



Annual report of the Compliance Committee to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol

Note by the secretariat

1. Under section XII(b) of the “Procedures and mechanisms relating to compliance under the Kyoto Protocol” (annex to decision 27/CMP.1), the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol is to consider the report of the plenary of the Compliance Committee on the progress of its work.
2. The attached draft is presented to the plenary for its consideration. The plenary will note that some paragraphs may be added or modified based on discussions at its twenty-fifth meeting.



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

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Item **x(x)** of the provisional agenda

Report of the Compliance Committee

**Annual report of the Compliance Committee to the
Conference of the Parties serving as the meeting of the
Parties to the Kyoto Protocol**

Report by the secretariat

Summary

The eighteenth annual report of the Compliance Committee to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol covers activities undertaken from 8 July 2022 to 7 September 2023. The report provides a summary of the consideration by the enforcement branch of the question of implementation with regard to the compliance of Kazakhstan, the continued consideration by the facilitative branch of its role in providing advice and facilitation in implementing the Kyoto Protocol, and the discussions in the plenary of the Compliance Committee.

I. Introduction

A. Mandate

1. In accordance with section III, paragraph 2(a), of the procedures and mechanisms relating to compliance under the Kyoto Protocol,¹ the plenary of the Compliance Committee is to report on the activities of the Committee, including a list of decisions taken by the branches, to each ordinary session of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP).

B. Scope of the report

2. This eighteenth annual report of the Compliance Committee covers the period from 8 July 2022 to 7 September 2023. It summarizes the work of and matters addressed by the Committee during that period.

C. Possible action by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol

3. According to section XII, paragraph 1(b) of the procedures and mechanisms, the CMP is to consider the annual report of the Committee. This report will be considered at CMP 18.

4. The CMP may wish to invite the President of the CMP:

(a) to take note of the work of and matters addressed by the Committee during the reporting period as detailed in this report.

(b) to undertake consultations on the nomination of members and alternate members of the Committee to fill the vacant seats.

II. Organizational matters

5. During the reporting period, the Compliance Committee held the following meetings in a hybrid format:

(a) The 26th meeting of the facilitative branch, on 5 September 2023;

(b) The 38th meeting of the enforcement, on 6 September 2023;

(c) The 25th meeting of the plenary, on 7 September 2023.

6. The agenda and annotations, documentation supporting agenda items, and report for each meeting are available on the UNFCCC website.²

A. Membership of the Compliance Committee

7. In accordance with rule 3, paragraph 1, of the rules of procedure of the Compliance Committee of the Kyoto Protocol,³ the term of service of each member and alternate member of the Committee starts on 1 January of the calendar year immediately following his or her election and ends on 31 December, two or four years thereafter, as applicable. Each member and alternate member shall remain in office until his or her successor is elected.

8. At CMP 1 (December 2006), ten members and ten alternate members were elected to the Committee for an initial term of two years and ten members and ten alternate members

¹ Decision [27/CMP.1](#), annex.

² See <https://unfccc.int/Compliance-Committee-CC>.

³ Decision [4/CMP.2](#) as amended by decisions [4/CMP.4](#), [8/CMP.9](#) and [6/CMP.17](#)

for a term of four years. Thereafter, upon expiry of the previous term, the CMP has elected at its relevant regular sessions ten members and ten members for a term of four years.

9. A list of members and alternate members of the Committee whose terms expire on 31 December 2023 is contained in the annex. In accordance with section IV, paragraph 2, section V, paragraph 2, and section II, paragraph 5, of the procedures and mechanisms, the plenary requests the CMP to elect five new members to serve in the facilitative branch of the Committee, five new members to serve in the enforcement branch of the Committee and an alternate member for each new member, respectively, all for a term of four years.

10. In addition, the plenary requests the CMP to fill one vacancy in the enforcement branch of the Committee that has remained unfilled since 1 January 2022 owing to the absence of a nomination of an alternate member from the Group of Latin American and Caribbean Countries, by electing an alternate member to serve the remainder of the term, until 31 December 2025.

11. The Committee expresses its hope that Parties will keep in mind the goal of gender balance when submitting nominations for membership of the Committee.

B. Transparency, communication and information

12. In accordance with rule 9, paragraph 1, of the rules of procedure, meetings of the plenary and of the facilitative and enforcement branches were held in public, recorded and webcast on the UNFCCC website, with the exception of any parts of those meetings that were held in private in accordance with the same rule.

