



ENFORCEMENT BRANCH

Thirty-eighth meeting

6 September 2023
13:00 – 18:00 CEST
Hybrid Meeting
Bonn, Germany

Report on the meeting

1. Opening of the meeting

1. The chairperson of the enforcement branch, Ms. Paulette Bynoe, opened the thirty-eighth meeting of the enforcement branch and welcomed the members and alternate members of the branch to the meeting. The list of members and alternate members present at the meeting is contained in the annex to this report.

2. At the request of the chairperson, the secretariat ascertained the existence of quorum, and provided information on the administrative, logistical and housekeeping arrangements. The secretariat also informed the meeting that a live broadcast link to the meeting had been posted on the UNFCCC website, where a recording of the meeting would also be available.

2. Round of introduction of members and alternate members of the enforcement branch

3. The members and alternate members of the enforcement branch introduced themselves and detailed their experience and professional backgrounds.

3. Adoption of the agenda and organization of work

4. The enforcement branch adopted the provisional agenda without changes ([CC/EB/38/2023/1](#)) and agreed to conduct its work as presented by the chairperson in the indicative schedule of the meeting.

5. As per rule 9 of the “Rules of procedure of the Compliance Committee of the Kyoto Protocol”¹, the branch conducted its business in open session and agreed to address agenda item 4 (Consideration of the questions of implementation with respect to Kazakhstan) in closed session.

¹ Decision [4/CMP.2](#) as amended by decisions [4/CMP.4](#), [8/CMP.9](#) and [6/CMP.17](#).



4. Consideration of the questions of implementation with respect to Kazakhstan

6. The vice-chairperson of the enforcement branch, Ms. Karoliina Anttonen, chaired this agenda item.
7. The enforcement branch did not receive any new questions of implementation and continued to consider the ongoing questions of implementation with respect to Kazakhstan² from previous reporting periods.
8. On 10 November 2020, at its 35th meeting, the enforcement branch adopted by consensus the preliminary finding³ that Kazakhstan is not in compliance with the “Guidelines for the preparation of the information required under Article 7 of the Kyoto Protocol”,⁴ 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”,⁵ the methodological and reporting requirements contained in decisions [15/CMP.1](#), [2/CMP.8](#) and [3/CMP.11](#), and the national registry requirements contained in chapter II of the annex to decision [13/CMP.1](#) in conjunction with decision [3/CMP.11](#). The branch did not receive any further submissions from Kazakhstan.
9. On 13 January 2021, the enforcement branch adopted by electronic means the final decision⁶ with respect to Kazakhstan, which confirmed the preliminary finding.
10. In accordance with paragraphs 24 and 29 of the preliminary finding and paragraph 6 of the final decision, the first progress report was to be submitted by Kazakhstan, in accordance with section XV, paragraph 3, of the procedures and mechanisms ([decision 27/CMP.1](#)), and the decision on the review and assessment of the compliance plan,⁷ no later than 31 January 2021, with subsequent progress reports to be submitted periodically thereafter, at least once every six months, to address the questions of implementation raised in the 2017 annual review report, 2017 in-depth review report and 2019 annual review report for the Party, and the recommendations of the enforcement branch contained in the review and assessment of the compliance plan.
11. Kazakhstan submitted its first progress report⁸ on 22 February 2021, its second on 12 August 2021,⁹ its third on 4 February 2022,¹⁰ its fourth on 19 July 2022¹¹ and its fifth on 18 July 2023.¹²

²All documents relating to the 2019 questions of implementation for Kazakhstan are available at <https://unfccc.int/process-and-meetings/the-kyoto-protocol/compliance-under-the-kyoto-protocol/questions-of-implementation-kazakhstan>, and those relating to the 2020 questions of implementation are available at <https://unfccc.int/process-and-meetings/the-kyoto-protocol/compliance-under-the-kyoto-protocol/questions-of-implementation-kazakhstan-2020>.

