



Council of the  
European Union

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**Interinstitutional File:  
2016/0231 (COD)**

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TRANS 407  
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**NOTE**

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From:	General Secretariat of the Council
To:	Council

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No. prev. doc.:	12830/17
No. Cion doc.:	11483/16 + ADD 1 - COM(2016) 482 FINAL

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Subject:	Proposal for a Regulation of the European Parliament and of the Council on binding annual greenhouse gas emission reductions by Member States from 2021 to 2030 for a resilient Energy Union and to meet commitments under the Paris Agreement and amending Regulation No 525/2013 of the European Parliament and the Council on a mechanism for monitoring and reporting greenhouse gas emissions and other information relevant to climate change (First reading) <ul style="list-style-type: none"><li>- General approach</li><li>= Delegations' contributions</li></ul>
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With a view to the Council (Environment) on 13 October 2017, delegations will find in the Annex a proposal from Austria.

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**AUSTRIA****Proposal on Article 7 (LULUCF flexibility)**

*Art. 7 (1a new)*

*1a. In case less than 280 million net removals have been taken into account under paragraph 1, the maximum amount set in Annex III shall be raised up to 6% of annual emissions from agriculture in the period 2008 to 2012 for the Member States with a lower maximum amount, ensuring that total net removals taken into account for compliance under Article 9 of this Regulation do not exceed 280 Mio.*

Justification:

- This proposal introduces an element which allows a more balanced approach in sharing the LULUCF flexibility of max. 280 Mio. net removals among MS;
- The maximum flexibility of 280 Mio. net removals over the period 2021-2030 remains unchanged;
- The maximum limits of MS remain unchanged;
- MS with a lower than average maximum limit are allowed to raise their limit up to 6%, only if less than 280 Mio. net removals are used by the EU;  
However, for those MS the national limit would still be based on a lower percentage than the limits for all other MS;
- All MS would still need to comply with the provisions of Art. 7 to be able to make use of the LULUCF flexibility.

*Comparison between EC proposal and AT proposal*

	EC proposal		Maximum effects of the proposal (in bold)	
	annual limit as % of agriculture emissions	Total limit of LULUCF net removals	annual limit as % of agriculture emissions	Total limit of LULUCF net removals
<b>IE</b>	15%	-26.8	15%	-26.8
<b>LT</b>	15%	-6.5	15%	-6.5
<b>DK</b>	15%	-14.6	15%	-14.6
<b>LV</b>	15%	-3.1	15%	-3.1
<b>RO</b>	7.5%	-13.2	7.5%	-13.2
<b>BG</b>	7.5%	-4.1	7.5%	-4.1
<b>FR</b>	7.5%	-58.2	7.5%	-58.2
<b>EE</b>	7.5%	-0.9	7.5%	-0.9
<b>FI</b>	7.5%	-4.5	7.5%	-4.5
<b>ES</b>	7.5%	-29.1	7.5%	-29.1
<b>SE</b>	7.5%	-4.9	7.5%	-4.9
<b>CY</b>	7.5%	-0.6	7.5%	-0.6
<b>EL</b>	7.5%	-6.7	7.5%	-6.7
<b>PT</b>	7.5%	-5.2	7.5%	-5.2
<b>NL</b>	7.5%	-13.4	7.5%	-13.4
<b>SI</b>	7.5%	-1.3	7.5%	-1.3
<b>PL</b>	7.5%	-21.7	7.5%	-21.7
<b>HU</b>	3.75%	-2.1	<b>up to 6%</b>	<b>-3,4</b>
<b>SK</b>	3.75%	-1.2		<b>-1,9</b>
<b>UK</b>	3.75%	-17.8		<b>-28,5</b>
<b>HR</b>	3.75%	-0.9		<b>-1,4</b>
<b>AT</b>	3.75%	-2.5		<b>-4</b>
<b>BE</b>	3.75%	-3.8		<b>-6,1</b>
<b>DE</b>	3.75%	-22.3		<b>-35,7</b>
<b>CZ</b>	3.75%	-2.6		<b>-4,2</b>
<b>IT</b>	3.75%	-11.5		<b>-18,4</b>
<b>MT</b>	3.75%	-0.03		<b>-0,05</b>
<b>LU</b>	3.75%	-0.25		<b>-0,4</b>