Commission Implementing Decision (EU) 2020/2126 of 16 December 2020 on setting out the annual emission allocations of the Member States for the period from 2021 to 2030 pursuant to Regulation (EU) 2018/842 of the European Parliament and of the Council (Text with EEA relevance)

COMMISSION IMPLEMENTING DECISION (EU) 2020/2126

of 16 December 2020

on setting out the annual emission allocations of the Member States for the period from 2021 to 2030 pursuant to Regulation (EU) 2018/842 of the European Parliament and of the Council

(Text with EEA relevance)

THE EUROPEAN COMMISSION,

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

Having regard to Regulation (EU) 2018/842 of the European Parliament and of the Council of 30 May 2018 on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 contributing to climate action to meet commitments under the Paris Agreement and amending Regulation (EU) No 525/2013[(1)], and in particular Article 4(3) thereof,

Whereas:

(1) In order to set out the annual emission allocations of the Member States for the period from 2021 to 2030 in the sectors within the scope of Regulation (EU) 2018/842, the relevant calculations need to be based on the most accurate data available. Therefore, the total greenhouse gas emissions falling within the scope of Regulation (EU) 2018/842 and submitted by the Member States to the Commission pursuant to Article 7 of Regulation (EU) No 525/2013 of the European Parliament and of the Council[(2)] in the year 2020 are established following a comprehensive review. That review has been conducted by the Commission, assisted by the European Environment Agency, in accordance with Article 19(1) of Regulation (EU) No 525/2013 and constitutes reviewed greenhouse gas emissions data for the years 2005 and 2016 to 2018 in accordance with Article 4(3) of Regulation (EU) 2018/842.

(2) Equally accurate data as the reviewed inventory data are required in relation to greenhouse gas emissions from stationary installations within the scope of Directive 2003/87/EC of the European Parliament and of the Council[(3)], which establishes a system for greenhouse gas emission allowance trading within the Union ('EU ETS') as deriving from the Union Registry of verified emissions of those installations ('Registry'). To the extent the 2005 EU ETS emissions in the Registry do not correspond to the current scope of Directive 2003/87/EC or Regulation (EU) 2018/842, relevant Commission Decisions[(4)] adopted pursuant to Directive 2003/87/EC or Decision No 406/2009/EC of the European Parliament and of the Council[(5)], as well as national

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allocation plans and the official correspondence between the Commission and the respective Member States are used for providing complementary emission data.

(3) In order to ensure consistency of the determined annual emission allocations with the reported greenhouse gas emissions for each year of the period from 2021 to 2030, Member States' annual emission allocations need to be calculated in CO_2 equivalents by applying the same values for global warming potentials, namely values set out in the Intergovernmental Panel for Climate Change 5th Assessment Report and listed in the Annex to Commission Delegated Regulation (EU) 2020/1044[(6)].

(4) To calculate the annual emission allocation for each Member State for the year 2030 in accordance with the greenhouse gas emission reductions in 2030 in relation to their 2005 levels specified in Annex I to Regulation (EU) 2018/842, a five-step methodology applies.

(5) First, the value for the 2005 greenhouse gas emissions is determined. The quantity of greenhouse gas emissions of stationary installations within the scope of Directive 2003/87/EC that existed in 2005 is subtracted from the reviewed total greenhouse gas emissions for the year 2005. To Member States participating in the EU ETS since later than 2005, the quantity of 2005 emissions as determined in Decision 2013/162/EU applies. The extension of the scope of Directive 2003/87/EC in 2013 is reflected by calculating the 2005 equivalent value of the corresponding adjustment of the annual emission allocation for 2020 in accordance with Decision No 406/2009/EC as set out in Implementing Decision 2013/634/EU. As required by Article 10(1)(a) of Regulation (EU) 2018/842, the calculation also reflects changes of installation coverage between 2005 and 2012, in the same way as set out in Decision (EU) 2017/1471.

(6) Second, the annual emission allocation for each Member State for the year 2030 is calculated by applying the percentage laid down in Annex I to Regulation (EU) 2018/842 to the calculated 2005 emission value.

