

**AD HOC WORKING GROUP ON FURTHER COMMITMENTS FOR ANNEX I  
PARTIES UNDER THE KYOTO PROTOCOL (AWG-KP)**

First part of the ninth session  
Bangkok, 28 September to 9 October 2009

**Non-paper No. 2**

8/10/2009 @ 21:30

**CONTACT GROUP ON THE SCALE OF EMISSION REDUCTIONS TO  
BE ACHIEVED BY ANNEX I PARTIES IN AGGREGATE AS WELL AS  
ON THE CONTRUBUTION OF ANNEX I PARTIES TO THIS SCALE**

**Non-paper by the Co-Chairs of the Contact Group**

**Proposed amendments to the Kyoto Protocol  
pursuant to its Article 3, paragraph 9**

This non-paper is a compilation of proposals by Parties for amendments to Annex B to the Kyoto Protocol and for consequential amendments to related Articles. It has been prepared by the Co-Chairs of the contact group on the scale of emission reductions to be achieved by Annex I Parties in aggregate as well as on the contribution of Annex I Parties to this scale to capture possible revisions to document FCCC/KP/AWG/2009/10/Add.1/Rev.1, drawing upon discussions among Parties during the first part of the ninth session of the Ad Hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol and submissions received during that period.

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ARTICLE 1: AMENDMENT

A. Annex B

*Option 1*

The following table shall replace the table in Annex B to the Protocol:

**Annex B**

<b>Party</b>	<b>Quantified emission limitation or reduction commitment (2008–2012) (percentage of base year or period)</b>	<b>Quantified emission limitation or reduction commitment ([2013–2017] [2013–2020]) (percentage of base year or period)</b>
Australia	108	
Austria	92	
Belarus <sup>a*</sup>	92	
Belgium	92	
Bulgaria <sup>*</sup>	92	
Canada	94	
Croatia <sup>*</sup>	95	
Czech Republic <sup>*</sup>	92	
Denmark	92	
Estonia <sup>*</sup>	92	
European Community	92	
Finland	92	
France	92	
Germany	92	
Greece	92	
Hungary <sup>*</sup>	94	
Iceland	110	
Ireland	92	
Italy	92	
Japan	94	
Latvia <sup>*</sup>	92	
Liechtenstein	92	
Lithuania <sup>*</sup>	92	
Luxembourg	92	
Monaco	92	
Netherlands	92	
New Zealand	100	
Norway	101	
Poland <sup>*</sup>	94	
Portugal	92	
Romania <sup>*</sup>	92	
Russian Federation <sup>*</sup>	100	

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**Table** (continued)

<b>Party</b>	<b>Quantified emission limitation or reduction commitment (2008–2012) (percentage of base year or period)</b>	<b>Quantified emission limitation or reduction commitment ([2013–2017] [2013–2020]) (percentage of base year or period)</b>
Slovakia <sup>a</sup>	92	
Slovenia <sup>a</sup>	92	
Spain	92	
Sweden	92	
Switzerland	92	
Ukraine <sup>a</sup>	100	
United Kingdom of Great Britain and Northern Ireland	92	
United States of America <sup>b</sup>	93	

<sup>a</sup> Added to Annex B by an amendment adopted pursuant to decision 10/CMP.2. This amendment has not yet entered into force.

<sup>b</sup> Countries that have not yet ratified the Kyoto Protocol.

\* Countries that are undergoing the process of transition to a market economy.

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**Option 2**

The following table shall replace the table in Annex B to the Protocol:

**Annex B**

<b>Party</b>	<b>Quantified emission limitation or reduction commitment (2008–2012) (percentage of base year or period)</b>	<b>Quantified emission reduction commitment (2013–2017<sup>a</sup>) (percentage of base year or period)</b>	<b>Quantified emission reduction commitment (2018–2022<sup>a</sup>) (percentage of base year or period)</b>
Australia	108		
Austria	92		
Belarus <sup>c*</sup>	92		
Belgium	92		
Bulgaria <sup>*</sup>	92		
Canada	94		
Croatia <sup>*</sup>	95		
Czech Republic <sup>*</sup>	92		
Denmark	92		
Estonia <sup>*</sup>	92		
European Community	92		
Finland	92		
France	92		
Germany	92		
Greece	92		
Hungary <sup>*</sup>	94		
Iceland	110		
Ireland	92		
Italy	92		
Japan	94		
Latvia <sup>*</sup>	92		
Liechtenstein	92		
Lithuania <sup>*</sup>	92		
Luxembourg	92		
Monaco	92		
Netherlands	92		
New Zealand	100		
Norway	101		
Poland <sup>*</sup>	94		
Portugal	92		
Romania <sup>*</sup>	92		
Russian Federation <sup>*</sup>	100		
Slovakia <sup>*</sup>	92		
Slovenia <sup>*</sup>	92		
Spain	92		

