



A brief history of the German national reporting system on climate change

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Information Matters

Transparency through Reporting

Content

1. Introduction	4
2. Historical development of Germany's climate change reporting system.....	5
2.1. Data collection in the early 1990s and before.....	5
2.2. The United Nations Framework Convention on Climate Change and the requirements of the IPCC in the mid-1990s	7
2.3. Reporting under the Kyoto Protocol	8
2.4. The development of National Inventory Reports after the Millennium.....	10
2.5. Meeting other reporting requirements under the Convention – NCs and BRs.....	11
3. Legal foundations of the German reporting system.....	13
4. Outlook – reporting obligations under the Paris Agreement.....	14

1. Introduction

Reducing anthropogenic emissions of greenhouse gases (GHG) is a key factor in climate change mitigation. In the 2015 Paris Agreement,¹ 196 parties agreed to restrict global warming to between 1.5 and 2 degrees Celsius above pre-industrial levels. Nationally determined contributions (NDCs)² include the main targets for each party to reduce their national emissions. To assess the success of national climate protection efforts, ongoing and transparent measurement and reporting is needed of greenhouse gases (GHG) emissions. These include carbon dioxide, methane, nitrous oxide or trace gases, such as fluorinated hydrocarbons. An assessment on whether countries are actually pursuing climate protection can only be performed based on these published figures.

The calculation and reporting methods need to be standardised to be able to evaluate the efforts in reducing GHG emissions undertaken by individual states. One can only assess whether or not a state is making an appropriate contribution to climate protection if the methods for estimating GHG emissions are applied consistently worldwide.

In 1992, the United Nations Conference on Environment and Development convened in Rio de Janeiro and adopted the United Nations Framework Convention on Climate Change (UNFCCC)³ – the first international environmental agreement aimed at preventing a dangerous anthropogenic disruption of the climate system, slowing down global warming and mitigating its consequences. Initially, the international community believed that the problem could be solved simply by industrialised nations reducing their greenhouse gas emissions. The 1997 Kyoto Protocol⁴ therefore imposed strict reduction and reporting obligations on developed countries ('Annex I parties') together with a compliance regime. Even though the developing countries were also advised to set up their own reporting system, implementation was voluntary.

The Paris Agreement, which was adopted at the COP 21 Climate Change Conference, came into effect in November 2016 and aimed to limit global warming to 'well below 2 degrees Celsius'.

By then it was widely accepted that this would only be possible with contributions from both developed and developing countries through nationally determined contributions (NDCs). To assess how all countries are progressing towards their own mitigation goals, the Paris Agreement also extends mandatory reporting to developing countries. Article 13, paragraph 7 of the Agreement states that 'each party shall regularly provide the following information':

(a) A national inventory report of anthropogenic emissions by sources and removals by sinks of greenhouse gases, prepared using good practice methodologies accepted by the Intergovernmental Panel on Climate Change and agreed upon by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement; and

¹ <http://unfccc.int/resource/docs/2015/cop21/eng/l09r01.pdf>

² <http://unfccc.int/focus/items/10240.php>

³ <https://unfccc.int/resource/docs/convkp/conveng.pdf>

⁴ http://unfccc.int/kyoto_protocol/items/2830.php

(b) Information necessary to track progress made in implementing and achieving its nationally determined contribution under Article 4.

This brings new responsibilities and requirements to developing countries.

In light of this, developing countries will need to enhance national capacity to meet these reporting requirements. There is already a wealth of experience in reporting on GHG emissions and on the progress made in achieving national goals, both in developing and industrialised countries.

This paper illustrates the development of Germany's national reporting system on climate change up to the present day. It aims to elaborate on important milestones shaping the development of the German system at the German Environment Agency (UBA), alongside international developments related to climate change reporting, particularly those under the UNFCCC and its Kyoto Protocol. It intends to shed light on the national drivers behind the implementation of the national reporting system and how international processes have been influencing its development.

