



PLENARY OF THE COMMITTEE

Thirteenth meeting

17–18 September 2013
Bonn, Germany

Report on the meeting

1. Opening of the meeting

1. Mr. Khalid Abuleif, co-chairperson of the plenary, opened the meeting at 10:15.
2. At the request of the co-chairperson, the secretariat provided information on participation and quorum, as well as key administrative, logistical and housekeeping arrangements. The secretariat informed the plenary that the meeting was being webcast live on the Internet and that an audio recording was being made of the entire meeting.
3. The secretariat also informed the plenary that due to last minute cancellations on the part of one alternate member, the plenary did not have a quorum to take decisions. As proposed by the co-chairperson, the members and alternate members present agreed to proceed with the meeting on the understanding that any decision would only be adopted upon receipt of the required additional vote by electronic means or once quorum was achieved. At the commencement of the second day of the meeting on Wednesday, 18 September 2013, the secretariat confirmed that quorum had been achieved with the arrival of Mr. René Lefeber.

2. Adoption of the agenda

4. The plenary reviewed its provisional agenda as corrected (CC/13/2013/1 and CC/13/2013/1/Corr.1). Upon completion of a vote by electronic means, the plenary adopted the agenda.

3. Report on the twelfth meeting of the plenary

5. The plenary took note of the report on its twelfth meeting prepared by the co-chairpersons (CC/12/2013/3).

4. Report of the enforcement branch

6. The plenary took note of the oral report of the enforcement branch, made by Mr. Sebastian Oberthür, a member of the branch, on behalf of the chairperson and the vice-chairperson. Mr. Oberthür reported on the branch's work since the twelfth meeting of the plenary, the final outcomes of its twenty-second meeting, the outcomes of its twenty-third meeting, and the consideration of questions of implementation with respect to Slovakia.
7. Mr. Oberthür informed the plenary of the branch's concern over the repeated failure to meet quorum requirements at its meetings and conveyed the branch's view that this concern should be reflected in the eighth annual report of the plenary to the Conference of the Parties serving as the



COMPLIANCE COMMITTEE

CC/13/2013/7
31 October 2013

meeting of the Parties to the Kyoto Protocol (CMP). The plenary shared the concern of the branch with regard to the issue of quorum and expressed its views on the matter in its annual report to the CMP (see FCCC/KP/CMP/2013/3, para. 42). It requested the secretariat to conduct a survey among former and present members and alternate members of the Committee to determine the possible reasons for failure to attend past meetings, and to present the outcomes of the survey at the next meeting of the plenary.

5. Report of the facilitative branch

8. The plenary took note of the oral report of the facilitative branch, made by the chairperson of the branch, Mr. Abuleif, on the outcomes of the branch's fourteenth meeting. Among other things, Mr. Abuleif informed the plenary of the review by the branch of information with respect to Austria, Croatia and Italy under section IV of "Procedures and mechanisms relating to compliance under the Kyoto Protocol"¹ and its conclusion that there was not sufficient information to start an early warning exercise. The branch agreed to revisit the issue at its next meeting when, it expected, additional information would be available.

9. Mr. Abuleif also informed the plenary of the branch's suggestions regarding the focus of discussions at the next joint workshop between inventory lead reviewers and members and alternate members of the Compliance Committee (see FCCC/KP/CMP/2013/3, paras. 52 and 55).

10. Mr. Abuleif also reported to the plenary on the decision of the branch to conduct the elections for its chairperson and vice-chairperson at its next meeting, which is envisaged to take place in March 2014.

6. Information on privileges and immunities for members

11. The secretariat informed the plenary that no discussions on the issue of privileges and immunities took place during the thirty-eighth session of the Subsidiary Body for Implementation (SBI). The plenary considered the note prepared by the secretariat on the compilation of views expressed by the plenary on the matter of privileges and immunities (CC/13/2013/2). It decided to draw the attention of the CMP to its views on this matter in its annual report to the CMP (see FCCC/KP/CMP/2013/6, paras. 22 to 23). It also agreed to look further into the issue at its next meeting, inter alia, by looking at arrangements for privileges and immunities under other treaty bodies and compliance mechanisms.

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

12. The secretariat provided information on the status of submission and review of reports under the Kyoto Protocol (CC/13/2013/3), including on submission and resubmission of information by Parties. The plenary noted the information provided by the secretariat and acknowledged some improvement in the overall timing of the preparation and publication of review reports. However, it remained concerned that the majority of the reports are still being finalized with a significant delay.

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



8. Consistency of reviews under Article 8

13. After considering the proposal made by the facilitative branch on the scope of another joint workshop with inventory lead reviewers (see paragraph 9 above), the plenary confirmed the desirability of such a workshop. It requested the secretariat to explore options for organizing the workshop in 2014, subject to the availability of financial resources. It also requested the bureau, with the assistance of the secretariat and in consultation with lead reviewers, to develop the content of the workshop, including on the basis of the proposal made by the facilitative branch.

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

14. The plenary noted the information on the consideration both branches had given to the proposed working arrangement on electronic decision-making, including the indication by the enforcement branch that it does not see the need to pursue its proposal for such new working arrangement.² The plenary completed its consideration of the matter.