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**Table** (continued)

<b>Party</b>	<b>Quantified emission limitation or reduction commitment (2008–2012) (percentage of base year or period)</b>	<b>Quantified emission reduction commitment (2013–2017<sup>a</sup>) (percentage of base year or period)</b>	<b>Quantified emission reduction commitment (2018–2022<sup>a</sup>) (percentage of base year or period)</b>
Sweden	92		
Switzerland	92		
Ukraine <sup>*</sup>	100		
United Kingdom of Great Britain and Northern Ireland	92		
United States of America <sup>d</sup>	93		

<sup>a</sup> Parties have submitted proposals for contributions of Annex I Parties, individually or jointly, to the scale of emission reductions to be achieved by Annex I Parties in aggregate in relation to the option for a five-year commitment period (i.e. 2013–2017 and 2018–2022) as well as information relating to possible quantified emission limitation and reduction objectives. These submissions, which are found in documents FCCC/KP/AWG/2009/MISC.7 and FCCC/KP/AWG/2009/MISC.8, are reproduced in document FCCC/KP/AWG/2009/10/Add.4/Rev.1.

<sup>b</sup> Added to Annex B by an amendment adopted pursuant to decision 10/CMP.2. This amendment has not yet entered into force.

<sup>c</sup> Countries that have not yet ratified the Kyoto Protocol.

<sup>\*</sup> Countries that are undergoing the process of transition to a market economy.

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**Option 3**

The following table shall replace the table in Annex B to the Protocol:

**Annex B**

<b>Party</b>	<b>Quantified emission limitation or reduction commitment (2008–2012) (percentage of base year or period)</b>	<b>Quantified domestic emission reduction commitment (2013–2017) (percentage of base year or period) {i.e. minimum reductions required domestically}</b>	<b>Quantified emission reduction commitment (2013–2017) (percentage of base year or period) {i.e. total reductions required, based on historical responsibility and needs of developing countries}</b>
Australia	108		
Austria	92		
[...other Annex I Parties]			
United States of America	93		
Total		[51]	[XX]

The Plurinational State of Bolivia provided the following explanatory note:

**Explanatory note**

Article 3, paragraph 1, establishes the total emission reductions required of Annex I Parties (and the associated “assigned amount” of emissions). This amount is calculated to include the full extent of the historical responsibility of developed countries and the rights/needs of developing countries to a fair share of remaining atmospheric space to achieve their right to development. This amount is calculated on the basis of a methodology reflecting historical responsibility and the needs of developing countries, and is referred to as the total “assigned amount”.

Article 3, paragraph 1bis, establishes the minimum emission reductions that Annex I Parties are to achieve domestically (and the associated maximum “assigned domestic amount” of emissions). This amount is calculated to reflect the deep physical emission reductions that are necessary and possible in developed countries, to liberate physical atmospheric space required by developing countries. This amount is calculated on the basis of a methodology reflecting the actual emission reductions technically possible in developed countries, and is referred to as the “assigned domestic amount”.

The difference between these total and domestic amounts (i.e. between what developed countries must do and what they actually can/will do) provides the basis for dedicated and assured funding for adaptation and mitigation in developing countries, which can be provided via enhanced finance and technology mechanism(s) under the Conference of Parties.

