



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 04.09.1996
COM(96) 369 final

96/0192 (SYN)

Proposal for a
COUNCIL DECISION
amending Decision 93/389/EEC for a monitoring mechanism of Community CO₂
and other greenhouse gas emissions

(presented by the Commission)

EXPLANATORY MEMORANDUM

1. On 24 June 1993 the Council of Environment Ministers adopted Decision 93/389/EEC establishing a monitoring mechanism for the Community anthropogenic CO₂ and other greenhouse gas emissions not controlled by the Montreal Protocol, as part of the overall strategy to limit CO₂ emissions and improve energy efficiency.
2. The monitoring mechanism serves the double purpose of, on the one hand, the monitoring of progress towards the stabilization of CO₂ emissions at 1990 levels by the year 2000 in the Community as a whole, and, on the other hand, the fulfilment of the Community's joint commitments in the Framework Convention on Climate Change (FCCC) to which it and all the Member States are Parties and which entered into force on 21 March 1994.
3. Current Commission assessments based on scenarios of the present energy situation and the expected economic growth for the rest of the decade indicate that Community CO₂ emissions are likely to increase by some 5% over 1990 levels by 2000. Moreover, the results of a recent review of the existing Community and national measures undertaken under the Decision to date, demonstrate the uncertainty involved in reaching the stabilization commitment by 2000 which, in any case, represents but a first step in the struggle to reduce global warming.
4. The processes under both the Convention on Climate Change and the monitoring mechanism recognize the immediate need for coherent global strategies, specific targets and careful monitoring to limit not only the CO₂ emissions but also the "other greenhouse gas" emissions. If no effort is exerted to limit these other greenhouse gas emissions, their rise will continue unchecked thus negating the positive efforts made in reducing CO₂ emissions.
5. At their meeting on 15 and 16 December 1994, the Council, drawing on analysis of required policies and measures, stressed the need to review the commitments contained in Article 4(2)(a) and b) of the FCCC and affirmed that for the period after the year 2000 it is necessary to work in a protocol on further steps to limit and reduce CO₂ and other greenhouse gas emissions, such as CH₄, N₂O, PFCs and HFCs, under the terms of the said Convention. The Council also called on all Member States to consider what measures or objectives they could envisaged setting for themselves with a view to the years 2005 and 2010.
6. At their meeting on 9 March 1995, the Council, drawing upon its conclusions of 15/16 December 1994, and in view of the First Session of the Conference of the Parties to the UN Framework Convention on Climate Change, reiterated its view that commitments to reduce greenhouse gas emissions to their 1990 level by the year 2000 are insufficient to achieve the ultimate objective laid down on Article 2 of the said Convention.

Consequently, the Council concluded that negotiations on a Protocol covering reductions of all greenhouse gas emissions, their sources and sinks and all relevant sectors should focus on a combined approach including both policies and measures as well as targets and timetables such as 2005 and 2010.

7. The first Conference of the Parties to the Framework Convention on Climate Change, held in Berlin on 28 March - 7 April 1995, recognized the need to strengthen the commitments of the Parties included in Annex I to the Convention (that is the "developed" countries) and decided to start a process to enable it to take appropriate action in terms of policies and measures as well as quantified limitations and reduction objectives within specified time-frames, such as 2005, 2010 and 2020.
8. Further, in its conclusions of 22/23 June 1995, on the Community Climate Change strategy, the Council reaffirms the determination of the European Community to meet its commitments under the Convention and, on considering a post-2000 perspective, invites the Commission to draw up a proposal to amend the Council Decision of 24 June 1993 so that emissions can be assessed after the year 2000.
9. In this context and given that the Decision is the principal means for assessing progress in the implementation of climate change policies and measures at Community level, the Commission is proposing the necessary amendments to the text of the Decision to allow for the updating of the process and in particular the post-2000 monitoring of greenhouse gas emissions limitations and reductions.
10. In addition, the Commission is proposing that the provisions of the monitoring mechanism established under the Decision are equally applied to anthropogenic emissions by sources and removals by sinks of all greenhouse gasses not controlled by the Montreal Protocol.

To this end, the Commission is proposing that, at a minimum, national programmes include annual inventories, policies and measures as well as trajectories and assessment of effects of measures of the three main greenhouse gas emissions, carbon dioxide (CO₂), methane (CH₄) and nitrous oxide (N₂O); and that relevant information is progressively provided in line with the reporting requirements under the framework Convention on Climate Change for the other greenhouse gases (Ozon precursors: carbon monoxide (CO), nitrogen oxides (NO_x) and volatile organic compounds (VOCs) as well as the other greenhouse gases, including, *inter alia*, perfluorocarbons (PFCs), hydrofluorocarbons (HFCs) and sulphur hexafluoride (SF₆)).

