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**Conference of the Parties serving as the meeting  
of the Parties to the Kyoto Protocol**  
Eleventh session  
Paris, 30 November to 11 December 2015

Item 6 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**

*Summary*

The tenth 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 6 September 2014 to 7 September 2015. The report provides a summary of the consideration by the facilitative branch of information in review reports, including the recommendations contained therein, in the context of providing advice and facilitation to Parties in implementing the Kyoto Protocol. It also contains a summary of: the continued consideration by the enforcement branch of the delay in the submission by a Party included in Annex I of its national inventory report and the effects of a Party's withdrawal from the Kyoto Protocol on its reporting obligations; and the discussions of the plenary of the Compliance Committee on the outcomes of the second joint workshop with inventory lead reviewers and the scope for further joint workshops.

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## **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” (annex to decision 27/CMP.1; hereinafter referred to as the procedures and mechanisms), the plenary of the Compliance Committee (hereinafter referred to as the plenary) is to report on the activities of the Committee 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. The tenth annual report of the Compliance Committee covers the period from 6 September 2014 to 7 September 2015. It summarizes the work of and matters addressed by the Committee during that period.

### **C. Action to be taken by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol**

3. In accordance with section XII of the procedures and mechanisms, the CMP is to consider the annual report of the Compliance Committee.

4. The CMP may also wish:

(a) To invite the President of the CMP to undertake consultations on the nomination of members and alternate members of the Committee, as necessary (see chapter II.A below);

(b) To invite Parties to make contributions to the Trust Fund for Supplementary Activities to support the work of the Committee in the biennium 2016–2017, including activities relating to the 10-year anniversary of the Committee, and to express its thanks to the Parties that made contributions during the reporting period (see paras. 34 and 35 below).

## **II. Organizational matters**

5. The plenary held two meetings during the reporting period. The sixteenth meeting of the plenary was held on 5 March 2015 and the seventeenth meeting on 6 and 7 September 2015, both in Bonn, Germany.

6. The facilitative branch and the enforcement branch both met twice in Bonn, on 5 March 2015 and 6 September 2015.

7. In addition to those meetings, the secretariat organized an induction event, which was held in Bonn on 4 March 2015. The event was held in conjunction with the March meetings of the branches and the plenary, and aimed to allow members and alternate members, in particular those elected at the ninth and tenth sessions of the CMP, to better familiarize themselves with certain aspects of the work of the Compliance Committee, including procedural considerations in the conduct of a meeting. The plenary welcomed the event and considered that the organization of such events in the future could be useful.

8. Furthermore, at the request of the plenary,<sup>1</sup> a second joint workshop of the Compliance Committee and inventory lead reviewers addressing the issue of consistency of reviews under Article 8 of the Kyoto Protocol was organized. The workshop was held in Bonn on 4 March 2015 in conjunction with the 12<sup>th</sup> meeting of inventory lead reviewers, the sixteenth meeting of the plenary, the twenty-sixth meeting of the enforcement branch and the seventeenth meeting of the facilitative branch (see para. 22 below).

9. The agenda and annotations, documentation supporting agenda items and the chairpersons' report for each meeting of the plenary and of the facilitative and enforcement branches are available on the UNFCCC website.<sup>2</sup>

#### **A. Membership of the Compliance Committee**

10. In accordance with rule 3, paragraph 1, of the "Rules of procedure of the Compliance Committee of the Kyoto Protocol" (annex to decision 4/CMP.2, as amended by decisions 4/CMP.4 and 8/CMP.9; hereinafter referred to as the rules of procedure), the term of office of each member and alternate member of the Compliance Committee starts on 1 January of the calendar year immediately following his or her election and ends on 31 December four years thereafter. A list of members and alternate members whose terms expire on 31 December 2015 is contained in the annex.

11. 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, five new members to serve in the enforcement branch and an alternate member for each new member, respectively, all for a term of four years.

12. The plenary expressed its hope that Parties will keep in mind the issue of gender balance when making nominations for membership of the Compliance Committee.

#### **B. Transparency, communication and information**

13. In accordance with rule 9, paragraph 1, of the rules of procedure, meetings of the plenary and of the facilitative and enforcement branches held in the reporting period were recorded and broadcast on the Internet via the UNFCCC website, with the exception of the parts of those meetings that were held in private in accordance with the same rule.