This historical perspective on the German system provides lessons learned and experiences that could be useful for other countries in their efforts to establish a robust and self-sustaining system of measurement, reporting and verification of greenhouse gases – a Measurement, Reporting and Verification (MRV) system.⁵ It also aims to demonstrate that a national reporting system needs to be built and improved over time.

2. Historical development of Germany's climate change reporting system

2.1. Data collection in the early 1990s and before

In 1990, 1,250,247 million tonnes of carbon dioxide equivalents were produced in the Federal Republic of Germany. This is an important figure as it became the reference point for the climate protection commitments of all federal governments and the national climate target to which the Federal Republic of Germany has committed under international law.

However, how do we actually know exactly how much greenhouse gas was released on the territory of the Federal Republic of Germany in 1990? After all, there were two German⁶ states in 1990, with two different legal systems, two different statistical and measuring systems.

To answer this question, one has to go back to the 1960s, when scientists were for the first time able to demonstrate the influence of sulfur dioxide emissions from Central Europe on the acidification of Scandinavian lakes. Further studies confirmed the

⁵ <http://www.oecd.org/env/cc/measurementreportingandverificationofghgmitigation.htm>

⁶ East Germany, officially the German Democratic Republic (GDR; German: Deutsche Demokratische Republik, DDR), was a communist state in central Europe, during the Cold War period. From 1949 to 1990, it administered the portion of Germany that had been occupied by Soviet forces at the end of World War II. East Germany and the Federal Republic of Germany were reunified on 3 October 1990.

suspicion that pollutants cause damage, even at very long distances from the point of emission.

This finding forced international cooperation policies to reduce the effects of air pollution on the environment and human health. In Geneva, the Convention on Long-Range Transboundary Air Pollution⁷ was adopted in 1979 and ratified by 51 countries from East and West despite the ongoing Cold War. The Convention was the first international legally binding instrument for international cooperation against transnational air pollution.

In addition to recognising that long-range transboundary air pollution has a damaging effect on the environment and that it is necessary to protect people and their environment, the Geneva Air Pollution Convention also required the parties to endeavour to combat the emissions of these pollutants and to establish a pan-European monitoring network. It could then be established whether or not the contracting states were fulfilling their obligations.

A reporting system was set up at the German Environment Agency in the 1980s. Air pollutants such as nitrogen oxides, sulfur compounds, carbon monoxide or dust emissions were measured. 'Greenhouse gases were also already being calculated,' explains the UBA head of the department on emissions, Michael Strogies, who called the Geneva Air Pollution Convention the 'germ cell' of today's system for measuring emissions. Carbon dioxide originates from similar sources as fine dust, sulfur dioxide or nitrogen compounds: 90 per cent of them are generated by burning fossil fuels. Since 1971, the *AG Energiebilanzen*, an association of five energy industry associations and five economic research institutes,⁸ has been compiling the statistics on annual consumption of these fossil fuels.

Emissions data were also available in the German Democratic Republic (GDR). On a political level, the environmental data in the GDR was embellished, 'At survey level it worked quite well though' says Strogies.

On 7 November 1990, the Federal Republic of Germany passed a Cabinet decision on a first national climate target: by 2005, German greenhouse gas emissions were to be reduced by at least 25 per cent below the 1987 levels. In a press release, the Federal Ministry for the Environment stated,⁹ 'The Federal Republic of Germany currently generates 1,066 million tonnes of CO₂ emissions, of which 716 million tonnes come from the 11 old federal states, 350 million tonnes from the new federal states.' This data was available thanks to the Geneva Air Pollution Convention.

180 million tonnes of greenhouse gas equivalents also need to be added to the German balance sheet for 1990. These were generated by the agriculture and chemical industries in the form of methane, nitrous oxide and 13 million tonnes of other greenhouse gases (e.g. hydrofluorocarbons). The standard for today's Federal Republic of Germany is

⁷ <https://www.unece.org/fileadmin/DAM/env/lrtap/full%20text/1979.CLRTAP.e.pdf>

⁸ <https://ag-energiebilanzen.de/14-0-Mitglieder.html>

⁹ Archive of the German Ministry of Environment (Document 114/90)

therefore the base value of 1,250,247 million tonnes carbon dioxide equivalents.¹⁰ Today, this figure is the benchmark against which Germany's climate protection efforts are measured.

