

COMMISSION DELEGATED REGULATION (EU) 2020/1044 of 8 May 2020 supplementing Regulation (EU) 2018/1999 with regard to values for global warming potentials and the inventory guidelines and with regard to the Union inventory system

Incorporated and adapted by the Ministerial Council Decision 2021/14/MC-EnC of 30 November 2021 on incorporating Regulation (EU) 2018/1999 in the Energy Community acquis communautaire and amending Annex I of the Treaty.

The adaptations made by Ministerial Council Decision 2021/14/MC-EnC are highlighted in bold and blue.

Article 1

Scope

This Regulation applies to the reports submitted by the **Contracting Parties** containing data required for the year **2023** onwards.

Article 2

Global warming potentials

The **Contracting Parties** and the **Energy Community Secretariat** shall use the global warming potentials listed in Annex I to this Regulation for the purpose of determining and reporting greenhouse gas inventories data pursuant to paragraphs 3 <...> of Article 26 of Regulation (EU) 2018/1999 **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC**.

Article 3

Greenhouse gas inventory guidelines

The **Contracting Parties** and the **Energy Community Secretariat** shall determine greenhouse gas inventories referred to in paragraphs 3 <...> of Article 26 of Regulation (EU) 2018/1999 **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC** in accordance with:

- (a) the 2006 Intergovernmental Panel on Climate Change (IPCC) Guidelines for National Greenhouse Gas Inventories;
- (b) the modalities, procedures and guidelines for the transparency framework for action and support referred to in Article 13 of the Paris Agreement set out in the Annex to Decision 18/CMA.1 of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement ('Decision 18/CMA.1').

Article 4

Quality assurance and quality control programme objectives

1. The **Energy Community Secretariat** shall manage, maintain and seek to continuously improve the **Contracting Parties** greenhouse gas inventory system based on the following quality assurance and quality control programme objectives:

(a) that the **Contracting Parties** greenhouse gas inventory is complete by, where relevant, applying the procedure set out in Article 37(5) of Regulation (EU) 2018/1999 **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC**, in consultation with the Contracting Party concerned;

(b) that the **Contracting Parties** greenhouse gas inventory system provides a transparent aggregation of **Contracting Parties'** greenhouse gas emissions by sources and removals by sinks as well as overviews of methodological descriptions for **Contracting Parties** key categories, and reflects in a transparent manner the contribution of **Contracting Parties'** emissions by sources and removals by sinks to the **Contracting Parties** greenhouse gas inventory;

(c) that the total of the **Contracting Parties** greenhouse gas emissions by sources and removals by sinks for a reporting year is equal to the sum of **Contracting Parties'** greenhouse gas emissions by sources and removals by sinks reported pursuant to paragraphs 3 <...> of Article 26 of Regulation (EU) 2018/1999 **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC** for that same year;

(d) that the **Contracting Parties** greenhouse gas inventory includes a consistent time series of emissions by sources and removals by sinks for all reported years.

2. The **Energy Community Secretariat** and the **Contracting Parties** shall increase, where possible, the comparability of national greenhouse gas inventories by seeking synergy of methods, activity data, notation keys and the allocation of emissions by sources and removals by sinks by **Contracting Parties**, where appropriate.

3. The quality assurance and quality control programme objectives of the **Contracting Parties** inventory shall complement the quality assurance and quality control programmes objectives implemented by the **Contracting Parties**.

4. **Contracting Parties** shall ensure the quality of activity data, emission factors and other parameters used for their national greenhouse gas inventory.

Article 5

Gap filling

1. The **Energy Community Secretariat** estimates for completing the inventory data submitted by a **Contracting Party** as referred to in Article 37(5) of Regulation (EU) 2018/1999 **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC** shall be based on the following methodologies and data:

(a) where a **Contracting Party** has submitted in the previous reporting year a consistent time series of estimates for the relevant source category and:

(i) that **Contracting Party** has submitted an approximated greenhouse gas inventory for the

year X – 1 pursuant to Article 26(2) of Regulation (EU) 2018/1999 **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC** that includes the missing estimate, on the data from that approximated greenhouse gas inventory;

(ii) that **Contracting Party** has not submitted an approximated greenhouse gas inventory for the year X – 1 under Article 26(2) of Regulation (EU) 2018/1999, but the **Energy Community Secretariat** has estimated approximated greenhouse gas emissions for the year X – 1 for that **Contracting Party** in accordance with Article 26(2) of Regulation (EU) 2018/1999 **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC** on the data from that Energy Community approximated greenhouse gas inventory;

(iii) the use of the data from the approximated greenhouse gas inventory of the **Contracting Party** is not possible or may lead to a highly inaccurate estimation, for missing estimates in the energy sector, on the energy statistics data obtained in accordance with Regulation (EC) No 1099/2008 of the European Parliament and of the Council, **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC**;

(iv) the use of the data from the approximated greenhouse gas inventory is not possible or may lead to a highly inaccurate estimation, for missing estimates in non-energy sectors, on estimation methodologies consistent with the technical advice on gap filling in Section 2.2.3 of the 2006 IPCC Guidelines for National Greenhouse Gas Inventories (Vol. 1) using, where appropriate, European statistics;

(b) where an estimate of an emission by source or removal by sink for the relevant category was subject to technical corrections in accordance with Article 38(2)(d) of Regulation (EU) 2018/1999 **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC** in the latest review prior to the submission and the **Contracting Party** concerned has not submitted a revised estimate, on the method used by the technical expert review team to calculate the technical correction;

(c) where a consistent time series of reported estimates for the relevant source category is not available, on estimation methodologies consistent with the technical advice on gap filling in Section 2.2.3 of the 2006 IPCC Guidelines for National Greenhouse Gas Inventories (Vol. 1).