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***Option 4***

The following table shall replace the table in Annex B to the Protocol:

**Annex B**

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Party	Quantified emission limitation or reduction commitment (2013–V <sup>a</sup> )					
	Quantified emission limitation or reduction commitment (2008–2012) (percentage of base year or period)	Assigned amount ([Gg CO <sub>2</sub> eq] [percentage of base year or period])	Percentage of 1990	Percentage of 2000	Percentage of 2005	Percentage of 2007
Australia	108					
Austria	92					
Belarus <sup>b*</sup>	92					
Belgium	92					
Bulgaria <sup>*</sup>	92					
Canada	94					
Croatia <sup>*</sup>	95					
Czech Republic <sup>*</sup>	92					
Denmark	92					
Estonia <sup>*</sup>	92					
European Community	92					
Finland	92					
France	92					
Germany	92					
Greece	92					
Hungary <sup>*</sup>	94					
Iceland	110					
Ireland	92					
Italy	92					
Japan	94					
Latvia <sup>*</sup>	92					
Liechtenstein	92					
Lithuania <sup>*</sup>	92					
Luxembourg	92					
Monaco	92					
Netherlands	92					
New Zealand	100					
Norway	101					
Poland <sup>*</sup>	94					
Portugal	92					
Romania <sup>*</sup>	92					
Russian Federation <sup>*</sup>	100					
Slovakia <sup>*</sup>	92					
Slovenia <sup>*</sup>	92					
Spain	92					
Sweden	92					

**Table (continued)**



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Party	Quantified emission limitation or reduction commitment (2013–V <sup>a</sup> )					
	Quantified emission limitation or reduction commitment (2008–2012) (percentage of base year or period)	Assigned amount ([Gg CO <sub>2</sub> eq] [percentage of base year or period])	Percentage of 1990	Percentage of 2000	Percentage of 2005	Percentage of 2007
Switzerland	92					
Ukraine <sup>*</sup>	100					
United Kingdom of Great Britain and Northern Ireland	92					
United States of America <sup>c</sup>	93					

<sup>a</sup> Added to Annex B by an amendment adopted pursuant to decision 10/CMP.2. This amendment has not yet entered into force.

<sup>b</sup> Countries that have not yet ratified the Kyoto Protocol.

<sup>\*</sup> Countries that are undergoing the process of transition to a market economy.

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**Option 5**

The following annex shall be inserted immediately after Annex B to the Protocol:<sup>1</sup>

**Annex BI**

<b>Party included in Annex I</b>	<b>Quantified emission limitation or reduction commitment for the second commitment period (2013–2017) (percentage of 1990 base year)</b>	<b>Party not included in Annex I</b>	<b>Base year</b>	<b>Quantified emission limitation or reduction commitment for the second commitment period (2013–2017) (percentage of base year)</b>
Australia				
Austria				
Belarus				
Belgium				
Bulgaria				
Canada				
Croatia				
Czech Republic				
Denmark				
Estonia				
European Community				
Finland				
France				
Germany				
Greece				
Hungary				
Iceland				
Italy				
Japan				
Latvia				
Liechtenstein				
Lithuania				
Luxembourg				
Monaco				
Netherlands				

<sup>1</sup> Tuvalu suggests that an Annex BI could be added to include commitments not only for Annex I Parties for the second commitment period but also for non-Annex I Parties that have elected to take up commitments in the second commitment period. In this instance, commitments for the second commitment period would be reflected in Annex BI. The adoption of an Annex BI would result in consequential amendments, some of which are not reflected in this non-paper since they do not flow directly from an amendment to Annex B. The full range of consequential amendments proposed by Tuvalu arising from its Annex BI option is contained in document FCCC/KP/AWG/2009/MISC.14.

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**Table** (continued)

<b>Party included in Annex I</b>	<b>Quantified emission limitation or reduction commitment for the second commitment period (2013–2017) (percentage of 1990 base year)</b>	<b>Party not included in Annex I</b>	<b>Base year</b>	<b>Quantified emission limitation or reduction commitment for the second commitment period (2013–2017) (percentage of base year)</b>
New Zealand				
Norway				
Poland				
Portugal				
Romania				
Russian Federation				
Slovakia				
Slovenia				
Spain				
Sweden				
Switzerland				
Ukraine				
United Kingdom of Great Britain and Northern Ireland				
United States of America				

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**Option 6**

The following annex shall be inserted immediately after Annex B to the Protocol:<sup>2</sup>

**Annex C**

<b>Party</b>	<b>Base year or period (per cent)</b>	<b>Reference year 2007 (per cent)</b>	<b>Budget (Gg CO<sub>2</sub> eq)</b>	<b>Other quantified mitigation commitments</b>
Party A				
Party B				
...				

