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## **DECISION ON PRELIMINARY EXAMINATION**

*Party concerned: Liechtenstein*

In accordance with the “Procedures and mechanisms relating to compliance under the Kyoto Protocol”, contained in the annex to decision 27/CMP.1 and adopted under Article 18 of the Kyoto Protocol (the procedures and mechanisms), and the “Rules of procedure of the Compliance Committee of the Kyoto Protocol”, contained in the annex to decision 4/CMP.2, as amended by decisions 4/CMP.4, 8/CMP.9 and 6/CMP.17 (the rules of procedure), the enforcement branch adopts the following decision.

### **BACKGROUND**

1. In accordance with paragraph 1 of section VI<sup>1</sup>, the Compliance Committee received a question of implementation indicated in the report of the expert review team (ERT) on the review of the report upon expiration of the additional period for fulfilling commitments for the second commitment period of the Kyoto Protocol of Liechtenstein submitted in 2023 and contained in document FCCC/KP/CMP/2023/TPR/LIE.
2. The bureau of the Compliance Committee allocated the question of implementation to the enforcement branch on 24 May 2024 under paragraph 1 of section VII, in accordance with paragraphs 4 to 6 of section V and paragraph 1 of rule 19 of the rules of procedure.
3. On 27 May 2024, the secretariat notified the members and alternate members of the enforcement branch of the question of implementation, in accordance with paragraph 2 of rule 19 of the rules of procedure, and of their allocation to the enforcement branch.
4. The question of implementation relates to compliance with Article 3, paragraph 1 bis, of the Doha Amendment (annex I to decision 1/CMP.8).<sup>2</sup> In particular, on the basis of the assessment of the information submitted by Liechtenstein and paragraph 91 of the annex to decision 22/CMP.1 entitled “Guidelines for review under Article 8 of the Kyoto Protocol”, the ERT concluded that the aggregate anthropogenic greenhouse gas (GHG) emissions of Liechtenstein in the second commitment period exceed the quantity of emission reduction units (ERUs), certified emission reductions (CERs), temporary certified emission reductions (tCERs), long-term certified emission reductions (lCERs), assigned amount units (AAUs) and removal units (RMUs) in the retirement account of Liechtenstein for the second commitment period.<sup>3</sup>
5. The enforcement branch notes that the question of implementation is not related to the eligibility requirements referred to in paragraph 31, annex to decision 3/CMP.1, paragraph 21, annex to decision 9/CMP.1 or paragraph 2 of decision 11/CMP.1. Consequently, the expedited procedures as contained in paragraph 1 of section X do not apply to the

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<sup>1</sup> Unless otherwise indicated, ‘sections’ referred to in this decision are those of the procedures and mechanisms mentioned in the introductory paragraph above.

<sup>2</sup> See FCCC/KP/CMP/2023/TPR/LIE, paragraphs 8 and 9 and table 2.

<sup>3</sup> See FCCC/KP/CMP/2023/TPR/LIE, paragraph 6 and table 1.

consideration by the branch of the question. The procedures for the enforcement branch, as contained in section IX, apply instead.

## DECISION

6. The enforcement branch decides to consider the question of implementation described in paragraph 4 above following the procedures for the enforcement branch as contained in section IX.

7. Having conducted the preliminary examination in accordance with paragraphs 2 and 3 of section VII, the enforcement branch decides to proceed. In particular, the enforcement branch notes that the question of implementation raised in the report by the ERT on the review of the report upon expiration of the additional period for fulfilling commitments for the second commitment period of the Kyoto Protocol of Liechtenstein submitted in 2023, as indicated in paragraph 4 above, is supported by sufficient information, is not *de minimis* or ill-founded, and is based on the requirements of the Kyoto Protocol.

Members and alternate members participating in the consideration and elaboration of the decision: Ms. Paulette BYNOE and Mr. Arne RIEDEL.

Members participating in the adoption of the decision on preliminary examination: Ms. Paulette BYNOE, Mr. Leonardo MASSAI (alternate member serving as member), Mr. Sebastian NGUYEN-BLOCH, Ms. Rensie PANDA (alternate member serving as member), Mr. Arne RIEDEL, Ms. Iryna RUDZKO, Mr. George WAMUKOYA (alternate member serving as member), Ms. Ratnasari WARGAHA-DIBRATA (member *ad interim*).

This decision was adopted with the requisite majority<sup>4</sup> on 19 June 2024.

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<sup>4</sup> See paragraph 9 of section II in the annex to decision 27/CMP.1