



**CONSEIL DE  
L'UNION EUROPÉENNE**

**Bruxelles, le 18 novembre 2008**

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Objet :  
- Proposition de directive du Parlement européen et du Conseil modifiant la directive 2003/87/CE afin d'améliorer et d'étendre le système communautaire d'échange de quotas d'émission de gaz à effet de serre  
- Proposition de décision du Parlement européen et du Conseil relative à l'effort à fournir par les États membres pour réduire leurs émissions de gaz à effet de serre afin de respecter les engagements de la Communauté en matière de réduction de ces émissions jusqu'en 2020  
= Examen des questions clés

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Les délégations trouveront en annexe une note de la Présidence relative aux questions-clés.

**A/S : principales questions ouvertes du paquet énergie-climat**

A la suite du Coreper du 14 novembre, la présidence souhaite approfondir certaines des questions ouvertes du paquet énergie-climat. Le Coreper reviendra ultérieurement sur les autres questions.

1) Fuites de carbone

La méthodologie d'ensemble proposée par la présidence est désormais acceptée par la plupart des délégations (identification des différents niveaux d'exposition au risque de fuites de carbone, établissement de critères quantitatifs et qualitatifs dans la directive, mise en place de la liste des secteurs exposés en 2009, détermination des mesures en codécision en 2010).

S'agissant de la question des seuils chiffrés correspondant aux deux critères quantitatifs, la plupart des délégations peuvent accepter qu'ils figurent dans la directive. La Présidence rappelle à cet égard que son intention est de reprendre les valeurs définies par la Commission dès qu'elles seront disponibles.

Les délégations trouveront en annexe I une proposition de rédaction quelque peu révisée.

S'agissant des industries électro-intensives, les travaux du Coreper du 14 novembre ont confirmé le souhait des délégations de prendre en compte, pour l'identification des secteurs exposés, les coûts indirects qui peuvent résulter de prix de l'électricité plus élevés. Il est nécessaire de préciser les mesures permettant de répondre à la situation spécifique de ces industries.

Les délégations trouveront en annexe II un document de la présidence préparé avec la Commission sur la question des émissions indirectes.

## 2) Taux d'enchères dans le secteur énergétique

Le principe de dérogations d'ampleur et de durée limitées a été accepté par la plupart des délégations. Plusieurs d'entre elles ont demandé que la proposition de rédaction de la présidence soit précisée.

La présidence, en lien avec la Commission, prépare des formules amendées. Elle suggère que le Coreper du 19 novembre puisse examiner à nouveau les critères qu'il conviendrait de retenir afin de déterminer ceux des Etats membres qui doivent pouvoir bénéficier d'une dérogation.

## 3) Volatilité des prix sur le marché du carbone

La plupart des délégations a reconnu les risques liés à une volatilité artificielle et excessive des prix sur le marché du carbone, tout en rappelant qu'il est important de conserver toute sa souplesse à ce marché. Plusieurs délégations ont fait valoir que les mesures concrètes que la Commission serait amenée à prendre en cas de volatilité excessive ne devraient pas remettre en cause le bon fonctionnement du marché.

Afin de tenir compte de ces remarques, la présidence a procédé à plusieurs ajustements dans sa proposition de rédaction qui figure en annexe III.

## 4) Utilisation des recettes des enchères

Le Coreper du 14 novembre a souligné qu'une large majorité de délégations reconnaît l'importance de marquer l'engagement des Etats membres à ce que les recettes des enchères puissent être mobilisées pour accompagner les efforts de réduction des gaz à effet de serre et la transition énergétique, ainsi que, pour ceux qui le souhaitent, les efforts consentis au plan international.

Les délégations ont formulé un certain nombre de remarques concernant les dispositions prévues dans la directive, en particulier en soulignant que les mesures devaient également être prévues pour développer les énergies renouvelables et promouvoir l'efficacité énergétique. La présidence a modifié en conséquence sa proposition de rédaction qui figure en annexe IV au présent document.

La présidence propose par ailleurs une rédaction pour l'engagement politique que pourraient prendre les Etats membres, qui figure également en annexe IV.

5) Financement des démonstrateurs du CSC

A la suite des remarques formulées par les délégations, la présidence a également apporté plusieurs modifications qui sont reflétées dans le texte figurant à l'annexe V.

6) Ajustement en cas d'accord international

Sur ce point, la présidence propose également d'apporter quelques précisions ponctuelles visant à tenir compte des remarques des délégations.