14. In accordance with rule 12, paragraph 2, of the rules of procedure, all documents of the plenary and of the enforcement and facilitative branches have been made available to the public on the UNFCCC website.<sup>3</sup>

15. In view of the fact that the meetings of inventory lead reviewers are held in private, the joint workshop referred to in paragraph 8 above was held in private. The main issues

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<sup>1</sup> CC/13/2013/7, paragraph 13.

<sup>2</sup> <[http://unfccc.int/kyoto\\_protocol/compliance/items/2875.php](http://unfccc.int/kyoto_protocol/compliance/items/2875.php)>.

<sup>3</sup> Documents relating to the plenary are available at <[http://unfccc.int/kyoto\\_protocol/compliance/plenary/items/3788.php](http://unfccc.int/kyoto_protocol/compliance/plenary/items/3788.php)>; documents relating to the facilitative branch are available at <[http://unfccc.int/kyoto\\_protocol/compliance/facilitative\\_branch/items/3786.php](http://unfccc.int/kyoto_protocol/compliance/facilitative_branch/items/3786.php)>; and documents relating to the enforcement branch are available at <[http://unfccc.int/kyoto\\_protocol/compliance/enforcement\\_branch/items/3785.php](http://unfccc.int/kyoto_protocol/compliance/enforcement_branch/items/3785.php)>.

discussed at the joint workshop are set out in paragraph 22 below and its outcomes are summarized in the report on the sixteenth meeting of the plenary.<sup>4</sup>

### **C. Use of electronic means of decision-making**

16. Pursuant to rule 11, paragraph 2, of the rules of procedure, the Compliance 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. Reports of expert review teams under Article 8 of the Kyoto Protocol and other information received by the plenary of the Compliance Committee**

17. In accordance with section VI, paragraph 3, of the procedures and mechanisms, the secretariat forwarded to the Compliance Committee the reports of the individual reviews of the annual submissions submitted in 2013 of Lithuania, Norway, Portugal, the Russian Federation and Slovakia; and the reports of the individual reviews of the annual submissions submitted in 2014 of Australia, Austria, Belgium, Bulgaria, Croatia, the Czech Republic, Denmark, Estonia, the European Union, Finland, France, Germany, Greece, Hungary, Iceland, Ireland, Italy, Japan, Latvia, Liechtenstein, Lithuania, Luxembourg, Monaco, the Netherlands, New Zealand, Norway, Poland, Portugal, Romania, the Russian Federation, Slovakia, Slovenia, Spain, Sweden, Switzerland, Ukraine and the United Kingdom of Great Britain and Northern Ireland.

18. Similarly, in accordance with section VI, paragraph 3, of the procedures and mechanisms, the secretariat forwarded to the Committee the reports of the technical reviews of the sixth national communications of Australia, Belarus, Belgium, Bulgaria, Cyprus, the Czech Republic, Estonia, Germany, Greece, Hungary, Iceland, Ireland, Japan, Kazakhstan, Liechtenstein, Lithuania, Malta, Monaco, Norway, Poland, Romania, the Russian Federation, Slovakia, Slovenia, Ukraine and the United Kingdom.

19. In accordance with decision 13/CMP.1, paragraph 4, the secretariat forwarded to the Committee the seventh annual compilation and accounting report for Parties to the Convention with commitments inscribed in Annex B to the Kyoto Protocol and the addendum thereto.<sup>5</sup>

20. At its seventeenth meeting, the plenary noted the information provided to it by the secretariat on the status of submission and review of reports under the Kyoto Protocol. The plenary also noted the challenges faced in the organization of the review process in 2015.<sup>6</sup>

#### **2. Consistency of reviews under Article 8 of the Kyoto Protocol**

21. At its sixteenth meeting, the plenary decided to convene a closed session to hear a report from Mr. Delano Ruben Verwey, the chairperson of the facilitative branch, and Ms. Rueanna Haynes, the chairperson of the enforcement branch, on their participation in

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<sup>4</sup> CC/16/2015/2, paragraph 8.

<sup>5</sup> CC/2014/1.

<sup>6</sup> CC/17/2015/2, paragraph 13.

the 12<sup>th</sup> meeting of inventory lead reviewers, which was held in Bonn from 2 to 4 March 2015. The overriding reason for holding that part of the meeting in private was the fact that the chairpersons were reporting back on a closed meeting.

