

EU

## SBI item 19 - Other matters

### Date of the completion of the expert review process under Article 8 of the Kyoto Protocol for the first commitment period

- Thank you MR Chairman,
- We joined this discussion in good faith.
- When the EU came to Warsaw, we expected a very simple technical task which was to set the date of the completion of the expert review process under Article 8 of the KP for the first commitment period.
- This is the only procedural issue left to be agreed for the implementation of the first commitment period. It was left open precisely to take into account the experiences with the practical implementation of the expert review process under Article 8.
- We completed several review cycles now and the secretariat explained in the discussion that the expert review process under Art. 8 is usually completed within 1 and a half years after the submission of the information.
- On this basis co-facilitators – informed by the secretariat - proposed a date of 30 October 2015 to the Parties and explained that the date of 15 April 2015 – the earliest possible date that could theoretically be chosen – will not work in practice.
- Thus from a technical perspective the answer is very simple and clear: When experience shows that the expert review process is completed only by October, the date for completion of the review process for the final year cannot be before October 2015.
- However, when we listen to our colleagues from G77/China, it appears as if we were discussing much more, and many unrelated issues, rather than merely this date.
- The EU will not take a decision on this date that will compromise the timelines needed for the review at the end of the commitment period. We cannot be flexible when it comes to endangering the integrity of the expert review process.
- The EU will also not take a decision on this date that will bring Kyoto Parties into non-compliance for procedural reasons. If we would agree on the date of 15 April 2015 proposed by G77, many Kyoto Parties will get the review report long after the true-up period is completed. These Parties could no longer settle their accounts for the first commitment period during the true-up period. They would be in non-compliance only because of the fact that the true-up period ended too early.
- All relevant information on Kyoto Parties' compliance with the first commitment period is already available by mid- 2014: the inventories with the emissions and the amounts of units purchased and retired will be available and the amounts remaining for carry-over.

- In addition to the information already available , the EU proposed to produce an additional report in mid 2015 by a simple extraction of information from the International Transaction Log. The Secretariat, present during these discussions, has agreed on the feasibility of this option and has explained that the uncertainty of these numbers compared to the final true-up period report would be around 0.003%.
- We can't understand that there is any urgency to determine an unfeasible deadline for the true-up period report when we already have very certain information on all the numbers on the use of units under the Kyoto Protocol and the status of compliance of Parties with their commitments in the first commitment period at the COP in Paris before these reports.
- Coming to Warsaw, we stressed the urgency to complete the rules set for the second commitment period. It did not occur to us that in Warsaw we will go back to the Marrakesh Accords and re-open the rules set for the first commitment period.
- The EU is looking forward to discuss this item at SBI 40, because we then will know better whether practical efforts to complete the Article 8 review process earlier have been successful, and it may be easier at this point in time to agree on the date of completion of the expert review process.