

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

*Party concerned: Lithuania*

In accordance with the “Procedures and mechanisms relating to compliance under the Kyoto Protocol”, contained in the annex to decision 27/CMP.1 and adopted under Article 18 of the Kyoto Protocol, and the “Rules of procedure of the Compliance Committee of the Kyoto Protocol” (the rules of procedure),<sup>1</sup> the enforcement branch adopts the following decision.

**BACKGROUND**

1. The final decision of the enforcement branch taken on 21 December 2011 (CC-2011-3-8/Lithuania/EB) gave effect to the consequences contained in paragraph 24 of the preliminary finding of the branch (CC-2011-3-6/Lithuania/EB), as confirmed by and annexed to the final decision. According to paragraph 24 (b) of the preliminary finding, Lithuania was to develop a plan referred to in paragraph 1 of section XV,<sup>2</sup> in accordance with the substantive requirements of paragraph 2 of section XV and paragraph 1 of rule 25 bis of the rules of procedure, submit it within six 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 26 March 2012, Lithuania submitted a document entitled “Plan under 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 in response to the Final Decision concerning Lithuania of the Enforcement branch of the Compliance Committee (CC-2011-3-8/Lithuania/EB)” (CC-2011-3-9/Lithuania/EB; hereinafter referred to as the “plan”). Pursuant to paragraph 24 (b) (ii) of the preliminary finding, Lithuania’s plan included a first progress report on its implementation. In accordance with paragraph 2 of rule 10 of the rules of procedure, the plan and progress report were deemed received by the enforcement branch on 27 March 2012.

3. On 20 April 2012, in response to a letter from the secretariat clarifying that the final decision of the enforcement branch allowed Lithuania up until 22 June 2012 for the submission of its plan, Lithuania submitted a request for the enforcement branch to proceed with the review and assessment of the plan contained in document CC-2011-3-9/Lithuania/EB (CC-2011-3-10/Lithuania/EB).

4. In accordance with paragraph 2 of section XV and paragraph 3 of rule 25 of the rules of procedure, the branch reviewed and assessed the plan submitted by Lithuania. The review and assessment were conducted by electronic means as provided under paragraph 2 of rule 11 of the rules of procedure. In its deliberations, the branch considered the plan, including the first progress report, as well as the information on the measures and the timetables for their implementation included in the written submission (CC-2011-3-5/Lithuania/EB) and further written submission (CC-2011-3-7/Lithuania/EB) of Lithuania, and the advice received from invited experts during the hearing held from 15 to 16 November 2011 in relation to these measures and timetables.

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<sup>1</sup> 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.

<sup>2</sup> All section references in this document refer to the “Procedures and mechanisms relating to compliance under the Kyoto Protocol”, contained in the annex to decision 27/CMP.1.

5. The branch concludes, based on the information submitted, 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 Lithuania 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 Lithuania to carry out all the measures contained in the plan.

6. In accordance with paragraph 3 of section XV, Lithuania is to submit to the branch progress reports on the implementation of the plan on a regular basis. The branch notes that Lithuania has filed documentation as part of its 2012 annual submission pursuant to Article 7, paragraph 1, of the Kyoto Protocol and the “Guidelines for the preparation of information required under Article 7 of the Kyoto Protocol” (annex to decision 15/CMP.1) on 13 and 14 April 2012, and invites Lithuania to submit its next progress report before 1 July 2012.

## DECISION

7. 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:* Sandea JGS DE WET, Raúl ESTRADA-OYUELA, Balisi GOPOLANG, Rueanna HAYNES, Alexander KODJABASHEV, René LEFEBER, Gerhard LOIBL, Ainun NISHAT, Sebastian OBERTHÜR, Oleg SHAMANOV, Wei SU.

*Members participating in the adoption of the decision:* Sandea JGS DE WET, Raúl ESTRADA-OYUELA, Balisi GOPOLANG (alternate member serving as member), Rueanna HAYNES, Alexander KODJABASHEV, René LEFEBER, Gerhard LOIBL, Ainun NISHAT, Sebastian OBERTHÜR, Wei SU.

This decision was adopted by consensus in Bonn on 2 May 2012.