

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

Party concerned: Slovakia

In accordance with the “Procedures and mechanisms relating to compliance under the Kyoto Protocol”, contained in the annex to decision 27/CMP.1 (procedures and mechanisms),¹ and adopted under Article 18 of the Kyoto Protocol, and the “Rules of procedure of the Compliance Committee of the Kyoto Protocol” (rules of procedure),² the enforcement branch adopts the following decision.

I. BACKGROUND

1. The final decision of the enforcement branch taken on 17 August 2012 (CC-2012-1-9/Slovakia/EB) gave effect to the consequences contained in paragraph 30 of the preliminary finding of the branch (CC-2012-1-7/Slovakia/EB), as confirmed by and annexed to the final decision. According to paragraph 30 (b) of the preliminary finding, Slovakia was to develop a plan referred to in paragraph 1 of section XV, 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 three months to the 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. Slovakia was invited to submit this plan before the in-country review of its annual submission submitted in 2012 (2012 annual submission), which took place from 1 to 6 October 2012, and to inform the branch of its preparations for this in-country review as part of this plan.

2. On 20 September 2012, Slovakia submitted a document entitled “Plan and progress report of the Slovak Republic under Section XV of the Annex to Decision 27/CMP.1 (Procedures and Mechanisms Relating to Compliance under the Kyoto Protocol)” (CC-2012-1-10/Slovakia/EB; plan and progress report). In accordance with paragraph 2 of rule 10 of the rules of procedure, the plan and progress report were deemed received by the branch on 21 September 2012.

3. On 15 October 2012, the branch agreed to invite an expert drawn from the UNFCCC roster of experts to provide advice to the branch on Slovakia’s plan and progress report (CC-2012-1-11/Slovakia/EB). The expert was not part of the expert review teams that prepared the reports of the review of the 2011 and 2012 annual submissions of Slovakia, but provided advice as an independent expert to the branch, during the twentieth meeting of the branch held in Bonn from 9 to 14 July 2012, in relation to the questions of implementation with respect to Slovakia and the disagreement whether to apply adjustments to inventories under Article 5, paragraph 2, of the Kyoto Protocol (CC-2012-1-4/Slovakia/EB).

4. 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 Slovakia during its twenty-first meeting held in Bonn from 22 to 24 October 2012 to, inter alia, review and assess the plan.³ During the meeting, Slovakia made a presentation and submitted additional information, both orally and in

¹ All section references in this document refer to the procedures and mechanisms.

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.

³ Item 4 of the agenda of the twenty-first meeting of the enforcement branch, contained in document CC/EB/21/2012/1/Rev.1.

writing, for consideration by the branch. The branch received advice from the invited expert during the meeting. Several questions were asked by the branch relating to the measures that Slovakia has implemented and intends to implement in order to remedy the non-compliance.

II. INFORMATION SUBMITTED, PRESENTED AND CONSIDERED

5. In its deliberations, the branch considered the plan and progress report as well as the information submitted and presented by Slovakia during the meeting, both orally and in writing, and advice from the expert invited by the branch.

6. In its plan and progress report as well as during its presentation at the meeting, Slovakia provided an overview of the measures undertaken to improve its national system, including improvements in coordination between government agencies and other entities involved in inventory preparation, and increases in resources for inventory planning, preparation and management. In response to questions from the branch, Slovakia elaborated on the measures it had taken prior to the in-country review of its 2012 annual submission and how these measures had assisted it to prepare for the in-country review. According to Slovakia, no partial operational impairment of the specific functions of the national system occurred during the in-country review of its 2012 annual submission.

7. During the meeting, the invited expert referred to in paragraph 3 above provided advice in relation to the plan and progress report. This advice indicated that, on the basis of an examination of the plan and progress report as well as Slovakia's national inventory report (NIR) submitted in 2012, the performance of functions by Slovakia's national system has been strengthened and measures to address the recommendations of previous expert review teams for the improvement of its national system have now been implemented. The invited expert observed that: better links between institutions involved in the preparation of Slovakia's inventory had been established; experts involved in inventory preparation now appear to have more specific roles and back-up support; the time series consistency and the transparency of the NIR had been improved; and the enhancement of the human capacity in the national entity responsible for the inventory should allow Slovakia to address issues relating to the energy sector, transparency, and the implementation of quality assurance/quality control procedures.

III. REASONS AND CONCLUSIONS

8. 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 notes that Slovakia's plan contains measures that are yet to be implemented and urges Slovakia to further strengthen its national system by implementing these measures.

9. The branch also concludes that the receipt of the report of the review of Slovakia's 2012 annual submission is required for it to determine whether all the questions of implementation have been resolved.

IV. DECISION

10. 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, is expected to remedy the non-compliance.

Members and alternate members participating in the consideration and elaboration of the decision: Mohammad ALAM, Mirza Salman BABAR BEG, Victor FODEKE, José Antonio GONZALEZ NORRIS, Balisi GOPOLANG, Rueanna HAYNES, Alexander KODJABASHEV, Tuomas KUOKKANEN, René LEFEBER, Sebastian MARINO, Sebastian OBERTHÜR, Oleg SHAMANOV.

Members participating in the adoption of the decision: Mohammad ALAM (alternate member serving as member), Mirza Salman BABAR BEG (alternate member serving as member), Victor FODEKE, José Antonio GONZALEZ NORRIS (alternate member serving as member), Rueanna HAYNES, Alexander KODJABASHEV, René LEFEBER, Sebastian OBERTHÜR.

This decision was adopted by consensus in Bonn on 23 October 2012.