**B. Article 1, paragraph 8**<sup>3</sup>

The following paragraph shall be inserted after paragraph 7 of Article 1 of the Protocol:

8. “Party not included in Annex I” means a Party to the Convention which is not a Party included in Annex I to the Convention, as may be amended.

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<sup>2</sup> New Zealand suggests the addition of a new table to be included as Annex C as a further option for presenting Parties’ commitments in the second commitment period. Annex C would be additional to Annex B, which would continue to exist for ongoing reference and use for end of commitment period accounting and compliance procedures. This new annex would contain not only new quantified emission limitation or reduction commitments, which would be expressed as a percentage of base year emissions and in terms of gigagrams of carbon dioxide equivalent, but also “other quantified mitigation commitments”. The adoption of an Annex C would result in consequential amendments that are not reflected in this non-paper since they arise from the proposal to add a new annex and do not flow directly from an amendment to Annex B. The consequential amendments proposed by New Zealand arising from its Annex C option are contained in document FCCC/KP/AWG/2009/MISC.7. New Zealand has also indicated that the new table could be part of Annex B as amended.

<sup>3</sup> Relates to option 5 in section A above concerning a proposed Annex BI.

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**C. Article 3, paragraph 1<sup>4</sup>**

Paragraph 1 of Article 3 of the Protocol shall be deleted and replaced by the following paragraph:

1. The Parties included in Annex I shall, individually or jointly, ensure that their aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A do not exceed their total assigned amounts, calculated pursuant to their quantified emission reduction commitments inscribed in Annex B and determined by applying the principle of historical responsibility/debt and addressing the needs of developing countries<sup>5</sup> in accordance with the provisions of this Article, with a view to ensuring a fair allocation of the global atmospheric space to all Parties.

**D. Article 3, paragraph 1 bis**

***Option 1***

The following paragraph shall be inserted after paragraph 1 of Article 3 of the Protocol:

1 bis. The Parties included in Annex I shall, individually or jointly, ensure that their aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A do not exceed their assigned amounts, calculated pursuant to their quantified emission limitation and reduction commitments inscribed [in the third column of the table contained] in Annex B and in accordance with the provisions of this Article, with a view to reducing their overall emissions of such gases by

X per cent below [1990][W] levels by [2020][V][ and by S per cent below 1990  
levels by 2050]

[and][or]

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<sup>4</sup> This section would only apply if option 3 in section A above is selected.

<sup>5</sup> Bolivia states that in determining the commitments in this Article, the following criteria are taken into account in order to ensure consistency with the ultimate objective of the Convention and the principles of equity and common

but differentiated responsibilities and respective capabilities:

- (a) Responsibility of Annex I Parties, individually and jointly, for current atmospheric concentrations of greenhouse gases;
- (b) The historical and current per-capita emissions originating in developed countries;
- (c) Technological, financial and institutional capacities; and
- (d) The share of global emissions required by developing countries in order to meet their social and economic development needs, to eradicate poverty and to achieve the right to development.

Fulfillment by Annex I Parties of the commitments in paragraph 1 of this Article constitutes a contribution to the repayment of emissions debts reflecting excessive consumption of shared atmospheric space and the needs of developing countries.

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[at least X per cent below 1990 levels in the second commitment period [2013 to 2017][2013 to 2020]] [and at least Q per cent below 1990 levels in the third commitment period 2018 to 2022]<sup>6</sup>

[, [with the provision of][and in accordance with] the annual compliance assessment set out in Article [7][R]].

***Option 2***

The following paragraph shall be inserted after paragraph 1 of Article 3 of the Protocol:

1 bis. The Parties included in Annex I shall, individually or jointly, ensure that their aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A do not exceed their assigned amounts, calculated pursuant to their quantified emission limitation and reduction commitments inscribed in Annex B and in accordance with the provisions of this Article, with a view to reducing their overall emissions of such gases by an amount greater than X per cent below 1990 levels in the commitment period 2013 to 2017 that has been determined on the basis of the following criteria in order to ensure consistency with the ultimate objective of the Convention and the principles of equity and common but differentiated responsibilities:

- (a) Historical responsibility of Annex I Parties, individually and jointly, for current atmospheric concentrations of greenhouse gases;
- (b) The historical and current per capita emissions in developed countries;
- (c) Technological, financial and institutional capacities;
- (d) The share of global emissions required by developing countries in order to meet their social and development needs.

