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SUBSIDIARY BODY FOR SCIENTIFIC AND TECHNOLOGICAL ADVICE
Eleventh session
Bonn, 25 October - 5 November 1999
Agenda item 4

SUBSIDIARY BODY FOR IMPLEMENTATION
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**PROCEDURES AND MECHANISMS RELATING TO COMPLIANCE
UNDER THE KYOTO PROTOCOL**

**Report of the Joint Working Group on Compliance on its work
during the eleventh sessions of the subsidiary bodies**

I. INTRODUCTION

1. The meetings of the Joint Working Group on Compliance (JWG) were presided over by Mr. Espen Ronneberg and Mr. Harald Dovland.
2. The co-Chair of the JWG, Mr. Espen Ronneberg, at the first meeting on 26 October 1999, welcomed the submissions made by Parties and expressed optimism that results would be achieved at the session. He recalled that the JWG had agreed to its agenda, on the understanding that it could be modified, if needed, in the future. He noted that the JWG had on its agenda items on design of a compliance system, consequences of non-compliance and potential non-compliance, and report to COP 5. He introduced the documents prepared for the JWG, and referred in particular to the compilation of submissions from Parties (FCCC/SB/1999/MISC.12 and Add.1 and 2), the synthesis of these submissions prepared by the co-Chairs (FCCC/SB/1999/7/Add.1) and the elements of a compliance system also prepared by the co-Chairs (FCCC/SB/1999/7), which proposed certain specific actions by the JWG.
3. The co-Chair of the JWG, Mr. Harald Dovland, made an oral report on the informal exchange of views and information on compliance, held on 6 and 7 October 1999, at Vienna. He noted that the event was welcomed by participants as a learning process.

II. PROCEDURES AND MECHANISMS RELATING TO COMPLIANCE UNDER THE KYOTO PROTOCOL

1. Proceedings

4. The JWG discussed the agenda items in an integrated manner on the basis of the elements for a compliance system proposed by the co-Chairs and synthesis of submissions from Parties (FCCC/SB/1999/7 and Add. 1).

5. Statements were made by representatives of 40 Parties, including one speaking on behalf of the Group of 77 and China, one speaking on behalf of the Alliance of Small Island States and one speaking on behalf of the European Community and its member States.

2. Conclusions

6. On the basis of a proposal by the co-Chairs, the JWG, at its 6th meeting on 3 November 1999, adopted the following conclusions:

(a) The JWG noted the valuable progress made during the tenth and eleventh sessions of the subsidiary bodies in advancing the understanding and identifying the elements of procedures and mechanisms relating to a compliance system under the Kyoto Protocol. However, much work remains to be done and the JWG must now intensify its efforts and move towards negotiation;

(b) The JWG invited Parties to submit any further proposals on compliance by 31 January 2000;

(c) The JWG confirmed that a workshop on matters relating to a compliance system under the Kyoto Protocol is needed and will be convened by the co-Chairs in March 2000;

(d) The JWG requested the co-Chairs, with the assistance of the secretariat, to further develop the elements of procedures and mechanisms relating to a compliance system under the Kyoto Protocol, based on the elements of a compliance system and synthesis of submissions contained in document FCCC/SB/1999/7 and Add. 1, the discussions held at the eleventh session of the subsidiary bodies, and any further proposals from Parties. The paper by the co-Chairs setting out these elements will receive in-depth consideration along with other inputs from Parties at the forthcoming meetings of the JWG and serve as a basis for the negotiation of a compliance system under the Kyoto Protocol at the twelfth sessions of the subsidiary bodies;

(e) The JWG requested the Subsidiary Body for Scientific and Technological Advice and the Subsidiary Body for Implementation to recommend for adoption by the Conference of the Parties (COP) the draft decision contained in the annex to the present report.

IV. CLOSURE OF THE MEETINGS

7. At its 6th meeting, on 3 November 1999, the co-Chairs presented the draft report of the JWG. The JWG considered and adopted the report.

8. Before concluding, the co-Chairs noted that considerable progress had been made during the session, and common ground had been established. However, much work remained to be done. The co-Chairs informed the JWG of their intention to continue to consult widely. They also noted that the workshop scheduled for March 2000 would be open to observers under rules 6 and 7 of the draft rules of procedure. They reminded delegates that the JWG should consider any compliance-related aspects of the Article 8 review process. The co-Chairs expressed their optimism that the spirit of the JWG promised a successful outcome of the negotiations. After thanking the participants for their constructive cooperation, the co-Chairs declared the meetings of the JWG closed.

Annex

Decision .../CP.5

Future work of the Joint Working Group on Compliance

The Conference of the Parties,

Recalling its decision 1/CP.3 on the adoption of the Kyoto Protocol to the United Nations Framework Convention on Climate Change,

Recalling also its decisions 1/CP.4 and 8/CP.4,

Recognizing with appreciation the work done by the Joint Working Group on Compliance on the development of elements of procedures and mechanisms relating to a compliance system under the Kyoto Protocol,

Having considered the report of the Joint Working Group on Compliance submitted through the Subsidiary Body for Implementation and the Subsidiary Body for Scientific and Technological Advice, and the valuable progress made by the Joint Working Group,

1. *Decides* that the Joint Working Group on Compliance shall continue its work beyond the fifth session of the Conference of the Parties, based on the mandate contained in decision 8/CP.4;

2. *Requests* the Joint Working Group on Compliance to continue to make substantial progress for the purpose of completing its work and fulfilling its mandate and to provide a report on its findings to the Conference of the Parties at its sixth session, through the subsidiary bodies, so as to enable the Conference of the Parties to adopt a decision on a compliance system under the Kyoto Protocol at its sixth session.

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