



Framework Convention on Climate Change

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**Conference of the Parties serving as the meeting
of the Parties to the Kyoto Protocol**
Seventh session
Durban, 28 November to 9 December 2011

Agenda item 9(b)

Matters relating to compliance under the Kyoto Protocol
**Appeal by Croatia against a final decision of the enforcement branch of the
Compliance Committee in relation to the implementation of decision 7/CP.12**

Appeal by Croatia against a final decision of the enforcement branch of the Compliance Committee in relation to the implementation of decision 7/CP.12

Proposal by the President

Draft decision -/CMP.7

*The Conference of the Parties serving as the meeting of the Parties to the Kyoto
Protocol,*

Recalling Article 18 of the Kyoto Protocol,

Also recalling decision 27/CMP.1,

*Further recalling its conclusions at its sixth session concerning the appeal by
Croatia,¹*

1. *Takes note* of the withdrawal by Croatia of its appeal against a final decision of the enforcement branch of the Compliance Committee,² and, accordingly, its consideration of the appeal is terminated;
2. *Also takes note* of the technical paper prepared by the secretariat on the procedural requirements and the scope and content of applicable law for the consideration of appeals under decision 27/CMP.1 and other relevant decisions of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol, as well as the approach taken by other relevant international bodies relating to denial of due process.³

¹ FCCC/KP/CMP/2010/12, paragraphs 67 and 68.

² FCCC/KP/CMP/2011/2.

³ FCCC/TP/2011/6.