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<sup>6</sup> Parties have made proposals with regard to the scale of emission reductions to be achieved by Annex I Parties in aggregate. These proposals are contained in document FCCC/KP/AWG/2009/10/Add.4/Rev.1.

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***Option 3***

*(would apply only if option 3 in section A above is chosen)*

The following paragraph shall be inserted after paragraph 1 of Article 3 of the Protocol:

1 bis. In fulfillment of their obligations under Article 3, paragraph 1, the Parties included in Annex I shall, individually or jointly, ensure that their aggregate anthropogenic carbon dioxide equivalent emissions from domestic sources of the greenhouse gases listed in Annex A do not exceed their assigned domestic amounts, calculated pursuant to their quantified domestic emission reduction commitments inscribed in Annex B and in accordance with the provisions of this Article, with a view to reducing their overall domestic emissions of such gases by more than [49] per cent below 1990 levels in the commitment period 2013 to 2017.<sup>7</sup>

***Option 4***

*(would apply only if option 4 in section A above is selected)*

The following paragraph shall be inserted after paragraph 1 of Article 3 of the Protocol:

1 bis. The Parties included in Annex I shall, individually or jointly, ensure that their aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A do not exceed, in the commitment period 2013 to V, their respective assigned amounts inscribed in Annex B which are established in a manner ensuring comparability of efforts of each Party included in Annex I, taking into account national and sectoral aspects, in order to take the lead in combating climate change, with a view to contributing to the global efforts towards the peaking-out of the global emissions of greenhouse gases in the next 10 to 20 years, and to ensuring a long-term pathway for each Party included in Annex I towards significant emission reduction.

***Option 5***

*(would apply only if option 5 in section A above is selected)*

The following paragraph shall be inserted after paragraph 1 of Article 3 of the Protocol:

1 bis. The Parties included in Annex I, and Parties not included in Annex I, if they so elect, shall, individually or jointly, ensure that their aggregate anthropogenic carbon dioxide equivalent emissions of greenhouse gases listed in Annex A and Annex AI do not exceed their assigned amounts, calculated pursuant to the quantified emission limitation and reduction commitments inscribed in Annex BI<sup>8</sup> and in accordance with the

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<sup>7</sup> According to Bolivia, a Party included in Annex I may, with the agreement of other Parties, meet the difference between its total and domestic assigned amounts under Article 3, paragraph 1, through the financial mechanism operating under the authority and guidance of the Conference of Parties, in the context of their obligation to provide the agreed full incremental costs under the Convention.

<sup>8</sup> See option 5 in section A above.

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provisions of this Article, with a view to reducing overall emissions of such gases by at least X per cent below 1990 levels in the commitment period 2013–2017.

**E. Article 3, paragraph 1 ter**

The following paragraph shall be inserted after paragraph 1 bis of Article 3 of the Protocol:

1 ter. Paragraph 1 bis above shall only apply on the ninetieth day after the date (being a date after the entry into force of the [Agreement]<sup>9</sup>) on which:

- (a) not less than [X] Parties to the Convention have deposited their instruments of acceptance relating to the amendments establishing the commitment period 2013 to 20XX under this Protocol in accordance with Article 20, paragraph 4 or 5, of this Protocol, or deposited their instrument of ratification, acceptance, approval or accession to the [Agreement]; and
- (b) those Parties in subparagraph (a) incorporate Parties to the Convention that:
  - (i) accounted collectively for at least [X] per cent of the total [cumulative] anthropogenic carbon dioxide equivalent emissions of the greenhouse gases for [year] of the Parties to the Convention; and
  - (ii) have each inscribed quantifiable mitigation commitments or actions in either Annex B of this Protocol or Annex A of the [Agreement].

**F. Article 3, paragraph 1 quater**

The following paragraph shall be inserted after paragraph 1 ter of Article 3 of the Protocol:

1 quater. For the purposes of paragraph 1 ter above, “the total anthropogenic carbon dioxide equivalent emissions of the greenhouse gases for [year] of the Parties to the Convention” means the amount communicated for the year [X] or nearest year reported in their national communications submitted in accordance with Article 12 of the Convention.