Les délégations trouveront en annexe VI la proposition de rédaction révisée de la présidence.

**Fuites de carbone (directive SCEQE)**

**Article 10a**

**Transitional Community-wide rules for harmonised free allocation**

8. In 2013 and in each subsequent year up to 2020, installations in sectors which are exposed to a significant risk of carbon leakage shall be allocated allowances free of charge up to 100 percent of the quantity determined in accordance with paragraphs 2 to 6.

Among these sectors, the sectors or sub-sectors which are exposed, at the relevant level of disaggregation, to a high risk shall be allocated corresponding allowances free of charge of 100% of the quantity determined in accordance with paragraphs 2 to 6.

The sectors or sub-sectors which are exposed, at the relevant level of disaggregation, to a low to moderate or moderate to high risk shall receive a different percentage of allowances proportionate to the risk. The actual level of risk shall be determined in accordance with paragraph 9. The corresponding percentages shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 23(3).

The provision of allowances referred to in subparagraphs 2 and 3 shall apply, without prejudice to the measures foreseen in article 10b.

9. [...] At the latest by 30 June 2009 and every 5 years thereafter the Commission shall determine the sectors referred to in paragraph 8 on the basis of the criteria referred to in paragraphs 9a, 9b, 9c, 9d and 9e.

Every year the Commission may, at its own initiative or on request of a Member State, add to the list referred to in paragraph 8 a sector or subsector if it can be demonstrated, **in an analytical report**, that this sector or subsector qualifies for the criteria below, following a change **that has a significant impact on the sector's activities**.

For the purpose of implementing this article, the Commission shall consult the Member States, the sectors concerned and other relevant stakeholders.

Those measures, designed to amend non-essential elements of this Directive by supplementing it, shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article 23(3).

- 9a. In order to determine the sectors referred to in paragraph 8, the Commission shall assess, at a Community level, the extent to which it is possible for the sector or sub-sector concerned, at the relevant level of disaggregation, to pass on the direct cost of the required allowances and indirect costs from higher electricity prices resulting from the implementation of the present directive into product prices without significant loss of market share to less carbon efficient installations outside the Community. These assessments will be based on a range of plausible carbon prices according to the Commission's impact assessment.
- 9b. A sector or sub-sector is deemed to be exposed to a high risk of carbon leakage if:
  - a) the extent to which additional costs induced by the implementation of this directive would lead, directly or indirectly, to a substantial increase of production cost, calculated as a proportion of the Gross Value Added, of at least X%; and

- b) the Non-EU Trade intensity defined as the ratio between total of value of exports to non EU + value of imports from non-EU and the total market size for the Community (annual turnover plus total imports) is above Y%; or if the change in production cost generated by the direct cost of the allowances and indirect costs from higher electricity prices resulting from the implementation of the present directive into product prices, calculated as a proportion of Gross Value Added, is likely to trigger a significant change in trade patterns leading to a ratio above Y.
- 9c. A sector or sub-sector is deemed to be exposed to a moderate to high risk if it only fulfils the quantitative criteria referred to in subparagraph **9b(b)**, while the extent to which additional costs induced by the implementation of this directive would lead, directly or indirectly, to a substantial increase of production cost, calculated as a proportion of Gross Value Added.
- 9d. A sector or sub-sector is deemed to be exposed to a low to moderate risk if it only fulfils the quantitative criteria referred to in subparagraph **9b(a)**, while the Non-EU Trade intensity defined as the ratio between total value of exports to non EU + value of imports from non-EU and the total market size for the Community (annual turnover plus total imports) is significant.
- 9e. The list of sectors and/or subsectors which are exposed to a significant risk of carbon leakage, including the actual degree of risk for these sectors or sub-sectors, shall be determined after completion of a qualitative assessment on the basis of the analysis pursuant to subparagraphs **9b, 9c and 9d**. This assessment shall, when the relevant data are available, include the following criteria :
- the extent to which it is possible for individual installations in the sector and/or subsector concerned to reduce emission levels or electricity consumption, including, as appropriate, the increase in cost of production that the related investment may entail, for instance on the basis of the most efficient techniques.

