modify paragraph 1 of this Article in order to reflect a contribution of the accounting category managed forest land in accordance with Article 12 of this Regulation. **deleted**

Justification

There is sufficient time to review the forest reference levels based on the national forestry accounting plans as foreseen in Article 8 (6) of the LULUCF Regulation. Moreover, Article 7 should be considered as essential and therefore the use of delegated acts to modify it should not be admissible. Delegated acts should be limited to issues of a purely technical and/or administrative nature: essential articles, such as this one, should be reserved to a transparent co-decision procedure.

Amendment 223

Elisabetta Gardini, Alberto Cirio, Aldo Patriciello, Stefano Maullu

Proposal for a regulation

Article 7 – paragraph 2

Text proposed by the Commission

Amendment

2. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation **deleted**

[LULUCF] is adopted, the Commission shall be empowered to adopt a delegated act to modify paragraph 1 of this Article in order to reflect a contribution of the accounting category managed forest land in accordance with Article 12 of this Regulation.

Or. en

Amendment 224
Peter Liese

Proposal for a regulation
Article 7 – paragraph 2

Text proposed by the Commission

2. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the Commission shall be empowered to adopt a delegated act to modify paragraph 1 of this Article in order to reflect a contribution of the accounting category managed forest land in accordance with Article 12 of this Regulation.

Amendment

2. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the Commission shall be empowered to adopt a delegated act to modify paragraph 1 of this Article, ***without exceeding the cumulative quantities of annual emission allocations available to Member States under this Article***, in order to reflect a contribution of the accounting category managed forest land ***for the period from 2026 to 2030*** in accordance with Article 12 of this Regulation.

Or. en

Justification

As there are strong demands to delete this paragraph, the suggested amendments shall be a basis for a compromise.

Amendment 225
Pilar Ayuso, Michel Dantin

Proposal for a regulation
Article 7 – paragraph 2

Text proposed by the Commission

2. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the Commission shall be empowered to adopt a delegated act to modify paragraph 1 of this Article in order to reflect a contribution of the accounting category managed forest land in accordance with Article 12 of this Regulation.

Amendment

2. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the Commission shall be empowered to adopt a delegated act to modify paragraph 1 of this Article **and Annex III** in order to reflect **the update of national forest reference levels and** a contribution of the accounting category managed forest land **during the period starting in 2021** in accordance with Article 12 of this Regulation.

Or. en

Amendment 226

Norbert Lins

Proposal for a regulation

Article 7 – paragraph 2

Text proposed by the Commission

2. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] is adopted, the Commission shall **be empowered to** adopt a delegated act to modify paragraph 1 of this Article in order to **reflect** a contribution of the accounting category managed forest land in accordance with Article 12 of this Regulation.

Amendment

2. Where the delegated act to update the forest reference levels based on the national forestry accounting plans pursuant to Article 8 (6) of Regulation [LULUCF] **and respecting the criteria set out in Annex IV to Regulation [LULUCF]** is adopted, the Commission shall **immediately** adopt a delegated act to modify paragraph 1 of this Article in order to **enable** a contribution of the accounting category managed forest land in accordance with Article 12 of this Regulation.

Or. en

Amendment 227

Ian Duncan, Jørn Dohrmann

Proposal for a regulation

Article 7 – paragraph 2 a (new)

2 a. Access to the flexibility set out in this Article and Annex I to Regulation [] [LULUCF] shall be granted on condition that the Member States concerned commit to taking measures in other sectors where insufficient results have been achieved in the past. The Commission shall supplement this Directive by adopting a delegated act in accordance with Article 12 setting out a list of such measures and sectors by 31 December 2019.

Or. en

Justification

The October 2014 European Council conclusions acknowledge “the multiple objectives of the agriculture and land use sector, with their lower mitigation potential”; hence flexibilities aimed at safeguarding food production ought not to indirectly benefit other sectors that have not delivered CO2 reductions in the past. Introducing conditionality on Member States access to new Art 6 and 7 flexibilities, making their availability dependent on additional measures in other non-ETS sectors, seeks to mitigate this risk.

