

## **DECISION ON EXPERT ADVICE**

*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),<sup>1</sup> 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),<sup>2</sup> the enforcement branch adopts the following decision.

### **I. BACKGROUND**

1. On 15 March 2013, Slovakia submitted the second progress report on the implementation of the plan it had submitted pursuant to the final decision of the enforcement branch (CC-2012-1-13/Slovakia/EB).<sup>3</sup> In this report, Slovakia requested the branch to conclude that “the Slovak national system is in full compliance with the Guidelines for national systems”<sup>4</sup> and the “[p]lan and two progress reports has already sufficiently remedied the non-compliance of the Slovak Republic”.

2. At its twenty-second meeting held from 22 to 23 March 2013, the branch indicated that it could not yet come to a conclusion on whether all the questions of implementation with respect to Slovakia had been resolved. The branch reiterated that receipt of the report of the review of the annual submission of Slovakia submitted in 2012 is required for it to determine whether all of the questions of implementation have been resolved.

3. On 6 June 2013, the secretariat received the report of the expert review team (ERT) of the individual review of the annual submission of Slovakia submitted in 2012 (2012 annual submission) contained in document FCCC/ARR/2012/SVK (2012 ARR). The 2012 ARR resulted from an in-country review, which was conducted from 1 to 6 October 2012 in accordance with the “Guidelines for review under Article 8 of the Kyoto Protocol” (annex to decision 22/CMP.1). In accordance with paragraph 3 of section VI, the secretariat forwarded the 2012 ARR to the Compliance Committee, including the members and alternate members of the enforcement branch on 7 June 2013.

### **II. REASONS AND CONCLUSIONS**

4. The branch notes that, in the 2012 ARR, the ERT observed that “[m]ost measures included in the Plan and Progress Report have been implemented, and some were ongoing during the review (formal contracts and agreements with a few institutions)”.<sup>5</sup> The ERT was therefore of the view that Slovakia’s national system “is performing its required functions generally in accordance with the requirements set out in the annex to decision 19/CMP.1, although the final effect will be fully visible

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<sup>1</sup> All section references in this document refer to the procedures and mechanisms.

<sup>2</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>3</sup> The plan is included in 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).

<sup>4</sup> These guidelines are 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).

<sup>5</sup> 2012 ARR, paragraphs 17 and 164.

in the 2013 annual submission.”<sup>6</sup> Furthermore, the ERT stated that “parts of the national system relating to formal agreements with other agencies and organizations are in preparation but not yet fully in place”;<sup>7</sup> several “[r]ecommendations from previous reports [...] have not yet been implemented”;<sup>8</sup> and several measures were planned “to be implemented before the 2013 annual submission”.<sup>9</sup> The branch also notes that no question of implementation was identified in the 2012 ARR.<sup>10</sup>

5. The branch considers that it needs to receive advice from experts in relation to further consideration of the questions of implementation with respect to Slovakia. In particular, advice will be sought on the relationship between specific observations and conclusions set out in the 2012 ARR, including on the matters referred to in paragraph 4 above.

6. The expert advice will be required during the twenty-third meeting of the enforcement branch from 3 to 4 July 2013.

7. The branch may put more detailed questions to invited experts at the meetings referred to in paragraph 6 above.

### III. DECISION

8. In accordance with paragraph 5 of section VIII, rule 21 of the rules of procedure and the considerations in paragraph 5 above, the branch decides to seek expert advice during the meeting referred to in paragraph 6 above, from:

- (a) Mr. Dario Gomez (Argentina), one of the two lead reviewers of the ERT that prepared Slovakia’s 2012 ARR or, if he is unavailable, Mr. Tinus Pulles (the Netherlands), one of the two lead reviewers of the ERT that prepared Slovakia’s 2011 ARR.
- (b) Ms. Karin Kindbom (Sweden), one of the two lead reviewers of the ERT that prepared Slovakia’s 2012 ARR.

9. The expert advice is to be received in accordance with the procedures and mechanisms, and the rules of procedure.

*Members and alternate members participating in the consideration and elaboration of the decision:* Mohammad ALAM, Raúl ESTRADA-OYUELA, Victor FODEKE, Balisi GOPOLANG, Alexander KODJABASHEV, René LEFEBER, Gerhard LOIBL, Sebastian MARINO, Ainun NISHAT, Sebastian OBERTHÜR, Oleg SHAMANOV.

*Members participating in the adoption of the decision:* Mohammad ALAM (alternate member serving as member), Raúl ESTRADA-OYUELA, Victor FODEKE, Alexander KODJABASHEV, René LEFEBER, Gerhard LOIBL, Sebastian MARINO (alternate member serving as member), Ainun NISHAT, Sebastian OBERTHÜR.

This decision was adopted unanimously in Bonn on 19 June 2013.

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<sup>6</sup> 2012 ARR, paragraph 17.

<sup>7</sup> 2012 ARR, paragraph 18.

<sup>8</sup> 2012 ARR, paragraph 47.

<sup>9</sup> 2012 ARR, paragraph 168.

<sup>10</sup> 2012 ARR, paragraph 186.