- market characteristics (current and projected), structure and size of the relevant geographic and product markets, the exposure of the sectors or sub-sectors to international competition, long-term and short-term barriers to trade and factors influencing location decisions (including transportation, differentiation in quality of product or level of service by producers in the Community, product standards, import restrictions, the importance of proximity to product, **labor and capital** markets, value-chain characteristics, the risk of relocating and capacity of producers to have an influence or not on international prices setting).
- profit margins as potential indicator of long-run investment and/or relocation decisions.
- the extent to which third countries, representing a decisive share of world production of products in sectors deemed to be at risk of carbon leakage, firmly commit to reducing greenhouse gas emissions in the relevant sectors and within the same time frame to an extent comparable to that of the EU and the extent to which carbon efficiency of installations located in these countries is comparable to that of the EU.

**Emissions indirectes**

**PROPOSED ASSESSMENT CRITERIA FOR STATE AID TO COMPENSATE FOR  
ELECTRICITY COST INCREASES DUE TO PASS ON OF CO<sub>2</sub> COSTS**

1. This document presents an approach for measures to ensure that increases in electricity costs resulting from pass-through of ETS-related CO<sub>2</sub> costs can be compensated ("indirect emissions"). It proposes a method to assess the compatibility of state aid schemes with Community state aid rules.
2. It should be underlined that in the event that an international climate agreement is concluded, the need for any compensation would have to be re-evaluated.
3. Aid could be reasoned to be necessary to achieve the environmental objective of the ETS where the costs of ETS burden companies to an extent that they would leave the EU without overall emission reductions (i.e. carbon leakage). The support should in principle only offer a compensation for the part of the increase in electricity prices due to the ETS-related pass-through of CO<sub>2</sub> costs from the electricity generator. The actual pass-on of CO<sub>2</sub> costs of electricity experienced by the installations depends on conditions of supply to the particular installation or the existence of non-emitting electricity sources at industrial sites i.e. standard medium-term contracts, long-term contracts, regulated tariffs, direct supply from a dedicated, CO<sub>2</sub> free power generation unit. Therefore the definition of the aid necessary seems only possible through a case-by-case analysis at installation level.
4. In addition, companies concerned should pay a part of the increased CO<sub>2</sub> cost in order to maintain an incentive to save energy and to stimulate a shift in demand from grey to green electricity. Any support system should furthermore promote energy efficiency by linking the extent of support to energy efficiency performance.

5. A scheme might be set up as follows:

If a Member State would like to provide such aid, it would have to notify a scheme to the Commission. The Commission's assessment of the scheme would follow three steps:

*Step 1:* confirmation by the Member State that all intended beneficiaries are covered by a list of (sub)sectors identified at EU level to be subject to risk of carbon leakage due to CO<sub>2</sub> costs of indirect emissions (necessity of the aid).

*Step 2:* confirmation by the Member State that at the level of each installation, CO<sub>2</sub> costs are being passed on in electricity prices (necessity of the aid).

*Step 3:* confirmation that the Member State will use a method to determine the compensation that does not exceed the maximum allowed for each eligible installation, in order to avoid overcompensation, avoid distortion on the common market and maintain the environmental incentive of the ETS (proportionality of the aid).

***Step 1: The measure must target beneficiaries for which risk of carbon leakage exists due to increases in electricity costs***

6. The Commission would establish a list of (sub)sectors exposed to the risk of carbon leakage due to *indirect* emissions. The Commission would use the method that is being developed in the context of direct emissions, but adapt this to take into account cost increases related to indirect emissions.
7. For the assessment of a state aid scheme, Member States would have to confirm that each beneficiary is covered by the list of (sub)sectors for indirect emissions established by the Commission.

***Step 2: Within sectors identified as being at risk of carbon leakage, aid can be granted only to companies subject to pass on of CO<sub>2</sub> costs in electricity prices***

8. In the second step the Commission would assess if a Member State is able to establish that real actual electricity prices paid by potential beneficiaries are likely to include the costs of CO<sub>2</sub>, taking into account regulated tariffs, own production from non-emitting sources or long-term contracts.
9. The method to verify that beneficiaries are affected by the ETS should include the following elements:
  - 1) Verification of the basis of payment for electricity for each of the benefiting companies (contract, regulated tariff, wholesale market, and auto-generation).
  - 2) Exclusion of beneficiaries buying electricity at a price specified in a regulated tariff if tariffs do not include CO<sub>2</sub> costs of the power generator.
  - 3) Exclusion of compensation to installations buying electricity on the basis of a long term contract signed before 1.1.2005 if it does not include CO<sub>2</sub> costs.