³Compliance Committee document [CC-2020-1-2/Kazakhstan/EB](#).

⁴Decision [15/CMP.1](#), annex, in conjunction with decisions [2/CMP.8](#) and [3/CMP.11](#).

⁵Decision [19/CMP.1](#), annex, in conjunction with decision [3/CMP.11](#).

⁶Compliance Committee document [CC-2020-1-4/Kazakhstan/EB](#).

⁷Compliance Committee document [CC-2019-1-12/Kazakhstan/EB](#).

⁸Compliance Committee document [CC-2020-1-5/Kazakhstan/EB](#).

⁹Compliance Committee document [CC-2020-1-6/Kazakhstan/EB](#).

¹⁰Compliance Committee document [CC-2020-1-7/Kazakhstan/EB](#).

¹¹Compliance Committee document [CC-2020-1-8/Kazakhstan/EB](#).

¹²Compliance Committee document [CC-2020-1-9/Kazakhstan/EB](#).



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12. At its 38th meeting, the enforcement branch considered the fifth progress report submitted by Kazakhstan in accordance with paragraph 29 of the preliminary finding and paragraph 6 of the final decision. The representatives of Kazakhstan participating in the meeting provided a detailed presentation on the fifth progress report.

13. The enforcement branch noted with appreciation the progress of Kazakhstan presented in its fifth progress report and the comprehensive presentation made by the representatives of Kazakhstan at the meeting. In its fifth progress report, Kazakhstan provided information relating to the questions of implementation, framing such information within the context that Kazakhstan has not accepted the Doha Amendment.

14. In its deliberations, the enforcement branch considered the 2017 initial review report, the 2017, 2019 and 2021 annual review reports, and the plan and progress reports submitted and presented by Kazakhstan.

15. On the basis of the above-mentioned reports, the enforcement branch adopted a decision on the questions of implementation with respect to Kazakhstan.¹³ In the decision, the enforcement branch noted with appreciation the continued commitment shown by Kazakhstan in its progress reports to address the questions of implementation raised by the expert review team in the 2017 initial review report and the 2017 and 2019 annual review reports and encouraged Kazakhstan to continue making improvements in addressing the issues raised by the expert review team in the 2021 annual review report.

16. The enforcement branch concluded that the questions of implementation raised by the expert review team in the 2017 initial review report and the 2017 and 2019 annual review reports are no longer relevant, as Kazakhstan has not accepted the Doha Amendment and therefore is not bound by the obligations set out therein and decided that there is no longer a question of implementation with respect to Kazakhstan.

5. Other matters

17. The branch authorized the chairperson and vice-chairperson to set the date for its 39th meeting, taking into account the dates of the meeting of the plenary, which will be considered by the plenary at its 25th meeting.

18. No other matters were raised.

6. Closure of the meeting

19. The chairperson of the branch declared the meeting closed on 6 september 2023.

¹³Compliance Committee document [CC-2020-1-10/Kazakhstan/EB](#).



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Annex: Attendance

The table below presents the members and alternate members of the enforcement branch. The names of those present at the meeting are bolded below.

Members (in alphabetical order)	Alternate Members
1. ALAM, Mohammad Sa'dat Mr.	MASSAI, Leonardo Mr.
2. ANTTONEN, Karoliina Ms.	NGUYEN-BLOCH, Sébastien Mr.
3. BYNOE, Paulette	<i>vacant</i>
4. ODERSON, Derrick Mr.	WAPOT, Stanley Mr.
5. OSAFO, Yaw Bediako Mr.	WAMUKOYA, George Mr.
6. RAJABI, Ahmad Mr.	MOUSSA, Ba Mr.
7. RIEDEL, Arne Mr.	ZAHARIA, Felix Mr.
8. RUDZKO, Iryna Ms.	<i>vacant</i>
9. <i>Vacant</i>	WARGAHADIBRATA, Ratnasari Ms.
10. ZVARA, Milan Mr.	DALLORA, Loredana Ms.
