



**2016/0231(COD)**

7.2.2017

# **AMENDMENTS**

## **16 - 114**

### **Draft opinion**

**Merja Kyllönen**

(PE595.458v01-00)

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))

AM\_Com\_LegOpinion

## **Amendment 16**

**Christine Revault D'Allonnes Bonnefoy, Hugues Bayet, Lucy Anderson, Karoline Graswander-Hainz**

### **Proposal for a regulation**

#### **Title 1**

*Text proposed by the Commission*

Proposal for a  
REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL  
on *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*  
(Text with EEA relevance)

*Amendment*

Proposal for a  
REGULATION OF THE EUROPEAN  
PARLIAMENT AND OF THE COUNCIL  
on  
*the Union's climate objectives* to meet  
commitments under the Paris Agreement  
and amending Regulation No 525/2013  
(Text with EEA relevance)

Or. en

## **Amendment 17**

**Renaud Muselier**

### **Proposal for a regulation**

#### **Recital 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*(1a) The 21st Conference of the Parties  
of the United Nations Framework  
Convention on Climate Change  
(UNFCCC) in December 2015 adopted  
the Paris Agreement. The EU ratified it  
on 5 October 2016. The Paris Agreement  
entered into force on 4 November 2016.*

Or. fr

## Amendment 18

Christine Revault D'Allonnes Bonnefoy, Miltiadis Kyrkos, Lucy Anderson, Hugues Bayet, Gabriele Preuß, Karoline Graswander-Hainz

### Proposal for a regulation

#### Recital 1 a (new)

*Text proposed by the Commission*

*Amendment*

***(1a) In order to meet the Paris Agreement objectives and long term targets the scope of this Regulation should cover greenhouse gas emissions reduction targets after 2030.***

Or. en

#### *Justification*

*The regulation should include long-term trajectory to meet commitments under the Paris Agreement;*

## Amendment 19

Isabella De Monte

### 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

(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 ***with at least 20% in each sector,*** to achieving these emission

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.

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 20**

### **Deirdre Clune**

#### **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) ***Following the approval of the European Parliament on 4 October 2016, the European Council ratified the Paris Agreement on 4 October 2016. The Paris Agreement entered into force on 4 November 2016 and aims at keeping the increase in global average temperatures 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.*** 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 21**

**Tomasz Piotr Poręba, Kosma Złotowski**

**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 Union's commitment to 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 22**

**Christine Revault D'Allonnes Bonnefoy, Hugues Bayet, Lucy Anderson, Miltiadis Kyrkos, Gabriele Preuß, Karoline Graswander-Hainz**

**Proposal for a regulation**

**Recital 4 a (new)**

*Text proposed by the Commission*

*Amendment*

***(4a) In order to comply with Articles 4 and 14 of the Paris Agreement, the Union should make progressively stronger efforts and submit every five years a contribution reflecting its highest possible ambition. Accordingly, this Regulation includes a review clause to establish new targets for scaling up Union's commitments. To ensure that Union target adjustments are in line with the Paris Agreement's global stocktake***

*mechanism, the review should be comprehensive taking into account the best available science.*

Or. en

*Justification*

*The regulation should include a strong review clause to adjust every five years EU's climate objectives to meet commitments under the Paris Agreement. Within this perspective, the review clause should be based on a preparatory and independent report from the European Environmental Agency.*

**Amendment 23**

**Christine Revault D'Allonnes Bonnefoy, Hugues Bayet, Lucy Anderson, Miltiadis Kyrkos, Gabriele Preuß, Karoline Graswander-Hainz**

**Proposal for a regulation**

**Recital 4 b (new)**

*Text proposed by the Commission*

*Amendment*

**(4b) In order to ensure a comprehensive retching up system in line with the Paris Agreement and taking into account the experience of the European Environmental Agency in promoting the incorporation of European environmental information into international monitoring programmes and providing comprehensive assessment of the state of the environment in Europe, the review clause should be based on a preparatory and independent report from the European Environmental Agency.**

Or. en

*Justification*

*The regulation should include a strong review clause to adjust every five years EU's climate objectives to meet commitments under the Paris Agreement. Within this perspective, the review clause should be based on a preparatory and independent report from the European Environmental Agency.*

## Amendment 24

Tomasz Piotr Poręba, Kosma Złotowski

### 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.<sup>16</sup>

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<sup>16</sup> COM(2015)80

*Amendment*

(5) 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 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.

