



PLENARY OF THE COMMITTEE

Eleventh meeting

24–25 October 2012
Bonn, Germany

Report on the meeting

1. Opening of the meeting

1. Mr. Adrian Roberts, co-chairperson of the plenary, opened the meeting at 15:02. He welcomed Mr. Najmadeen Jaluta who was attending his first meeting of the plenary.

2. At the request of the co-chairperson, the secretariat provided information on participation and quorum. 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 plenary reviewed and adopted its agenda (CC/11/2012/1).

3. Report on the tenth meeting of the plenary

4. The plenary took note of the report on its tenth meeting prepared by the co-chairpersons (CC/10/2012/2).

4. Information on privileges and immunities for members

5. The secretariat provided an update on the current state of negotiations on legal arrangements for privileges and immunities within the Subsidiary Body for Implementation. Having considered this information, the plenary reiterated that any future legal arrangements for privileges and immunities should afford protection to members and alternate members of the Compliance Committee. It decided to draw the attention of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP) to its views on this matter in the annual report of the Compliance Committee to the CMP (FCCC/KP/CMP/2012/6, para. 15).

5. Report of the enforcement branch

6. The plenary took note of the oral report of the enforcement branch, made to it by the chairperson of the branch, Mr. René Lefeber, on the branch's work since the tenth meeting of the plenary and the outcomes of its nineteenth, twentieth and twenty-first meetings and the consideration of questions of implementation with respect to Lithuania, Romania, Slovakia and Ukraine. As part of a stocktaking exercise at its twenty-first meeting, the branch developed decision templates to assist in developing the structure of decisions for adoption by the branch.



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The plenary noted that decision templates of the enforcement branch and the outcomes of the branch's stocktaking exercise would be shared with members and alternate members of the facilitative branch. The plenary agreed that the results of the enforcement branch's stocktaking exercise and any stocktaking to be undertaken by the facilitative branch would be discussed by the plenary at its next meeting.

6. Report of the facilitative branch

7. The plenary took note of the oral report of the facilitative branch, made to it by the vice-chairperson of the branch, Mr. Roberts, on the outcomes of the branch's eleventh meeting. The vice-chairperson discussed the branch's consideration of issues arising from reports of in-depth reviews of fifth national communications and information submitted pursuant to Article 7 of the Kyoto Protocol, which involved three aspects: an early warning issue relating to Canada; a background paper on information on trends in relation to the commitments under Article 3, paragraph 1, of the Kyoto Protocol found in reports of the in-depth reviews of the fifth national communications of Parties included in Annex I (CC/FB/11/2012/2); a review of the indicative working arrangements on the provision of advice and facilitation under section IV, paragraph 6 (a), of "Procedures and mechanisms relating to compliance under the Kyoto Protocol", contained in the annex to decision 27/CMP.1,¹ which are attached to the Annex of the report on the eleventh meeting of the facilitative branch (CC/FB/11/2012/3).

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

8. The plenary recalled that its tenth meeting, the plenary agreed to keep the issue of consistency in the application of the "rules of procedure of the Compliance Committee of the Kyoto Protocol"² on the agenda of its future meetings with a view to providing a forum for discussions on procedures and practice of both branches.

9. The plenary considered a draft working arrangement on electronic decision-making forwarded to it by the enforcement branch.³ The draft working arrangement provided 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. The draft working arrangement was circulated to all members and alternate members of the Committee.

10. The plenary agreed that the branches would further consider this matter, with the facilitative branch considering the possible impact on its work of the adoption by the plenary of such a working arrangement at its next meeting. The plenary noted that, in the absence of a working arrangement on electronic decision-making, the enforcement branch would continue to follow its practice of requiring a vote for decisions taken by electronic means.

¹ All section references in this document refer to the procedures and mechanisms.

² 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.

³ See the Annex to the report on the twenty-first meeting of the enforcement branch, CC/11/2012/4.



8. Information on the status of reports of expert review teams under Article 8 of the Kyoto Protocol

11. The secretariat provided information on the status of submission and review of reports under the Kyoto Protocol (CC/11/2012/3), including on submission and resubmission of information by Parties. The plenary noted the information.

9. Consistency of reviews under Article 8

12. The plenary continued its consideration of the issue of consistency of reviews. The matter was also considered by both branches at their respective meetings. The plenary noted that the dialogue with the inventory lead reviewers continued through the participation of the vice-chairpersons of both branches in the ninth meeting of inventory lead reviewers held in March 2012. It considered such dialogue valuable and expressed its appreciation to the lead reviewers for their engagement. The plenary requested the secretariat to maintain the arrangements for participation by the members of its bureau in the lead reviewers' meetings.

13. The plenary also considered how to enhance the continued cooperation with inventory lead reviewers. In this regard, it noted the proposal by both branches and the bureau to organize a joint workshop with the participation of members and alternate members of the Committee and inventory lead reviewers, with the support of the secretariat, in order to provide a common platform for discussions on improving the consistency of reviews. The plenary requested the bureau of the Committee, with the assistance of the secretariat, and in consultation with lead reviewers, to explore possibilities for organizing such a workshop in early 2013, subject to the availability of financial resources. A summary of the plenary's considerations on this matter is reflected in the Committee's annual report to the CMP (FCCC/KP/CMP/2012/6, paras. 27–28 and 75–76.)