2.2. The United Nations Framework Convention on Climate Change and the requirements of the IPCC in the mid-1990s

In 1992, the United Nations Framework Convention on Climate Change (UNFCCC)¹¹ was adopted. Reporting formed an integral part of the Convention. In its Article 12, the 197 Contracting States¹² stipulated how they treat the 'Communication of information related to implementation':

1. In accordance with Article 4, paragraph 1, each Party shall communicate to the Conference of the Parties, through the secretariat, the following elements of information:

(a) A national inventory of anthropogenic emissions by sources and removals by sinks of all greenhouse gases not controlled by the Montreal Protocol, to the extent its capacities permit, using comparable methodologies to be promoted and agreed upon by the Conference of the Parties;

(b) A general description of steps taken or envisaged by the Party to implement the Convention; and

(c) Any other information that the Party considers relevant to the achievement of the objective of the Convention and suitable for inclusion in its communication, including, if feasible, material relevant for calculations of global emission trends.

2. Each developed country Party and each other Party included in Annex I shall incorporate in its communication the following elements of information:

(a) A detailed description of the policies and measures that it has adopted to implement its commitment under Article 4, paragraphs 2 (a) and 2 (b); and

(b) A specific estimate of the effects that the policies and measures referred to in subparagraph (a) immediately above will have on anthropogenic emissions by its sources and removals by its sinks of greenhouse gases during the period referred to in Article 4, paragraph 2 (a).

Thus, since the beginning of climate diplomacy, there have been two different levels of reporting: first, the greenhouse gas inventories that represent the current status of GHG emissions and the emissions trend from past to present. The second level looks at the future whereby countries report both in their National Communications¹³ and more

¹⁰ https://www.umweltbundesamt.de/sites/default/files/medien/384/bilder/dateien/3_tab_emi-direkt-indirekt-thg_2017-03-17.pdf

¹¹ <https://unfccc.int/resource/docs/convkp/conveng.pdf>

¹² http://unfccc.int/parties_and_observers/items/2704.php

¹³ http://unfccc.int/national_reports/annex_i_natcom/submitted_natcom/items/10138.php

recently also in their Biennial Reports¹⁴ which reduction goals they are aiming for and which political measures they are undertaking to achieve these goals.

In 1990, the German Environment Agency calculated emissions to be 1,250,247 million tonnes of carbon dioxide equivalents. In March 1994, when the United Nations Framework Convention on Climate Change (UNFCCC) came into effect, this data had to be 'reported'. The information was submitted as part of Germany's first National Communication (NC) in 1994.

Germany declared that it would reduce its national CO₂ emissions by 25 per cent below 1990 levels by the year 2005 at the first 'Conference of the Parties to the Framework Convention on Climate Change' COP 1 on 5 April 1995 in Berlin.¹⁵

The second National Communication dates back to 1997. This and the first NC both include a National GHG Emissions Inventory as requested by the UNFCCC secretariat. Even though the first national report contained tables of emission figures, the methods for calculating the data were not described. At that time, four employees at the German Environment Agency were working on the reports (until 1991, there had been two employees).

The Intergovernmental Panel on Climate Change is responsible for standardising the reports. Since the beginning of the 1990s, the Intergovernmental Scientific Panel has compiled guidelines on how to prepare the National Emissions Inventory and how to report it to the Climate Secretariat in Bonn.

In 1997, at COP 3 in Kyoto, Japan, the delegates then adopted the revised guidelines from 1996. In 2001, following a decision at COP 7, the 'Marrakesh Accords',¹⁶ these reporting rules became internationally binding.

Since then, the IPCC, with its expertise, and the Subsidiary Body for Scientific and Technological Advice (SABSTA),¹⁷ the scientific arm of the Conference of the Parties, have been working on further refining the reporting system, especially the methodology for collecting and comparing the National Emissions Inventory.