***Step 3: The aid granted to companies identified in step 1 and 2 must be proportional and must maintain an incentive to improve on energy efficiency/or switch to cleaner electricity***

10. In the third step the Commission would assess that compensation granted by Member States is proportional to the pass on of CO<sub>2</sub> costs and maintains an incentive to reduce electricity consumption. In order to maintain this incentive, the Commission would set out maximum aid intensities that are lower than the full potential cost increase.

11. The Commission would provide the following data, which Member States would have to use to calculate the maximum aid allowed:
  - A percentage of the CO<sub>2</sub> costs for which aid can be provided (possibly linked to the degree of risk of carbon leakage but, in any event, lower than the full CO<sub>2</sub> costs)
  - The average CO<sub>2</sub> intensity in the EU's total electricity production, which is the intensity that all Member States have to use. This figure would be revised every four years to reflect any major changes in the electricity mix.
  - The average allowance price of the preceding year[s]. This would ensure that the maximum state aid reflects the recent allowance price development.
  - Electricity use benchmarks for the concerned sectors linked to best performing technique.
12. The assessment of performance should take into account on site production of electricity. This is to ensure that good environmental performance is rewarded.
13. The Member State would have to provide independently verified historic production data for the concerned installations, by which the benchmarks and the other data above will be multiplied.
14. The Member States that provide the aid would have to provide a report to the Commission for the aid related to the previous year.

## **Summary**

15. The maximum amount of aid that a Member State could provide for an installation would be:

- a percentage (possibly linked to the degree of carbon leakage) *times*
- the EU wide average CO<sub>2</sub> content per MWh *times*
- the average price of CO<sub>2</sub> allowances of the preceding year[s] *times*
- the electricity consumption that is necessary with the best performing technique *times*
- average production data in the preceding years for the installation in question.

The first four variables would be determined by the Commission.

### *As a formula*

16. Maximum compensation for indirect costs increase (EUR) = X% \* EU wide CO<sub>2</sub> content of electricity (tCO<sub>2</sub>/MWh)\* average price of CO<sub>2</sub> allowances (EUR/allowance)\* benchmark for efficient electricity use for the product (MWh/t)\* historic (e.g. average preceding years) production data (t).

### *Reminder*

17. This approach assumes that no free allocation of allowances is granted to power plants owned and operated by ETS participants other than power companies.

**Volatilité des prix sur le marché du carbone (directive SCEQE)**

Ajouter à la fin du paragraphe 5 de l'article 10:

Member States shall ensure that **an independent third party act as an observer and** report on each auction as regards the proper implementation of the auctioning rules, in particular with respect to fair and open access, transparency, price formation and technical and operational aspects. These reports shall be submitted within one month of the auction and shall be published on the Commission's website.

Nouveau paragraphe 6 à l' article 10:

**6.** The Commission shall monitor the functioning of the European carbon market. Each year, it shall submit a report to the Council and the European Parliament on the functioning of the carbon market including the implementation of the auctions, liquidity and the volumes traded. If necessary, Member States shall ensure that any relevant information is submitted to the Commission at least [two] months before adoption of the report by the Commission.

L'article 29 est remplacé de la manière suivante :

**"Article [29]**

**Report to ensure better functioning of the carbon market**

If, on the basis of the regular reports on the carbon market in Article [10(6)], the Commission has evidence that the carbon market is not functioning properly, it shall submit a report to the Council and the European Parliament. The report may be accompanied, if appropriate, by proposals aiming at increasing transparency of the carbon market and addressing measures to improve its functioning. "

L'article suivant est inséré après l'article 29a:

**"Article [29a]**

**Measures in the event of excessive price fluctuations**

1. If the allowance price is more than [twice][three times] the average price of allowances on the European market during the preceding two years for more than [X] months, the Commission shall immediately convene a meeting of the Committee instituted by Article 8 of Decision 280/2004/EEC.
2. If the Commission and a qualified majority of Member States represented in the Committee consider that the price evolution under paragraph 1 does not correspond to changing market fundamentals, the Commission may take one of the measures listed in paragraph 3. In its decision, the Committee shall fully take into account the reports submitted by the Commission to the Council and European Parliament under Article [29] and any other relevant information provided by Member States.

3. The Commission can take one of the following measures taking into account the degree of price evolution:
  - a) It can allow Member States to bring forward the auctioning of a part of the quantity to be auctioned.
  - b) It can allow up to 25% of the remaining allowances in the new entrants reserve to be auctioned **by the Member States**.