13. In accordance with rule 12, paragraph 2, of the rules of procedure, all documents of the plenary and the enforcement and facilitative branches have been made available on the UNFCCC website.⁴

C. Use of electronic means in decision-making

14. Pursuant to rule 11, paragraph 2, of the rules of procedure, the Committee may elaborate and take decisions using electronic means. During the reporting period, neither the branches nor the plenary needed to resort to electronic means for their decision-making

III. Work undertaken in the reporting period

A. Activities of the plenary

1. Consideration of the reports of expert review teams under Article 8 of the Kyoto Protocol

15. In accordance with section VI, paragraph 3, of the procedures and mechanisms, and paragraph 49 of the “Guidelines for review under Article 8 of the Kyoto Protocol”,⁵ the secretariat forwarded to the Compliance Committee the reports of the individual reviews of the annual submissions submitted in 2022.

16. The members and alternate members of the facilitative branch of the Committee considered:

⁴ Documents relating to the plenary, facilitative branch and enforcement branch are available at <https://unfccc.int/process/bodies/constituted-bodies/compliance-committee-cc/compliance-committee-plenary>, <https://unfccc.int/process/bodies/constituted-bodies/compliance-committee-cc/facilitative-branch> and <https://unfccc.int/process/bodies/constituted-bodies/compliance-committee-cc/enforcement-branch>, respectively.

⁵ Decision [22/CMP.1](#).annex

(a) the individual reviews of the annual submissions submitted in 2021 of Canada, France, Denmark, Iceland, Kazakhstan, Lithuania, Malta, Monaco, New Zealand, Slovakia, Republic of Türkiye; and

(b) the individual reviews of the annual submissions submitted in 2022 of Great Britain and Northern Ireland, Croatia, Czechia, France, Germany, Japan, Liechtenstein.

17. The plenary noted that, following the entry into force of the Doha Amendment⁶ on 31 December 2020, it would continue its work in response to the mandates under decisions 27/CMP.1 and 8/CMP.8 as well as Articles 7–8 of the Kyoto Protocol with respect to the implementation of the second commitment period, and that it would consider questions of implementation arising from the review of the true-up period reports.

B. Activities of the enforcement branch

18. The enforcement branch did not receive any new questions of implementation and continued to consider the ongoing question of implementation with respect to Kazakhstan⁷ from the previous reporting period.

19. In accordance with section III, paragraph 2(a), of the procedures and mechanisms, the progress reports submitted by Kazakhstan during the reporting period are listed in annex II.

1. Questions of implementation with respect to Kazakhstan

20. On 10 November 2020, at its 35th meeting, the enforcement branch adopted by consensus the preliminary finding⁸ that Kazakhstan is not in compliance with the “Guidelines for the preparation of the information required under Article 7 of the Kyoto Protocol”⁹, 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”¹⁰, the methodological and reporting requirements contained in decisions 2/CMP.8, 3/CMP.11 and 15/CMP.1, and the national registry requirements contained in decision 13/CMP.1, annex, chapter II, in conjunction with decision 3/CMP.11. The enforcement branch did not receive any further submissions from Kazakhstan.

21. On 13 January 2021, the enforcement branch adopted by electronic means the final decision¹¹ with respect to Kazakhstan, which confirmed the preliminary finding.

22. 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 and the decision on the review and assessment of the compliance plan,¹² 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, and the recommendations of the enforcement branch contained in the review and assessment of the compliance plan.

⁶ Decision [1/CMP.8](#).

⁷ All 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>.

⁸ Compliance Committee document [CC-2020-1-2/Kazakhstan/EB](#).

⁹ Decision 15/CMP.1, annex, in conjunction with decisions 2/CMP.8 and 3/CMP.11.

¹⁰ Decision 19/CMP.1, annex, in conjunction with decision 3/CMP.11

¹¹ Compliance Committee document [CC-2020-1-4/Kazakhstan/EB](#).

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

23. Kazakhstan submitted its first progress report¹³ on 22 February 2021, its second on 12 August 2021¹⁴, its third on 4 February 2022¹⁵, its fourth on 19 July 2022¹⁶, and its fifth on 18 July 2023¹⁷.

24. 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 from Kazakhstan participating in the meeting provided a detailed presentation on their fifth progress report and answered questions from the branch.

25. The enforcement branch noted with appreciation the progress of presented in its fifth progress report and the comprehensive presentation made by its representatives at the meeting.