10. Outcomes of the eighth session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol and the thirty-seventh sessions of the subsidiary bodies

15. In response to the request of the plenary made at its twelfth meeting,³ the secretariat informed the plenary that no discussions took place during the thirty-eighth session of the SBI on the issue of review of the joint implementation guidelines being carried out pursuant to decision 6/CMP.8.

16. The plenary considered the secretariat's note, prepared in response to the request of the plenary made at its twelfth meeting,⁴ on possible implications for the work of the Compliance Committee in the second commitment period arising from decision 1/CMP.8 and from the provisions of the annex to decision 27/CMP.1 related to the first commitment period (CC/13/2013/4).

17. The plenary invited the CMP to consider the implications of decision 1/CMP.8 on the references to Article 3, paragraph 1, of the Kyoto Protocol contained in the annex to decision 27/CMP.1, bearing also in mind section XV, paragraph 8, of the procedures and mechanisms (see FCCC/KP/CMP/2013/3, para. 4 (b)).

18. The plenary agreed to further consider any implications for its work arising from the timing of the entry into force of the Doha Amendment to the Kyoto Protocol, contained in annex I to decision 1/CMP.8, at its meeting in September 2014.

² See CC/EB/23/2013/3, paragraph 14.

³ CC/12/2013/3, paragraph 10.

⁴ CC/12/2013/3, paragraph 9.



11. Proposed amendments to the rules of procedure

19. The plenary considered a proposal forwarded by the enforcement branch for draft amendments to the “Rules of procedure of the Compliance Committee of the Kyoto Protocol”.⁵ The proposal aims to address consideration by the enforcement branch of disagreements whether to apply adjustments to inventories under Article 5, paragraph 2, of the Kyoto Protocol pursuant to section X, paragraph 5, of the procedures and mechanisms (CC/13/2013/5). It agreed to submit the proposed amendments to the Committee’s rules of procedure for consideration and adoption by the CMP at its ninth session.⁶

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

20. The plenary considered the draft annual report of the Compliance Committee to the CMP (CC/13/2013/6). It adopted the report as amended and agreed to forward it to the CMP for consideration at its ninth session.

13. Calendar of meetings for 2014

21. The plenary agreed to have at least two plenary meetings in 2014. The meeting in the period of 10 to 12 March 2014 would be held back to back with the meetings of the branches and the workshop referred to in paragraph 13 above. Another meeting of the plenary will be held in the period of 3 to 5 September 2014 and could be organized back to back with meetings of the branches, if appropriate. The plenary requested the secretariat to circulate a reminder to the members and alternate members on the dates for next year’s meetings.

14. Other matters

22. The co-chairperson, Mr. Abuleif, informed the plenary of a dialogue to exchange experience on national reporting issues with compliance bodies of other multilateral environment agreements that will take place during the tenth meeting of the Committee Administering the Mechanism for Promoting the Implementation and Compliance of Basel Convention, to be held from 5 to 6 December 2013. The co-chairpersons will report on the outcomes of that dialogue at the next meeting of the plenary.

23. The plenary considered a presentation made by the secretariat on the outcomes of the web-based survey on the level of satisfaction of members and alternate members of the Compliance Committee conducted from 11 to 26 July 2013.

24. The plenary noted that the mandate of the current bureau runs through February 2014. It further noted that, given the proximity of the envisaged dates for the next meetings of the branches (see paragraph 21 above), and taking into account that a significant change in the membership of the Committee is likely to occur in January 2014, both branches will have elections of their chairpersons and vice-chairpersons at their first meetings next year.

⁵ Contained in the annex to decision 4/CMP.2, as amended by decision 4/CMP.4

⁶ FCCC/KP/CMP/2013/3, annex I.



COMPLIANCE COMMITTEE

CC/13/2013/7
31 October 2013

25. The plenary agreed to include in its annual report to the CMP language pertaining to gender balance in relation to nominations for membership in the Committee (see FCCC/KP/CMP/2013/3, para. 14).

15. Closure of the meeting

26. Mr. Lefeber, co-chairperson of the plenary, declared the meeting closed at 14:00.

16. Attendance

27. 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) JALOUTA, Najmadeen B.M. Mr.	HAIDER FARMAN, Ali Abbas Mr.
9) KODJABASHEV , Alexander M. Mr	SHAMANOV , Oleg Mr.
10) KYARUZI , Ladislaus Mr.	NASR, Mohamed I. Mr.
11) LEFEBER , René JM Mr.	PALLEMAERTS, Marc Mr.
12) LOIBL, Gerhard Mr.	RUDZKO, Iryna Ms.
13) NISHAT , Ainun Mr.	<i>Vacant</i> *
14) OBERTHÜR , Sebastian Mr.	KUOKKANEN , Tuomas Mr.
15) PAZ CASTRO , Luis Mr.	LIMA , Antonio Pedro Monteiro Mr.
16) <i>Vacant</i> **	HALLSTRÖM , Per Mr.
17) SEDYAKIN , Valeriy Mr.	NIKITSIN , Siarhei Mr.
18) SHIMADA , Kunihiko Mr.	HENRY , Marcus Mr.
19) SU, Wei Mr.	ALAM , Mohammad Mr.
20) VERWEY , Delano Ruben Mr.	DYBKA, Dariusz Mr.

* Mr. Mirza Salman Babar Beg resigned with effect from 28 May 2013.

** Mr. Adrian Roberts resigned with effect from 22 April 2013.