

COMMISSION DECISION

of 26 March 2013

on determining Member States' annual emission allocations for the period from 2013 to 2020 pursuant to Decision No 406/2009/EC of the European Parliament and of the Council

(notified under document C(2013) 1708)

(2013/162/EU)

THE EUROPEAN COMMISSION,

Having regard to the Treaty on the Functioning of the European Union,

Having regard to Decision No 406/2009/EC of the European Parliament and of the Council of 23 April 2009 on the effort of Member States to reduce their greenhouse gas emissions to meet the Community's greenhouse gas emission reduction commitments up to 2020 ⁽¹⁾, and in particular the forth subparagraph of Article 3(2) thereof,

Whereas:

- (1) The greenhouse gas emissions from installations covered by Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a scheme for greenhouse gas emission allowance trading within the Community and amending Council Directive 96/61/EC ⁽²⁾ as deriving from the Union Registry, Commission Decisions, National Allocation Plans and the official correspondence between the Commission and the respective Member States constitute verified emission data in the sense of the fourth paragraph of Article 3(2) of Decision No 406/2009/EC.
- (2) The total greenhouse gas emissions from gases and activities as defined in Article 2(1) of Decision No 406/2009/EC submitted pursuant to Decision No 280/2004/EC of the European Parliament and of the Council of 11 February 2004 concerning a mechanism for monitoring community greenhouse gas emissions and for implementing the Kyoto Protocol ⁽³⁾ in the year 2012 as established following the 2012 initial review conducted by the Commission pursuant to the Guidelines for the 2012 Technical Review of Greenhouse Gas Emission Inventories ⁽⁴⁾ constitute reviewed greenhouse gas emissions data for the years 2005, 2008, 2009 and 2010 in the sense of the fourth paragraph of Article 3(2) of Decision No 406/2009/EC.
- (3) To ensure consistency between the determination of the annual emission allocations and the reported greenhouse gas emissions for each year, Member States' annual emission allocations should be calculated also by applying the global warming potential values from the

4th IPCC assessment report adopted by Decision 15/CP.17. The annual emission allocation calculated as such should become applicable from the first year for which the reporting of greenhouse gas inventories using these new global warming potential values becomes compulsory pursuant to Article 3 of Decision No 280/2004/EC.

- (4) Data currently reported in the national greenhouse gas inventories and the national and Union registries are not sufficient to determine, at Member State level, the CO₂ civil aviation emissions at national level that are not covered by Directive 2003/87/EC. CO₂ emissions from flights not covered by Directive 2003/87/EC represent only a very minor part of the total greenhouse gas emissions, and collecting additional information on these emissions would create a disproportionate administrative burden. Therefore, the quantity of CO₂ emissions of the inventory category '1.A.3.A civil aviation' should be considered equal to zero for the purpose of determining the annual emission allocations.
- (5) The annual emission allocations for a Member State for the year 2020 should be calculated by subtracting the quantity of verified greenhouse gas emissions of installations that existed in 2005 from the reviewed greenhouse gas emissions for the year 2005 and adjusting the outcome by the percentage laid down in Annex II of Decision No 406/2009.
- (6) The quantity of verified greenhouse gas emissions of installations should be determined as follows:
 - for Member States that participated in the Emissions Trading Scheme as of 2005: the quantity of emissions of installations covered by Directive 2003/87/EC in 2005 adjusted by the quantity of greenhouse gas emissions of those installations which were included in or excluded from the Emissions Trading Scheme from 2008 to 2012 due to an adjusted scope applied by the Member States and the quantity of greenhouse gas emissions from installations temporarily excluded in the year 2005 but not excluded between 2008 and 2012 from the Emissions Trading Scheme,
 - for Member States that participated in the Emissions Trading Scheme as of 2007: the quantity of greenhouse gas emissions of installations covered by Directive 2003/87/EC in 2007,

⁽¹⁾ OJ L 140, 5.6.2009, p. 136.

⁽²⁾ OJ L 275, 25.10.2003, p. 32.

⁽³⁾ OJ L 49, 19.2.2004, p. 1.

