



Note Verbale

VN-Nr. 176/2017

Instrument of acceptance of ratification of the Kyoto Protocol on climate change

The Embassy of Ireland presents its compliments to the Secretariat of the United Nations Framework Convention on Climate Change and has the honour to refer to Article 4(2) of the Kyoto Protocol to the United Nations Framework Convention on Climate Change (the “Kyoto Protocol”) and the Doha Amendment, establishing a second commitment period of the Kyoto Protocol, starting on 1 January 2013 and ending on 31 December 2020 (the “Doha Amendment”).

The Embassy of Ireland has the honour to notify the Secretariat of Ireland’s deposit of its Instrument of Acceptance of the Doha Amendment, on this 21st day of December 2017, in New York.

The Embassy of Ireland further has the honour to notify the 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 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, as set out in the Annex hereto.

The Embassy of Ireland avails itself of this opportunity to renew to the Secretariat of the United Nations Framework Convention on Climate Change the assurances of its highest consideration.

The Embassy of Ireland
Berlin



21st December 2017

UNFCCC Secretariat
Office of the Executive Secretary
P.O. Box 260124
D-53153 Bonn

Attachment:

Ratification by the EU and its Member States of the Doha amendment to the Kyoto Protocol

ANNEX I

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, of the one part, and Iceland, of the other part, 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

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