



***ENFORCEMENT BRANCH***

**Twenty-first meeting**

22–24 October 2012

Bonn, Germany

**Report on the meeting**

**1. Opening of the meeting**

1. Mr. René Lefeber, chairperson of the enforcement branch, declared the meeting open at 10:04.
2. At the request of the chairperson, the secretariat provided information on participation and quorum, as well as key administrative, logistical and housekeeping arrangements. The secretariat confirmed that the meeting was being webcast live on the Internet, and that an audio recording was being made of the entire meeting. The secretariat informed the meeting that due to a last minute cancellation on the part of one alternate member, the branch did not have a quorum to take decisions at the meeting. As suggested by the chairperson, and on the understanding that any decision would only be adopted upon receipt of the required additional votes by electronic means, the members and alternate members present agreed to proceed with the meeting.

**2. Adoption of the agenda**

3. The branch reviewed and agreed to follow the provisional agenda as amended (CC/EB/21/2012/1/Rev.1). Upon completion of a vote by electronic means, the branch adopted the agenda as revised.

**3. Organization of work**

4. The branch agreed to organize its consideration of the items under its agenda in the following manner:
  - (a) First, to review and assess the plan submitted by Slovakia pursuant to the final decision of the enforcement branch (CC-2012-1-10/Slovakia/EB; hereinafter referred to as “Slovakia’s plan”);
  - (b) Second, to consider the question of implementation with respect to Lithuania;
  - (c) Third, to discuss its approach to considering decisions whether to apply adjustments to inventories under Article 5, paragraph 2, of the Kyoto Protocol;
  - (d) Fourth, to consider draft templates for its preliminary findings and final decisions;



- (e) Fifth, to consider the updated list of issues that the branch had considered during its last stocktaking exercise.

#### **4. Review and assessment of the plan submitted by Slovakia pursuant to the final decision of the enforcement branch**

5. At the request of the chairperson, the secretariat provided a summary of the proceedings since the hearing that took place at the twentieth meeting of the branch.

6. Also at the request of the chairperson, the delegation of Slovakia informed the meeting that, in accordance with section VIII, paragraph 2, of the “Procedures and mechanisms relating to compliance under the Kyoto Protocol”<sup>1</sup> and rule 25, paragraph 3, of the “Rules of procedure of the Compliance Committee of the Kyoto Protocol”,<sup>2</sup> the following designated representatives of Slovakia were present at the meeting:

- (a) Ms. Helena Princová, Director of Climate Change Policy Department, Ministry of Environment, Slovak Republic; and
- (b) Mr. Milan Zvara, Chief State Advisor, Climate Change Policy Department, Ministry of Environment, Slovak Republic.

7. In accordance with section VIII, paragraph 5, and rule 21, and pursuant to the decision on expert advice that was adopted by the branch on 15 October 2012 (CC-2012-1-11/Slovakia/EB), the meeting was also attended by Ms. Daniela Romano, a member of the roster of experts who was not part of the expert review team that prepared the report of the individual review of the annual submission of Slovakia submitted in 2011 and who was present at the hearing referred to in paragraph 5 above.

8. After the elaboration of a decision during a meeting held in private in accordance with rule 9, paragraph 2, and upon receipt of an additional vote by electronic means, the branch adopted a decision on the review and assessment of the plan submitted under paragraph 2 of section XV (CC-2012-1-12/Slovakia/EB). The branch concluded, based on the information submitted and presented, that Slovakia’s plan meets the requirements set out in paragraph 2 of section XV and paragraph 1 of rule 25 bis of the rules of procedure. The branch noted that Slovakia’s plan contains measures that are yet to be implemented and urged Slovakia to further strengthen its national system by implementing these measures. The branch also concluded that the receipt of the report of the review of Slovakia’s annual submission submitted in 2012 is required for it to determine whether all the questions of implementation have been resolved.

#### **5. Consideration of the question of implementation with respect to Lithuania**

9. At the request of the chairperson, the secretariat provided a summary of the proceedings since the branch’s consideration, at its twentieth meeting, of Lithuania’s request for the branch to reinstate its eligibility to participate in the mechanisms under Articles 6, 12 and 17 of the Kyoto Protocol (CC-2011-3-12/Lithuania/EB).

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<sup>1</sup> This and subsequent references to sections, as well as references to the procedures and mechanisms, refer to the annex to decision 27/CMP.1.

<sup>2</sup> This and subsequent references to rules, as well as to rules of procedure, refer to those contained in the annex to decision 4/CMP.2, as amended by decision 4/CMP.4.



