

**Framework Convention on
Climate Change**Distr.: General
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**Conference of the Parties serving as the meeting
of the Parties to the Kyoto Protocol**
Seventh session
Durban, 28 November to 9 December 2011

Item X of the provisional agenda

**Withdrawal by Croatia of its appeal against a final decision
of the enforcement branch of the Compliance Committee****Note by the secretariat**

1. On 14 January 2010, the secretariat received an appeal by Croatia against a final decision of the enforcement branch (FCCC/KP/CMP/2010/2) in accordance with section XI, paragraph 1, of the “Procedures and mechanisms relating to compliance under the Kyoto Protocol” (annex to decision 27/CMP.1). The final decision of the enforcement branch is contained in document CC-2009-1-8/Croatia/EB.¹
2. The Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP) considered the appeal by Croatia at its sixth session but was not able to complete its consideration of the appeal at that session. Consequently, in accordance with rule 16 of the draft rules of procedure being applied, it was decided that the item would be included on the provisional agenda for the seventh session of the CMP.
3. On 4 August 2011, the secretariat received a letter from the Minister of Environmental Protection, Physical Planning and Construction of Croatia declaring that Croatia withdraws its appeal against the final decision of the enforcement branch (see the annex). The letter from the minister and the cover letter from the designated agent of Croatia, as defined in rule 2, paragraph k, of the “Rules of procedure of the Compliance Committee of the Kyoto Protocol” (annex to decision 4/CMP.2 and the amendments contained in the annex to decision 4/CMP.4), were sent to the secretariat by the national focal point for climate change of Croatia.
4. The CMP is invited to consider the withdrawal by Croatia of its appeal against the final decision of the enforcement branch and to take any action it deems appropriate.

¹ This decision is available in all six official languages of the United Nations at http://unfccc.int/kyoto_protocol/compliance/enforcement_branch/items/5456.php.

Annex

Letter dated 14 July 2011 from Croatia addressed to the Executive Secretary of the United Nations Framework Convention on Climate Change withdrawing its appeal against a final decision of the enforcement branch of the Compliance Committee

Please find enclosed the letter of Minister Branko Bačić related to the withdrawal of the Appeal of the Republic of Croatia from 14 January 2010 against the Final decision CC-2009-1-8/Croatia/EB of the enforcement branch of the Compliance Committee, contained in the document FCCC/KP/CMP/2010/2.

(signed)

Dr. Nikola Ružinski
State Secretary

cc: Mr. Feng Gao
Secretary to the Compliance Committee

**Letter dated 14 July 2011 from Minister Branko Bačić
addressed to the Executive Secretary of the United Nations
Framework Convention on Climate Change withdrawing its
appeal against a final decision of the enforcement branch
of the Compliance Committee**

I hereby declare that the Republic of Croatia withdraws its Appeal in accordance with the Decision adopted by the Government of the Republic of Croatia at its session held on 21 June 2011 to withdraw the Appeal of the Republic of Croatia from 14 January 2010, against the Final decision CC-2009-1-8/Croatia/EB of the enforcement branch of the Compliance Committee, contained in document FCCC/KP/CMP/2010/2.

(signed)

Branko Bačić, B.Sc.Eng.
Minister

cc: Mr. Feng Gao
Secretary to the Compliance Committee
