

EXPERT ADVICE: ROMANIA

1. The enforcement branch agreed to seek expert advice on the content and basis of the report of the expert review team (ERT) contained in document FCCC/ARR/2010/ROU and on issues related to any decision of the enforcement branch with regard to the indicated question of implementation (CC-2011-1-2/Romania/EB, paragraph 4). 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 on, elaborate and adopt a preliminary finding or a decision not to proceed further. This meeting is scheduled to take place 6–8 July 2011.
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 as amended by decision 4/CMP.4.
3. The following experts are to be invited:
 - Ms. Dominique Blain (Canada)
 - Mr. Walter Oyhantçabal (Uruguay)
 - Ms. Anke Herold (Germany)
 - Mr. Daniel Martino (Uruguay)

Indicative list of questions

4. The question of implementation relates to compliance with the “Guidelines for national systems for the estimation of anthropogenic greenhouse gas emissions by sources and removals by sinks under Article 5, paragraph 1, of the Kyoto Protocol” (annex to decision 19/CMP.1; hereinafter referred to as “guidelines for national systems”). In particular, the ERT found that the national system fails to perform some of the specific functions required by the annex to decision 19/CMP.1 in relation to inventory preparation. In addition, the ERT found that the national system is unable to comply with the requirements for the preparation of information under Article 7, paragraph 1, of the Kyoto Protocol, in particular for the land use, land-use change and forestry activities under Article 3, paragraphs 3 and 4, of the Kyoto Protocol as set out in the “Guidelines for the preparation of the information required under Article 7 of the Kyoto Protocol” and the “Definitions, modalities, rules and guidelines relating to land use, land-use change and forestry activities under the Kyoto Protocol” (annexes to decisions 15/CMP.1 and 16/CMP.1, respectively; hereinafter referred to as “guidelines for the preparation of KP-LULUCF information”).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 issues:

¹ See paragraphs 20, 21, 27, 108, 142, 144, 178 and 185–187 of the report of the ERT contained in FCCC/ARR/2010/ROU.

- a. What is the nature and scope of the unresolved problems identified in the report of the individual review of the annual submission of Romania submitted in 2010 with respect to compliance with the guidelines for national systems and the guidelines for the preparation of KP-LULUCF information, including the following more specific questions:
- Which unresolved problems substantiate the conclusion that the national system fails to perform some of the specific functions required by the guidelines for national systems in relation to inventory preparation?
 - Which unresolved problems substantiate the conclusion that the national system is unable to comply with the requirements for the preparation of information as set out in the guidelines for the preparation of KP-LULUCF information and the IPCC Good Practice Guidance for Land Use, Land-Use Change and Forestry?²
 - Were there any changes in the national system since the annual submission of Romania submitted in 2009 which led to the emergence of an unresolved problem relating thereto?
 - To what extent do the unresolved problems relate to the need for Romania to develop a plan to improve its national system?
 - To what extent do the problems relate to the need for Romania to implement, in an effective and timely manner, the inventory improvement plans it has submitted to the ERT?
- b. What actions should be taken and which information should be submitted by Romania to resolve the question of implementation, including the following more specific questions:
- What are the changes in the national system that need to be implemented by Romania as a matter of priority to ensure that its national system can perform all the specific functions required by the guidelines for national systems in relation to inventory preparation and produce the information as set out in the guidelines for the preparation of KP-LULUCF information, at the soonest possible time?
 - What actions (e.g. allocation of resources and acquisition of assistance) should Romania plan and implement to improve the national system to ensure that it can perform all the specific functions required by the guidelines for national systems in relation to inventory preparation and produce the information as set out in the guidelines for the preparation of KP-LULUCF information?
 - What additional action(s), if any, must be taken by Romania to ensure that its annual submission is complete and that the information presented in the submission is transparent and accurate, in particular with regard to the KP-LULUCF activities?
- c. What would be required to review and ascertain the implementation of any action Romania may have taken since the ERT finalized its report or may take in the future with respect to the question of implementation, including the following more specific questions:

² Available at <<http://www.ipcc-nggip.iges.or.jp/public/gpplulucf/gpplulucf.htm>>.

- What would be the most effective way to determine if the changes in the national system will allow Romania's national system to perform all the specific functions required by the guidelines for national systems?
- What would be the most effective way to determine if the measures contained in Romania's inventory improvement plan have been implemented?
- When can the results of Romania's inventory improvement plan be realistically expected, and in which annual submission are these results likely to be verifiable?

6. The enforcement branch may put further more detailed follow-up questions 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 received with respect to the question of implementation since the ERT conducted the review.