(7) Third, the average quantity of greenhouse gas emissions within the scope of Regulation (EU) 2018/842 in the years 2016, 2017 and 2018 of each Member State is calculated by subtracting the average quantity of verified greenhouse gas emissions from stationary installations within the scope of Directive 2003/87/EC in the years 2016, 2017 and 2018 in the respective Member State and CO_2 emissions of domestic aviation from its average total reviewed greenhouse gas emissions for the years 2016, 2017 and 2018.

(8) Fourth, the annual emission allocations for each Member State for the years 2021 to 2029 are calculated. They are established on the basis of a linear trajectory starting at the average quantity for the years 2016, 2017 and 2018 at five-twelfths of the distance from 2019 to 2020 and ending with its annual emission allocation for the year 2030. For Greece, Croatia and Hungary, the linear trajectory starts in 2020, as this results in a lower allocation for those Member States.

(9) Last, the resulting values of the annual emission allocations are adjusted. EU ETS allowances pertaining to greenhouse gas emissions from stationary installations excluded from the EU ETS in accordance with Article 27 of Directive 2003/87/EC, as notified by Member States to the Commission under that Article, to the extent they

are excluded from the Union emission cap under that Directive for 2021 onwards, fall therefore within the scope of Regulation (EU) 2018/842. Subsequently, the quantities deducted from the cap are added to the annual emission allocations of the relevant Member States for the period from 2021 to 2030. The amount of adjustment specified in Annex IV to Regulation (EU) 2018/842 is added to the annual emission allocation for the year 2021 for each Member State listed in that Annex.

(10) The total maximum quantities for certain Member States following reduction of EU ETS allowances that may be taken into account for a Member State's compliance between 2021 and 2030 in accordance with Article 9 of Regulation (EU) 2018/842 are determined by applying the percentages notified by Member States pursuant to Article 6(3) of that Regulation to the values of the calculated 2005 greenhouse gas emissions values.

(11) 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 values for the 2005 greenhouse gas emissions for each Member State pursuant to Article 4(3) of Regulation (EU) 2018/842 shall apply as set out in Annex I to this Decision.

Article 2

The annual emission allocation for each Member State for each year of the period from 2021 to 2030 pursuant to Article 4(3) of Regulation (EU) 2018/842, adjusted in accordance with Article 10 of that Regulation, shall apply as set out in Annex II to this Decision.

Article 3

The total quantities pursuant to Article 4(4) of Regulation (EU) 2018/842 that may be taken into account for a Member State's compliance under Article 9 of that Regulation shall apply as set out in Annex III to this Decision.

Article 4

This Decision shall enter into force on the twentieth day following that of its publication in the *Official Journal of the European Union*.

Done at Brussels, 16 December 2020.

For the Commission

The President

Ursula VON DER LEYEN

Changes to legislation: *There are currently no known outstanding effects for the Commission Implementing Decision (EU) 2020/2126. (See end of Document for details)*

ANNEX I

Values for the 2005 greenhouse gas emissions for each Member State pursuant to Article 4(3) of Regulation (EU) 2018/842

Member State	**Value for the 2005 greenhouse gas emissions in tonnes of CO_2 equivalent**
Belgium	81 605 589
Bulgaria	22 326 386
Czechia	64 965 295
Denmark	40 368 089
Germany	484 694 619
Estonia	6 196 136
Ireland	47 687 589
Greece	62 985 180
Spain	241 979 192
France	401 113 722
Croatia	18 056 312
Italy	343 101 747
Cyprus	4 266 823
Latvia	8 597 807
Lithuania	13 062 124
Luxembourg	10 116 187
Hungary	47 826 909
Malta	1 020 601
The Netherlands	128 112 158
Austria	56 991 984
Poland	192 472 253
Portugal	48 635 827
Romania	78 235 752
Slovenia	11 826 308
Slovakia	23 137 112
Finland	34 439 858
Sweden	43 228 505