2.3. Reporting under the Kyoto Protocol

The reduction targets adopted by the industrialised countries at the third Conference of the Parties in 1997 in Kyoto, Japan also take 1990 as the reference year. For example, the most developed countries listed in Annex B committed themselves to reducing their greenhouse gas emissions by 5.2 per cent below 1990 levels by 2012.^{18,19}

¹⁴

http://unfccc.int/national_reports/biennial_reports_and_iar/biennial_reports_data_interface/items/10132.php

¹⁵ [http://helmut-](http://helmut-kohl.kas.de/index.php?menu_sel=17&menu_sel2=126&menu_sel3=&menu_sel4=&msg=1587)

[kohl.kas.de/index.php?menu_sel=17&menu_sel2=126&menu_sel3=&menu_sel4=&msg=1587](http://helmut-kohl.kas.de/index.php?menu_sel=17&menu_sel2=126&menu_sel3=&menu_sel4=&msg=1587)

¹⁶ <http://unfccc.int/resource/docs/cop7/13.pdf>

¹⁷ <http://unfccc.int/bodies/body/6399.php>

¹⁸ <http://unfccc.int/resource/docs/convkp/kpeng.pdf>

¹⁹ 1990 is still used as the reference year for current GHG emissions reduction targets: by 2020, German greenhouse gas emissions will be reduced by 40 percent below 1990 levels.

The first German climate target was to be reached through a series of legislative measures based on a voluntary commitment by the German industry.²⁰ To this end, the German industrial associations concluded a contract with the economic institute RWI on monitoring greenhouse gases.²¹ This meant that in the beginning, mainly private institutions funded by the industry were responsible for keeping records of German GHG emissions.

The specialist unit at the German Environment Agency used this data for its own work. However, at first it just imported the data. This changed in 1999 when the Federal Government published the first government-issued greenhouse gas report to the EU as part of 'EU monitoring of CO₂ and other greenhouse gases'. At that time, reporting already took place according to the requirements of the 1997 Kyoto Protocol at COP 3 in Japan. This formed the blueprint of Germany's first National GHG Emissions Inventory.

At that time, the decisive Article 7 of the Kyoto Protocol was not yet being enforced, but the EU climate diplomats had no doubts that it would be. Article 7 explains the Parties' reporting obligations, according to which a National Emissions Inventory would need to be established and the rules for compiling and collecting data reviewed and developed by the Conference of the Parties.

Therefore, from 1999, reporting was seen as a test run for implementation. The article came into force with the adoption of the Marrakesh Accords at COP 6 in 2001. In theory, the procedure would now be in accordance with Article 7.

However, the Kyoto Protocol only came into effect in February 2005 and from then on, the Federal Republic of Germany was obliged to make annual submissions of the National GHG Emissions Inventory to the UN Climate Secretariat. Germany now had to hand over this report not only to the EU but also to the UN Climate Secretariat.

A full National Inventory Report with a proper description of the method used was first sent to the UNFCCC secretariat in 2003.

In 2001, Germany began to draft a law on climate-protection statistics. The aim was to create a legal basis to collect and use the data, in accordance with national data protection laws as well as international requirements and guarantees on the legally binding use of data that is often collected by third parties. Article 5.1 of the Kyoto Protocol required this institutionalisation as a National System. In 2007, following a decision of the Conference of the Parties, Germany also had to provide proof of such a legally secure data usage and processing system.

Although the draft of the climate-protection statistics law of 2001 was well advanced in 2007, there were major reservations – both political and legal. The draft was therefore abandoned and, to meet the deadline, an agreement was reached between the state secretaries of the ministries involved.²² The agreement reached on 5 June 2007 forms the

²⁰ <http://dip21.bundestag.de/dip21/btp/13/13027.pdf> Government declaration by Federal Environment Minister Angela Merkel, self-commitment from 1863 B

²¹ <http://www.rwi-essen.de/forschung-und-beratung/umwelt-und-ressourcen/projekte/co2-monitoring/>

²² https://www.umweltbundesamt.de/sites/default/files/medien/1410/publikationen/2017-04-26_climate-change_13-2017_nir-2017_unfccc_de.pdf

current legal basis for data collection, evaluation and processing for the GHG inventory in Germany.