2. The **Energy Community Secretariat** shall prepare the estimates referred to in paragraph 1 by 31 March of the reporting year in consultation and close cooperation with the **Contracting Party** concerned.

3. <...>

Article 6

Initial checks

The initial checks performed by the **Energy Community Secretariat** pursuant to Article 37(4) of Regulation (EU) 2018/1999 may include:

(a) an assessment whether all categories required under the modalities, procedures and guidelines for the transparency framework for action and support referred to in Article 13 of the Paris Agreement set out in the Annex to Decision 18/CMA.1 and all greenhouse gases referred to in Annex V of Regulation (EU) 2018/1999 **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC** are reported by the **Contracting Party**;

- (b) an assessment whether emissions by sources and removals by sinks data time series are consistent;
- (c) an assessment whether implied emission factors across **Contracting Parties** are comparable taking into account the IPCC default emission factors for different national circumstances;
- (d) an assessment of the use of 'Not Estimated' notation keys where IPCC Tier 1 methodologies exist and where the use of the notation key is not justified in accordance with point 32 of the Annex to Decision 18/CMA.1;
- (e) an analysis of recalculations performed for the greenhouse gas inventory submission, including whether the recalculations are based on methodological changes;
- (f) a comparison of the verified greenhouse gas emissions reported under the **Energy Community information** system with the greenhouse gas emissions reported pursuant to Article 26(3) of Regulation (EU) 2018/1999 **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC**;
- (g) a comparison of the results of Eurostat's reference approach with the **Contracting Parties'** reference approach;
- (h) a comparison of the results of Eurostat's sectoral approach with the **Contracting Parties'** sectoral approach;
- (i) an assessment whether issues from earlier **Energy Community Secretariat** initial checks and reviews as well as recommendations from UNFCCC reviews **where applicable** have been implemented by the **Contracting Party**;
- (j) an assessment of the accuracy of **Contracting Parties'** emissions by sources and removals by sinks estimates in relation to **Energy Community** key categories;
- (k) an assessment of the transparency and completeness of the methodological descriptions reported by **Contracting Parties** for the **Energy Community** key categories.
- (l) an assessment of monitoring and reporting of emissions by sources and removals by sinks in the land use, land use change and forestry (LULUCF) sector pursuant to Part 3 of Annex V to Regulation (EU) 2018/1999 **as adapted and adopted by Ministerial Council Decision 2021/14/MC-EnC**, including the assignment of key categories, Tier methodology applied, and a comparison of reported land use and land use change activity data with information derived from the Union and Member State programmes and surveys.

Article 7

<...>

Article 8

<...>

Article 9

Entry into force and application

This decision shall enter into force on the date of its adoption.

ANNEX

GLOBAL WARMING POTENTIALS

Acronym, common name or chemical name	Global warming potential
Carbon dioxide (CO ₂)	1
Methane (CH ₄)	28
Nitrous oxide (N ₂ O)	265
Sulphur hexafluoride (SF ₆)	23 500
Nitrogen trifluoride (NF ₃)	16 100
Hydrofluorocarbons (HFCs):	
HFC-23 CHF ₃	12 400
HFC-32 CH ₂ F ₂	677
HFC-41 CH ₃ F	116
HFC-125 CHF ₂ CF ₃	3 170
HFC-134 CHF ₂ CHF ₂	1 120
HFC-134a CH ₂ FCF ₃	1 300
HFC-143 CH ₂ FCHF ₂	328
HFC-143a CH ₃ CF ₃	4 800
HFC-152 CH ₂ FCH ₂ F	16
HFC-152a CH ₃ CHF ₂	138
HFC-161 CH ₃ CH ₂ F	4
HFC-227ea CF ₃ CHF ₂ CF ₃	3 350
HFC-236cb CF ₃ CF ₂ CH ₂ F	1 210
HFC-236ea CF ₃ CHFCHF ₂	1 330
HFC-236fa CF ₃ CH ₂ CF ₃	8 060
HFC-245fa CHF ₂ CH ₂ CF ₃	858
HFC-245ca CH ₂ FCF ₂ CHF ₂	716
HFC-365mfc CH ₃ CF ₂ CH ₂ CF ₃	804
HFC-43-10mee CF ₃ CHFCHF ₂ CF ₃ or (C ₅ H ₂ F ₁₀)	1 650
Perfluorocarbons (PFCs):	
PFC-14, Perfluoromethane, CF ₄	6 630
PFC-116, Perfluoroethane, C ₂ F ₆	11 100
PFC-218, Perfluoropropane, C ₃ F ₈	8 900
PFC-318, Perfluorocyclobutane, c-C ₄ F ₈	9 540
Perfluorocyclopropane c-C ₃ F ₆	9 200

PFC-3-1-10, Perfluorobutane, C ₄ F ₁₀	9 200
PFC-4-1-12, Perfluoropentane, C ₅ F ₁₂	8 550
PFC-5-1-14, Perfluorohexane, C ₆ F ₁₄	7 910
PFC-9-1-18, C ₁₀ F ₁₈	7 190