10. Also at the request of the chairperson, the delegation of Lithuania informed the meeting that, in accordance with section VIII, paragraph 2, and rule 25, paragraph 3, the following designated representatives of Lithuania were present at the meeting:

- (a) Mr. Vitalijus Auglys, Director, Pollution Prevention Department, Ministry of Environment, Republic of Lithuania;
- (b) Ms. Stasilé Znutienė, Head of the Climate Change Policy Division, Pollution Prevention Department, Ministry of Environment, Republic of Lithuania;
- (c) Ms. Jolanta Merkelienė, Chief Specialist, Climate Change Policy Division, Pollution Prevention Department, Ministry of Environment, Republic of Lithuania; and
- (d) Mr. Albertas Kasperavičius, Deputy Director, State Forestry Service, Republic of Lithuania

11. After the elaboration of a decision held in private in accordance with rule 9, paragraph 2, and upon receipt of an additional vote by electronic means, the branch adopted a decision on expert advice (CC-2011-3-17/Lithuania/EB). In accordance with section VIII, paragraph 5, and rule 21, and pursuant to the decision on expert advice referred to above, this part of the meeting was attended by Mr. Sandro Federici. Mr. Tinus Pulles also attended this part of the meeting, via a video link established through the use of online video conferencing technology.

12. After the elaboration of a decision during a meeting held in private in accordance with rule 9, paragraph 2, and upon receipt of two additional votes by electronic means, the branch adopted a decision under section X, paragraph 2, reinstating Lithuania's eligibility to participate in the mechanisms under Articles 6, 12 and 17 of the Kyoto Protocol as of 24 October 2012 at 10:47:02 Greenwich Mean Time (CC-2011-3-18/Lithuania /EB).

## **6. Draft templates for decisions of the enforcement branch**

13. The branch discussed a revised version of the draft template for preliminary findings that it had considered at its twentieth meeting and a draft template for final decisions. The branch agreed that the chairperson and vice-chairperson, with the assistance of the secretariat, will revise these templates in light of the discussions at the meeting. The branch also agreed that the chairperson and vice-chairperson, with the assistance of the secretariat, will prepare templates for decisions on preliminary examination, expert advice, review and assessment of plans submitted under paragraph 2 of section XV, and reinstatement under paragraph 2 of section X. The branch further agreed to consider the revised templates and the additional templates requested at its next meeting.

## **7. Approach to considering decisions whether to apply adjustments to inventories under Article 5, paragraph 2, of the Kyoto Protocol**

14. At the request of the branch, the secretariat made a technical presentation on the procedure for the calculation of adjustments to inventories under Article 5, paragraph 2, of the Kyoto Protocol. After a brief exchange of views, the branch requested the chairperson and vice-chairperson, with the assistance of the secretariat, to develop draft working arrangements relating to the consideration by the branch of disagreements whether to apply adjustments under Article 5, paragraph 2, of the Kyoto Protocol. The branch agreed to discuss these draft working arrangements at its next meeting.



## 8. Other matters

15. The branch considered the list of issues annexed to the provisional agenda and annotations to its twenty-first meeting.<sup>3</sup> In the context of its discussions on electronic decision-making by consensus,<sup>4</sup> the branch developed a draft working arrangement on electronic decision-making and agreed to forward the draft working arrangement, contained in the Annex to the report, to the plenary. In accordance with the practice established at its twentieth meeting,<sup>5</sup> the branch agreed that the secretariat will include an updated version of this list of issues to the agenda of its next meeting.

16. The secretariat provided information on the schedule of upcoming meetings of the branch for 2013, indicating that meetings of the branch are likely to be organized in March 2013 and in September or October 2013.

## 9. Closure of the meeting

17. The meeting was declared closed at 13:06 on 24 October 2012.

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<sup>3</sup> CC/EB/21/2012/1.

<sup>4</sup> See chapter II 3 (d) of the Annex to the provisional agenda and annotations to the twenty-first meeting of the enforcement branch, CC/EB/21/2012/1.

<sup>5</sup> See paragraph 34 of the report on the twentieth meeting of the enforcement branch, CC/EB/20/2012/2.



**10. Attendance**

18. The names of members and alternate members present at the meeting are bolded below.

<b>Members (in alphabetical order)</b>	<b>Alternate Members</b>
1. DE WET, Sandea Ms.	AMOUGOU, Joseph Armathé Mr.
2. ESTRADA OYUELA, Raúl Mr.	<b>GONZALEZ NORRIS</b> , José Antonio Mr.
3. <b>FODEKE</b> , Victor Mr.	<b>GOPOLANG</b> , Balisi Justice Mr.*
4. <b>HAYNES</b> , Rueanna Ms.	<b>MARINO</b> , Sebastian Mr.
5. <b>KODJABASHEV</b> , Alexander Mr.	<b>SHAMANOV</b> , Oleg Mr.
6. <b>LEFEBER</b> , René J M Mr.	PALLEMAERTS, Marc Mr.
7. LOIBL, Gerhard Mr.	RUDZKO, Iryna Ms.
8. NISHAT, Ainun Mr.	<b>BABAR BEG</b> , Mirza Salman Mr.
9. <b>OBERTHÜR</b> , Sebastian Mr.	<b>KUOKKANEN</b> , Tuomas Mr.
10. SU, Wei Mr.	ALAM, Mohammad Mr.

\* Mr. Gopolang was absent on 23 October 2012.



**Annex**

**Draft working arrangement on electronic decision-making**

The plenary agreed that decision-making by electronic means under rule 11, paragraph 2, of the rules of procedure with respect to a Party may only take place by voting.

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