



COMMISSION OF THE EUROPEAN COMMUNITIES

Brussels, 02.03.1998
COM(1998) 108 final

96/ 0192 (SYN)

Amended 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 pursuant to Article 189 a (2)
of the EC-Treaty)

EXPLANATORY MEMORANDUM

Pursuant to Article 189A, paragraph 2, the Commission submits an amended proposal for a Council Decision amending Decision 93/389/EEC for a monitoring mechanism of Community CO₂ and other greenhouse gas emissions. The amended proposal takes account of a number of amendments from the European Parliament, adopted at its September 1997 session.

Amendments accepted by the Commission

The Commission can accept wholly, in part or in principle a total of 11 amendments.

Amendment 1 (new recital 8a) has been accepted: it re-emphasises the purpose of the Decision.

Amendment 2 (new recital 8b) has been accepted: it stresses that the monitoring mechanism is essential to the assessment of the implementation of policies and measures in respect of climate change.

Amendment 3 (Article 1(2)(b)) proposes to remove the words “at the latest from the first updating” from the requirement for the inclusion of information in the Member States’ national programmes. The amendment has been accepted because the Commission believes that the omission of these words makes no practical difference to the effect of the provision concerned.

Amendment 4 (Article 1(2)(b)) proposes to replace the requirement for estimates of the effect of policies and measures between the base year and “regular intervals” with their effect between the base year and 2005, the base year and 2010 and then at regular intervals. It also proposes that the estimates of the effects of policies and measures and their incorporation into greenhouse gas emission predictions is to be on the basis of standard procedural guidelines. This has been accepted because both the years mentioned are recognised as relevant reference dates at both international and Community level and because the Commission is already working towards such guidelines at Community and international level.

Amendment 11 (Article 1(2)(b)) proposes to replace “ozone precursors” with “pollutants which affect the tropospheric ozone”. This is accepted as a more precise alternative.

Amendment 12 (Article 1(2)(b)) proposes that the best estimates for emission projections are to be on the basis of standard procedural guidelines. This is accepted because the Commission is already working towards such guidelines with others at Community and international level.

Amendment 6 (Article 1(3)(b)(ii)(b)) proposes that the Commission be required to take further steps to ensure the compatibility and transparency of national measurement and compilation and to take into consideration the need for a clear framework in presenting modeling guidelines. It has been accepted because the Commission is already acting according to these principles.

Amendment 7 (Article 1(4)) provides for submission of Member States' national programmes within 3 months following the adoption of the Commission proposal by Council and a subsequent evaluation within 6 months. It is accepted in principle, but additional wording should also be included. On each occasion where they appear, the words "national programmes" should be followed by the words "or updates of programmes already forwarded". The reason is that Member States who have already submitted their programmes prior to the adoption of the proposal might reasonably object to having to resubmit them within three months of the adoption.

Amendment 8 (Article 1(5)) proposes to clarify that the Commission should report annually to the Council and the Parliament even if Member States' data is incomplete and, if it is, the report is to refer to the absence of data. This is accepted because it should encourage the timely provision of data.

Amendment 9 (Article 1(6)(a)(new)) proposes to change the role of the committee under the monitoring Decision from regulatory (Procedure IIIa) to advisory (Procedure I). This is accepted because the existing committee is an advisory one.

Amendment not accepted by the Commission

Amendment 5 (Article 1(3)(b)(i)(a)) proposes an additional requirement on Member States to "report each year on cumulative emissions of each greenhouse gas (. . .) and "(. . .) to report on their projected cumulative emissions (. . .) over the periods up to 2005, 2010 and 2020". The Commission cannot accept this amendment because it is not clear how these cumulative figures would help the annual assessment of progress and there is a danger of duplication of effort. Under the Commission proposal, Member States would already be required to report both on inventories and on the effects of measures for each of the gases and this would be an efficient analytical tool to assess progress towards the targets.

ORIGINAL TEXT¹

AMENDED TEXT

Recital 8a

Whereas it is vital to be able to assess accurately and regularly the extent of progress being made towards the goal of meeting Community commitments to substantially reduce greenhouse gas emissions in the coming decades;

Recital 8(b)

Whereas the Community considers the monitoring mechanism to be an essential instrument in the assessment of this progress;

ARTICLE 1(2)(b)

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

2. Each Member State shall include in its national programme :

ARTICLE 1(2)(b)

- 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,

- 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 2005, and between the base year and 2010; thereafter, between the base year and regular intervals as being agreed upon in accordance with the procedure set out in Article 8, on the basis of standard procedural guidelines, 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,

ARTICLE 1(2)(b)

(b) information on the ozone precursors, i.e. carbon monoxide (CO), nitrogen oxides (NO_x) 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

(b) information on pollutants which affect the tropospheric ozone, 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

¹ OJ C 314, 24.10.1996, p. 11

ARTICLE 1(2)(b)

- 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.

- 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, on the basis of standard procedural guidelines, including information for a quantitative understanding of the key assumptions and the methodology used for the provision of the estimates.

ARTICLE 1(3)(b)(iib) (new)

(iib) The following subparagraph is added:

"The Commission shall take further steps to ensure the comparability and transparency of national measurement and compilation methods; it shall take into consideration the need for a clear framework presenting common modelling guidelines for current and future Member States."

ARTICLE 1(4)

4. Article 5 is deleted.

4. Article 5 is replaced by the following:

"Article 5

Evaluation of national programmes and of the state of emissions in the Community

1. Member States shall forward to the Commission their existing national programmes or updates of programmes already forwarded within three months of receiving notification of this Decision.

2. The Commission shall forward to the other Member States the national programmes received within two months of their reception.

3. The Commission shall evaluate the national programmes, in order to assess whether progress in the Community as a whole is sufficient to ensure fulfilment of the commitments referred to in Article 2(1).

4. The Commission shall report to the European Parliament and the Council the results of its evaluation within six months of the reception of the national programmes."

ARTICLE 1(5)

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.

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 the updated national programmes. The Commission's report shall be made available to the European Parliament and the Council even in the case of incomplete data being received from Member States: where this is the case, reference shall be made to this absence of data in the report.

ARTICLE 1(6a) (new)

6a. Article 8(1) is replaced by the following:

"1. The Commission shall be assisted by a committee of an advisory nature composed of representatives of the Member States and chaired by a representative of the Commission."

2. The representative of the Commission shall submit to the committee a draft of the measures to be taken. The committee shall deliver its opinion on the draft, within a time-limit which the chairman may lay down according to the urgency of the matter, if necessary by taking a vote.

3. The opinion shall be recorded in the minutes: in addition, each Member State shall have the right to ask to have its position recorded in the minutes.

4. The Commission shall take the utmost account of the opinion delivered by the committee. It shall inform the committee of the manner in which its opinion has been taken into account.

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DOCUMENTS

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