Or. en

## Amendment 25

Miltiadis Kyrkos

### Proposal for a regulation

#### Recital 5 a (new)

*Text proposed by the Commission*

*Amendment*

(5a) ***Broad use of renewable and carbon-free energy sources in the transport sector and a shift towards electric vehicles will drastically contribute to the CO2 emission reduction target, in line with the goals of the Paris Agreement.***

Or. en



## Justification

*The share of private cars in transport emissions is approximately 44%, while the transport sector accounts for nearly a quarter of total greenhouse gas emissions. Energy efficient and low-emission vehicles is one of the key technologies so as to meet the EU CO2 emissions reduction targets in the transport sector.*

### Amendment 26 Isabella De Monte

#### 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 Council<sup>19</sup> 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<sup>19</sup> 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 Decision 2013/634/EU 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.

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<sup>19</sup> 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).

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<sup>19</sup> 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 27**

**Christine Revault D'Allonnes Bonnefoy, Hugues Bayet, Lucy Anderson, Miltiadis Kyrkos, Karoline Graswander-Hainz**

#### **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 Council<sup>19</sup> 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*

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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.

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<sup>19</sup> 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).

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<sup>19</sup> 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 starting point proposed by the Commission does not take into account the expected decrease of emission between 2016 and 2020. Starting the trajectory calculation in 2017 will reflect real emissions levels in 2020.*

## **Amendment 28** **Jens Nilsson**

### **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 Council<sup>19</sup> 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

#### *Amendment*

(9) The approach of annually binding national limits taken in Decision No 406/2009/EC of the European Parliament and of the Council<sup>19</sup> 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.

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.

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<sup>19</sup> 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).

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<sup>19</sup> 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 29**

### **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 assessment<sup>20</sup>.***

***deleted***

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<sup>20</sup> SWD(2016) 247

**Amendment 30**  
**Renaud Muselier**

**Proposal for a regulation**  
**Recital 10 a (new)**

*Text proposed by the Commission*

*Amendment*

*(10a) Certain countries made significant efforts; welcomes, therefore, this flexibility since it reflects the shared willingness of Member States to ensure a fair and ambitious distribution of efforts in meeting the annual greenhouse gas emissions reductions necessary to fulfil the commitments made at COP21 in Paris.*

Or. fr

**Amendment 31**  
**Deirdre Clune**

**Proposal for a regulation**  
**Recital 11**

*Text proposed by the Commission*

*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, CO<sub>2</sub>-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.

(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, CO<sub>2</sub>-reductions from road vehicles, *promoting better* energy performance *including for buildings*, renewables, energy efficiency and *the promotion of* the circular economy, as well as Union funding instruments for climate-related investments.

**Amendment 32**

**Tomasz Piotr Poręba, Kosma Złotowski**

**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, **CO<sub>2</sub>-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, energy performance of building, renewables, energy efficiency and the Circular Economy, as well as Union funding instruments for climate-related investments.

**Amendment 33**

**Merja Kyllönen**

**Proposal for a regulation**

**Recital 11 a (new)**

*Text proposed by the Commission*

*Amendment*

***(11a) Transport sector is not only a major greenhouse gas emitter but also the fastest growing sector in energy consumption since 1990. It accounts for 23 % of total emissions in the Union and 25 % of total primary energy consumption, where 94 % is oil-related. About a quarter of these CO<sub>2</sub> transport emissions come from urban environments. Therefore further efforts should be made by the Commission and Member States to improve the energy***

*efficiency, foster a swift to sustainable transport modes and reduce the high carbon dependency of the sector.*

