



Annual report of the Compliance Committee to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol

Note by the secretariat

1. Under section XII(b) of the “Procedures and mechanisms relating to compliance under the Kyoto Protocol” (annex to decision 27/CMP.1), the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol is to consider the reports of the plenary of the Compliance Committee on the progress of its work.
2. The attached draft is presented to the plenary for its consideration. The plenary will note that some paragraphs may be added or modified based on discussions at its seventeenth meeting.



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Report of the Compliance Committee

Annual report of the Compliance Committee to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol

Summary

The tenth annual report of the Compliance Committee to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol covers activities undertaken from 6 September 2014 to 7 September 2015. The report provides a summary of the consideration by the facilitative branch of information in review reports, including the recommendations contained therein, in the context of providing advice and facilitation to Parties on implementing the Kyoto Protocol [*to be completed following the discussion at the 18th meeting of the facilitative branch*]. It also contains a summary of the continued consideration by the enforcement branch of the delay in the submission by a Party included in Annex I of its national inventory report and the effects of a Party's withdrawal from the Kyoto Protocol on its reporting obligations [*to be completed following the discussions at the 27th meeting of the enforcement branch*]; and the discussions of the plenary of the Compliance Committee on the outcomes of the second joint workshop with inventory lead reviewers and the scope for further joint workshops [*to be completed based on discussions at the 17th meeting of the plenary*].

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Annexes (*List of any annexes to be added after the final reading of the draft report*)

I. Introduction

A. Mandate

1. In accordance with section III, paragraph 2(a), of the “Procedures and mechanisms relating to compliance under the Kyoto Protocol” (annex to decision 27/CMP.1; hereinafter referred to as the procedures and mechanisms), the plenary of the Compliance Committee (hereinafter referred to as the plenary) is to report on the activities of the Committee to each ordinary session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP).

B. Scope of the report

2. The tenth annual report of the Compliance Committee covers the period from 6 September 2014 to 7 September 2015. It summarizes the work of and matters addressed by the Committee during that period.

C. Action to be taken by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol

3. In accordance with section XII of the procedures and mechanisms, the CMP is to consider the annual report of the Compliance Committee.

4. The CMP may also wish:

(a) To invite the President of the CMP to undertake consultations on the nomination of members and alternate members of the Committee, as necessary (see para. XX);

(b) To invite Parties to make contributions to the Trust Fund for Supplementary Activities to support the work of the Committee in the biennium 2016–2017 and express its thanks to the Parties that made contributions during the reporting period (see paras. XX and XX below).

(c) *[To be completed based on discussions at the 17th meeting of the plenary].*

II. Organizational matters

5. The plenary held two meetings during the reporting period. The sixteenth meeting of the plenary was held on 5 March 2015 and the seventeenth meeting was held from 6 to 7 September 2015, both in Bonn, Germany.

6. The facilitative branch met twice in Bonn (on 5 March 2015 and on 6 September 2015), as did the enforcement branch (on 5 March 2015 and on 6 September 2015).

7. In addition to those meetings, the secretariat organized an induction event which was held in Bonn, Germany, on 4 March 2015. The event was held in conjunction with the March meetings of the branches and the plenary and aimed to allow members and alternate members, in particular those elected at the ninth and tenth sessions of the CMP, to better familiarize themselves with certain aspects of the work of the Compliance Committee, including procedural considerations in the conduct of a meeting. [The plenary welcomed the event and considered that organization of such events in the future could be useful.]

8. Furthermore, at the request of the plenary,¹ a second joint workshop of the Compliance Committee and the inventory lead reviewers addressing the issue of consistency of reviews under Article 8 of the Kyoto Protocol was organized. The workshop was organized in Bonn, Germany, on 4 March 2015 in conjunction with the 12th meeting of inventory lead reviewers and the sixteenth meeting of the plenary, the twenty-sixth meeting of the enforcement branch and the seventeenth meeting of the facilitative branch.