⁽⁴⁾ SWD (2012) 107 final, 26.4.2012.

- for Member States participating in the Emissions Trading Scheme as of 2013: the quantity of greenhouse gas emissions of installations covered by Directive 2003/87/EC in 2005 (as communicated by the respective Member State and reviewed by the Commission).
- (7) The average quantity of greenhouse gas emissions in the year 2009 of a Member State with a positive greenhouse gas emission limit pursuant to Annex II of Decision No 406/2009/EC should be calculated by subtracting an average quantity of verified greenhouse gas emissions from installations covered by Directive 2003/87/EC in the years 2008, 2009 and 2010 in the respective Member State from its average total reviewed greenhouse gas emissions for the years 2008, 2009 and 2010.
- (8) The annual emission allocations for a Member State with a positive greenhouse gas emission limit pursuant to Annex II of Decision No 406/2009/EC for the years 2013 to 2019 should be defined by a linear trajectory starting with that member State's average quantity of greenhouse gas emissions in the year 2009 and ending with its annual emission allocation for the year 2020.
- (9) The annual emission allocation for a Member State with a negative greenhouse gas emission limit pursuant to Annex II of Decision No 406/2009/EC for the year 2013 should be calculated by subtracting average quantity of verified greenhouse gas emissions from installations covered by Directive 2003/87/EC in the years 2008, 2009 and 2010 in the respective Member State from its average total reviewed greenhouse gas emissions for the years 2008, 2009 and 2010.
- (10) The annual emission allocation for a Member State with a negative greenhouse gas emission limit pursuant to Annex II of Decision No 406/2009/EC for the years 2014 to 2019 should be defined by a linear trajectory starting with that member State's annual emission allocation for the year 2013 and ending with its annual emission allocation for the year 2020.
- (11) The verified greenhouse gas emissions of installations unilaterally included in the Emissions Trading Scheme in accordance with Article 24 of Directive 2003/87/EC during the period from 2008 to 2012 should not be accounted for in the average quantity of verified greenhouse gas emissions from installations covered by Directive 2003/87/EC for the years 2008, 2009 and 2010 as this would result in double counting of greenhouse gas emissions during future adjustments of the annual emission allocations pursuant to Article 10 of Decision No 406/2009/EC.
- (12) In view of Croatia's accession to the Union, its annual emission allocation for each year of the period from 2013 to 2020 should be determined using the same methodology as for the other Member States. These values should become applicable as of the date of Croatia's accession.
- (13) Given the adoption by the European Council of the Decision 2012/419/EU of 11 July 2012 amending the status of Mayotte with regard to the European Union ⁽¹⁾ as of 2014, the annual emission allocations for France as of 2014 are calculated by taking into account the relevant reviewed greenhouse gas emissions.
- (14) The measures provided for in this Decision are in accordance with the opinion of the Climate Change Committee,

HAS ADOPTED THIS DECISION:

Article 1

The annual emission allocations for each Member State for each year of the period from 2013 to 2020 are set out in Annex I and shall apply subject to any adjustments published pursuant to Article 10 of Decision No 406/2009/EC.

Article 2

Notwithstanding Article 1, where an act adopted pursuant to Article 3 of Decision No 280/2004/EC provides for Member States to submit greenhouse gas emissions inventories determined using global warming potential values from the 4th IPCC assessment report as adopted by Decision 15/CP.17 of the Conference of the Parties of the United Nations Framework Convention on Climate Change, the annual emission allocations set out in Annex II shall apply as of the first year for which such reporting of greenhouse gas inventories becomes compulsory.

Article 3

The annual emission allocations for Croatia as set out in Annex I shall apply as of the date of entry into force of the Treaty of Accession of Croatia.

This Decision is addressed to the Member States.

Done at Brussels, 26 March 2013.

For the Commission
Connie HEDEGAARD
Member of the Commission

⁽¹⁾ OJ L 204, 31.7.2012, p. 131.

