

### **C. Use of electronic means of decision-making**

13. During the reporting period, the bureau of the Compliance Committee used electronic means to take decisions on the allocation of three questions of implementation. The enforcement branch also used electronic means to take decisions on preliminary examination, expert advice, and the deferral of the completion of the review and assessment of Bulgaria's plan submitted under section XV, paragraph 2, of the procedures and mechanisms.

14. On 9 September 2011, a vote by electronic means was launched in relation to a draft decision to defer the consideration of the further written submission from Ukraine and the elaboration and adoption of a final decision with respect to Ukraine. The required majorities under section 2, paragraph 9, of the procedures and mechanisms were not achieved; therefore the decision to defer was not adopted. Details relating to the consideration of the question of implementation with respect to Ukraine by the enforcement branch are set out in chapter III.E below.

### **D. Privileges and immunities for members and alternate members of the Compliance Committee**

15. At its ninth meeting, the plenary of the Compliance Committee received an oral report by the secretariat on the current state of negotiations under the Subsidiary Body for Implementation on legal arrangements for privileges and immunities for individuals serving on constituted bodies under the Kyoto Protocol. Having considered the information provided, the Committee reiterated its earlier request that any such future legal arrangements should afford protection to members and alternate members of the Compliance Committee. It noted with concern the lack of progress in the resolution of this matter and emphasized the importance and urgency of conferring privileges and immunities to its members and alternate members.

### **E. Working arrangements relating to time frames**

16. The plenary of the Compliance Committee noted the delay in the enforcement branch's adoption of its preliminary finding with respect to Ukraine, which was due to the impossibility of reaching quorum at an earlier date (see chapter III.E below).

17. The plenary recalled that the enforcement branch is required to make every possible effort to adopt decisions within the time frames provided for in the procedures and mechanisms and the rules of procedure. It agreed that any decision to delay may only be taken as a last resort, for overriding reasons, and that it should result in the shortest possible delay.

### **F. Working arrangements relating to contact with a Party concerned**

18. At its eighth meeting, the plenary of the Compliance Committee agreed that, consistent with rule 4 of the rules of procedure, a member or alternate member:

(a) Is to refrain from discussing any matter related to a question of implementation pending before the Committee with agents, representatives or other persons representing a Party concerned;<sup>4</sup>

(b) Is to report forthwith, through the secretariat, to the bureau of the Compliance Committee, any approaches by an agent, representative or other person representing a Party concerned to discuss a matter related to a question of implementation pending before the Committee;

(c) May refer an agent, representative or other person representing a Party concerned to the secretariat for information on procedural matters related to a question of implementation pending before the Committee.

19. The plenary noted that the secretariat is available to provide, at the request of the Party concerned, information that is limited to procedural matters related to questions of implementation pending before the Committee.

### **III. Work undertaken in the reporting period**

#### **A. Reports of expert review teams under Article 8 of the Kyoto Protocol and other information received by the plenary of the Compliance Committee**

20. In accordance with section VI, paragraph 3, of the procedures and mechanisms, the secretariat forwarded to the Compliance Committee the reports from the expert review teams (ERTs) of the centralized in-depth reviews of the fifth national communications of Austria, Belgium, Croatia, Czech Republic, Denmark, Estonia, Finland, France, Germany, Greece, Hungary, Ireland, Italy, Japan, Latvia, Lithuania, Netherlands, New Zealand, Norway, Poland, Portugal, Slovakia, Spain, Sweden, Switzerland and Ukraine.

21. Similarly, in accordance with section VI, paragraph 3, of the procedures and mechanisms, the secretariat forwarded to the Compliance Committee the reports of the individual reviews of the annual submissions submitted in 2010 (2010 ARR) by Australia, Austria, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, European Union, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland and United Kingdom of Great Britain and Northern Ireland.

22. Also in accordance with section VI, paragraph 3, of the procedures and mechanisms and paragraph 49 of the annex to decision 22/CMP.1, the secretariat forwarded to the Compliance Committee the annual status reports of the annual inventories submitted in 2010 of Austria, Australia, Belgium, Bulgaria, Canada, Croatia, Czech Republic, Denmark, Estonia, European Union, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine and United Kingdom.

23. In accordance with section VI, paragraph 1, of the procedures and mechanisms, the secretariat forwarded to the Compliance Committee the 2010 ARR of Lithuania, Romania and Ukraine, each of which indicated a question of implementation. In accordance with section VI, paragraph 2, of the procedures and mechanisms, the reports were also made

---

<sup>4</sup> "Party concerned" is defined in section VI, paragraph 2, of the procedures and mechanisms as "the Party in respect of which the question of implementation is raised".