

EXPERT ADVICE: GREECE

1. The enforcement branch agreed to seek expert advice on the content and basis of the report of the expert review team contained in document FCCC/IRR/2007/GRC and on issues related to any decision of the enforcement branch with regard to the indicated question of implementation (CC-2007-1-2/Greece/EB, paragraph 7). The branch intends to receive the expert advice during its meeting to conduct a possible hearing (if so requested by the Party concerned) as well as deliberate, elaborate and adopt a preliminary finding. This meeting is scheduled to take place 19-21 February or 4-6 March 2008 (to be determined).
2. Experts from whom advice is sought are invited to be available on all three days. The enforcement branch will receive expert advice in accordance with the procedures and mechanisms relating to compliance contained in the annex to decision 27/CMP.1 and the Rules of procedure of the Compliance Committee contained in the annex to decision 4/CMP.2.
3. **Experts to be invited:**
 - Mr. William Kojo Agyemang-Bonsu (Ghana)
 - Mr. Paul Filliger (Switzerland)
 - Mr. Teemu Santeri Oinonen (Finland)
 - Ms. Tatiana Tugui (Moldova)

Indicative list of questions:

4. The overall question of implementation to be addressed relates to compliance with the guidelines for national systems under Article 5, paragraph 1 of the Kyoto Protocol (decision 19/CMP.1) and the guidelines for the preparation of the information required under Article 7 of the Kyoto Protocol (decision 15/CMP.1). In particular, the expert review team concluded that the maintenance of the institutional and procedural arrangements; the arrangements for the technical competence of the staff; and the capacity for timely performance of the national system is an unresolved problem.¹
5. In the context of this question of implementation, the enforcement branch will in particular seek the opinion of and ask questions to the invited experts on the following questions:
 - a. What are the elements of a national system referred to in Article 5, paragraph 1, of the Kyoto Protocol and the relevant requirements under the Kyoto Protocol?
 - b. What are the nature and scope of the problems identified in the report of the review of the initial report of Greece with respect to compliance with the guidelines for national systems under Article 5, paragraph 1, of the Kyoto Protocol (decision 19/CMP.1) and the guidelines for the preparation of the information required under Article 7 of the Kyoto Protocol (decision 15/CMP.1)?

¹ See paragraph 244 and section II.A of the report of the expert review team contained in document FCCC/IRR/2007/GRC.

- c. In addition to the three points explicitly mentioned in the last sentence of paragraph 244 of the report, are there other problematic aspects of the Greek national system with respect to compliance with the guidelines for national systems under Article 5, paragraph 1, of the Kyoto Protocol (decision 19/CMP.1) and the guidelines for the preparation of the information required under Article 7 of the Kyoto Protocol (decision 15/CMP.1)?
- d. What are the methodologies that the ERT has applied in assessing the national system of Greece and the preparation of related information by Greece and are these methodologies uniformly applied by various ERTs, including the following more specific questions:
- What exactly is the nature of the problems identified with respect to the maintenance of the institutional and procedural arrangements? Are these problems related to the existing Greek domestic administrative laws and regulations?
 - Which are the required standards for the technical competence of the staff and how are they observed in other Annex I Parties that you are familiar with?
 - What is the meaning of “capacity for timely performance”, which are the standards to measure that capacity and how is this capacity ensured in other Annex I Parties that you are familiar with?
- e. What action should be taken and which information should be submitted by Greece to resolve the question of implementation?
- f. What would be required to review the implementation of any action Greece may have taken since the ERT conducted the review or may take in the future with respect to the question of implementation?
6. The enforcement branch may put further more detailed follow-up questions related to the indicated areas to the invited experts during the meeting at which expert advice is received or considered. The branch may also request experts to provide advice on the assessment of any new information Greece may submit on action taken with respect to the question of implementation since the ERT conducted the review.