Amendment 228

Jadwiga Wiśniewska, Urszula Krupa, Bolesław G. Piecha, Bogusław Liberadzki, Adam Gierke, Krystyna Łybacka, Janusz Zemke

Proposal for a regulation

Article 8 – paragraph 1 – introductory part

Text proposed by the Commission

Amendment

1. A Member State which *is evaluated under Article 21 of Regulation (EU) No 525/2013 as not making sufficient progress* shall, within three months, submit to the Commission *an* action plan that includes:

1. A Member State which *exceeds the annual emission allocation, taking into account the flexibilities*, shall, within three months, *since the compliance check as specified in the Article 9*, submit to the Commission *a corrective* action plan that includes:

Or. en

Justification

The amendment reinstates the current design of the penalty system and clarifies when the three month period starts.

Amendment 229

Kateřina Konečná, Merja Kyllönen

Proposal for a regulation

Article 9 – paragraph 1 – introductory part

Text proposed by the Commission

1. ***In 2027 and 2032, if the reviewed greenhouse gas emissions of*** a Member State ***exceed*** its annual emission allocation for any specific year of the period, pursuant to paragraph 2 of this Article and the flexibilities used pursuant to Articles 5 to 7, the following measures shall apply:

Amendment

1. ***If*** a Member State ***exceeds*** its annual emission allocation for any specific year of the period, pursuant to paragraph 2 of this Article and the flexibilities used pursuant to Articles 5 to 7, the following measures shall apply:

Or. en

Justification

Annual rather than 5-yearly compliance checks are more effective to ensure that the annual targets are met, as governments could have the tendency of postponing action until the year that the compliance check takes place. If compliance checks occur only every five year, penalties for non-compliance will only be applied in 2027 for the first time. Annual compliance checks will also encourage trading as MS will more accurately know what they can sell.

Amendment 230

Nicola Caputo

Proposal for a regulation

Article 9 – paragraph 1 – introductory part

Text proposed by the Commission

1. ***In 2027 and 2032, if the reviewed greenhouse gas emissions of*** a Member State ***exceed*** its annual emission allocation for any specific year of the period, pursuant to paragraph 2 of this Article and the flexibilities used pursuant to Articles 5 to 7, the following measures shall apply:

Amendment

1. ***If*** a Member State ***exceeds*** its annual emission allocation for any specific year of the period, pursuant to paragraph 2 of this Article and the flexibilities used pursuant to Articles 5 to 7, the following measures shall apply:

Or. en

Justification

Annual rather than 5-yearly compliance checks are more effective to ensure that the annual targets are being met. If compliance checks occur only every five years, the scope is more limited for adjustments to keep reductions on track and penalties for non-compliance will only be applied in 2027 for the first time. Annual compliance checks will also encourage trading as Member States will more accurately know what they can sell.

Amendment 231

Bas Eickhout

Proposal for a regulation

Article 9 – paragraph 1 – introductory part

Text proposed by the Commission

1. ***In 2027 and 2032, if*** the reviewed greenhouse gas emissions of a Member State exceed its annual emission allocation for any specific year ***of the period,*** pursuant to paragraph 2 of this Article and the flexibilities used pursuant to Articles 5 to 7, the following measures shall apply:

Amendment

1. If the reviewed greenhouse gas emissions of a Member State exceed its annual emission allocation for any specific year, pursuant to paragraph 2 of this Article and the flexibilities used pursuant to Articles 5 to 7, the following measures shall apply:

Or. en

Amendment 232

Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation

Article 9 – paragraph 1 – introductory part

Text proposed by the Commission

1. ***In 2027 and 2032, if*** the reviewed greenhouse gas emissions of a Member State exceed its annual emission allocation for any specific year of the period, pursuant to paragraph 2 of this Article and the flexibilities used pursuant to Articles 5 to 7, the following measures shall apply:

Amendment

1. ***If*** the reviewed greenhouse gas emissions of a Member State exceed its annual emission allocation for any specific year of the period, pursuant to paragraph 2 of this Article and the flexibilities used pursuant to Articles 5 to 7, the following measures shall apply:

Or. it

Amendment 233

Miriam Dalli, Seb Dance, Claudiu Ciprian Tănăsescu, Gilles Pargneaux, Susanne Melior, Paul Brannen, Tibor Szanyi, Carlos Zorrinho, Massimo Paolucci, Soledad Cabezón Ruiz, Christel Schaldemose, Jytte Guteland, Jo Leinen, Elena Gentile, Simona Bonafè

Proposal for a regulation
Article 9 – paragraph 1 – introductory part

Text proposed by the Commission

1. ***In 2027 and 2032, if*** the reviewed greenhouse gas emissions of a Member State exceed its annual emission allocation for any specific year of the period, pursuant to paragraph 2 of this Article and the flexibilities used pursuant to Articles 5 to 7, the following measures shall apply:

Amendment

1. If the reviewed greenhouse gas emissions of a Member State exceed its annual emission allocation for any specific year of the period, pursuant to paragraph 2 of this Article and the flexibilities used pursuant to Articles 5 to 7, the following measures shall apply:

Or. en

Amendment 234

Jadwiga Wiśniewska, Urszula Krupa, Bolesław G. Piecha, Bogusław Liberadzki, Adam Gierek, Krystyna Łybacka, Janusz Zemke

Proposal for a regulation
Article 9 – paragraph 1 – point a

Text proposed by the Commission

(a) ***an addition to*** the Member State's emission ***figure*** of the following year equal to the amount in tonnes of CO₂ equivalent of the excess greenhouse gas emissions, multiplied by a factor of 1.08, in accordance with the measures adopted pursuant to Article 11; and

Amendment

(a) ***a deduction from*** the Member State's emission ***allocation*** of the following year equal to the amount in tonnes of CO₂ equivalent of the excess greenhouse gas emissions, multiplied by a factor of 1.08, in accordance with the measures adopted pursuant to Article 11; and

Or. en

Justification

The penalty system as proposed by the Commission, by increasing the emission figure, makes the system unclear. It is better to reinstate the current design, thus a decrease in the emission allocation.

Amendment 235

Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation
Article 9 – paragraph 1 – point a

Text proposed by the Commission

(a) an addition to the Member State's emission figure of the following year equal to the amount in tonnes of **CO₂** equivalent of the excess greenhouse gas emissions, multiplied by **a** factor of **1.08**, in accordance with the measures adopted pursuant to Article 11; and

Amendment

(a) an addition to the Member State's emission figure of the following year equal to the amount in tonnes of **CO₂** equivalent of the excess greenhouse gas emissions, multiplied by **an annual** factor of **1.2**, in accordance with the measures adopted pursuant to Article 11; and

Or. it

Amendment 236
Andrzej Grzyb

Proposal for a regulation
Article 9 – paragraph 1 – point a

Text proposed by the Commission

(a) **an addition to** the Member State's emission **figure** of the following year equal to the amount in tonnes of CO₂ equivalent of the excess greenhouse gas emissions, multiplied by a factor of 1.08, in accordance with the measures adopted pursuant to Article 11; and

Amendment

(a) **a deduction from** the Member State's emission **allocation** of the following year equal to the amount in tonnes of CO₂ equivalent of the excess greenhouse gas emissions, multiplied by a factor of 1.08, in accordance with the measures adopted pursuant to Article 11; and

Or. en

Amendment 237
Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation
Article 9 – paragraph 1 – point b

Text proposed by the Commission

(b) the Member State shall be **temporarily** prohibited from transferring any part of its annual emission allocation to another Member State **until it is in compliance with this Regulation**. The

Amendment

(b) the Member State shall be prohibited from transferring any part of its annual emission allocation to another Member State. The Central Administrator shall implement this prohibition in the

Central Administrator shall implement this prohibition in the registry referred in Article 11.

registry referred *to* in Article 11.

Or. it

Amendment 238

Andrzej Grzyb

Proposal for a regulation

Article 9 – paragraph 1 – point b

Text proposed by the Commission

(b) the Member State shall be temporarily prohibited from transferring any part of its annual emission allocation to another Member State until it is in compliance with this Regulation. The Central Administrator shall implement this prohibition in the registry referred in Article 11.

Amendment

(b) the Member State shall be temporarily prohibited from transferring any part of its annual emission allocation to another Member State until it is in compliance with **Article 4 (2) of** this Regulation. The Central Administrator shall implement this prohibition in the registry referred in Article 11.

Or. en

Amendment 239

Jadwiga Wiśniewska, Urszula Krupa, Bolesław G. Piecha, Bogusław Liberadzki, Adam Gierke, Krystyna Łybacka, Janusz Zemke

Proposal for a regulation

Article 9 – paragraph 1 – point b

Text proposed by the Commission

(b) the Member State shall be temporarily prohibited from transferring any part of its annual emission allocation to another Member State until it is in compliance with this Regulation. The Central Administrator shall implement this prohibition in the registry referred in Article 11.

Amendment

(b) the Member State shall be temporarily prohibited from transferring any part of its annual emission allocation to another Member State until it is in compliance with **Article 4 (2) of** this Regulation. The Central Administrator shall implement this prohibition in the registry referred in Article 11.

