



Brussels, 28.6.2023
C(2023) 4250 final

COMMISSION IMPLEMENTING DECISION (EU) .../...

of 28.6.2023

**amending Implementing Decision (EU) 2020/2126 to revise Member States' annual
emission allocations for the period from 2023 to 2030**

(Text with EEA relevance)

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amending Implementing Decision (EU) 2020/2126 to revise Member States' annual emission allocations for the period from 2023 to 2030

(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 525/2013¹, and in particular Article 4(3) thereof,

Whereas:

- (1) Commission Implementing Decision (EU) 2020/2126² sets out Member States' annual emission allocations (AEAs) for the period from 2021 to 2030 in accordance with Article 4(1), (2) and (3) of Regulation (EU) 2018/842 and the adjustments provided for in Article 10 thereof.
- (2) Regulation (EU) 2023/857 of the European Parliament and of the Council³ amended, among others, Article 4(2) and (3) of Regulation (EU) 2018/842, and established the method for calculating the annual limits of greenhouse gas emissions that each Member State is required to respect in the years 2023 to 2030.
- (3) It is therefore necessary to revise the AEAs set out in Implementing Decision (EU) 2020/2126.
- (4) The revision of the AEAs should be limited to those that were allocated for the years 2023 to 2030, since Regulation (EU) 2023/857 did not amend the limits of greenhouse gas emissions applicable to the years 2021 and 2022. However, in the interest of clarity, Annex II to Commission Implementing Decision (EU) 2020/2126 should be replaced in its entirety.
- (5) The AEAs for each Member State for the years 2023, 2024 and 2025 are to be established on the basis of a linear trajectory starting in 2022 at the AEA for a given Member State and ending in 2030 at the limit set for the given Member State as set out in the table, column 2, of Annex I to Regulation (EU) 2018/842.

¹ OJ L 156, 19.6.2018, p. 26.

² 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 (OJ L 426, 17.12.2020, p. 58).

³ Regulation (EU) 2023/857 of the European Parliament and of the Council of 19 April 2023 amending Regulation (EU) 2018/842 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 Regulation (EU) 2018/1999 (OJ L 111, 26.4.2023, p. 1).

- (6) The AEAs for each Member State for the years 2026 to 2030 are to be established on the basis of a linear trajectory starting on the average of the greenhouse gas emissions in 2021, 2022 and 2023 of that Member State. Such average will be determined after a comprehensive review of the inventory data submitted by Member States for the years 2021, 2022 and 2023. That comprehensive review will be conducted in 2025 by the Commission, with the assistance of the European Environment Agency. Until such comprehensive review is carried out, the AEAs for the years 2026 to 2030 will remain undetermined.
- (7) The resulting values of the annual emission allocations for the years 2023, 2024 and 2025 are to be adjusted, pursuant to Article 10(1), point (c), of Regulation (EU) 2018/842. Greenhouse gas emissions from stationary installations excluded from the EU emissions trading system in accordance with Article 27 of Directive 2003/87/EC of the European Parliament and of the Council⁴, 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 within the scope of Regulation (EU) 2018/842. Therefore, the quantities deducted from the cap are added to the annual emission allocations of the relevant Member States for the years 2023, 2024 and 2025.
- (8) Implementing Decision (EU) 2020/2126 should therefore be amended accordingly.
- (9) The measures provided for in this Decision are in accordance with the opinion of the Climate Change Committee,

HAS ADOPTED THIS DECISION:

Article 1

Annex II to Implementing Decision (EU) 2020/2126 is replaced by the text in the Annex to this Decision.

Article 2

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, 28.6.2023

For the Commission
The President
Ursula VON DER LEYEN

⁴ Directive 2003/87/EC of the European Parliament and of the Council of 13 October 2003 establishing a system for greenhouse gas emission allowance trading within the Union and amending Council Directive 96/61/EC (OJ L 275, 25.10.2003, p. 32).