Or. en

**Amendment 34**  
**Deirdre Clune**

**Proposal for a regulation**  
**Recital 11 a (new)**

*Text proposed by the Commission*

*Amendment*

*(11a) The decarbonisation of the energy mix is an important factor for Member States to achieve the necessary reductions in the relevant sectors, therefore it is important to create the right conditions to stimulate low emission alternative energy for transport, such as biofuels. This could be facilitated by ensuring that industry has a clear and long-term framework to provide certainty and upon which to base investment.*

Or. en

**Amendment 35**  
**Deirdre Clune**

**Proposal for a regulation**  
**Recital 11 b (new)**

*Text proposed by the Commission*

*Amendment*

*(11b) The Union and its Member States should ensure that they pursue mutually reinforcing policies across the relevant sectors in order to make a successful transition towards a competitive, low-carbon economy. The impact of energy and sectoral policies on the Union, national climate commitments and the*

*cost-efficient reduction of domestic greenhouse gas emissions should be assessed with common quantified methods, so that their impacts are transparent and verifiable.*

Or. en

**Amendment 36**  
**Merja Kyllönen**

**Proposal for a regulation**  
**Recital 11 b (new)**

*Text proposed by the Commission*

*Amendment*

*(11b) Waste management contributes with 3,3% <sup>1a</sup> of the total Union emissions. Further efforts are required to be made by the Commission and Member States to ensure the full implementation of the waste hierarchy priorities laid down in Directive 2008/98/EC.*

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<sup>1a</sup> Eurostat, figures of 2014

Or. en

**Amendment 37**  
**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*

*deleted*



*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 [ ].*

Or. en

**Amendment 38**  
**Pavel Telička**

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

*Text proposed by the Commission*

*Amendment*

***(12a) This Regulation, including the available flexibilities, should provide an incentive for emission reductions consistent with other Union climate and energy legislation for sectors that are covered by this Regulation, including in the area of energy efficiency.***

Or. en

**Amendment 39**  
**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.

(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

***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.

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 40**  
**Merja Kyllönen**

**Proposal for a regulation**  
**Recital 14 a (new)**

*Text proposed by the Commission*

*Amendment*

***(14a) 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. This should include the proposal of a mandatory ex ante climate compatibility check which applies to every new Union investment from 1st of January 2020 and the obligation to make the results public in a transparent and accessible way.*

Or. en

**Amendment 41**  
**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 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

*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 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

States' experts, and their experts systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

systematically have access to meetings of Commission expert groups dealing with the preparation of delegated acts.

Or. en

**Amendment 42**  
**Jens Nilsson**

**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 Council<sup>21</sup>.

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<sup>21</sup> 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) In order to ensure uniform conditions for the implementation of Article 4 according to which annual emission limits for Member States will be established, powers should be ***delegated to*** the Commission. Those powers should be exercised in accordance with Regulation (EU) No 182/2011 of the European Parliament and of the Council<sup>21</sup>.

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<sup>21</sup> 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).

Or. en

**Amendment 43**  
**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 44**

**Deirdre Clune**

**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, ***which is both in accordance with the compliance cycle of the LULUCF and the international cycle under the Paris Agreement,*** 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. ***With that in mind, any such review should take into account the potential economic consequences that may arise in the event of a Member State exiting the Union under Article 50 of the Treaty on European Union.***

**Amendment 45**  
**Jens Nilsson**

**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.***

**Amendment 46**  
**Christine Revault D'Allonnes Bonnefoy, Miltiadis Kyrkos, Hugues Bayet, Gabriele Preuß, Lucy Anderson, Karoline Graswander-Hainz**

**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

*Amendment*

This Regulation lays down obligations on the minimum contributions of Member States to meeting the greenhouse gas emission reduction ***to fulfil Union and Member States commitments under the Paris Agreement***, rules on determining annual emission allocations and for the evaluation of Member States' progress

their minimum contributions.

towards meeting their minimum contributions.