The modalities for the application of these provisions shall be laid down in the Regulation referred to in Article 10(5).

4. Measures designed to amend non-essential elements of this Directive for the implementation of the provisions under paragraphs 1 and 2 shall be adopted in accordance with the regulatory procedure with scrutiny referred to in Article [23(3)]."

**Utilisation des recettes des enchères (directive SCEQE)**

**Le paragraphe 3 de l'article 10 est modifié comme suit:**

**Article 10**  
**Auctioning of allowances**

- “3. At least 50% of the revenues generated from the auctioning of allowances referred to in paragraph 2, including all revenues from the auctioning referred to in point (b) thereof, should be used for one or more of the following:
- to reduce greenhouse gas emissions, including by contributing to the Global Energy Efficiency and Renewable Energy Fund, to adapt to the impacts of climate change and to fund research and development as well as demonstration projects for reducing emissions and adapting, including participation in initiatives within the framework of the European Strategic Energy Technology Plan **and the European Technology Platforms;**
  - [....]
  - to develop **technologies contributing to the transition to a low-carbon economy, including renewable energies to meet the commitment of the Community to using 20% renewable energies by 2020, and** to help meet the commitment of the Community to increase energy efficiency by 20% by 2020;
  - for **measures to avoid deforestation and increase afforestation and reforestation in developing countries that have ratified the future international agreement ; to transfer technologies and to facilitate adaptation to the adverse effects of climate change in these countries ;**
  - **for forestry sequestration in the EU ;**
  - for the **environmentally safe capture and geological storage of carbon dioxide,** in particular from coal power stations and a range of industrial sectors and subsectors.

- to encourage a shift to low emission forms of transport ;
- to finance research and development in energy efficiency and clean technologies in the sectors covered by the scope of the directive ;
- for measures **such as those intended** to increase energy efficiency and insulation in order to address social aspects in lower and middle income households in such a way which does not result in an increase in emissions of greenhouse gases;
- to cover administrative expenses of the management of the Community scheme.

Member States shall inform the Commission of actions taken pursuant to this paragraph.

~~4. Member States include information on the use of revenues for the purposes referred to in paragraph 3 in their reports submitted under Decision No 280/2004/EC.~~

#### **Déclaration politique :**

**The energy-climate package is a major contribution to safeguard the future of our planet. It also brings considerable opportunities for the EU and will strengthen the European leading role in the fight against climate change. The EU climate and energy package negotiations will further contribute to EU efforts to provide finance for actions to mitigate and adapt to climate change, in particular through the carbon market in the context of a wider international agreement. Member States consider that it is for them to determine, in accordance with their respective constitutional and budgetary requirements, the use to be made of revenues generated from the auctioning of allowances in the ETS Directive. In this context, they agree, on a voluntary basis, that at least half of these revenues shall be used for actions to reduce greenhouse gas emissions, mitigate and adapt to climate change, for measures to avoid deforestation, to develop capacity building, technology transfers, research and development in energy efficiency and clean technologies, on economy. For those who wish so, part of these undertakings will finance actions to mitigate and adapt to climate change in developing countries, in particular in the least advanced ones.”**

**Financement du CSC (directive SCEOE)**

**Nouveau paragraphe 6a:**

**Article 10a**

**Transitional Community-wide rules for harmonised free allocation**

- 6a. Up to [100-200] million allowances in the new entrants reserve shall be available until 31 December 2015 to help finance 12 large-scale commercial demonstration projects that are aiming at the environmentally safe capture and geological storage of carbon dioxide in the territory of the EU [or in developing countries and countries with economies in transition outside the EU that ratify the future international agreement], as well as the demonstration of large-scale renewable energy technologies.

The allowances shall be made available for support of projects that provide for the development in geographically balanced locations, of a wide range of CCS technologies. Their award in support of CCS projects shall be dependent upon the verified avoidance of CO<sub>2</sub> emissions through the use of geological storage.

The Commission shall arrange for auctioning of the allowances and the distribution of revenues by Member States. Support for projects shall be complementary to co-financing by the Member State concerned, the operator of the installation as well as to other instruments. No project shall receive support via this mechanism that exceeds 10% of the total number of allowances available for this purpose.

[...]