10. Annual report to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol

14. The plenary considered the draft annual report of the Compliance Committee to the CMP (CC/11/2012/2). The plenary requested the secretariat to circulate the completed report to all members and alternate members of the Committee for adoption using electronic means with a view to forwarding the final report to the CMP for consideration at its eighth session.

11. Calendar of meetings for 2013

15. The plenary agreed to have at least two plenary meetings in 2013: one in March and one in September or October, with the dates to be decided at a later time, based on consultations with the bureau, with the assistance of the secretariat.

12. Other matters

16. The plenary noted the recommendations of the Joint Implementation Supervisory Committee (JISC) with regard to modalities and procedures for the implementation of Article 6 of the Kyoto Protocol contained in Annex 1 to the report of the thirtieth meeting of the JISC.⁴ These recommendations propose additional functions for the Committee in relation to determining

⁴ Available at <http://ji.unfccc.int/Sup_Committee/Meetings/030/ann1.pdf>.



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whether Parties comply with the proposed joint implementation modalities, procedures and mandatory standards. In this regard, the plenary noted that these recommendations have potential implications on the work of the Committee as well as its procedures and mechanisms. It agreed to bring the matter to the attention of the CMP for its consideration at its eighth session. A summary of the plenary's considerations on this matter is reflected in the Committee's annual report to the CMP (FCCC/KP/CMP/2012/6, para. 29).

17. The plenary noted challenges relating to achieving quorum at the meetings of both branches and the plenary, and highlighted that lack of quorum affects the efficiency and efficacy of the Committee. The plenary reiterated its recommendation that the eligibility for funding relating to the costs of travel and participation in meetings of the Committee should be extended to all members and alternate members. It emphasized that such funding is essential for the full independence of members and alternate members, who are elected to serve in their individual capacity. The plenary also noted the concerns raised by members and alternate members with respect to long-haul travel on budget airlines and the corresponding effects on the ability of members and alternate members to participate effectively in the work of the Committee. A summary of the plenary's considerations on this matter is reflected in the Committee's annual report to the CMP (FCCC/KP/CMP/2012/6, paras. 30–32).

18. The plenary discussed correspondence received by the co-chairpersons of the Committee on 28 June 2012 from the Chair of the Committee Administering the Mechanism for Promoting the Implementation and Compliance of the Basel Convention (Basel Committee) regarding the establishment of an informal dialogue between the two committees. The plenary expressed interest in the proposal and acknowledged the value of such a dialogue. It agreed to bring the request to the attention of the CMP and to request guidance from the CMP on the establishment of a dialogue with compliance bodies under other treaties. The plenary requested the secretariat to acknowledge receipt of the letter and to inform the Chair of the Basel Committee that the communication had been brought to the attention of the plenary, and that the plenary had brought it to the attention of the CMP. The plenary concluded that, subject to any views expressed by the CMP, the co-chairpersons would reply to the Chair of the Basel Committee.

19. The secretariat provided an update of the Papersmart initiative for enhancing the environmental sustainability of secretariat conferences and meetings.⁵ The plenary discussed the application of the initiative in the context of meetings of the Committee.

13. Closure of the meeting

20. Mr. Lefeber, co-chairperson of the plenary, declared the meeting closed at 14:40.

⁵ See <http://unfccc.int/meetings/doha_nov_2012/items/7069.php>.



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14. Attendance

21. 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.	JADRANKA, Ivanova Ms.
3) COYE-FELSON , Janine E. Ms.	ST. LOUIS, Teddy Mr.
4) DE WET, Sandea JGS Ms.	AMOUGOU, Joseph Armathé Mr.
5) ESTRADA OYUELA, Raúl Mr.	GONZALEZ NORRIS , Antonio Mr. ⁺
6) FODEKE , Victor A. Mr.	GOPOLANG , Balisi Justice Mr.
7) HAYNES , Rueanna Ms.	MARINO , Sebastian Mr.
8) HIAHEMZIZOU, Rafik Mr.	NASR, Mohamed I. Mr.
9) JALOUTA , Najmadeen B.M. Mr.*	HAIDER FARMAN, Ali Abbas Mr.
10) KODJABASHEV , Alexander M. Mr.	SHAMANOV , Oleg Mr.
11) LEFEBER , René Mr.	PALLEMAERTS, Marc Mr.
12) LOIBL, Gerhard Mr.	RUDZKO, Iryna Ms.
13) NISHAT, Ainun Mr.	BABAR BEG , Mirza Salman Mr. ⁺
14) OBERTHÜR , Sebastian Mr.	KUOKKANEN , Tuomas Mr.
15) PAZ CASTRO , Luis Mr.	LIMA , Antonio Pedro Monteiro Mr.
16) ROBERTS , Adrian Paul Mr.	HALLSTRÖM , Per Mr.
17) SEDYAKIN , Valeriy Mr.	NIKITSIN , Siarhei Mr.
18) SHIMADA , Kunihiko Mr.	<i>Vacant</i> [‡]
19) SU, Wei Mr.	ALAM, Mohammad Mr.
20) VERWEY , Delano Ruben Mr.	DYBKA , Dariusz Mr.

⁺ Served as a member

* Mr. Jalouta was absent on 25 October 2012.

[‡] Mr. Mark Berman resigned.