Or. en

Justification

The aim of the amendment is to be more precise.

Amendment 240

Andrzej Grzyb

Proposal for a regulation

Article 9 – paragraph 2

Text proposed by the Commission

2. If the greenhouse gas emissions of a Member State in either the period from 2021 to 2025 or the period from 2026 to 2030 under Regulation [] exceeded its greenhouse gas removals, as determined in accordance with Article 12 of that Regulation, ***there shall be a deduction from that Member State's annual emission allocations equal to the amount in tonnes of CO₂ equivalent of those excess greenhouse gas emissions for the relevant years.***

Amendment

2. If the greenhouse gas emissions of a Member State in either the period from 2021 to 2025 or the period from 2026 to 2030 under Regulation [] exceeded its ***greenhouse*** gas removals, as determined in accordance with Article 12 of that Regulation, ***taking into account flexibilities used pursuant to Article 11 of that Regulation, Member State may choose to deduct annual emissions allocations for the relevant years*** equal to the amount in tonnes of CO₂ equivalent of those excess greenhouse gas emissions for ***those years as one of flexibility options.***

Or. en

Amendment 241

Jadwiga Wiśniewska, Urszula Krupa, Bolesław G. Piecha, Bogusław Liberadzki, Adam Gierek, Krystyna Łybacka, Janusz Zemke

Proposal for a regulation

Article 9 – paragraph 2

Text proposed by the Commission

2. If the greenhouse gas emissions of a Member State in either the period from 2021 to 2025 or the period from 2026 to 2030 under Regulation [] exceeded its greenhouse gas removals, as determined in accordance with Article 12 of that Regulation, ***there shall be a deduction from that Member State's annual emission allocations equal to the amount in tonnes of***

Amendment

2. If the greenhouse gas emissions of a Member State in either the period from 2021 to 2025 or the period from 2026 to 2030 under Regulation [] exceeded its greenhouse gas removals, as determined in accordance with Article 12 of that Regulation, ***taking into account flexibilities used pursuant to Article 11 of that Regulation, Member State may***

CO2 equivalent of those excess greenhouse gas emissions for *the relevant years*.

choose to deduct annual *emissions* allocations *for the relevant years* equal to the amount in tonnes of CO2 equivalent of those excess greenhouse gas emissions for *those years as one of flexibility options*.

Or. en

Justification

The mechanism to cover the LULUCF deficit by allowances from the ESR should be voluntary and only one of the options.

Amendment 242

Bas Eickhout

Proposal for a regulation

Article 10 – title

Text proposed by the Commission

Amendment

Adjustments

Adjustments *and funds for energy saving and renewables*

Or. en

Amendment 243

Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation

Article 10 – paragraph 2

Text proposed by the Commission

Amendment

2. The amount contained in Annex IV to this Regulation shall be added to the allocation for the year 2021 for each Member State referred to in that Annex.

deleted

Or. it

Justification

In line with the call to disregard LULUCF credits for the purposes of meeting targets.

Amendment 244
Bas Eickhout

Proposal for a regulation
Article 10 – paragraph 2

Text proposed by the Commission

2. The amount *contained in Annex IV* to this Regulation shall *be added to the allocation for the year 2021 for each Member State referred to in that Annex.*

Amendment

2. The amount of *40 million annual emission allocations shall be auctioned in equal shares in 2021 and 2022. The revenues shall be used to set up funds for energy saving and renewables investments in sectors covered by this Regulation in each Member State referred to in Annex IV.*
The Commission shall adopt delegated acts to establish an auctioning platform, the procedures for setting up or selecting a fund for energy saving and renewables investments in the Member States concerned and to distribute the revenues between the funds, on the basis of objective and transparent criteria. The auctioning platform and funds may be used to facilitate transfers of AEA's in accordance with Article 5.

Or. en

Amendment 245
Kateřina Konečná

Proposal for a regulation
Article 10 – paragraph 2

Text proposed by the Commission

2. The amount contained in Annex IV to this Regulation shall be added to the allocation for the year 2021 for each Member State referred to in that Annex.

Amendment

2. The amount contained in Annex IV to this Regulation shall be added to the allocation for the year 2021 for each Member State referred to in that Annex, *with a limitation of 39,14 million tonnes.*

Or. en

Justification

Due to reasons of fairness, lower-income Member States have been distributed less stringent targets than richer countries. In addition, they will receive a starting point bonus that allows them to emit more in the year 2021, further delaying the transition to climate friendly societies. This bonus should therefore have an absolute limit of 39.14 Mton CO2.