**Ajustement en cas d'accord international (directive SCEQE et décision partage des efforts)**

**Directive SCEQE :**

**Article 28**

**Adjustments applicable upon the approval by the European Community of a future  
international agreement on climate change**

1. At the latest 3 months after the signature [...] by the Community of an international agreement on climate change leading, by 2020, to mandatory reductions of greenhouse gas emissions from 20% and up to 30% compared to 1990 levels, the Commission shall submit a report assessing, in particular, the following elements:
  - the nature of the measures agreed upon in the framework of the international negotiations as well as the commitments made by other developed countries to comparable emission reductions to the EU's and the commitments made by economically more advanced developing countries to contributing adequately according to their responsibilities and respective capabilities.
  - the implications of the international agreement, and consequently, options required at the EU level, in order to step up to the more ambitious 30% reduction target in a balanced, transparent and equitable way, taking into account work under the Kyoto Protocol first commitment period.
  - the EU manufacturing industries competitiveness and carbon leakage risks in this context.
  - the impact of the international agreement on other EU economic sectors.

- modalities for including emissions and removals related to land use, land use change and forestry.
2. [...]On the basis of this report, the Commission shall, as appropriate, submit a legislative proposal to the European Parliament and to the Council amending the present directive pursuant to paragraph 1, in view of its entry into force upon the approval by the Community of the international agreement.
- This proposal shall be based upon the principles of transparency, economic efficiency and cost-effectiveness, and fairness and solidarity in the distribution of effort between Member States.**
3. [...]This proposal shall allow, as appropriate, operators to use CERs, ERUs or other credits approved [...] from third countries which have ratified the international agreement [...] in addition to the credits provided for in this Directive.
4. It shall also include, as appropriate, any other measures needed to help reach the mandatory reductions in accordance with paragraph 1 in a transparent, balanced and equitable way and, in particular measures to provide for the use of additional project types by operators in the Community scheme to those referred to in paragraphs 2 to 5 of Article 11a or the use by such operators of other mechanisms created under the international agreement, as appropriate. [...]
5. It shall include **the appropriate transitional and suspensive measures pending the entry into force of the international agreement.";**

## **Décision partage des efforts :**

### **Article 6**

#### **Adjustments applicable upon the approval by the European Community of a future international agreement on climate change**

1. At the latest 3 months after the signature by the Community of the international agreement on climate change leading, by 2020, to mandatory reductions of greenhouse gas emissions exceeding 20 % and up to 30 % compared to 1990 levels, the Commission shall submit a report assessing, in particular, the following elements:
  - the nature of the measures agreed upon in the framework of the international negotiations as well as the commitments made by other developed countries to comparable emission reductions to the EU's and the commitments made by economically more advanced developing countries to contributing adequately according to their responsibilities and respective capabilities;
  - the implications of the international agreement, and consequently, options required at the EU level, in order to step up to the more ambitious 30 % reduction target in a balanced, transparent and equitable way, taking into account work under the Kyoto Protocol first commitment period;
  - the EU manufacturing industries competitiveness and carbon leakage risks in this context;
  - the impact of the international agreement on other EU economic sectors;
  - modalities for including emissions and removals related to land use, land use change and forestry.

2. On the basis of this report, the Commission shall, if appropriate, submit a legislative proposal to the European Parliament and to the Council amending the present decision pursuant to paragraph 1 in view of its entry into force upon the approval by the Community of the international agreement.

**This proposal shall be based upon the principles of transparency, economic efficiency and cost-effectiveness, and fairness and solidarity in the distribution of effort between Member States.**

3. This proposal shall allow, as appropriate, Member States to use CERs, ERUs or other credits approved from third countries which have ratified the international agreement in addition to the credits provided for in the present directive. The amount of these credits shall not represent more than half of the additional efforts of reduction pursuant to paragraph 2.
- 3a. It shall also include, as appropriate, measures to allow for Member States to use the unused part of that quantity in the subsequent years or transfer the unused part of that quantity to another Member State.
4. It shall also include, as appropriate, any other measures needed to help reach the mandatory reductions in accordance with paragraph 1 in a transparent, balanced and equitable way and, in particular, measures to provide for the use by Member States of additional types of project credits or the use by Member States of other mechanisms created under the international agreement, as appropriate.

- 4a. On the basis of rules agreed as part of a future international agreement, it shall include emissions and removals related to land use, land use change and forestry in this Decision, as appropriate, according to harmonised modalities ensuring permanence and the environmental integrity of the contribution of land use, land use change and forestry as well as accurate monitoring and accounting.
  5. It shall include the appropriate transitional and suspensive measures pending the entry into force of the international agreement.
-