

**DECISION ON THE REVIEW AND ASSESSMENT OF THE PLAN SUBMITTED
UNDER PARAGRAPH 2 OF SECTION XV**

Party concerned: Ukraine

1. The final decision of the enforcement branch taken on 12 October 2011 (CC-2011-2-9/Ukraine/EB) gave effect to the consequences contained in paragraph 24 of the preliminary finding of the branch (CC-2011-2-6/Ukraine/EB), as confirmed by and annexed to the final decision. According to paragraph 24 (b) of the preliminary finding, Ukraine was to develop a plan referred to in paragraph 1 of section XV,¹ in accordance with the substantive requirements of paragraph 2 of section XV and paragraph 1 of rule 25 bis of the “Rules of Procedure of the Compliance Committee of the Kyoto Protocol” (the rules of procedure),² submit it within three months to the enforcement branch in accordance with paragraph 2 of section XV, and report on the progress of its implementation in accordance with paragraph 3 of section XV.

2. On 7 December 2011, Ukraine submitted a document entitled “Plan submitted in accordance with paragraph 24 (b) of the preliminary finding (CC-2011-2-6/Ukraine/EB), confirmed by the final decision of the Enforcement Branch concerning Ukraine (CC-2011-2-9/Ukraine/EB) and in accordance with section XV, paragraph 2 of the Procedures and mechanisms relating to compliance under the Kyoto Protocol and rule 25 bis of the Rules of procedure of the Compliance Committee of the Kyoto Protocol” (CC-2011-2-10/Ukraine/EB; hereinafter referred to as the plan). In accordance with paragraph 2 of rule 10 of the rules of procedure, Ukraine’s plan was deemed received by the enforcement branch on 8 December 2011.

3. In accordance with paragraph 2 of section XV and paragraph 3 of rule 25 bis of the rules of procedure, the branch reviewed and assessed the plan submitted by Ukraine during its seventeenth meeting held in Bonn from 20 to 21 December 2011. During the meeting, on 21 December 2011, Ukraine made a presentation. Several questions were asked by the enforcement branch relating to the measures that Ukraine has implemented and intends to implement in order to remedy the non-compliance.

4. The branch concludes, based on the information submitted and presented, that the plan meets the requirements set out in paragraph 2 of section XV and paragraph 1 of rule 25 bis of the rules of procedure. The branch commends Ukraine for the plan and the progress already made. The branch notes that not all the measures described in the plan have yet been implemented and urges Ukraine to carry out all the measures contained in the plan.

5. In accordance with paragraph 3 of section XV, Ukraine is to submit to the branch progress reports on the implementation of the plan on a regular basis. In this respect, the branch welcomes Ukraine’s statement that it will take into account the input by the branch during the consideration of the plan at its seventeenth meeting and submit a first progress report by 1 May 2012 and a second progress report by 1 November 2012.

¹ All section references in this document refer to the “Procedures and mechanisms relating to compliance”, contained in the annex to decision 27/CMP.1.

² All references to the rules of procedure in this document refer to the rules contained in the annex to decision 4/CMP.2, as amended by decision 4/CMP.4.

DECISION

6. In accordance with paragraph 2 of section XV and paragraph 3 of rule 25 bis of the rules of procedure, it is the assessment of the branch that the plan:

- (a) Sets out and adequately addresses, in separate sections, each of the elements specified in paragraph 2 of section XV; and
- (b) If implemented in accordance with this decision, is expected to remedy the non-compliance.

Members and alternate members participating in the consideration and elaboration of the decision: Victor FODEKE, Balisi GOPOLANG, René LEFEBER, Mary Jane MACE, Ainun NISHAT, Sebastian OBERTHÜR, Ilhomjon RAJABOV, Oleg SHAMANOV, Mohamed SHAREEF.

Members participating in the adoption of the decision: Sandea JGS DE WET, Victor FODEKE, René LEFEBER, Sebastian OBERTHÜR, Ilhomjon RAJABOV, Oleg SHAMANOV, Mohamed SHAREEF, Wei SU.

This decision was adopted by consensus in Bonn on 21 December 2011.