



**Conference of the Parties serving as the meeting
of the Parties to the Kyoto Protocol**
Eighth session
Doha, 26 November to 7 December 2012

Item X of the provisional agenda

Proposal from Nauru for amendments to the Kyoto Protocol

Note by the secretariat

1. Article 20, paragraph 1, of the Kyoto Protocol states that “Any Party may propose amendments to this Protocol.” Article 20, paragraph 2, of the Kyoto Protocol stipulates that “Amendments to this Protocol shall be adopted at an ordinary session of the Conference of the Parties serving as the meeting of the Parties to this Protocol. The text of any proposed amendment to this Protocol shall be communicated to the Parties by the secretariat at least six months before the meeting at which it is proposed for adoption. The secretariat shall also communicate the text of any proposed amendments to the Parties and signatories to the Convention and, for information, to the Depository.”
2. Article 21, paragraph 2, of the Kyoto Protocol states that “Any Party may make proposals for an annex to this Protocol and may propose amendments to annexes to this Protocol.” Article 21, paragraph 3, of the Kyoto Protocol provides that “Annexes to this Protocol and amendments to annexes to this Protocol shall be adopted at an ordinary session of the Conference of the Parties serving as the meeting of the Parties to this Protocol. The text of any proposed annex or amendment to an annex shall be communicated to the Parties by the secretariat at least six months before the meeting at which it is proposed for adoption. The secretariat shall also communicate the text of any proposed annex or amendment to an annex to the Parties and signatories to the Convention and, for information, to the Depository.”
3. In accordance with these provisions, Nauru, by a letter dated 5 June 2012, transmitted to the secretariat the text of a proposal for amendments to the Kyoto Protocol. Pursuant to Article 20, paragraph 2, and Article 21, paragraph 3, of the Kyoto Protocol, the secretariat sent on 6 June 2012 a note verbale containing this text to all national focal points for climate change and permanent missions to the United Nations.
4. The Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol is invited to consider this proposal at its eighth session.

Communication dated 5 June 2012 from Nauru addressed to the secretariat of the United Nations Framework Convention on Climate Change proposing amendments to the Kyoto Protocol

During the seventeenth meeting of the Ad-hoc Working Group on Further Commitments for Annex I Parties under the Kyoto Protocol (AWG-KP), held in Bonn, Germany, from 15 to 24 May 2012, the delegation of St Lucia, on behalf of the Alliance of Small Island States (AOSIS), submitted to the secretariat a number of further proposed amendments to the Kyoto Protocol as an input to the work of the AWG-KP.

On behalf of AOSIS, I respectfully request that the secretariat communicate to the Parties the attached 'AOSIS Proposals for Amendments to the Kyoto Protocol', pursuant to Articles 20 and 21 of the Kyoto Protocol, in order that they may be adopted at the eighth session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol, scheduled to be held in Doha from 26 November to 7 December 2012.

On behalf of AOSIS, Nauru wishes to express its appreciation to the secretariat for its kind assistance in communicating these proposed amendments to the Parties to the UNFCCC and the Kyoto Protocol.

(signed)

Marlene Moses

Ambassador/Permanent Representative
Chair, Alliance of Small Island States

Annex

AOSIS Proposals for Amendments to the Kyoto Protocol

Insert after existing Article 3.1:

3.1 bis. The Parties included in Annex I shall, individually or jointly, ensure that their aggregate anthropogenic carbon dioxide equivalent emissions of greenhouse gases listed in Annex A do not exceed their assigned amounts, calculated pursuant to the 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 at least [33] per cent below 1990 levels by the end of the second commitment period 2013 to 2017.

Insert after existing Article 3.7:

Article 3.7 bis. In the second quantified emission limitation and reduction commitment period, from 2013 to [2017] [2020], 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 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].

Insert new Article 3.7 ter:

3.7 ter. Each Party's quantified emission reduction or limitation commitment for the second commitment period, set out in column 3 of Annex B, shall correspond to that Party's level of emissions at the midpoint of the second commitment period, assuming a straight line emissions trajectory connecting: (a) the level of emissions associated with each Party's first commitment period quantified emission limitation or reduction commitment at the midpoint of the first commitment period (2010), and (b) the level of emissions associated with the value of each Party's most ambitious pledged emission reduction target for 2020 or a value representing a greater absolute reduction in emissions related to the base year or period.

Insert new Article 3.7 quater:

3.7 quater. [Notwithstanding Article 3.7 ter], the assigned amount for any Party in the second commitment period shall not exceed the lower of:

- (a) an amount equal to the percentage inscribed for it in column 2 of Annex B of its aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed in Annex A for the first commitment period, multiplied by the length in years of the second commitment period; or
- (b) an amount equal to that Party's verified emissions of its aggregate anthropogenic carbon dioxide equivalent emissions of the greenhouse gases listed

in Annex A in 2008, based on its 2010 inventory report, multiplied by the length in years of the second commitment period.

Insert after existing Article 3.9:

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 Annex I Parties sufficiently in advance of any commitment period.