**G. Article 3, paragraph 1 quinquies**

The following paragraph shall be inserted after paragraph 1 quater of Article 3 of the Protocol:

1 quinquies. For the purposes of this Article, any instrument deposited by a regional economic integration organization shall not be counted as additional to those deposited by States members of the organization.

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<sup>9</sup> Australia contemplates the adoption of a new agreement under the Convention.



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**H. Article 3, paragraph 7 bis**

***Option 1***

The following paragraph shall be inserted after paragraph 7 of Article 3 of the Protocol:

7 bis. In the second quantified emission limitation and reduction commitment period, from [2013 to 2017][2013 to 2020], the assigned amount for each Party included in Annex I shall be equal to the percentage inscribed for it in the third column of the table contained in Annex B<sup>10</sup> of its aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A in 1990, or the base year or period determined in accordance with paragraph 5 above, multiplied by [five][eight]. Those Parties included in Annex I for whom land-use change and forestry constituted a net source of greenhouse gas emissions in 1990 shall include in their 1990 emissions base year or period the aggregate anthropogenic carbon dioxide equivalent emissions by sources minus removals by sinks in 1990 from land-use change for the purposes of calculating their assigned amount.

***Option 1 bis***

The following paragraph shall be inserted after paragraph 7 of Article 3 of the Protocol:

7 bis. In the second quantified emission limitation and reduction commitment period, from [2013 to 2017][2013 to 2020], the assigned amount for each Party included in Annex I shall be equal to the percentage inscribed for it in the third column of the table contained in Annex B of its aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A in 1990, or the base year or period determined in accordance with paragraph 5 above, multiplied by [five][eight]. Those Parties included in Annex I for whom land-use change and forestry constituted a net source of greenhouse gas emissions in 1990 and who were not Parties to this Protocol in its first commitment period shall include in their 1990 emissions base year or period the aggregate anthropogenic carbon dioxide equivalent emissions by sources minus removals by sinks in 1990 from land-use change for the purposes of calculating their assigned amount.

***Option 2***

The following paragraph shall be inserted after paragraph 7 of Article 3 of the Protocol:

7 bis. By 2020, T and U, respectively, the assigned amount for each Party included in Annex I shall be equal to the percentage inscribed for it in the third column of the table contained in Annex B of its aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A in W, or the base year or period

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<sup>10</sup> The reference to the third column of the table contained in Annex B can apply only if option 1 or 2 in section A above is selected.

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determined in accordance with paragraph 5 above, which is P.<sup>11</sup> Those Parties included in Annex I for whom land-use change and forestry constituted a net source of greenhouse gas emissions in 1990 shall include in their 1990 emissions base year or period the aggregate anthropogenic carbon dioxide equivalent emissions by sources minus removals by sinks in 1990 from land-use change for the purposes of calculating their assigned amount.

***Option 3***<sup>12</sup>

*(would apply only if option 5 in section A above is selected)*

The following paragraph shall be inserted after paragraph 7 of Article 3 of the Protocol:

7 bis. In the second commitment period, from 2013 to V, each Party included in Annex I shall elect to use either the number of gigagrams of carbon dioxide equivalent or the percentage of its aggregate anthropogenic carbon dioxide equivalent emissions relative to the base year or period as listed in Annex C<sup>13</sup> for the purpose of calculating its assigned amount in the commitment period. Where no election is made, the percentage of base year or period shall be used to determine the assigned amount. The decision of a Party shall be fixed for the duration of the commitment period as follows:

- (a) For each Party included in Annex I which elects to use the number of gigagrams of carbon dioxide equivalent emissions inscribed in Annex C to express its binding emission limitation or reduction commitment under this Protocol, that number shall constitute its assigned amount;
- (b) For each Party included in Annex I which elects to use the percentage of its carbon dioxide equivalent emissions in the base year or period inscribed in Annex C to express its binding emission limitation or reduction commitment under this Protocol, its assigned amount shall be equal to that percentage of its aggregate anthropogenic carbon dioxide equivalent emissions for the greenhouse gases listed in Annex A in 1990, or the base year or period determined in accordance with paragraph 5 above, multiplied by the number of years in the commitment period.