Or. en

*Justification*

*Aligning the regulation with the Paris Agreement*

**Amendment 47**

**Marie-Christine Arnautu**

**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 ***indications*** 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. fr

**Amendment 48**

**Christine Revault D'Allonnes Bonnefoy, Hugues Bayet, Lucy Anderson, Miltiadis Kyrkos, Karoline Graswander-Hainz**

**Proposal for a regulation**

**Article 1 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***This Regulation lays down binding annual greenhouse gas emission reduction by Member State to reduce Union greenhouse gas emissions referred to in Article 2 by at least 30% in 2030 compared to 2005.***



***Member States shall continue reducing their greenhouse gas emissions covered by this Regulation beyond 2030, leading to a reduction of Union's emissions of 60% by 2040 compared to 2005 levels and 95% by 2050 compared to 2005 levels.***

Or. en

*Justification*

*The regulation should include long-term trajectory to meet commitments under the Paris Agreement; The Commission in its Low Carbon Economy Roadmap (COM(2011) 112 final) proposed to reduce emission by 60% in 2040 and 80-95% in 2050.*

**Amendment 49**

**Bas Eickhout**

**Proposal for a regulation**

**Article 1 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***This Regulation implements greenhouse gas emissions 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 50**

**Jens Nilsson**

**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 51**  
**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 proposal 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 52**  
**Bas Eickhout**

**Proposal for a regulation**  
**Article 2 – paragraph 3**

*Text proposed by the Commission*

*Amendment*

3. For the purposes of this Regulation, CO<sub>2</sub> emissions from IPCC source category '1.A.3.A civil aviation' shall be treated as zero.

3. For the purposes of this Regulation, CO<sub>2</sub> emissions from IPCC source category '1.A.3.A civil aviation' *falling within the scope of Directive 2003/87/EC* shall be treated as zero.

**Amendment 53**

**Bas Eickhout**

**Proposal for a regulation**

**Article 2 – paragraph 3 a (new)**

*Text proposed by the Commission*

*Amendment*

**3a. This Regulation applies to CO<sub>2</sub> emissions from IPCC source category 'I.A.3.D navigation' which do not fall within the scope of Directive 2003/87/EC.**

Or. en

**Amendment 54**

**Marie-Christine Arnautu**

**Proposal for a regulation**

**Article 4 – paragraph 1**

*Text proposed by the Commission*

*Amendment*

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.

1. Each Member State shall, in 2030, **endeavour to** limit its greenhouse gas emissions at least by **attempting to meet** 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. fr

**Amendment 55**

**Isabella De Monte**

**Proposal for a regulation**

**Article 4 – paragraph 2**

*Text proposed by the Commission*

*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.

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 pursuant to Decision 2013/634/EU, or on the** 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

## **Amendment 56**

### **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

##### *Amendment*

2. Subject to the flexibilities provided for in Articles 5, 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.

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 406/2009/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 57**  
**Pavel Telička**

**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 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. ***Such greenhouse gas emissions limit shall not exceed the limit set for each Member State by 2020 in Decision No 406/2009/EC.***

Or. en

**Amendment 58**  
**Jens Nilsson**

**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 ending in 2030 on the limit set for that Member State in Annex I to this Regulation.

Or. en

**Amendment 59**

**Christine Revault D'Allonnes Bonnefoy, Hugues Bayet, Lucy Anderson, Miltiadis Kyrkos, Karoline Graswander-Hainz**

**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

*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 ending in 2030 on the limit set for that Member State in Annex I

to this Regulation.

to this Regulation.

Or. en

*Justification*

*The starting point proposed by the Commission does not take into account the expected decrease of emission between 2016 and 2020. Starting the trajectory calculation in 2017 will reflect real emissions levels in 2020.*

**Amendment 60**

**Maria Grapini**

**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 **with reference to the value of the annual emissions allocated in 2020** and ending in 2030 on the limit set for that Member State in Annex I to this Regulation.

Or. ro

**Amendment 61**

**Marie-Christine Arnautu**

**Proposal for a regulation**

**Article 4 – paragraph 2**

*Text proposed by the Commission*

2. Subject to the flexibilities provided

*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.

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 ***attempt to prevent*** its greenhouse gas emissions in each year between 2021 and 2029 ***from exceeding*** 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. fr

**Amendment 62**  
**Maria Grapini**

**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 CO<sub>2</sub> 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 CO<sub>2</sub> equivalent as specified in paragraphs 1 and 2.