11. In more detail, the Commission is proposing the following changes to the text of the Decision:
 - All references to "CO₂ emissions" change to "all anthropogenic greenhouse gas emissions not controlled by the Montreal Protocol" except in the first tirt of Article 2(1) which refers to the CO₂ stabilization target. Also, Article 7 on other greenhouse gases is deleted, as the above point 7.2 is incorporated into Article 2(2) of the modified Decision.

- Article 2(1), second tiret, after the reference to the Framework Convention on Climate Change reads "and any protocol to that Convention".
- In Article 2(2) the text for the reporting of the national policies and measures as well as of the trajectories for national greenhouse gas emissions (third and fourth tiret), changes to incorporate the detailed reporting requirements which Member States have already agreed to under the Convention. This includes, among others, reporting on the type of policy instrument used by measure, the interactions between measures, the status of implementation of measures, estimates of the effects of measures and incorporation of these in greenhouse gas emissions projections, as well as "milestones" of progress for policies and measures.
- A new provision is inserted in Article 2(2)(b), that is the last intent, requiring Member States to supply their best estimates for emissions projections for other than the CO₂, CH₄ and N₂O greenhouse gases at regular intervals in the future and as being agreed upon by the monitoring committee provided for in Article 8 of the Decision, including quantitative information on the key assumptions and the methodology used for the provision of the estimates.
- Taking into consideration that the Monitoring Committee under the Decision has recognized that the 31 July deadline for reporting inventories in Article 3(2) is impossible to meet for all Member States, the text has been modified to read ... "as soon as possible and not later than 30 September ..."
- Article 5 on the first evaluation of national programmes has been deleted along with the reference to it in Article 6.

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THE COUNCIL OF THE EUROPEAN UNION,

Having regard to the Treaty establishing the European Community, and in particular Article 130s(1) thereof,

Having regard to the proposal of the Commission⁽¹⁾,

Acting in accordance with the procedure referred to in Article 189c of the Treaty in cooperation with the European Parliament⁽²⁾,

Having regard to the opinion of the Economic and Social Committee⁽³⁾,

Whereas all Member States and the Community are signatories to the United Nations Framework Convention on Climate Change which has been approved by Council Decision 94/69/EC⁽⁴⁾ and which, from its entry into force on 21 March 1994, commits all Parties to develop, periodically update, publish and report to the Conference of the Parties national inventories of anthropogenic emissions by sources and removals by sinks of all greenhouse gases not controlled by the Montreal Protocol, using comparable methodologies agreed upon by the Conference of the Parties;

Whereas that same Convention commits all Parties to formulate, implement, publish and regularly update national, and where appropriate, regional programmes containing measures to mitigate climate change by addressing anthropogenic emissions by sources and removals by sinks of all greenhouse gases not controlled by the Montreal Protocol;

Whereas, at its meeting on 9 March 1995, the Council, drawing upon its conclusions of 15/16 December 1994 and in view of the First Conference of the Parties to the UN Framework Convention on Climate Change (Berlin, 28 March - 7 April 1995), reiterated its view that commitments to reduce emissions of greenhouse gases to their 1990 level by the year 2000 are insufficient to achieve the ultimate objective laid down in Article 2 of the said Convention; and that negotiations on a Protocol covering reductions of all greenhouse gas emissions, their sources and enhancement of sinks and all relevant sectors should focus on a combined approach including both policies and measures as well as targets and timetables such as 2005 and 2010;

(1) OJ No

(2) OJ No

(3) OJ No

(4) OJ No L 33, 7.2.1994, p. 11.

Whereas, the First Conference of the Parties to the Framework Convention on Climate Change recognized the need to strengthen the commitments of the Parties set out in Annex I to the Convention, and decided to start a process that will enable it to take appropriate action in terms of policies and measures as well as quantified limitations and reductions of greenhouse gas emissions within specified time-frames, such as 2005, 2010 and 2020;

Whereas, the same Conference of the Parties decided that Annex I Parties to the said Convention submit to the secretariat national inventory data on emissions by sources and removals by sinks on an annual basis and that the Guidelines for National Greenhouse Gas Inventories and Technical Guidelines for Assessing Climate Change Impacts and Adaptations adopted by the Intergovernmental Panel on Climate Change should be used in preparing their reports pursuant to the Convention;

Whereas the provisions of the monitoring mechanism established under Council Decision 93/389/EEC⁽⁵⁾ need equally apply to anthropogenic emissions by sources and removals by sinks of all greenhouse gasses not controlled by the Montreal Protocol and that such monitoring will allow for the updating of the process in particular the post-2000 monitoring of greenhouse gas emissions limitations and reductions;