ANNEX I

Member States Annual Emissions Allocation for the year 2013 to 2020 calculated applying global warming potential values from the second IPCC assessment report

Country	Annual Emission Allocation (tonnes of carbon dioxide equivalent)							
	2013	2014	2015	2016	2017	2018	2019	2020
Belgium	81 206 753	79 635 010	78 063 267	76 491 523	74 919 780	73 348 037	71 776 293	70 204 550
Bulgaria	27 308 615	27 514 835	27 721 056	27 927 276	28 133 496	28 339 716	28 545 936	28 752 156
Czech Republic	63 569 006	64 248 654	64 928 302	65 607 950	66 287 597	66 967 245	67 646 893	68 326 541
Denmark	35 873 692	34 996 609	34 119 525	33 242 442	32 365 359	31 488 276	30 611 193	29 734 110
Germany	487 095 510	480 020 642	472 945 774	465 870 905	458 796 037	451 721 169	444 646 301	437 571 432
Estonia	6 111 145	6 133 644	6 156 143	6 178 641	6 201 140	6 223 639	6 246 137	6 268 636
Ireland	45 163 667	44 066 074	42 968 480	41 870 887	40 773 293	39 675 700	38 578 106	37 480 513
Greece	58 909 882	59 158 791	59 407 700	59 656 609	59 905 518	60 154 427	60 403 336	60 652 245
Spain	228 883 459	226 977 713	225 071 967	223 166 221	221 260 475	219 354 728	217 448 982	215 543 236
France	397 926 454	393 291 390	388 254 953	383 218 516	378 182 079	373 145 642	368 109 206	363 072 769
Croatia	20 596 027	20 761 917	20 927 807	21 093 696	21 259 586	21 425 476	21 591 366	21 757 255
Italy	310 124 250	308 146 930	306 169 610	304 192 289	302 214 969	300 237 649	298 260 329	296 283 008
Cyprus	5 552 863	5 547 275	5 541 687	5 536 100	5 530 512	5 524 924	5 519 336	5 513 749
Latvia	9 005 483	9 092 810	9 180 137	9 267 464	9 354 791	9 442 119	9 529 446	9 616 773
Lithuania	16 661 613	16 941 467	17 221 321	17 501 174	17 781 028	18 060 882	18 340 736	18 620 590
Luxembourg	9 737 871	9 535 962	9 334 053	9 132 144	8 930 235	8 728 326	8 526 417	8 324 508
Hungary	49 291 591	50 388 303	51 485 014	52 581 726	53 678 437	54 775 149	55 871 861	56 968 572
Malta	1 113 574	1 112 781	1 111 988	1 111 195	1 110 402	1 109 609	1 108 816	1 108 023
Netherlands	121 835 387	119 628 131	117 420 874	115 213 617	113 006 361	110 799 104	108 591 847	106 384 590
Austria	53 598 131	53 032 042	52 465 953	51 899 864	51 333 775	50 767 686	50 201 597	49 635 508
Poland	197 978 330	198 929 081	199 879 833	200 830 584	201 781 336	202 732 087	203 682 838	204 633 590
Portugal	47 653 190	47 920 641	48 188 091	48 455 541	48 722 992	48 990 442	49 257 893	49 525 343
Romania	79 108 341	80 681 687	82 255 034	83 828 380	85 401 727	86 975 074	88 548 420	90 121 767
Slovenia	11 890 136	11 916 713	11 943 289	11 969 866	11 996 442	12 023 018	12 049 595	12 076 171
Slovakia	25 095 979	25 413 609	25 731 240	26 048 870	26 366 500	26 684 130	27 001 761	27 319 391
Finland	32 732 387	32 232 553	31 732 719	31 232 885	30 733 051	30 233 217	29 733 383	29 233 549
Sweden	42 526 869	41 863 309	41 199 748	40 536 188	39 872 627	39 209 066	38 545 506	37 881 945
United Kingdom	350 411 692	346 031 648	341 651 604	337 271 559	332 891 515	328 511 471	324 131 426	319 751 382

ANNEX II

Member States Annual Emissions Allocation for the year 2013 to 2020 calculated applying global warming potential values from the fourth IPCC assessment report