With the introduction of reporting obligations under the Marrakesh Accord at COP 6 in 2001, sanction mechanisms were also brought in. Those who did not submit their reports punctually, comprehensively and correctly to the Secretariat of UNFCCC were initially asked to make further submissions. If these were not sufficient or were missed, the Climate Secretariat would warn the Contracting State. The third step was to deprive the Contracting State of access to ‘economically flexible instruments’, i.e. the states were excluded from the ‘clean development mechanism’ and the ‘joint implementation’ mechanism, which led to considerable economic losses. For example, between 2010 and 2012, the UNFCCC compliance committee suspended Ukraine, Romania and Bulgaria from the Kyoto Protocol Carbon Trading.^{23,24}

2.4. The development of National Inventory Reports after the Millennium

With the decision of the 12th Conference of the Parties in Nairobi in 2006,²⁵ the UN Climate Secretariat provided a full set of ‘Common Reporting Format (CRF) tables’, which have since been used to standardise the annual GHG inventories. This process is based on the ‘Revised 1996 IPCC Guidelines for National Greenhouse Gas Inventories’,²⁶ the ‘Good Practice Guidance and Uncertainty Management in National Greenhouse Gas Inventories’²⁷ and the ‘Good Practice Guidance for Land Use, Land-Use Change and Forestry’,²⁸ which were also prepared by the IPCC.

The ‘Good Practice Guidance’ and ‘Guidelines’ are regularly reviewed by the Intergovernmental Panel on Climate Change. This is necessary because science contributes new insights into greenhouse gases, their formation and their global warming potential. Most recently, in 2006, the Conference of the Parties COP 12 in Nairobi adopted the revised guidelines.

Before the start of the first commitment period under the Kyoto Protocol in 2008, the UN examined whether the individual states were even in a position to implement the Kyoto Protocol. In other words, whether there were appropriate national institutions to meet the reporting requirements, particularly in the industrialised countries. During the first commitment period up to 2012, the institutions again tried to refine the reports and adapt them to the agreed requirements.

Since 2007, the National Coordination Agency for Emission Inventories (the ‘Single National Entity’) in the German Environment Agency (Umweltbundesamt – UBA) has

²³ <http://www.mondaq.com/unitedstates/x/152736/>

²⁴ <https://www.euractiv.com/section/climate-environment/news/romania-suspended-from-kyoto-carbon-trading/>

²⁵ <http://unfccc.int/resource/docs/2006/sbsta/eng/09.pdf>

²⁶ <http://www.ipcc-nggip.iges.or.jp/public/gl/invs1.html>

²⁷ <http://www.ipcc-nggip.iges.or.jp/public/gp/english/>

²⁸ <http://www.ipcc-nggip.iges.or.jp/public/gpglulucf/gpglulucf.html>

been responsible for preparing the report in Germany.²⁹ This coordination agency is supported by other federal institutions, such as the Federal Statistical Office (Destatis) and the Federal Research Institute for Rural Areas, Forestry and Fisheries (the Thünen Institute),³⁰ which gathers data on GHG emitted by agriculture, land use, land use change and forestry.

The number of employees at the German Environment Agency who are dedicated to reporting duties associated with the annual development of a GHG inventory has steadily grown to its present number of 13 people. Three dozen other experts are also involved in preparing the National Inventory Report.

Asked if he sees himself as an ‘emissions investigator’, the German expert Dirk Günther replied, ‘Our understanding is to make the reporting of greenhouse gases from the Federal Republic of Germany as accurate and as complete as possible.’ The German Environment Agency is akin to the ‘Technical authority’ for the implementation of the reporting obligations; the political responsibility is borne by the Federal Environment Ministry.

