



FACILITATIVE BRANCH

Thirteenth meeting

23 March 2013
Bonn, Germany

Report on the meeting

1. Opening of the meeting

1. Mr. Adrian Roberts, vice-chairperson of the facilitative branch, declared the meeting open and informed the meeting that Mr. Khalid Abuleif was unable to attend the meeting. Consequently, in accordance with rule 6, paragraph 1, of the “Rules of procedure of the Compliance Committee of the Kyoto Protocol”,¹ the vice-chairperson chaired the meeting.

2. The chairperson informed the branch that he had tendered his resignation to the branch, with effect from 22 April 2013 and that he had undertaken informal consultations on who will replace him as vice-chairperson.

3. 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 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

4. The branch reviewed and adopted the provisional agenda as revised (CC/FB/13/2013/1/Rev.1).

3. Organization of work

5. The branch agreed to organize its consideration of the items in the order set out in the agenda. The branch agreed to take the election of the replacement officer under agenda item 8, on other matters.

4. Consistency of reviews under Article 8

6. The branch considered the joint workshop of inventory lead reviewers and the Compliance Committee of the Kyoto Protocol on consistency of reviews under Article 8 of the Kyoto Protocol held on 21 March 2013. The initial round of discussions was held in closed session, in accordance with rule 9, paragraph 1, of the rules of procedure, as the discussions were focussed on matters that had been raised at the workshop, which was held in private. However, for transparency, the chairperson summarized the discussion in open session and outlined ways to take consideration of the issue forward.

¹ This and subsequent references to rules, as well as to rules of procedure, refer to those contained in the annex to decision 4/CMP.2, as amended by decision 4/CMP.4.



7. In this regard, the branch noted the usefulness of the workshop, in particular in enabling a face to face discussion with lead reviewers that led to a better understanding of the role of the lead reviewers and challenges faced by them in the review process. Given the expert review teams' (ERTs) role in assisting Parties in improving their reporting of information, the branch was interested in further exploring how it could exercise its facilitative function, including through a possible interaction with the lead reviewers. However, the branch noted its mandate with respect to its early warning function, as set out in section IV, paragraph 6 (a) of the "Procedures and mechanisms relating to compliance under the Kyoto Protocol" contained in the annex to decision 27/CMP.1² and the temporal limitations of paragraphs (b) and (c). In this regard, it noted that while many issues had been raised during the review process about national systems, its early warning function under paragraph 6 (b) in respect of this issue was limited. The branch also noted confidentiality of issues raised between a Party being reviewed and the ERT.

8. The branch decided to further reflect on how it could continue to enhance its facilitative function, noting the need to further consider issues raised with respect to its mandate. Therefore, it decided to include the issue of its role in providing advice and facilitation as a standing item on its agenda. The branch also decided to explore ways to continue a dialogue with lead reviewers. In this context, it suggested that the interaction between the review process and facilitative branch could be an issue for a future workshop and requested the secretariat to explore how to invite some lead reviewers to attend facilitative branch meetings as observers. The branch also noted that its potential facilitative function could possibly impact on the work of enforcement branch and so these issues should also be taken up in plenary.

5. Consistency in the application of the rules of procedure across the two branches of the Compliance Committee

9. As agreed by plenary, the branch considered the possible impact on its work of the adoption by plenary of a working arrangement that would provide that decision-making by electronic means under rule 11, paragraph 2, of the rules of procedure with respect to a Party may only take place by voting.

10. The branch concluded its consideration by noting that it appreciated the rationale behind the proposal and that electronic decision-making was provided for in its rules of procedure. However, members and alternate members raised concerns with the proposed working arrangements, including the need to explain the rationale behind the proposal in the draft text so that it was clear why consensus was not available in this context; to confirm that the working arrangement would not impact on the voting majority provided for in section II, paragraph 9; how to ascertain members present and voting in the absence of a physical meeting; security issues and the possibility of a Party concerned raising procedural issues on how electronic voting is conducted. The branch agreed to bring these issues to the attention of the plenary and to invite the enforcement branch to further reflect on its proposal.

6. Provisions related to facilitation: Advice and facilitation

11. At the last meeting of the branch, an issue was raised concerning whether, as part of its function to provide advice and facilitation, the branch could request expert advice. The branch noted that it did not find it necessary to seek expert advice during its previous consideration of matters under its

² This and subsequent references to sections, as well as to references to procedures and mechanisms, refer to the annex to decision 27/CMP.1.



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indicative working arrangements,³ but the branch may wish to seek such advice in the future if it considers it necessary to do so, acting in accordance with the procedures and mechanisms and rule 22 of the rules of procedure. The issue of expert advice would be placed on its stocktaking list of issues for future review.

7. Relevant information from the enforcement branch's report to plenary

12. The branch considered the information provided by the enforcement branch on its stocktaking exercise and the development of decision templates.

13. The branch agreed to develop its own list of stocktaking issues. It requested the secretariat to prepare a draft list, including items identified at this meeting, in particular, electronic decision-making, seeking expert advice and engagement with ERTs. It further requested the secretariat to circulate the list to members and alternate members for comment and on the basis of comments received on the draft list and under the guidance of the chairperson and vice-chairperson, to prepare a revised list for circulation prior to its next meeting for consideration at that meeting.

8. Other matters

14. The branch elected Mr. Delano Ruben Verwey as vice-chairperson of the branch in accordance with rule 6, paragraph 3, of the rules of procedure, to become effective on 22 April 2013.

9. Closure of the meeting

15. The chairperson of the branch declared the meeting closed on 23 March 2013, at 12:00 hrs.

10. Attendance

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

Members (in alphabetical order)	Alternate Members
1) ABULEIF, Khalid Mr.	YOO, Yeon-Chul Mr.
2) AGHAZADEH KHOEI , Javad Mr.	IVANOVA, Jadranka Ms.
3) COYE-FELSON , Janine E. Ms.	ST. LOUIS, Teddy Mr.
4) KYARUZI , Ladislaus Mr.	NASR, Mohamed I. Mr.
5) JALOUTA , Najmadeen B.M. Mr.	HAIDER FARMAN, Ali Abbas Mr.
6) PAZ CASTRO , Luis Mr.	LIMA , Antonio Monteiro Mr.
7) ROBERTS , Adrian Mr.	HALLSTRÖM , Per Mr.
8) SEDYAKIN , Valeriy Mr.	NIKITSIN , Siarhei Mr.
9) SHIMADA , Kunihiro Mr.	HENRY , Marcus Mr.
10) VERWEY , Delano Ruben Mr.	DYBKA, Dariusz Mr.

³ CC/FB/11/2012/2, Annex 1.