



ENFORCEMENT BRANCH

Thirtieth meeting

6 September 2017
Bonn, Germany

Report on the meeting

1. Opening of the meeting

1. Mr. Gerhard Loibl, chairperson of the enforcement branch, declared the meeting open at 11:20. He welcomed Mr. Yaw Bediako Osafo, member of the branch, who was attending its first meeting of the branch.

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 there was a quorum for the meeting, that the meeting was being webcast live on the Internet, and that an audio recording was being made of the entire meeting.

2. Adoption of the agenda

3. The branch reviewed and adopted the provisional agenda (CC/EB/30/2017/1).

3. Organization of work

4. The branch decided to organize its consideration of the items following the order of the agenda in the following manner:

(a) First, to take up the issue of elections of its vice-chairperson under Agenda Item 5 (Other matters);

(b) Second, to consider the question of implementation with respect to Ukraine as well as the efforts of Ukraine to formally demonstrate compliance with its commitment under Article 3, paragraph 1, of the Kyoto Protocol for the first commitment period made in response to the encouragement by the Conference of the Parties serving as the Meeting of the Parties to the Kyoto Protocol (CMP) at its twelfth session;

(c) Third, to discuss any other matters, under Agenda Item 5.

**4. Consideration of the questions of implementation
with respect to Ukraine**

5. At the request of the chairperson, the secretariat provided a summary of the proceedings since the adoption by the branch of a final decision with respect to Ukraine (CC-2016-1-6/Ukraine/EB), adopted on 7 September 2016.



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6. Also at the request of the chairperson, the designated representative of Ukraine, Ms. Olha Yukhymchuk, Head, Division of Emissions Trading System Implementation and Registry, Department of Climate Change and Ozone Layer Protection, Ministry of Ecology and Natural Resources, informed the meeting that, in accordance with section VIII, paragraph 2, and rule 25, paragraph 3, of the “Rules of procedure of the Compliance Committee of the Kyoto Protocol”¹ (hereinafter referred to as the rules of procedure), she would be present at the meeting.

7. As part of the consideration by the branch of the question of implementation with respect to Ukraine, the branch provided Ukraine with the opportunity to make a presentation. In its presentation, Ukraine indicated that the plan submitted by Ukraine pursuant to the final decision of the enforcement branch (CC-2016-1-7/Ukraine/EB (hereinafter, the plan)), two progress reports (CC-2016-1-9/Ukraine/EB and CC-2016-1-10/Ukraine/EB), the re-submitted report (CC-2016-1-11/Ukraine/EB), the report on the individual review of the report upon expiration of the additional period for fulfilling commitments under the first commitment period (re-submitted true-up report) (CC-2016-1-12/Ukraine/EB) and the report on the individual review of the resubmitted true-up period report of Ukraine (CC-2016-1-12/Ukraine/EB) have demonstrated that its non-compliance has been remedied.

8. After the elaboration of a decision during a meeting held in private in accordance with rule 9, paragraph 2, the branch adopted a decision under section X, paragraph 2, (CC-2016-1-13/Ukraine/EB) that there no longer continues to be a question of implementation with respect to Ukraine.

9. The branch also recalled that CMP 12 encouraged the efforts of Ukraine to formally demonstrate its compliance with its commitment under Article 3, paragraph 1, of the Kyoto Protocol for the first commitment period and requested the secretariat to make, on an exceptional basis, the necessary arrangements to enable Ukraine to do so by CMP 13, taking into account the recommendations set out in chapter III.B of the 2016 annual report of the Committee to the CMP.²

10. In this regard, the branch also recalled that in the 2016 annual report to the CMP, the Committee noted that for Ukraine to be able to formally demonstrate compliance with Article 3, paragraph 1, of the Kyoto Protocol for the first commitment period, the Party would need to undertake the retirement of units as well as resubmit its true-up period report, which would need to be reviewed by an expert review team (ERT), and the resulting review report would need to be submitted for consideration to the Committee.

11. Having considered the information and the reports referred to in paragraphs 7 above, the branch noted that the steps referred to in paragraphs 9 and 10 above have been completed. It noted, in particular, that the retirement of all necessary units has been undertaken, and that the true-up period report of Ukraine has been resubmitted and reviewed by an ERT. The ERT, in its report on the individual review of the resubmitted true-up period report, concluded that the information provided by Ukraine in that report covers all elements required by the relevant CMP decisions and

¹ All references to the rules of procedure in this document refer to the rule contained in the annex to decision 4/CMP.2 as amended by decision 4/CMP.4,

² FCCC/KP/CMP/2016/8, paragraph 50.



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that the aggregate anthropogenic greenhouse gas emissions of Ukraine for the first commitment period do not exceed the quantities of Kyoto Protocol units in the retirement account of the Party for the first commitment period. The ERT also established quantities of assigned amount units and emission reduction units that can be carried over to the second commitment period in accordance with the requirements set out in decision 13/CMP.1, annex, paragraph 15. No questions of implementation were identified by the ERT during the review of the resubmitted true-up period report of Ukraine.

12. The branch, therefore, considered that Ukraine has formally demonstrated its compliance with its commitment under Article 3, paragraph 1, of the Kyoto Protocol for the first commitment period as requested by CMP 12.

5. Other matters

13. In accordance with section II, paragraph 4, of the procedures and mechanisms, on 22 March 2016, relying on decision-making by electronic means, the enforcement branch elected Mr. Mohamed Ibrahim Nasr as vice-chairperson by acclamation. On 11 November 2016 Mr. Nasr informed the Compliance Committee, through the secretariat, of his resignation from the Committee, effective immediately. In accordance with section II, paragraph 4, of the procedures and mechanisms and rule 6, paragraph 3, of the rules of procedure, at the thirtieth meeting of the enforcement branch, on 6 September 2017, Mr. Joseph Aitaro was elected as vice chairperson of the enforcement branch, effective immediately, to serve for the remainder of the term of Mr. Nasr.

14. The branch agreed to meet in conjunction with the meeting of the plenary in 2018, unless any information comes before it the consideration of which would require a meeting earlier in the year.

15. The branch noted information provided by the secretariat that in accordance with section II, paragraph 4, of the procedures and mechanisms, the elections of the chairperson and the vice-chairperson of the branch were due to be held by March 2018. In this regard, should no meeting be held around that time, the elections could be organized using decision-making by electronic means under rule 22, paragraph 2, of the rules of procedure.

6. Closure of the meeting

16. The chairperson declared the meeting closed at 17:30 on 6 September 2017.



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

Members (in alphabetical order)	Alternate Members
1. AITARO , Joseph Mr.	HAYNES Rueanna, Ms.
2. ALAM , Mohammad Mr.	MASSAI, Leonardo Mr.
3. CHEN , Zihua Mr.	BASHIR BHATTI, Nauman Mr.
4. KUOKKANEN , Tuomas Mr.	BLOCH , Sébastien Mr.
5. LOIBL , Gerhard Mr.	ZAHARIA, Felix Mr.
6. OSAFO , Yaw Bediako Mr.	MANJATE , Marília Telma A. Ms.
7. RAJABI , Ahmad Mr.	FODEKE , Victor Mr.
8. REY SANTOS , Orlando E. Mr.	GONZALEZ NORRIS , Jose A. Mr.
9. RUDZKO , Iryna Ms.	ADAMOVA , Eva Ms.
10. ZVARA , Milan Mr.	WERKSMAN, Jacob Mr.