Insert after existing Article 3.12:

3.12 bis. Any units generated from market-based mechanisms to be established under the Convention or its instruments may be used by Parties included in Annex I to assist them in achieving compliance with their quantified emission limitation and reduction commitments under Article 3, provided they comply with modalities, procedures and guidelines to be established by the Conference of the Parties serving as the meeting of the Parties to ensure environmental integrity. Any such units which a Party acquires from another Party to the Convention shall be added to the assigned amount for the acquiring Party and subtracted from the quantity of units held by the transferring Party.

3.12 ter. The Conference of the Parties serving as the meeting of the Parties to this Protocol shall ensure that a share of any units from approved activities under market-based mechanisms referred to in paragraph 12 bis above is used to cover administrative expenses, as well as to assist developing country Parties that are particularly vulnerable to the adverse effects of climate change to meet the costs of adaptation.

Insert after existing Article 3.13:

3.13 bis. The total quantity of carried-over assigned amount units (AAUs), certified emission reductions (CERs) and emission reduction units (ERUs) approved for carry-over from the previous commitment period or requested for addition to that Party's assigned amount under this Article shall be deemed a Party's Previous Period Surplus Reserve and such units shall not be transferable.

3.13 ter. After the end of a commitment period, a Party may use its Previous Period Surplus Reserve units solely for the purpose of its compliance assessment, up to a quantity equal to [5] % of the difference between the Party's inventory emissions in 2008 x [5][8] and its assigned amount for the current commitment period, if that assigned amount is lower than the Party's inventory emissions in 2008 x [5][8], and only up to the extent of the Previous Period Surplus Reserve.

Insert after existing Article 18:

18 bis. In accordance with paragraph 1 above, the procedures and mechanisms relating to compliance under this Protocol adopted by decision 27/CMP.1 of the Conference of the Parties serving as the meeting of the Parties to this protocol shall apply. Further procedures and mechanisms to address cases of non-compliance

under paragraph 1 above shall be adopted by the Conference of the Parties serving as the meeting of the parties to this Protocol.

AOSIS Proposed amendments to Annex B to the Kyoto Protocol:

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

Annex B

| <i>1</i> | <i>2</i> | <i>3</i> |
|---------------------------------|---|---|
| <i>Party</i> | <i>Quantified emission limitation or reduction commitment (2008-2012) (percentage of base year or period)</i> | <i>Quantified emission limitation or reduction commitment (2013-2017) (percentage of base year or period)¹</i> |
| Australia ¹ | 108 | 93 ² |
| Austria | 92 | 81 |
| Belgium | 92 | 81 |
| Belarus ⁺ | 92 | 65 |
| Bulgaria* | 92 | 81 |
| Canada | 94 | Withdrawn [#] |
| Croatia* ³ | 95 | 81 |
| Czech Republic* | 92 | 81 |
| Cyprus | | 81 |
| Denmark | 92 | 81 |
| Estonia* | 92 | 81 |
| European Community ³ | 92 | 81 |
| Finland | 92 | 81 |
| France | 92 | 81 |
| Germany | 92 | 81 |
| Greece | 92 | 81 |
| Hungary* | 94 | 81 |
| Iceland ³ | 110 | 81 |
| Ireland | 92 | 81 |
| Italy | 92 | 81 |
| Japan | 94 | No QELRC |

¹ Decision 1/CMP.6 agreed that a reference year may be used by a Party on an optional basis for its own purposes to express its QELRO as a percentage of emissions of that year, that is not internationally binding under the Kyoto Protocol, in addition to the listing of its QELRO in relation to the base year in the second and third columns of this table, which are internationally-legally binding.

² This commitment would be 90 if calculated instead as a percentage of emission reductions relative to Australia's reference year of 2000.

³ The commitments for the European Union and its Member States for the second commitment period under the Kyoto Protocol will be fulfilled jointly by the European Union and its Member States, Croatia and Iceland, in accordance with Article 4 of the Kyoto Protocol.

| <i>1</i> | <i>2</i> | <i>3</i> |
|--|---|---|
| <i>Party</i> | <i>Quantified emission limitation or reduction commitment (2008-2012) (percentage of base year or period)</i> | <i>Quantified emission limitation or reduction commitment (2013-2017) (percentage of base year or period)¹</i> |
| Kazakhstan [^] | 100 | 73 |
| Latvia* | 92 | 81 |
| Liechtenstein | 92 | 81 |
| Lithuania* | 92 | 81 |
| Luxembourg | 92 | 81 |
| Malta | | 81 |
| Monaco | 92 | 81 |
| Netherlands | 92 | 81 |
| New Zealand | 100 | 90 |
| Norway | 101 | 81 |
| Poland* | 94 | 81 |
| Portugal | 92 | 81 |
| Romania* | 92 | 81 |
| Russia* | 100 | No QELRC |
| Slovakia* | 92 | 81 |
| Slovenia* | 92 | 81 |
| Spain | 92 | 81 |
| Sweden | 92 | 81 |
| Switzerland | 92 | 81 |
| Ukraine* | 100 | 46 |
| United Kingdom of Great Britain and Northern Ireland | 92 | 81 |
| United States of America ^{&} | 94 | No QELRC |

* Countries undergoing the process of transition to a market economy

⁺ First commitment period quantified emission limitation or reduction commitment had been adopted but had not entered into force as of [date]

[^] Proposed first commitment period target

[&] Has not yet ratified the Kyoto Protocol

[#] Notice of withdrawal from the Kyoto Protocol submitted, to become effective December 15, 2012