9. The agenda and annotations, documentation supporting agenda items and the chairpersons' report for each meeting of the plenary and of the facilitative and enforcement branches are available on the UNFCCC website.²

A. Membership of the Compliance Committee

10. In accordance with rule 3, paragraph 1, of the rules of procedure, the term of office of each member and alternate member of the Compliance Committee starts on 1 January of the calendar year immediately following his or her election and ends on 31 December four years thereafter. The list of members and alternate members whose terms expire on 31 December 2015 is contained in annex I to this document.

11. In accordance with section IV, paragraph 2, section V, paragraph 2, and section II, paragraph 5, of the procedures and mechanisms, the plenary requests the CMP to elect **five** new members to serve in the facilitative branch, **five** new members to serve in the enforcement branch and an alternate member for each new member, respectively, all for a term of four years.

12. The plenary expressed its hope that Parties will keep in mind the issue of gender balance when making nominations for membership of the Compliance Committee.

B. Transparency, communication and information

13. In accordance with rule 9, paragraph 1, of the rules of procedure, meetings of the plenary and of the facilitative and enforcement branches held in the reporting period were recorded and broadcast on the Internet via the UNFCCC website, with the exception of the parts of those meetings that were held in private in accordance with the same rule.

14. In accordance with rule 12, paragraph 2, of the rules of procedure, all documents of the plenary and of the enforcement and facilitative branches have been made available to the public on the UNFCCC website.³

15. In view of the fact that the meetings of inventory lead reviewers are held in private, the joint workshop referred to in paragraph **8** above was held in private. The main conclusions of the joint workshop, as summarized in the report on the sixteenth meeting of the plenary,⁴ are set out in paragraph **X** below.

¹ FCCC/13/2013/7, paragraph 13.

² <http://unfccc.int/kyoto_protocol/compliance/items/2875.php>.

³ Documents relating to the plenary are available at <http://unfccc.int/kyoto_protocol/compliance/plenary/items/3788.php>; documents relating to the facilitative branch are available at <http://unfccc.int/kyoto_protocol/compliance/facilitative_branch/items/3786.php>; and documents relating to the enforcement branch are available at <http://unfccc.int/kyoto_protocol/compliance/enforcement_branch/items/3785.php>.

⁴ CC/16/2015/2, paragraph 8.

C. [Use of electronic means of decision-making]

16. Pursuant to rule 11, paragraph 2, of the rules of procedure, the Compliance Committee may elaborate and take decisions using electronic means. [During the reporting period, the branches and the plenary did not need to resort to electronic means for their decision-making.] *(to be confirmed subject to the outcomes of the 18th meeting of the facilitative branch, the 27th meeting of the enforcement branch and the 17th meeting of the plenary)*

III. Work undertaken in the reporting period

A. Activities of the plenary

1. Reports of expert review teams under Article 8 of the Kyoto Protocol and other information received by the plenary of the Compliance Committee *[to be completed before adoption of the report by the plenary]*

17. In accordance with section VI, paragraph 3, of the procedures and mechanisms, the secretariat forwarded to the Committee the reports of the individual reviews of the annual submissions submitted in 2013 by Lithuania, Norway, Portugal, Russian Federation and Slovakia; and annual submissions submitted in 2014 by Australia, Austria, Belgium, Bulgaria, Croatia, Czech Republic, Denmark, Estonia, European Union, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, Netherlands, New Zealand, Norway, Poland, Portugal, Romania, Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine and United Kingdom of Great Britain and Northern Ireland.

18. Similarly, in accordance with section VI, paragraph 3, of the procedures and mechanisms, the secretariat forwarded to the Committee the reports of the technical review of the sixth national communication submitted in 2014 by Australia, Belgium, Bulgaria, Cyprus, Czech Republic, Estonia, Germany, Greece, Hungary, Iceland, Ireland, Japan, Kazakhstan, Liechtenstein, Lithuania, Malta, Monaco, Norway, Poland, Romania, Russian Federation, Slovakia, Slovenia, Ukraine and United Kingdom of Great Britain and Northern Ireland.