The second commitment period of the Kyoto Protocol began in 2013 and will be replaced by the Paris Agreement in 2020. The IPCC is regularly tasked with reviewing and improving its guidelines. However, the Conference of the Parties must approve any changes. The German experts therefore expect that the same Kyoto Protocol reporting obligations will initially apply to the Paris Agreement. There will probably be no changes until the mid-2020s.

In any case, amendments must be adopted by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement.

2.5. Meeting other reporting requirements under the Convention – NCs and BRs

In addition to the National Inventory Reports, Annex 1 Parties are required to submit Biennial Reports (Biennial Update Reports in the case of developing countries) every two years, and National Communications that look to the future and set out every four years what a state is willing to do to reduce its greenhouse gas emissions. Germany, for example, has also reported its 40 per cent reduction target in 2020, although according to the new coalition agreement, this should no longer apply in this form.³¹

In addition to the reduction target, these reports describe political measures planned by the Federal Government and quantify the effects that such mitigation action will bring in terms of emissions reductions.

²⁹ https://www.umweltbundesamt.de/sites/default/files/medien/1410/publikationen/2017-04-26_climate-change_13-2017_nir-2017_unfccc_de.pdf

³⁰ <https://www.thuenen.de/>

³¹ <http://www.tagesspiegel.de/downloads/20936562/4/koav-gesamttxt-stand-070218-1145h.pdf>

The third Biennial Report³² and the seventh National Communication³³ were submitted to the Climate Secretariat on 31 December 2017. In addition to the policies and measures, such reports also provide information on, among others, the financial flows by which Germany intends to support other states in climate protection, how Germany's own efforts (including financial commitments) are monitored, and which global warming research projects the Federal Government is commissioning.

The 'Climate and International Affairs' department at the Federal Ministry of the Environment, Nature Conservation and Nuclear Safety (BMU) is responsible for these reports. More specifically, the unit for Strategic Aspects of Climate Policy and Climate Action Plan.

Three staff members usually work on compiling these reports, with the support of a workforce of up to 13 people in the German Environment Agency and other employees at the Environment Ministry and other federal government departments.

Reporting cycles last more than one year. The process begins in January. Comments from the UNFCCC reviewers from previous reviews have to be considered. By May/June, the draft reports must be available. These then go to the other line ministries for comment and approval – after all, the Biennial Reports and National Communications are official German Federal Government reports.

Martin Weiß from the 'Climate and International Affairs' department says, 'A Cabinet decision is not necessary. The reports are compiled from existing reports prepared by other line ministries.' For example, reports from other ministries will be included in these reports. Therefore, the Climate Finance Part will be contributed by the 'Federal Ministry for Economic Cooperation and Development', which will already have had to report its figures to the EU. Other federal agencies also contribute to the National Communications, such as the report on 'Research and Observation on Global Warming', which is being handled by the German National Meteorological Service, a federal agency under the authority of the Federal Ministry of Transport.

The four-year National Communication is far more extensive than any other report. Currently, all industrialised countries listed in Annex 1 of the Framework Convention on Climate Change have to submit such National Communications. Developing countries have the same obligation, but this is applied in a more flexible manner.³⁴

Since the Climate Change Conference 2010 in Cancún, COP 16, these reports have also played a role on the negotiating floor. The multilateral assessment process takes place³⁵ in the Subsidiary Body for Implementation (SBI)³⁶, where climate diplomats of other contracting states query the content of the industrialised countries' reports.

³²

http://unfccc.int/files/national_reports/biennial_reports_and_iar/submitted_biennial_reports/application/pdf/65021783_germany-br3-1-171220_3_biennial_report_to_unfccc.pdf

³³ http://unfccc.int/files/national_reports/annex_i_natcom/application/pdf/65021783_germany-br3-1-171114_5th_national_report_on_climate_observing_systems_in_germany.pdf

³⁴ http://unfccc.int/national_reports/non-annex_i_natcom/items/10124.php

³⁵ http://unfccc.int/focus/mitigation/the_multilateral_assessment_process_under_the_iar/items/7549.php

³⁶ <http://unfccc.int/bodies/body/6406.php#c>

3. Legal foundations of the German reporting system

In general, experts and government advisers recommend setting up dedicated structures and legal systems to comply with reporting obligations under the UNFCCC. In industrialised countries, this is now common practice, but not in developing countries, which have so far voluntarily kept to their reporting obligations. Consultants from abroad were frequently hired to prepare reports for the respective country. However, with their departure, there is no information on how the report was compiled or how the data was handled.