Whereas it has recognized that the 31 July deadline for reporting inventories provided for by Decision 93/389/EEC is impossible to meet for all Member States;

Whereas, at its meeting of 22/23 June 1995 the Council reaffirmed the determination of the Community to meet its commitments under the Convention and confirmed its conclusions of 29 October 1990 and 9 May 1995;

Whereas Decision 93/389/EEC should be amended accordingly so that greenhouse gas emissions can be monitored after the year 2000,

HAS ADOPTED THIS DECISION:

Article 1

Decision 93/389/EEC is amended as follows:

1. Article 1 is replaced by the following:

"Article 1

A monitoring mechanism is hereby established for all anthropogenic greenhouse gas emissions not controlled by the Montreal Protocol in the Member States."

⁽⁵⁾ OJ No L 167, 9.7.1993, p. 31.

2. Article 2 is amended as follows:

(a) paragraph 1 is amended as follows:

(i) the introductory text is replaced by the following:

"1. Member States shall devise, publish and implement national programmes for limiting their anthropogenic emissions by sources and enhancing removals by sinks of all greenhouse gases not controlled by the Montreal Protocol in order to contribute to:"

(ii) the second indent is replaced by the following:

"- the fulfilment of the commitment relating to the limitation of all greenhouse gas emissions not controlled by the Montreal Protocol in the UN Framework Convention on Climate Change by the Community and its Member States, within their respective competence, and any Protocol to that Convention."

(b) paragraph 2 is replaced by the following:

"2. Each Member State shall, at the latest from the first updating, include in its national programme:

(a) at a minimum of the three main greenhouse gases, carbon dioxide (CO₂), methane (CH₄) and nitrous oxide (N₂O):

- its 1990 base year anthropogenic emissions determined in accordance with Article 3(1),
- inventories of its anthropogenic emissions by sources and removal by sinks, determined in accordance with Article 3(1),
- details of national policies and measures implemented or committed to since the base year which contribute significantly to its efforts to reduce emissions and enhance sinks of greenhouse gases, organized by gas and by sector and including the objective of the measure, the type of policy instrument used by measure, the status of implementation of the policy or measure as well as intermediate indicators of progress for policies and measures,
- measures being taken or envisaged for the implementation of relevant Community legislation and policies,

- estimates of the effects of policies and measures on emissions and removals and incorporation of these in greenhouse gas emissions' projections between the base year and 2000; and after this date, between the base year and regular intervals as being agreed upon in accordance with the procedure set out in Article 8, including information for a quantitative understanding of the key assumptions used to develop the said projections and the methodology used for the provision of the estimates,
 - an assessment of the economic impact of the above measures;
- (b) information on the ozone precursors, i.e. carbon monoxide (CO), nitrogen oxides (NOx) and volatile organic compounds (VOCs), as well as on other greenhouse gas emissions, including, *inter alia*, perfluorocarbons (PFCs), hydrofluorocarbons (HFCs) and sulphur hexafluoride (SF₆) in line with the reporting requirements under the UN Framework Convention on Climate Change, including
- data on emissions,
 - a description of policies and measures being taken or envisaged for the limitation of the emissions of these gases,
 - best estimates for emissions projections at regular intervals in the future and as being agreed upon in accordance with the procedure set out in Article 8, including information for a quantitative understanding of the key assumptions and the methodology used for the provision of the estimates."

3. Article 3 is amended as follows:

(a) the first subparagraph of paragraph 1 is replaced by the following:

"1. Member States shall determine their anthropogenic emissions by sources and removals by sinks of all greenhouse gases not controlled by the Montreal Protocol, as specified in Article 2(2) in accordance with the best available methodology to be decided in accordance with the procedure set out in Article 8. Such a methodology shall be either that being developed by the Intergovernmental Panel on Climate Change or compatible with it."

(b) paragraph 2 is amended as follows:

(i) The date of 31 July is replaced by the date of 30 September.

(ii) The following sentence is added:

Member States shall also report national inventory data on emissions by sources and removals by sinks of the other greenhouse gases referred to in Article 2(2) on an annual basis.

4. Article 5 is deleted.
5. Article 6 is replaced by the following:

"Article 6

The Commission shall assess annually in consultation with Member States whether progress in the Community as a whole is sufficient to ensure that the Community is on course to fulfil the commitments referred to in Article 2(1) and report to the European Parliament and the Council, on the basis of information received under Articles 2 and 3, including where appropriate the updated national programmes."

6. Article 7 is deleted.

Article 2

This Decision is addressed to the Member States.

Done at Brussels,

**For the Council
The President**

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DOCUMENTS

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