Or. ro

**Amendment 63**  
**Christine Revault D'Allonnes Bonnefoy, Hugues Bayet, Karoline Graswander-Hainz**

**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 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

*Justification*

*Using ETS emission allowances to meet the commitments under this regulation will undermine emission reduction effort in the non ETS sectors.*

#### Amendment 64 Jens Nilsson

#### 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 65**  
**Bas Eickhout**

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

*Text proposed by the Commission*

*Amendment*

**4a. 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 falling within the scope of 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 from 2031 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 CO<sub>2</sub> equivalent.***

Or. en

**Amendment 66**  
**Jens Nilsson**

**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**

***deleted***

*examination procedure referred to in  
Article 13.*

Or. en

**Amendment 67**  
**Isabella De Monte**

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

*Text proposed by the Commission*

*Amendment*

**5a. One year after the entry into force of this Regulation, the Commission must, by means of a delegated act, lay down the minimum percentage reductions in emissions to be attained in each sector, which must not, however, be less than 20% in any one of them.**

Or. it

**Amendment 68**  
**Massimiliano Salini**

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

*Text proposed by the Commission*

*Amendment*

**5a. One year after the entry into force of this Regulation, the Commission must, by means of a delegated act, lay down the minimum percentage reductions in emissions to be attained in each sector, which must not, however, be less than 20% in any one of them.**

Or. it

**Amendment 69**  
**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

**Amendment 70**  
**Pavel Telička**

**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

*Justification*

*An increased level of borrowing is proposed, in order to address the challenges for Member States to meet their targets in the first years after 2020. This is especially important for Member States that shift from an emissions growth limit in the 2013-2020 Effort Sharing System towards a real emissions reductions target for the period 2021-2030.*

**Amendment 71**  
**Marie-Christine Arnautu**

**Proposal for a regulation**  
**Article 5 – paragraph 2**

*Text proposed by the Commission*

*Amendment*

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.

2. In respect of the years 2021 to 2029, a Member State may borrow a quantity of up to **20%** from its annual emission allocation for the following year.

Or. fr

**Amendment 72**  
**Maria Grapini**

**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. ro

**Amendment 73**  
**Pavel Telička**

**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 until 2030. ***That excess part may be partly or totally used in any subsequent year until 2030 without exceeding 5% of the annual allocation emission.***

Or. en

**Amendment 74**  
**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

**Amendment 75**  
**Christine Revault D'Allonnes Bonnefoy, Hugues Bayet, Karoline Graswander-Hainz**

**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 that excess part of its annual emission allocation to subsequent years until 2030.

Or. en

*Justification*

*Using ETS emission allowances to meet the commitments under this regulation will undermine emission reduction effort in the non ETS sectors.*

**Amendment 76**  
**Christine Revault D'Allonnes Bonnefoy, Hugues Bayet, Lucy Anderson**

**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 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. ***Such transfer shall be included in the European Register pursuant to Article 11.***

Or. en

*Justification*

*Strengthening the transparency of emission allocation transfers*

**Amendment 77**  
**Maria Grapini**

**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. ro

**Amendment 78**  
**Marie-Christine Arnautu**

**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 **20%** 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. fr

**Amendment 79**

**Christine Revault D'Allonnes Bonnefoy, Hugues Bayet, Lucy Anderson**

**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 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. ***Such transfer shall be included in the European Register pursuant to Article 11.***

Or. en

*Justification*

*Strengthening the transparency of emission allocation transfers between Member States*

**Amendment 80**

**Peter van Dalen**

**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 and Article 6, to other Member States. A receiving Member State may use this quantity for compliance under Article 9 for that year or *the following year*.