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<sup>11</sup> According to Canada, a linear reduction for the target date would imply a different result, which would need to be reflected accordingly in the text.

<sup>12</sup> According to New Zealand, should Parties not agree that Annex I Parties can express their quantified emission reduction or limitation commitment as a number of gigagrams of carbon dioxide equivalent, the second sentence of Article 3, paragraph 7, may need to be retained in Article 3, paragraph 7 bis. This may also be required for calculating the reference percentage ranges for Parties that elect to use the gigagrams option for calculating their assigned amount.

<sup>13</sup> See option 6 in section A above.

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**I. Article 3, paragraph 7 ter**

*(would apply only if option 1 in section A (fourth column) above is selected)*

The following paragraph shall be inserted after paragraph 7 bis of Article 3 of the Protocol:

7 ter. In the third quantified emission reduction commitment period, from 2018 to 2022, the assigned amount for each Party included in Annex I shall be equal to the percentage inscribed for it in Annex B of its aggregate quantified anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A in 1990, or the base year or period determined in accordance with paragraph 5 above, multiplied by five.

**J. Article 3, paragraph 7 quater**

*(would apply only if option 1 for Article 3, paragraph 1 bis, is selected)*

The following paragraph shall be inserted after paragraph 7 ter of Article 3 of the Protocol:

7 quater. For the subsequent commitment periods up to 2050, the assigned amount for each Party included in Annex I shall be equal to the percentage to be inscribed in Annex B of its aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A in 1990, or the base year or period determined in accordance with paragraph 5 above, multiplied by the length of said commitment period, taking into account the need to ensure that Parties included in Annex B meet their aggregate emission reduction commitments as specified in paragraph 1 bis above.

**K. Article 3, paragraph[s] 9 [and 9 bis]<sup>14</sup>**

***Option 1***

The following paragraph shall be inserted after paragraph 9 of Article 3 of the Protocol:

9 bis. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall initiate the consideration of further commitments for any further subsequent commitment periods at least five years before the end of the commitment period that immediately precedes the commitment period under consideration.

***Option 2***

Paragraph 9 of Article 3 of the Protocol shall be deleted and replaced by the following paragraph:

9. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall initiate the consideration of commitments for any further commitment period at least [five][Z] years before the end of the commitment period that immediately precedes the commitment period under consideration.

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<sup>14</sup> Square brackets and their contents will be removed as appropriate, depending on the option that is chosen.

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***Option 3***

Paragraph 9 of Article 3 of the Protocol shall be deleted and replaced by the following paragraphs:

9. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall undertake reviews of this Protocol, including the consideration of commitments of the Parties for subsequent periods, in the light of the best available scientific information and assessments on climate change and its impacts, as well as relevant technical, social and economic information, bearing in mind the changes in circumstances of the Parties. The first review shall take place at least five years before the end of the commitment period referred to in Article 3, paragraph 1 bis, above and further reviews shall take place at regular intervals and in a timely manner. Based on these reviews, the Conference of the Parties serving as the meeting of the Parties to this Protocol shall take appropriate action, which may include the adoption of amendments to Annexes B and C.<sup>15</sup>

9 bis. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall, at its first session or as soon as practicable thereafter, identify elements, including the economic development stages, response capabilities and shares of greenhouse gas emissions in the world, to be considered as criteria for changes in circumstances of the Parties.

***Option 4***

The following paragraph shall be inserted after paragraph 9 of Article 3 of the Protocol:

9 bis. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall initiate the consideration of the adequacy of commitments and actions under Articles [...] and commitments for the third and subsequent commitment periods at least Z years before the end of the second and subsequent commitment periods.

***Option 5***

The following paragraph shall be inserted after paragraph 9 of Article 3 of the Protocol:

9 bis. Commitments for subsequent periods for Parties included in Annex I shall be established in amendments to Annex [...] to this Protocol, which shall be adopted in accordance with the provisions of Article 21, paragraph 7. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall initiate the consideration of

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<sup>15</sup> Annex B refers to quantified emission limitation or reduction commitments of Parties included in Annex I and Annex C refers to nationally appropriate mitigation actions to be taken by Parties other than Parties included in Annex I. This proposal is based on Article 17 of the proposal from Japan for an amendment to the Kyoto Protocol contained in document FCCC/KP/CMP/2009/11.

