



NOTE VERBALE

The General Secretariat of the Council of the European Union presents its compliments to the UNFCCC (United Nations Framework Convention on Climate Change) Secretariat and has the honour to inform it of the deposit of the European Union's Instrument of Acceptance of the Doha Amendment to the Kyoto Protocol to the United Nations Framework Convention on Climate Change and the joint fulfilment of commitments thereunder, in accordance with Articles 20(4) and 21(7) of the Kyoto Protocol, with the UN Treaties Office in New York on today's date.

The General Secretariat of the Council of the European Union further has the honour to notify the UNFCCC Secretariat, in accordance with Article 4(2) of the Kyoto Protocol, of the terms of the agreement to fulfil jointly the commitments of the European Union, its Member States and Iceland under Article 3 of the Kyoto Protocol, attached herewith.

The General Secretariat of the Council of the European Union avails itself of this opportunity to renew to the UNFCCC Secretariat the expression of its highest consideration.

Brussels, 21 December 2017



NOTIFICATION OF THE TERMS OF THE AGREEMENT
TO FULFIL JOINTLY THE COMMITMENTS
OF THE EUROPEAN UNION, ITS MEMBER STATES AND ICELAND
UNDER ARTICLE 3 OF THE KYOTO PROTOCOL
FOR THE SECOND COMMITMENT PERIOD OF THE KYOTO PROTOCOL,
AS ADOPTED BY THE CONFERENCE OF THE PARTIES
TO THE UNITED NATIONS FRAMEWORK CONVENTION
ON CLIMATE CHANGE SERVING AS THE MEETING OF THE PARTIES
TO THE KYOTO PROTOCOL IN DOHA, BY DECISION 1/CMP.8,
IN ACCORDANCE WITH ARTICLE 4 OF THE KYOTO PROTOCOL

1. Members of the agreement

The European Union, its Member States and the Republic of Iceland, each being Parties to the Kyoto Protocol, are the members of this agreement ("the members"). The following are at present Member States of the European Union:

the Kingdom of Belgium, the Republic of Bulgaria, the Czech Republic, the Kingdom of Denmark, the Federal Republic of Germany, the Republic of Estonia, Ireland, the Hellenic Republic, the Kingdom of Spain, the French Republic, the Republic of Croatia, the Italian Republic, the Republic of Cyprus, the Republic of Latvia, the Republic of Lithuania, the Grand Duchy of Luxembourg, Hungary, the Republic of Malta, the Kingdom of the Netherlands, the Republic of Austria, the Republic of Poland, the Portuguese Republic, Romania, the Republic of Slovenia, the Slovak Republic, the Republic of Finland, the Kingdom of Sweden, and the United Kingdom of Great Britain and Northern Ireland.

Iceland is a member of this agreement pursuant to the Agreement between the European Union and its Member States and Iceland concerning Iceland's participation in the joint fulfilment of the commitments of the European Union, its Member States and Iceland for the second commitment period of the Kyoto Protocol to the United Nations Framework Convention on Climate Change.

2. Joint fulfilment of the commitments under Article 3 of the Kyoto Protocol for the second commitment period of the Kyoto Protocol

In accordance with Article 4(1) of the Kyoto Protocol, the members will fulfil their commitments under Article 3 thereof as follows:

- the members will ensure that, in accordance with Article 4(5) and (6) of the Kyoto Protocol, in the Member States and Iceland the combined sum of the aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A to the Kyoto Protocol does not exceed their joint assigned amount;
- the application of Article 3(1) of the Kyoto Protocol to greenhouse gas emissions from aviation and shipping for the Member States and Iceland is based on the Convention's approach of only including emissions from domestic flights and domestic shipping in Parties' targets. The European Union approach under the second commitment of the Kyoto Protocol will remain the same as that of the first commitment period, given the lack of progress since Decision 2/CP.3 in attributing those emissions to Parties' targets. This is without prejudice to the stringency of the European Union's commitments under the climate and energy package, which remain unchanged. It is also without prejudice to the need to take measures concerning emissions of such gases from aviation and marine bunker fuels;