Or. nl

**Amendment 81**  
**Bas Eickhout**

**Proposal for a regulation**  
**Article 5 – paragraph 6**

*Text proposed by the Commission*

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.*

*Amendment*

*deleted*

Or. en

**Amendment 82**

**Christine Revault D'Allonnes Bonnefoy, Hugues Bayet, Lucy Anderson, Karoline Graswander-Hainz**

**Proposal for a regulation**  
**Article 5 – paragraph 6**

*Text proposed by the Commission*

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*

*Amendment*

6. *By 31 December 2019, the Commission shall adopt a delegated act in accordance with the procedure referred to in Article 12 to establish a European*

*any quantitative limit and while avoiding double-counting.*

*Project Mechanism for issuing credits from projects generating long-term and economy-wide reduction of greenhouse gas emissions falling within the scope of this Regulation.*

Or. en

*Justification*

*The Commission should set up a European project based mechanism under this regulation to create more incentive and involve the private sector in projects generating long-term and economy-wide reduction of greenhouse gas emissions.*

**Amendment 83**  
**Pavel Telička**

**Proposal for a regulation**  
**Article 5 – paragraph 6**

*Text proposed by the Commission*

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.

*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. ***Member States shall encourage private sector participation in such projects.***

Or. en

*Justification*

*Also the private sector should be eligible to participate in emission reduction projects, in order to increase the investment leverage. Article 24a of the ETS Directive ensures that the final responsibility for the project and for avoiding double-counting remains with the Member State hosting the project.*

**Amendment 84**  
**Christine Revault D'Allonnes Bonnefoy, Hugues Bayet, Lucy Anderson, Miltiadis Kyrkos, Karoline Graswander-Hainz**

**Proposal for a regulation**

## Article 5 – paragraph 6 a (new)

*Text proposed by the Commission*

*Amendment*

**6a. 3. The revenues generated from this project based mechanism, or the equivalent in financial value of these revenues, shall be used to reduce greenhouse gas emissions, to adapt to the impacts of climate change, to develop renewable energies, to encourage a shift to low-emission and public forms of transport and/or to finance research and development in energy efficiency and clean technologies in the sectors covered by this Regulation.**

Or. en

## Amendment 85

Christine Revault D'Allonnes Bonnefoy, Hugues Bayet

## 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*

*Using ETS emission allowances to meet the commitments under this regulation will undermine emission reduction effort in the non ETS sectors.*

**Amendment 86**  
**Bas Eickhout**

**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

**Amendment 87  
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

## **Amendment 88** **Henna Virkkunen**

### **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 cropland and managed grassland, *managed forest land and harvested wood products*

Or. en

**Amendment 89**  
**Henna Virkkunen**

**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**, managed **forest land and harvested wood products** 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:

*(This amendment applies throughout the text)*

Or. en

**Amendment 90**  
**Merja Kyllönen**

**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,

*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 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:

provided that:

Or. en

## **Amendment 91**

**Merja Kyllönen**

### **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***

Or. en

## **Amendment 92**

**Christine Revault D'Allonnes Bonnefoy, Hugues Bayet**

### **Proposal for a regulation**

#### **Article 7 a (new)**

*Text proposed by the Commission*

*Amendment*

#### ***Article 7a***

##### ***Auctioning mechanism***

***1. From 2022 onwards, Member States shall make available 2% of their annual emission allocation for auctioning, through a central Union auctioning platform. By 31 December 2019 the Commission shall determine and publish the estimated amount of allowances to be***



*auctioned.*

*2. Member States shall determine the use of revenues generated from the auctioning of allowances. The revenues generated from the auctioning of allowances referred to in paragraph 1 or the equivalent in financial value of these revenues, should be used for one or more of the following:*

*(a) to reduce greenhouse gas emissions, to adapt to the impacts of climate change;*

*(b) to develop renewable energies ;*

*(f) to encourage a shift to low-emission and public forms of transport;*

*(g) to finance research and development in energy efficiency and clean technologies in the sectors covered by this Regulation;*

*(i) to cover administrative expenses of the management of the Community scheme.*

*4. By 30 June 2018, the Commission shall review Regulation (EU) No 1031/2010 on timing, administration and other aspects of auctioning to ensure that auctioning under this Regulation is conducted in an open, transparent, harmonised and non-discriminatory manner through a central Union auctioning platform. To that end, the review shall be predictable, in particular as regards the timing and sequencing of auctions and the estimated volumes of allowances to be made available.*

*Auctions shall be designed to ensure that:*

*(a) Member States have full, fair and equitable access;*

*(b) all participants have access to the same information at the same time and that participants do not undermine the operation of the auction;*