Therefore, according to the German Environment Agency, it is advisable to build one's structures with their own legal framework and which operate on a permanent basis. The framework applies three guidelines: 'set roles', 'produce coherent official statistics' and 'improve data collection over time'. A central office for coordination of reporting is required to consolidate operations. Lighthouse non-Annex I countries for setting up a reporting system include, among others, Chile, Ghana, Uruguay and Tunisia.

In Germany, however, the legal basis for reporting is not a law passed by the legislature. From 2001 to 2007, the ministries were unable to agree on legislation governing climate-protection statistics owing to a number of reservations, especially from the ministries. The legal basis for the use and processing of the data in this country is a five-page 'Agreement of the State Secretaries' between the seven ministries involved: the Federal Environment Ministry, the Federal Ministry of the Interior, the Federal Ministry of Defence, the Federal Ministry of Economics, the Federal Ministry of Transport, Building and Urban Development, the Federal Ministry of Agriculture and the Federal Ministry of Justice.³⁷

This agreement sets out the roles, resources and responsibilities for complying with UNFCCC national reporting obligations and, most importantly, specifies what data may be used for the reports.

Such an 'Agreement of the State Secretaries' is by no means as strong a legal basis as a law would be on collecting and using data. The disadvantage of a 'Secretary Agreement' is that if a political force were to oppose a smooth process of collecting and reporting data to the UNFCCC, then such an agreement could be unilaterally cancelled at any time – much like President Donald Trump who withdrew the USA from the Paris Agreement.³⁸

However, the 'Agreement of the State Secretaries' has proven to be practical as it can react quickly to changes in the political landscape. If a law were to form the basis of this data collection then any change would have to go through a legislative process, which is often time-consuming. For example, owing to changes in EU directives, parts of the official statistics on iron and steel were discontinued in the first decade of the 2000s. At that time, no one knew who used these official statistics. After the steel market was liberalised, there was no longer any reason to collect data on the use of raw materials and industrial processes, as originally required by the European Coal and Steel Community.

³⁷ See footnote 20

³⁸ <https://edition.cnn.com/2017/06/01/politics/trump-paris-climate-decision/index.html>