26. The enforcement branch [to be completed to reflect the agreement of the branch]

C. Activities of the facilitative branch

27. Following the deliberations at its 24th meeting on 8 September 2021, the facilitative branch agreed to continue the reviews of the annual review reports as per the practical working arrangements decided at its 23rd meeting on 11 November 2020, which included improvements to the working modalities of the working groups that would review the ARRAs to enhance their efficiency and coordination and improvements to the “General Analysis and Overview” guiding tool developed in 2019 to review the reports.

28. As agreed at its 25th meeting, on 9 May 2023, the facilitative branch held an online knowledge-building exercise to deepen its understanding of the “General Analysis and Overview” tool and develop a standard template to be used by members and alternate members of the branch to present their analysis and findings in a consistent manner.

29. Following up on that exercise, the secretariat distributed 11 individual reviews of the annual submissions submitted in 2021 and 7 individual reviews of the annual submissions submitted in 2021 to the members and alternate members of the facilitative branch for their consideration, in accordance with section VI, paragraph 3, of the procedures and mechanisms and paragraph 49 of the “Guidelines for review under Article 8 of the Kyoto Protocol”.

30. At its 26th meeting, the facilitative branch considered the outcomes of the review of 11 annual review reports in the 2021 review cycle (Canada, France, Denmark, Iceland, Kazakhstan, Lithuania, Malta, Monaco, New Zealand, Slovakia, Republic of Türkiye) and 7 annual review reports in the 2022 review cycle (Great Britain and Northern Ireland, Croatia, Czechia, France, Germany, Japan, Liechtenstein) presented by members and alternate members.

31. The facilitative branch reflected on the working arrangements to continue with the review of the 19 remaining annual review reports in the 2022 review cycle in preparation for its 27th meeting and decided to continue with the working arrangements decided at its 25th meeting, whereby three groups comprised of a mixture of experienced and new members and alternate members were established.

32. The facilitative branch considered a presentation by the secretariat of the document “Experience of the facilitative branch of the Kyoto Protocol Compliance Committee in providing advice and facilitation to Parties in implementing the Kyoto Protocol-Update”¹⁸.

33. The facilitative branch [to be completed to reflect the agreement of the branch]

¹³ Compliance Committee document [CC-2020-1-5/Kazakhstan/EB](#).

¹⁴ Compliance Committee document [CC-2020-1-6/Kazakhstan/EB](#).

¹⁵ Compliance Committee document [CC-2020-1-7/Kazakhstan/EB](#).

¹⁶ Compliance Committee document [CC-2020-1-8/Kazakhstan/EB](#).

¹⁷ Compliance Committee document [CC-2020-1-9/Kazakhstan/EB](#).

¹⁸ Compliance Committee document [CC/FB/26/2023/2](#) [insert link when available]

D. Budget for the work of the Compliance Committee

34. The plenary took note of the information provided by the secretariat on funding and staffing for the biennium 2024-2025.

Annex I

Members and alternate members of the Compliance Committee whose term expires on 31 December 2023

Enforcement branch

<i>Member</i>	<i>Alternate member</i>	<i>Group</i>
	Mr. Sebastien	
Ms. Karoliina Anttonen	Nguyen-Bloch	Western Europe and Others
Ms. Derrick Oderson	Mr. Stanley Wapot	Small island developing States
Ms. Iryna Rudzko	<i>Vacant</i>	Eastern Europe
Mr. Arne Riedel	Mr. Felix Zaharia	Annex I Parties
	Ms. Ratnasari	
<i>Vacant</i>	Wargahadibrata	Non-Annex I Parties

Facilitative branch

<i>Member</i>	<i>Alternate member</i>	<i>Group</i>
Mr. Gehard Loibl	Mr. Johan Pettersson	Western Europe and Others
Mr. Christopher Tavoia	Mr. Robert Branch	Small island developing States
Mr. Siarhei Nikitsin	Mr. Valerii Sediakin	Eastern Europe
Mr. Martin Collins	<i>Vacant</i>	Annex I Parties
Ms. Anne Omambia	<i>Vacant</i>	Non-Annex I Parties

Annex II

Documents of the enforcement branch of the Compliance Committee during the reporting period

Kazakhstan

<i>Title</i>	<i>Compliance Committee document number</i>	<i>Date received</i>
Fifth progress report	CC -2020-1-9/Kazakhstan/EB	18 July 2023