*(c) the organisation and participation in auctions is cost-efficient and undue administrative costs are avoided;*

- (d) access to allowances is granted for small emitters;*
- (e) a minimum clearance price under which the auction shall be cancelled; and*
- (d) the unsold allowances shall be made available for the next auction, but that after 2030, all unsold allowances shall be deleted.*

Or. en

### *Justification*

*Establishing an auctioning mechanism will introduce the polluter-pays concept since the Member States will not receive all their annual emission allocation for free. Such mechanism will set up a price on carbon. Such mechanism will generate revenues that could be earmarked for sustainable projects. Such mechanism already exist under the ETS directive. To set up an auctioning mechanism under this Regulation, without creating undue administrative costs, the Commission could adapt and review regulation 1031/2010 on timing, administration and other aspects of auctioning.*

## **Amendment 93**

**Marie-Christine Arnautu**

### **Proposal for a regulation**

#### **Article 8 – paragraph 1 – introductory part**

##### *Text proposed by the Commission*

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:***

##### *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.

Or. fr

## **Amendment 94**

**Marie-Christine Arnautu**

### **Proposal for a regulation**

#### **Article 8 – paragraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

**a) actions that the Member State shall implement in order to meet its specific obligations under Article 4, through domestic policies and measures and the implementation of Union action;**

**deleted**

Or. fr

## **Amendment 95**

**Maria Grapini**

### **Proposal for a regulation**

#### **Article 8 – paragraph 1 – point a**

*Text proposed by the Commission*

*Amendment*

(a) actions that the Member State shall implement in order to meet its specific obligations under Article 4, through domestic policies and measures and the implementation of Union action;

(a) actions that the Member State shall implement in order to meet its specific obligations under Article 4, through domestic policies and measures and the implementation of Union action, ***without producing negative effects on the lives of citizens;***

Or. ro

## **Amendment 96**

**Marie-Christine Arnautu**

### **Proposal for a regulation**

#### **Article 8 – paragraph 1 – point b**

*Text proposed by the Commission*

*Amendment*

**b) a timetable for implementing such actions, which enables the assessment of annual progress in implementation.**

**deleted**

Or. fr

## **Amendment 97**

**Marie-Christine Arnautu**

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

*Text proposed by the Commission*

*Amendment*

**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:**

**deleted**

**a) an addition to the Member State's emission figure of the following year equal to the amount in tonnes of CO<sub>2</sub> equivalent of the excess greenhouse gas emissions, multiplied by a factor of 1.08, in accordance with the measures adopted pursuant to Article 11; et**

**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.**

Or. fr

**Amendment 98**

**Christine Revault D'Allonnes Bonnefoy, Hugues Bayet, Lucy Anderson, Karoline Graswander-Hainz**

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

*Text proposed by the Commission*

*Amendment*

**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,**

**1. From 2020, the Commission shall evaluate once every two years whether the progress made by Member States is sufficient for them to fulfil their**

pursuant to paragraph 2 of this Article and the flexibilities used pursuant to Articles 5 to 7, the following measures shall apply:

***obligations under this Regulation.*** 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

*Justification*

*More stringent compliance check*

**Amendment 99**

**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 100**

**Marie-Christine Arnautu**

**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***

*Amendment*

***deleted***

*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 CO<sub>2</sub> equivalent of those excess greenhouse gas emissions for the relevant years.*

Or. fr

**Amendment 101**  
**Bas Eickhout**

**Proposal for a regulation**  
**Article 10 – title**

*Text proposed by the Commission*

Adjustments

*Amendment*

Adjustments *and funds for energy saving and renewables*

Or. en

**Amendment 102**  
**Marie-Christine Arnautu**

**Proposal for a regulation**  
**Article 10 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

*1a. The annual allocations for each Member State shall be reviewed in the event of a breach of greenhouse gas emissions commitments by one of the 10 non-EU countries which have signed the Paris Agreement which are responsible for the largest volumes of emissions.*

Or. fr

**Amendment 103**  
**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 in accordance with Article 12 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 AEAs in accordance with Article 5.*