Amendment 246

Miriam Dalli, Seb Dance, Biljana Borzan, Claudiu Ciprian Tănăsescu, Gilles Pargneaux, Susanne Melior, Paul Brannen, Tibor Szanyi, Carlos Zorrinho, Soledad Cabezón Ruiz, Christel Schaldemose, Jytte Guteland, Jo Leinen, Massimo Paolucci, Elena Gentile, Simona Bonafè

Proposal for a regulation

Article 11 – paragraph 1

Text proposed by the Commission

1. The Commission shall ensure the accurate accounting under this Regulation through the Union Registry established pursuant to Article 10 of Regulation (EU) No 525/2013, **including** annual emission allocations, flexibilities exercised under Article 4 to 7, compliance under Article 9 and changes in coverage under Article 10 of this Regulation. The Central Administrator shall conduct an automated check on each transaction under this Regulation and, where necessary, block transactions to ensure there are no irregularities. This information shall be accessible to the public.

Amendment

1. The Commission shall ensure the accurate accounting under this Regulation through the Union Registry established pursuant to Article 10 of Regulation (EU) No 525/2013. ***The Commission shall, for that purpose, adopt a delegated act in accordance with Article 12 to supplement this Regulation, concerning in particular*** annual emission allocations, flexibilities exercised under Article 4 to 7, compliance under Article 9 and changes in coverage under Article 10 of this Regulation. The Central Administrator shall conduct an automated check on each transaction under this Regulation and, where necessary, block transactions to ensure there are no irregularities. This information shall be accessible to the public.

Or. en

Amendment 247

Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation

Article 11 – paragraph 1

Text proposed by the Commission

Amendment

1. The Commission shall ensure the accurate accounting under this Regulation through the Union Registry established pursuant to Article 10 of Regulation (EU) *No 525/2013*, including annual emission allocations, flexibilities exercised under Article 4 *to* 7, compliance under Article 9 and changes in coverage under Article 10 of this Regulation. The Central Administrator shall conduct an automated check on each transaction under this Regulation and, where necessary, block transactions to ensure there are no irregularities. This information shall be accessible to the public.

1. The Commission shall ensure the accurate accounting under this Regulation through the Union Registry established pursuant to Article 10 of Regulation (EU) *No 525/2013*, including annual emission allocations, flexibilities exercised under Article 4, compliance under Article 9 and changes in coverage under Article 10 of this Regulation. The Central Administrator shall conduct an automated check on each transaction under this Regulation and, where necessary, block transactions to ensure there are no irregularities. This information shall be accessible to the public.

Or. it

Amendment 248
Andrzej Grzyb

Proposal for a regulation
Article 11 – paragraph 2

Text proposed by the Commission

2. The Commission shall be empowered to adopt a delegated act to implement paragraph 1 in accordance with Article 12 of this Regulation.

Amendment

2. The Commission shall be empowered to adopt a delegated act to implement paragraph 1 in accordance with Article 12 of this Regulation. ***This delegated act shall not violate Member States' rights to determine measures significantly affecting their choice between different energy sources and the general structure of its energy supply.***

Or. en

Amendment 249
Merja Kyllönen, Kateřina Konečná

Proposal for a regulation
Article 11 a (new)

Text proposed by the Commission

Amendment

Article 11 a

Climate impact of Union funding

The Commission shall carry out a comprehensive, cross-sectorial study of the impact of funding granted from the Union budget or otherwise pursuant to Union law on the mitigation of climate change.

By 1 January 2019, the Commission shall present to the European Parliament and the Council a report on the findings of the study which shall be accompanied, if appropriate, by legislative proposals aimed at discontinuing any Union funding which is not compatible with the CO2 reduction targets or policies of the Union. It shall include the proposal of a mandatory ex-ante climate compatibility check which applies to every new Union investment from 1 January 2020 and the obligation to make the results public in a transparent and accessible way.

Or. en

Amendment 250

Simona Bonafè, Elena Gentile, Massimo Paolucci, Damiano Zoffoli, Renata Briano

Proposal for a regulation

Article 12 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 7(2) and 11 of this Regulation shall be conferred on the Commission for an indeterminate period of time from the entry into force of this Regulation.

Amendment

2. The power to adopt delegated acts referred to in Article **4(3)**, 7(2) and 11 of this Regulation shall be conferred on the Commission for an indeterminate period of time from the entry into force of this Regulation.