Country	Annual Emission Allocation (tonnes of carbon dioxide equivalent)							
	2013	2014	2015	2016	2017	2018	2019	2020
Belgium	82 376 327	80 774 027	79 171 726	77 569 425	75 967 124	74 364 823	72 762 523	71 160 222
Bulgaria	28 661 817	28 897 235	29 132 652	29 368 070	29 603 488	29 838 906	30 074 324	30 309 742
Czech Republic	65 452 506	66 137 845	66 823 185	67 508 524	68 193 864	68 879 203	69 564 542	70 249 882
Denmark	36 829 163	35 925 171	35 021 179	34 117 187	33 213 195	32 309 203	31 405 210	30 501 218
Germany	495 725 112	488 602 056	481 479 000	474 355 944	467 232 888	460 109 832	452 986 776	445 863 720
Estonia	6 296 988	6 321 312	6 345 636	6 369 960	6 394 284	6 418 608	6 442 932	6 467 256
Ireland	47 226 256	46 089 109	44 951 963	43 814 816	42 677 670	41 540 523	40 403 377	39 266 230
Greece	61 003 810	61 293 018	61 582 226	61 871 434	62 160 642	62 449 850	62 739 057	63 028 265
Spain	235 551 490	233 489 390	231 427 291	229 365 191	227 303 091	225 240 991	223 178 891	221 116 791
France	408 762 813	403 877 606	398 580 044	393 282 481	387 984 919	382 687 356	377 389 794	372 092 231
Croatia	21 196 005	21 358 410	21 520 815	21 683 221	21 845 626	22 008 031	22 170 436	22 332 841
Italy	317 768 849	315 628 134	313 487 419	311 346 703	309 205 988	307 065 273	304 924 558	302 783 843
Cyprus	5 919 071	5 922 555	5 926 039	5 929 524	5 933 008	5 936 493	5 939 977	5 943 461
Latvia	9 279 248	9 370 072	9 460 897	9 551 721	9 642 546	9 733 370	9 824 194	9 915 019
Lithuania	17 153 997	17 437 556	17 721 116	18 004 675	18 288 235	18 571 794	18 855 354	19 138 913
Luxembourg	9 814 716	9 610 393	9 406 070	9 201 747	8 997 423	8 793 100	8 588 777	8 384 454
Hungary	50 796 264	51 906 630	53 016 996	54 127 362	55 237 728	56 348 094	57 458 460	58 568 826
Malta	1 168 514	1 166 788	1 165 061	1 163 334	1 161 608	1 159 881	1 158 155	1 156 428
Netherlands	125 086 859	122 775 394	120 463 928	118 152 462	115 840 997	113 529 531	111 218 065	108 906 600
Austria	54 643 228	54 060 177	53 477 125	52 894 074	52 311 023	51 727 971	51 144 920	50 561 869
Poland	204 579 390	205 621 337	206 663 283	207 705 229	208 747 175	209 789 121	210 831 068	211 873 014
Portugal	49 874 317	50 139 847	50 405 377	50 670 907	50 936 437	51 201 967	51 467 497	51 733 027

Country	Annual Emission Allocation (tonnes of carbon dioxide equivalent)							
	2013	2014	2015	2016	2017	2018	2019	2020
Romania	83 080 513	84 765 858	86 451 202	88 136 547	89 821 891	91 507 236	93 192 581	94 877 925
Slovenia	12 278 677	12 309 309	12 339 941	12 370 573	12 401 204	12 431 836	12 462 468	12 493 100
Slovakia	25 877 815	26 203 808	26 529 801	26 855 793	27 181 786	27 507 779	27 833 772	28 159 765
Finland	33 497 046	32 977 333	32 457 619	31 937 905	31 418 191	30 898 477	30 378 764	29 859 050
Sweden	43 386 459	42 715 001	42 043 544	41 372 087	40 700 630	40 029 172	39 357 715	38 686 258
United Kingdom	358 980 526	354 455 751	349 930 975	345 406 200	340 881 425	336 356 649	331 831 874	327 307 099