19. In accordance with decision 13/CMP.1, paragraph 4, the secretariat forwarded to the Committee the seventh annual compilation and accounting report for Parties to the Convention with commitments inscribed in Annex B to the Kyoto Protocol and the addendum thereto.⁵

20. At its seventeenth meeting, the plenary noted the information provided to it by the secretariat on the status of submission and review of reports under the Kyoto Protocol. The plenary *[to be completed based on discussions at the 17th meeting of the plenary]*

2. Consistency of review under Article 8

21. At its sixteenth meeting, the plenary decided to convene a closed session to hear a report from Mr. Verwey, the chairperson of the facilitative branch, and Ms. Rueanna Haynes, the chairperson of the enforcement branch, on their participation in the 12th meeting of inventory lead reviewers, which was held in Bonn from

⁵ CC/2014/1.

2 to 4 March 2015. The overriding reason for holding that part of the meeting in private was the fact that the chairpersons were reporting back on a closed meeting.

22. The second joint workshop between inventory lead reviewers and the Compliance Committee referred to in paragraph 8 above addressed issues of the respective mandates of the Committee and the inventory lead reviewers and a number of issues related to the consistency of the terminology and assessments applied in the annual review reports.

23. Having considered the report referred to in paragraph 21 above and the outcomes of the workshop, the plenary, at its sixteenth meeting, recalled its intention to organize further joint workshops with the inventory lead reviewers in 2016. In this regard, it discussed the scope of such a possible workshop and, in particular, areas to focus on.⁶ The plenary [*to be completed based on discussions at the 17th meeting of the plenary*].

B. Activities of the enforcement branch

1. Delay in the submission by a Party included in Annex I of its national inventory report for 2014⁷

24. At its twenty-sixth [and twenty-seventh] meetings, the enforcement branch continued its consideration of the delay in the submission by Monaco of its 2014 national inventory report (NIR).⁸ At its twenty-sixth meeting, it considered the information provided in the report of the individual review of the annual submission of Monaco submitted in 2014.⁹

25. At the same meeting, it requested the secretariat to invite the lead reviewers of the expert review team (ERT) that conducted the review of Monaco's 2014 annual submission to its twenty-seventh meeting, with a view to understanding the reasons for the ERT's decision not to indicate a question of implementation with respect to Monaco's late submission of its national inventory report, in light of paragraph 3 (a) of the annex to decision 15/CMP.1 in relation to paragraph 8 of the annex to decision 22/CMP.1.¹⁰

26. At its twenty-seventh meeting, the branch [*to be completed following the discussions at the 27th meeting of the enforcement branch*].

2. Effects of a Party's withdrawal from the Kyoto Protocol on its reporting obligations

27. The enforcement branch, at its twenty-sixth [and twenty-seventh] meeting[s], continued its consideration of Canada's withdrawal from the Kyoto Protocol and its effects on Canada's reporting obligations under the Kyoto Protocol.¹¹ It agreed to include the matter on the agenda of its twenty-seventh meeting, at which time it expected the report of the individual review of Canada's annual submission submitted in 2014 (Canada's 2014 ARR) to be available. Canada's ARR was published on 23 April 2015 and forwarded to the members and alternate members of the branch on 28 April 2015.¹²

28. At its twenty-seventh meeting, the branch [*to be completed following the discussions at the 27th meeting of the enforcement branch*].

⁶ CC/16/2015/2, paragraph 8.

⁷ FCCC/KP/CMP/2014/2, paragraphs 29–31.

⁸ FCCC/KP/CMP/2014/2, paragraph 31, CC/EB/25/2014/3, paragraphs 10–12.

⁹ CC/EB/26/2015/2, paragraphs 6–8.

¹⁰ CC/EB/26/2015/2, paragraph 7.