Or. en

Amendment 251

Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation

Article 12 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 7(2) **and** 11 of this Regulation shall be conferred on the Commission for an indeterminate period of time from the entry into force of this Regulation.

Amendment

2. The power to adopt delegated acts referred to in Article 11 of this Regulation shall be conferred on the Commission for an indeterminate period of time from the entry into force of this Regulation.

Or. it

Amendment 252

Nicola Caputo, Elisabeth Köstinger

Proposal for a regulation
Article 12 – paragraph 2

Text proposed by the Commission

2. The power to adopt delegated acts referred to in Article 7(2) **and** 11 of this Regulation shall be conferred on the Commission for an indeterminate period of time from the entry into force of this Regulation.

Amendment

2. The power to adopt delegated acts referred to in Article 11 of this Regulation shall be conferred on the Commission for an indeterminate period of time from the entry into force of this Regulation.

Or. en

Justification

Article 7 should be considered as essential and therefore the use of delegated acts to modify it should not be admissible. Delegated acts should be limited to issues of a purely technical and/or administrative nature: political topics and essential articles, such as this one, should be reserved to a democratic and transparent co-decision procedure

Amendment 253

Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation
Article 12 – paragraph 3

Text proposed by the Commission

3. The delegation of powers referred to in **Article 7(2) and 11** may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall

Amendment

3. The delegation of powers referred to in **the preceding paragraph** may be revoked at any time by the European Parliament or by the Council. A decision of

put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

revocation shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Or. it

Amendment 254
Nicola Caputo, Elisabeth Köstinger

Proposal for a regulation
Article 12 – paragraph 3

Text proposed by the Commission

3. The delegation of powers referred to in Article 7(2) *and* 11 may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Amendment

3. The delegation of powers referred to in Article 11 may be revoked at any time by the European Parliament or by the Council. A decision of revocation shall put an end to the delegation of the power specified in that decision. It shall take effect the day following the publication of the decision in the Official Journal of the European Union or at a later date specified therein. It shall not affect the validity of any delegated acts already in force.

Or. en

Justification

Article 7 should be considered as essential and therefore the use of delegated acts to modify it should not be admissible. Delegated acts should be limited to issues of a purely technical and/or administrative nature: political topics and essential articles, such as this one, should be reserved to a democratic and transparent co-decision procedure.

Amendment 255
Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation
Article 12 – paragraph 4

Text proposed by the Commission

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.

Amendment

4. Before adopting a delegated act, the Commission shall consult experts designated by each Member State **and the *European Parliament*** in accordance with the principles laid down in the Interinstitutional Agreement on Better Law-Making of 13 April 2016.

Or. it

Amendment 256

Nicola Caputo, Elisabeth Köstinger

Proposal for a regulation

Article 12 – paragraph 6

Text proposed by the Commission

6. A delegated act adopted pursuant to Article 7(2) **and** 11 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

Amendment

6. A delegated act adopted pursuant to Article 11 shall enter into force only if no objection has been expressed either by the European Parliament or the Council within a period of two months of notification of that act to the European Parliament and the Council or if, before the expiry of that period, the European Parliament and the Council have both informed the Commission that they will not object. That period shall be extended by two months at the initiative of the European Parliament or the Council.

Or. en

Justification

Article 7 should be considered as essential and therefore the use of delegated acts to modify it should not be admissible. Delegated acts should be limited to issues of a purely technical and/or administrative nature: political topics and essential articles, such as this one, should be reserved to a democratic and transparent co-decision procedure.

Amendment 257

Miriam Dalli, Seb Dance, Biljana Borzan, Claudiu Ciprian Tănăsescu, Gilles Pargneaux, Susanne Melior, Paul Brannen, Tibor Szanyi, Carlos Zorrinho, Soledad

Cabezón Ruiz, Christel Schaldemose, Jytte Guteland, Jo Leinen, Massimo Paolucci, Elena Gentile, Simona Bonafè

**Proposal for a regulation
Article 13**

Text proposed by the Commission

Amendment

Article 13

deleted

Committee procedure

1. The Commission shall be assisted by the Climate Change Committee established by Regulation (EU) No 525/2013. That Committee shall be a committee within the meaning of Regulation (EU) No 182/2011.