Or. en

**Amendment 104**

**Christine Revault D'Allonnes Bonnefoy, Hugues Bayet, Lucy Anderson**

**Proposal for a regulation**  
**Article 11 – title**

*Text proposed by the Commission*

**Registry**

*Amendment*

**European Register**

Or. en

**Amendment 105**

**Christine Revault D'Allonnes Bonnefoy, Hugues Bayet, Lucy Anderson**

**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, 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. ***The European Register system shall be transparent and include every relevant information regarding the transfer of allowances between Member States.*** This information shall be accessible to the public ***through a dedicated website hosted by the Commission.***

Or. en

*Justification*

*Strengthening the Transparency of the transfer of allowances between Member States*

**Amendment 106**  
**Merja Kyllönen**

**Proposal for a regulation**  
**Article 11 a (new)**

*Text proposed by the Commission*

*Amendment*

***Article 11a***

***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 of 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. This 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 107**

**Christine Revault D'Allonnes Bonnefoy, Gabriele Preuß, Hugues Bayet, Lucy Anderson, Karoline Graswander-Hainz**

#### **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*

***In accordance with Articles 3, 4 and 14 of the Paris Agreement*** the Commission shall ***submit new emission limits as set in Annex I*** to the European Parliament and to the Council by 28 February 2024 and every five years thereafter ***and shall report*** on the operation of this Regulation, its contribution to the EU's overall 2030 greenhouse gas emission reduction target and its contribution to the ***long-term objectives established in Article 1 of this Regulation.***

***The review shall be based on a preparatory and independent report from the European Environmental Agency establishing recommendations on new targets reflecting the Union's highest***

*possible ambition.*

*Where the Commission intends not to endorse the recommendations of the preparatory report or to endorse it in part or with amendments, it shall justify why it does not endorse it, or, as the case may be, explaining the reasons for its amendments.*

Or. en

### *Justification*

*The regulation should include a strong review clause to adjust every five years EU's climate objectives to meet commitments under the Paris Agreement. Within this perspective, the review clause should be based on a preparatory and independent report from the European Environmental Agency.*

### **Amendment 108** **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 109**  
**Rolandas Paksas**

**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 and every five years thereafter on the operation of this Regulation, its contribution to the EU's overall 2030, **2040 and 2050** greenhouse gas emission reduction target and its contribution to the goals of the Paris Agreement, and may make proposals **and include the specific possibility of increasing the Union's and national climate targets as well as the option for Member States to cancel allowances**.

Or. en

**Amendment 110**  
**Tomasz Piotr Poręba, Kosma Złotowski**

**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 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 whether the reductions occurred in a cost-effective manner, without imposing excessive burdens on the economy**.

**Amendment 111**  
**Deirdre Clune**

**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, ***which is in accordance with the global stock-take of the Paris Agreement*** 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.

Or. en

**Amendment 112**  
**Jens Nilsson**

**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 **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 **these reports shall be accompanied**, if appropriate, **by legislative proposals**.

Or. en

**Amendment 113**  
**Deirdre Clune**

**Proposal for a regulation**  
**Article 14 – paragraph 1 a (new)**

*Text proposed by the Commission*

*Amendment*

***In the event that a Member State withdraws from the Union under Article 50 of the Treaty on European Union and with a view to the stated intention of taking into account evolving national circumstances, the Commission shall take into consideration any changed economic circumstances and its impact on a Member States obligations under this Regulation in any report to the European Council and the European Parliament, as well as in any review of this Regulation;***

Or. en

**Amendment 114**  
**Christine Revault D'Allonnes Bonnefoy, Hugues Bayet**

**Proposal for a regulation**  
**Article 15 – paragraph 1 – point 6 a (new)**

*Text proposed by the Commission*

*Amendment*

***6a. 7. In Article 24 the following paragraph 4 is added:***

***The European Environment Agency shall submit to the Commission a report on the state of, trends in and prospects for the environment every five years, by 30 June 2023 and every five years thereafter. The report shall include target adjustment on the emission limits set in Annex I of Regulation [ESR]. The report shall include recommendations on the Union's long term objectives beyond 2030.***

*Justification*

*Linked to Amendment 20*