¹¹ FCCC/KP/CMP/2014/2, paragraphs 32–34.

¹² CC/EB/26/2015/2, paragraph 5.

C. Activities of the facilitative branch

Provisions related to facilitation: advice and facilitation

29. As agreed at its sixteenth meeting, the facilitative branch continued its consideration of information and recommendations contained in the reports of the individual reviews of annual submissions and the reports of the technical reviews of national communications (hereinafter referred to as “review reports”) in the context of providing advice and facilitation to Parties on implementing the Kyoto Protocol.¹³

30. For the purpose of advancing its understanding on how to exercise its mandate referred to in paragraph 29 above, at its seventeenth meeting, the branch invited its members and alternate members to identify issues in the review reports relating to the implementation of the Kyoto Protocol and to bring them to the attention of the branch.¹⁴

31. At its eighteenth meeting, the branch discussed **the submissions received from its members and alternate members** and [*to be completed following the discussion at the 18th meeting of the facilitative branch*].

D. Budget for the work of the Compliance Committee

1. Budget for the work of the Compliance Committee

32. For the biennium 2014–2015, EUR 1,123,508¹⁵ was approved in the core budget of the UNFCCC for activities related to the Compliance Committee. In addition, EUR 515,079 was approved under the item “Support to the Compliance Committee” of the resource requirements of the Trust Fund for Supplementary Activities. As at 30 June 2015, contributions of USD 41,242 had been received for the biennium. The CMP may wish to express its sincere thanks to the following Parties that made contributions to the Trust Fund for Supplementary Activities to support the work of the Compliance Committee in the biennium 2014–2015: Belgium, Japan and Switzerland.

2. Resources required for the biennium 2016–2017

33. For the biennium 2016–2017, it is envisaged that approximately 39 per cent of the core budget of the Legal Affairs programme of the UNFCCC that has been proposed for approval at CMP 11 would be used for activities related to the Compliance Committee.¹⁶ In addition, EUR 505,901¹⁷ is to be provided from the Trust Fund for Supplementary Activities.

¹³ CC/FB/16/2014/2, paragraph 10.

¹⁴ CC/FB/17/2015/2, paragraph 6.

¹⁵ This amount does not include secretariat-wide operating costs, programme support costs (overheads) or working capital reserve, as defined in decision 27/CP.19.

¹⁶ See document FCCC/SBI/2015/3 and FCCC/SBI/2015/10/Add.1.

¹⁷ See document FCCC/SBI/2015/3/Add.2 and FCCC/SBI/2015/10/Add.1. This amount includes programme support costs, but does not include secretariat-wide operating costs or working capital reserve.

Annex I

Members and alternate members of the Compliance Committee whose terms expire on 31 December 2015

Enforcement branch

<i>Member</i>	<i>Alternate member</i>	<i>Group</i>
Mr. René J.M. Lefeber	Mr. Tuomas Kuokkanen	Western Europe and Others
Ms. Rueanna Haynes	Mr. Sebastian Marino	Small island developing States
Mr. Alexander M. Kodzhabashev	Mr. Oleg Shamanov	Eastern Europe
Mr. Gerhard Loibl	Ms. Iryna Rudzko	Annex I Parties
Mr. Ainun Nishat	Mr. Nauman Bashir Bhatti	Non-Annex I Parties

Facilitative branch

<i>Member</i>	<i>Alternate member</i>	<i>Group</i>
Ms. Emanuela Sardellitti	Mr. Per Hallström	Western Europe and Others
Mr. Luis Raul Paz Castro	Mr. Delano Bart	Small island developing States
Mr. Valeriy P. Sedyakin	Mr. Siarhei Nikitsin	Eastern Europe
Mr. Delano Ruben Verwey	Mr. Dariusz Dybka	Annex I Parties
Mr. Najmadeen B.M. Jalouta	<i>vacant</i>	Non-Annex I Parties