2. Where reference is made to this paragraph, Article 5 of Regulation (EU) No 182/2011 shall apply.

Or. en

Amendment 258

Jo Leinen, Miriam Dalli, Jytte Guteland, Simona Bonafè

**Proposal for a regulation
Article 14 – paragraph 1**

Text proposed by the Commission

Amendment

The Commission shall report to the European Parliament and to the Council by 28 February 2024 and every five years thereafter on the operation of this Regulation, its contribution to the EU's overall 2030 greenhouse gas emission reduction target and its contribution to the goals of the Paris Agreement, and may make proposals if appropriate.

Within six months of the facilitative dialogue under the UNFCCC in 2018, the Commission shall publish a communication assessing the consistency of the Union's climate change legislation with the Paris Agreement goals. In particular, the communication shall examine the role and adequacy of the obligations laid down in this Regulation in meeting the Paris Agreement goals.

Once an EU mid-century, long-term low greenhouse gas emission development strategy is adopted as requested by the Paris Agreement, the Commission shall reassess the adequacy of the obligations laid down in this Regulation in meeting the Union's long-term targets between

2031 and 2050 as well as the Paris Agreement goals and shall make legislative proposals to adjust the contributions of Member States accordingly. The Commission shall report to the European Parliament and to the Council by 28 February 2024 and every five years thereafter on the operation of this Regulation, its contribution to the EU's overall 2030 greenhouse gas emission reduction target, *the Union's long-term targets between 2031 and 2050* and its contribution to the goals of the Paris Agreement, and *shall make legislative proposals to adjust the contributions of Member States accordingly.*

Or. en

Amendment 259
Bas Eickhout

Proposal for a regulation
Article 14 – paragraph 1

Text proposed by the Commission

The Commission shall report to the European Parliament and to the Council by 28 February 2024 and every five years thereafter on the operation of this Regulation, its contribution to the EU's overall 2030 greenhouse gas emission reduction target and its contribution to the goals of the Paris Agreement, and may make proposals if appropriate.

Amendment

Within six months of the facilitative dialogue to be convened under the UNFCCC in 2018 to take stock of the collective efforts of Parties in relation to progress towards the global long-term goal, and within six months of the global stocktake in 2023 and subsequent global stocktakes thereafter, the Commission shall report to the European Parliament and to the Council on the operation of this Regulation. The report shall assess the contribution of this Regulation to the EU's overall 2050 greenhouse gas emission reduction target and the adequacy of its contribution to the goals of the Paris Agreement, and shall be accompanied with proposals to enhance the Union's climate action as appropriate.

Or. en

Amendment 260

Julie Girling

Proposal for a regulation

Article 14 – paragraph 1

Text proposed by the Commission

The Commission shall report to the European Parliament and to the Council by 28 February 2024 **and every five years** thereafter on the operation of this Regulation, its contribution to the EU's overall 2030 greenhouse gas emission reduction target and its contribution to the goals of the Paris Agreement, and may make proposals if appropriate.

Amendment

The Commission shall report to the European Parliament and to the Council by 28 February 2024 **following the first global stocktake of the implementation of the Paris Agreement in 2023 and subsequent global stocktakes** thereafter, on the operation of this Regulation, its contribution to the EU's overall 2030 greenhouse gas emission reduction target and its contribution to the goals of the Paris Agreement, and may make proposals if appropriate. **That report shall include progress made in leveraging and sustaining private finance in support of the long term transition to a low-carbon economy.**

Or. en

Justification

As this Regulation will not enter into force until 2021, it is appropriate to clearly align its review provisions with the Paris Agreement's global 5-year stocktake mechanism which begins in 2023.

Amendment 261

Annie Schreijer-Pierik

Proposal for a regulation

Article 14 – paragraph 1

Text proposed by the Commission

The Commission shall report to the European Parliament and to the Council **by 28 February 2024** and every five years thereafter on the operation of this Regulation, its contribution to the EU's overall 2030 greenhouse gas emission reduction target **and** its contribution to the goals of the Paris Agreement, and **may**

Amendment

The Commission shall report to the European Parliament and to the Council **no later than one year following the global stocktake of the Paris Agreement in 2023** and every five years thereafter on the operation of this Regulation, its contribution to the EU's overall 2030 greenhouse gas emission reduction target,

make proposals if appropriate.

its contribution to the goals of the Paris Agreement, and *its ambition relative to that of the other Parties to the Paris Agreement, and shall* make proposals if appropriate.