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such commitments at the mid-term review as established in Article 3, paragraph 15, below.

**L. Article 3, paragraph 15**<sup>16</sup>

The following paragraph shall be inserted after paragraph 14 of Article 3 of the Protocol:

15. Commitments set out in Article 3, paragraph 1, shall be subject to a mid-term review on the basis of best available scientific information and compliance of commitments from Parties included in Annex [...]. This review shall occur at the middle of each commitment period.<sup>17</sup>

**M. Article 4, paragraph [2][3]**<sup>18</sup>

***Option 1***

The following words shall be added to the end of the first sentence of paragraph 2 of Article 4 of the Protocol:

, or on the date of deposit of their instruments of acceptance of any amendments to Annex B pursuant to Article 3, paragraph 9 [bis]

***Option 2***

In paragraph 3 of Article 4 of the Protocol, for the words:

the commitment period specified in Article 3, paragraph 7

there shall be substituted:

any commitment period established by the Conference of the Parties serving as the meeting of the Parties to this Protocol

**N. Article 6, paragraph 1 bis**<sup>19</sup>

The following paragraph shall be inserted after paragraph 1 of Article 6 of the Protocol:

1 bis. For the purpose of meeting its commitments under Article 3, any Party not included in Annex I which has elected to make a commitment inscribed in Annex BI may transfer to, or acquire from, any other such Party or any Party included in Annex I, emission reduction units resulting from projects aimed at reducing anthropogenic

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<sup>16</sup> Relates only to option 5 in section K above.

<sup>17</sup> The middle of a five-year commitment period would be 2015 and the middle of an eight-year commitment period would be 2016.

<sup>18</sup> Square brackets and their contents will be removed as appropriate, depending on the option that is chosen.

<sup>19</sup> Relates to option 5 in section A above concerning a proposed Annex BI.

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emissions by sources or enhancing anthropogenic removals by sinks of greenhouse gases in any sector of the economy, provided that:

- (a) Any such project has the approval of the Parties involved;
- (b) Any such project provides a reduction in emissions by sources, or an enhancement of removals by sinks, that is additional to any that would otherwise occur;
- (c) It does not acquire any emission reduction units if it is not in compliance with its obligations under Articles 5 and 7; and
- (d) The acquisition of emission reduction units shall be supplemental to domestic actions for the purposes of meeting commitments under Article 3.

**O. Article 6, paragraph 1 ter**<sup>20</sup>

The following paragraph shall be inserted after paragraph 1 bis of Article 6 of the Protocol:

1 ter. When a Party not included in Annex I has elected to make a commitment inscribed in Annex BI, the modalities and procedures for any registered clean development mechanism project activity under Article 12 that is hosted by that Party shall continue, *mutatis mutandis*, as those specified by the Conference of the Parties serving as the meeting of the Parties to this Protocol until the end of their current crediting period, and a quantity of assigned amount units equal to the certified emission reductions issued from this time onwards shall be cancelled.

**P. Article 12, paragraph 3 (c)**<sup>20</sup>

The following paragraph shall be inserted after paragraph 3 (b) of Article 12 of the Protocol:

- (c) Parties not included in Annex I, which have elected to make a commitment inscribed in Annex BI may use the certified emission reductions accruing from such project activities to contribute to compliance with part of their quantified emission limitation and reduction commitments under Article 3, as determined by the Conference of the Parties serving as the meeting of the Parties to this Protocol.

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<sup>20</sup> Relates to option 5 in section A above concerning a proposed Annex BI.

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**ARTICLE 2: ENTRY INTO FORCE**

***Option 1***

This Amendment shall enter into force in accordance with Article 20, paragraphs 4 and 5, of the Protocol.

***Option 2***

1. The provisions of this Amendment shall apply to all Parties immediately upon the conclusion of the first commitment period under Article 3, paragraph 1, of the Protocol, and shall continue to apply on a provisional basis until the entry into force of the Amendment for each Party.

2. This Amendment shall enter into force in accordance with Article 20, paragraphs 4 and 5, of the Protocol.

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