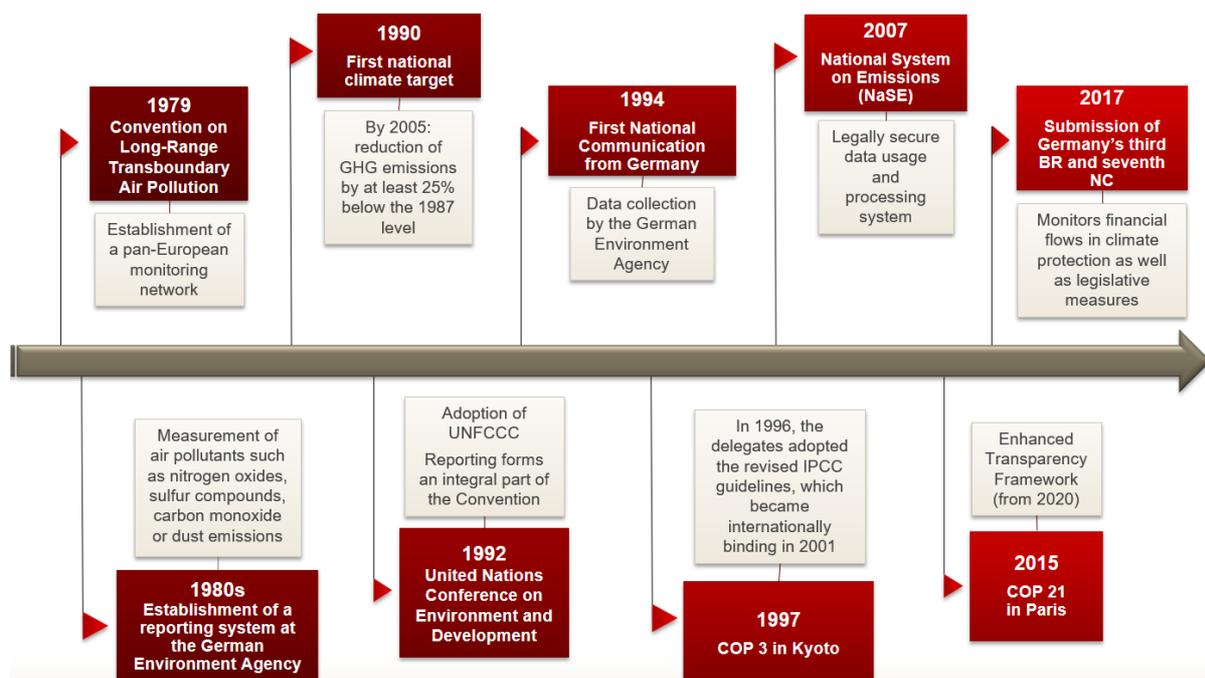
However, the amount of steel produced from raw materials in the Federal Republic of Germany and the processes used to produce it is extremely important for the National Greenhouse Gas Inventory – about 10 per cent of all greenhouse gas emissions in Germany are linked to steel production. This data was therefore urgently required. The ‘Agreement of the State Secretaries’ gave the experts of the German Environment Agency leeway to be able to open up new data sources. A cooperation agreement was set up between the Federal Ministry of Economics and Industry, the associations in the steel industry and the German Environment Agency, in which data was simply collected as before and transferred to the National Greenhouse Gas Inventory.

Here the ‘Agreement of the State Secretaries’ proved helpful as flexibility was required in this instance. If, on the other hand, a law had formed the legal basis, a change in law would have had to be initiated, with second and third readings in the Bundestag, the usual expert hearings and, possibly, referral to the German Bundestag committees. A procedure that would not have provided any data, at least in the short term.

4. Outlook – reporting obligations under the Paris Agreement

The UNFCCC entered into force in 1994, which is why the Federal Republic of Germany became obliged to produce reports from 1994. These first reporting requirements changed as a result of the 1997 Kyoto Protocol, which entered into force in 2005, and these are expected to change from 2020. The Enhanced Transparency Frameworks³⁹ in the Paris Agreement will form the basis for a new reporting system.

Some of the most important milestones in international and German climate reporting are summarised in the graph below:



³⁹ http://unfccc.int/cooperation_and_support/financial_mechanism/items/10121.php

At the UN Climate Change Conference COP 22⁴⁰ in Marrakesh in 2016, the international community decided on a roadmap to draft the guidelines for reporting on the Paris Agreement. Based on this, in the late autumn of 2018, a decision will be made at COP 24 in Katowice,⁴¹ Poland, on how the reporting obligations are to be formulated, how to define the responsibilities and what institutions are to be set up.

These negotiations take place in the Ad Hoc Working Group on the Paris Agreement (APA),⁴² the negotiating platform which discusses how to replace the Kyoto system from 2020 onwards.

The German experts believe that neither the procedures nor the reporting obligations under the Paris Agreement will change anything in terms of form or nature compared to the Kyoto Protocol, even though the reduction commitments are only 'voluntary' and not 'legally binding' targets, as they were in the Kyoto Protocol. The predominant opinion among climate diplomats is that the reporting quality should not fall below the level of the Kyoto Protocol. The same reporting obligations will apply to both developed and developing countries from 2020 onwards. The scope and intensity of the work in the Paris Agreement will change little compared to the Kyoto Protocol.

⁴⁰ http://unfccc.int/meetings/marrakech_nov_2016/meeting/9567.php

⁴¹ <http://cop24.katowice.eu/>

⁴² <http://unfccc.int/bodies/apa/body/9399.php>



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