Or. en

Amendment 262

Eleonora Evi, Dario Tamburrano, Piernicola Pedicini

Proposal for a regulation

Article 14 – paragraph 1

Text proposed by the Commission

The Commission shall report to the European Parliament and to the Council by 28 February 2024 and every five years thereafter on the operation of this Regulation, its contribution to the EU's overall 2030 greenhouse gas emission reduction target and its contribution to the goals of the Paris Agreement, and may make proposals if appropriate.

Amendment

Within six months after the facilitation dialogue planned for 2018 under the aegis of the UNFCC, the Commission shall report on the contribution made by this Regulation to meeting the EU's overall 2030 greenhouse gas emission reduction target and its contribution to the goals of the Paris Agreement, and may make a legislative proposal if appropriate.

Or. it

Amendment 263

Miriam Dalli, Seb Dance, Biljana Borzan, Claudiu Ciprian Tănăsescu, Gilles Pargneaux, Susanne Melior, Paul Brannen, Tibor Szanyi, Carlos Zorrinho, Soledad Cabezón Ruiz, Christel Schaldemose, Jytte Guteland, Massimo Paolucci, Elena Gentile, Simona Bonafè

Proposal for a regulation

Article 14 – paragraph 1

Text proposed by the Commission

The Commission shall report to the European Parliament and to the Council by 28 February **2024** and every **five** years thereafter on the operation of this Regulation, its contribution to the EU's overall 2030 greenhouse gas emission reduction target and its contribution to the goals of the Paris Agreement, and *may*

Amendment

The Commission shall report to the European Parliament and to the Council by 28 February **2023** and every **three** years thereafter on the operation of this Regulation, its contribution to the EU's overall 2030 greenhouse gas emission reduction target and its contribution to the goals of the Paris Agreement, and *shall*

make proposals if appropriate.

make legislative proposals.

Or. en

Amendment 264

Pilar Ayuso, Giovanni La Via, Elisabetta Gardini, Michel Dantin

Proposal for a regulation

Article 14 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

On the basis of the February 2024 report and any new international developments and/or rules, the Commission shall adopt a proposal to set the Member States' national emission reductions for the period from 2031 to 2040 and, if appropriate, for the period from 2041 to 2050. That proposal shall respect the principles of fairness and cost-effectiveness, take into account Member States' removals that have not been used during the period from 2021 to 2030 and the need to compensate those Member States that comply with their national emission reductions in advance of 2030.

Or. en

Amendment 265

Peter Liese

Proposal for a regulation

Article 14 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

The Commission shall evaluate the ambition level of this Regulation in view of the facilitative dialogue under the Paris Agreement which will take place in 2018, and shall report to the European Parliament and to the Council by 28 February 2019, and shall make proposals if appropriate.

In that report, the Commission shall also take into account the risk of carbon leakage, which means that any increased ambition is not only to affect the ETS but also to affect, at least in the same way, effort sharing.

Or. en

Amendment 266

Simona Bonafè, Elena Gentile, Massimo Paolucci, Damiano Zoffoli, Caterina Chinnici, Renata Briano

Proposal for a regulation

Article 14 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

Within six months of the facilitative dialogue under the UNFCCC in 2018, the Commission shall submit a report to the European Parliament and the Council assessing the consistency of the Union's climate change legislation with the Paris Agreement goals. The report shall assess in particular the adequacy of the obligations laid down in this Regulation.

Or. en

Amendment 267

Christofer Fjellner

Proposal for a regulation

Article 14 – paragraph 1 a (new)

Text proposed by the Commission

Amendment

No later than 2022, the Commission shall present a report assessing the consequences of allocating national reduction targets based on cost-effective emission reductions rather than GDP per capita for the period after 2030.

Or. en

Amendment 268

Jadwiga Wiśniewska, Urszula Krupa, Bolesław G. Piecha, Bogusław Liberadzki, Adam Gierek, Krystyna Łybacka, Janusz Zemke

Proposal for a regulation

Article 15 – paragraph 1 – point 6

Regulation 525/2013/EU

Article 21

Text proposed by the Commission

The Commission may issue opinions on the action plans submitted by Member States according to Article 8(1) of Regulation [ESR] on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030.

Amendment

The Commission may issue opinions on the **corrective** action plans submitted by Member States according to Article 8(1) of Regulation [ESR] on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030, ***within three months from the date of submission of the corrective action plan.***

Or. en

Justification

This amendment sets a deadline for the Commission to publish an option on the corrective action plan (three months, similarly to the deadline for the Member States to prepare such plans).