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UNITED NATIONS FRAMEWORK CONVENTION ON CLIMATE CHANGE

**CONFERENCE OF THE PARTIES SERVING AS THE  
MEETING OF THE PARTIES TO THE KYOTO PROTOCOL**

**First session**

**Montreal, 28 November to 9 December 2005**

**Item 7 (a) of the provisional agenda**

**Procedures and mechanisms relating to compliance under the Kyoto Protocol**

**Adoption of procedures and mechanisms relating to compliance under the Kyoto Protocol,  
in terms of Article 18 of the Kyoto Protocol**

## **Adoption of procedures and mechanisms relating to compliance under the Kyoto Protocol, in terms of Article 18 of the Kyoto Protocol**

### **Submissions from Parties**

1. The secretariat has received a submission from the Government of the United Kingdom of Great Britain and Northern Ireland on behalf of the European Community and its member states, by its communication dated 16 November 2005.
2. In accordance with the procedure for miscellaneous documents, this submission is reproduced\* in the language in which it was received and without formal editing.

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SUBMISSION FROM THE UNITED KINGDOM OF GREAT BRITAIN AND  
NORTHERN IRELAND ON BEHALF OF THE EUROPEAN COMMUNITY  
AND ITS MEMBER STATES

**SUBMISSION BY THE UNITED KINGDOM, ON BEHALF OF THE EUROPEAN  
COMMUNITY AND ITS MEMBER STATES**

**CONFERENCE OF THE PARTIES SERVING AS THE MEETING OF THE PARTIES TO  
THE KYOTO PROTOCOL**

**ITEM 7(a) OF THE PROVISIONAL AGENDA: ADOPTION OF PROCEDURES AND  
MECHANISMS RELATING TO COMPLIANCE UNDER THE KYOTO PROTOCOL, IN  
TERMS OF ARTICLE 18**

The United Kingdom, on behalf of the European Community and its Member States make the following submission with respect to item 7(a), on the COP/MOP agenda, which relates to the adoption of the procedures and mechanisms relating to compliance.

**Necessity for the immediate operation of the procedures and mechanism**

The Parties to the Kyoto Protocol need to send the message that they are serious about compliance, by adopting the procedures and mechanisms set out in the Annex to Decision 24/CP.7 and bringing them into operation immediately for all Parties.

Only a COP/MOP decision will achieve the immediate operation of the compliance procedures and mechanisms. Any amendment that may be adopted will take some time to enter into force.

For this reason, those who negotiated the Marrakech Accords worked on the assumption that there would be “approval of [the] procedures and mechanisms by the [COP/MOP] in decision form in addition to any amendment...” (see paragraph 5 of the draft decision annexed to Decision 15/CP.7 reproduced as text L in FCCC/KP/CMP/2005/3/Add. 3).

Parties need the compliance procedures and mechanisms to become operational immediately, because:

- that will enable Parties to seek the support of the facilitative branch of the mechanism straight away; and
- the full use of the flexible mechanisms requires the enforcement branch.

**The COP/MOP decision to adopt the procedures and mechanisms**

The Parties making this submission take the view that it would be counterproductive to re-negotiate any of the text agreed at Marrakech.

They also consider that the Annex to Decision 24/CP.7, contained in the document FCCC/CP/2001/13/Add.3 that is referred to under item 7 of the provisional COP/MOP agenda, should be adopted by means of a COP/MOP decision. This can be achieved in a number of different ways, but provided the Annex is adopted in its current form by a decision, there is some flexibility as to which approach is followed.

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