- each member may increase its ambition level by transferring assigned amount units, emission reduction units or certified emission reduction units to a cancellation account established in its national registry. The members will jointly submit the information required by paragraph 9 of Decision 1/CMP.8, and will jointly make any proposals for the purpose of Article 3(1ter) and (1quater) of the Kyoto Protocol;
- the members will continue to apply Article 3(3) and (4) of the Kyoto Protocol and decisions agreed thereunder individually;
- the combined base year emissions of the members will equal the sum of emissions in the respective base years applicable to each Member State and Iceland;
- if land use, land-use change and forestry constituted a net source of greenhouse gas emissions in 1990 for any Member State or Iceland, the relevant member shall, pursuant to Article 3(7bis) of the Kyoto Protocol, include in its emissions base year or period the aggregate anthropogenic carbon dioxide equivalent emissions by sources minus removals by sinks in the base year or period from land use, land-use change and forestry for the purpose of calculating the joint assigned amount of the members determined in accordance with Article 3 (7bis), (8) and (8bis) of the Kyoto Protocol;
- the calculation pursuant to Article 3(7ter) of the Kyoto Protocol shall apply to the joint assigned amount of the second commitment period for the members determined in accordance with Article 3 (7bis), (8) and (8bis) of the Kyoto Protocol and the sum of the average annual emissions of the members for the first three years of the first commitment period multiplied by eight;

- in accordance with Decision 1/CMP.8, units in a member's Previous Period Surplus Reserve account may be used for retirement during the additional period for fulfilling commitments of the second commitment period, up to the extent by which that member's emissions during the second commitment period exceed its respective assigned amount for that commitment period, as defined in this notification.

3. Respective emission levels allocated to the members to the agreement

The quantified emission limitation and reduction commitments for the members listed in the third column of Annex B to the Kyoto Protocol are 80 %. The joint assigned amount of the members for the second commitment period will be determined pursuant to Article 3(7 bis), (8) and (8 bis) of the Kyoto Protocol, and its calculation will be facilitated by the report submitted by the European Union pursuant to paragraph 2 of Decision 2/CMP.8.

The respective emission levels of the members are as follows:

- The emission level for the European Union is the difference between the joint assigned amount of the members, and the sum of the emission levels of the Member States and Iceland. Its calculation will be facilitated by the report submitted pursuant to paragraph 2 of Decision 2/CMP.8.
- The respective emission levels of the Member States and Iceland in accordance with Article 4(1) and (5) of the Kyoto Protocol are the sum of their respective amounts listed in Table 1 below and any results of the application of the second sentence of Article 3(7bis) of the Kyoto Protocol for that Member State or Iceland.

The assigned amounts of the members shall be equal to their respective emission levels.

The assigned amount of the European Union will be counted against the emissions of greenhouse gases from sources under the European Union Emissions Trading Scheme, in which its Member States and Iceland participate, to the extent that those emissions are covered under the Kyoto Protocol. The respective assigned amounts of the Member States and Iceland cover the greenhouse gas emissions by sources and removals by sinks in each Member State or Iceland from sources and sinks not covered by Directive 2009/29/EC of the European Parliament and of the Council amending Directive 2003/87/EC so as to improve and extend the greenhouse gas emission allowance trading scheme of the Community. This includes all emissions by sources and removals by sinks covered by Article 3(3) and (4) of the Kyoto Protocol as well as all emissions of nitrogen trifluoride (NF₃) under the Kyoto Protocol.

Members of this agreement shall report separately on the emissions by sources and removals by sinks covered by their respective assigned amounts.

Table 1:
Emission levels of the Member States and Iceland (before application of Article 3(7bis))
in terms of tonnes of carbon dioxide equivalent for the second commitment period
of the Kyoto Protocol

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|----------------|---------------|
| Belgium | 584 228 513 |
| Bulgaria | 222 945 983 |
| Czech Republic | 520 515 203 |
| Denmark | 269 321 526 |
| Germany | 3 592 699 888 |
| Estonia | 51 056 976 |
| Ireland | 343 467 221 |
| Greece | 480 791 166 |
| Spain | 1 766 877 232 |
| France | 3 014 714 832 |
| Croatia | 162 271 086 |
| Italy | 2 410 291 421 |
| Cyprus | 47 450 128 |
| Latvia | 76 633 439 |
| Lithuania | 113 600 821 |
| Luxembourg | 70 736 832 |
| Hungary | 434 486 280 |
| Malta | 9 299 769 |
| Netherlands | 919 963 374 |
| Austria | 405 712 317 |
| Poland | 1 583 938 824 |
| Portugal | 402 210 711 |
| Romania | 656 059 490 |
| Slovenia | 99 425 782 |
| Slovakia | 202 268 939 |
| Finland | 240 544 599 |
| Sweden | 315 554 578 |
| United Kingdom | 2 743 362 625 |
| Iceland | 15 327 217 |