22. The second joint workshop between inventory lead reviewers and the Compliance Committee referred to in paragraph 8 above addressed issues concerning the respective mandates of the Committee and the inventory lead reviewers, and a number of issues related to the consistency of the terminology and assessments applied in the annual review reports.

23. Having considered the report referred to in paragraph 21 above and the outcomes of the workshop, the plenary, at its sixteenth and seventeenth meetings, recalled its intention to organize further joint workshops with the inventory lead reviewers. At the same time, it took into account that, as of 2016, the expert review teams (ERTs) will apply the new “Guidelines for the technical review of information reported under the Convention related to greenhouse gas inventories, biennial reports and national communications by Parties included in Annex I to the Convention”, and that the revision of the reporting, review and accounting guidelines under the Kyoto Protocol is being considered by the CMP at its next session. The plenary considered that it would make sense to further discuss the issue of consistency with the lead reviewers once some initial experience has been gained in the application of the relevant new guidelines. The plenary therefore agreed that it would aim to have the next joint workshop in 2017, if possible, in conjunction with a meeting of lead reviewers.

### **3. Tenth anniversary of the Compliance Committee**

24. The plenary noted that the Compliance Committee will celebrate its 10-year anniversary in 2016. It invited the bureau, with the support of the secretariat, to make arrangements for commemorating the anniversary in conjunction with the meeting of the plenary that is scheduled to take place in September 2016.

## **B. Activities of the enforcement branch**

### **1. Delay in the submission by a Party included in Annex I of its national inventory report for 2014<sup>7</sup>**

25. At its twenty-sixth and twenty-seventh meetings, the enforcement branch continued its consideration of the delay in the submission by Monaco of its 2014 national inventory report (NIR).<sup>8</sup> At its twenty-sixth meeting, it considered the information provided in the report of the individual review of the annual submission of Monaco submitted in 2014.<sup>9</sup>

26. At the same meeting, it requested the secretariat to invite the lead reviewers of the ERT that conducted the review of Monaco’s 2014 annual submission to its twenty-seventh meeting, with a view to understanding the reasons for the decision of the ERT not to indicate a question of implementation with respect to Monaco’s late submission of its NIR, in the light of decision 15/CMP.1, annex, paragraph 3(a), and decision 22/CMP.1, annex, paragraph 8.<sup>10</sup>

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<sup>7</sup> See also document FCCC/KP/CMP/2014/2, paragraphs 29–31.

<sup>8</sup> See also documents FCCC/KP/CMP/2014/2, paragraph 31, and CC/EB/25/2014/3, paragraphs 10–12.

<sup>9</sup> CC/EB/26/2015/2, paragraphs 6–8.

<sup>10</sup> CC/EB/26/2015/2, paragraph 7.

27. At its twenty-seventh meeting, the branch took note of the explanation provided by one of the lead reviewers of the ERT that conducted the review of Monaco's 2014 annual submission and agreed to complete its consideration of this matter.

## **2. Effects of a Party's withdrawal from the Kyoto Protocol on its reporting obligations**

28. The enforcement branch, at its twenty-sixth and twenty-seventh meetings, continued its consideration of Canada's withdrawal from the Kyoto Protocol and its effects on Canada's reporting obligations under the Kyoto Protocol.<sup>11</sup> It agreed to include the matter on the agenda for its twenty-seventh meeting, at which time it expected the report of the individual review of Canada's 2014 annual submission to be available. That report was published on 23 April 2015, and forwarded to the members and alternate members of the branch on 28 April 2015.<sup>12</sup>

29. At its twenty-seventh meeting, the branch noted that Canada's 2014 annual submission was reviewed in accordance with the "Guidelines for the technical review of greenhouse gas inventories from Parties included in Annex I to the Convention" (decision 19/CP.8). The branch also noted that its mandate is limited to the consideration of questions of implementation arising from reviews under Article 8 of the Kyoto Protocol and therefore agreed to complete its consideration of this matter.

## **C. Activities of the facilitative branch**

### **Provisions related to facilitation: advice and facilitation**

30. As agreed at its sixteenth meeting, the facilitative branch continued its consideration of the information and recommendations contained in the reports of the individual reviews of annual submissions and the reports of the technical reviews of national communications (hereinafter referred to as review reports) in the context of providing advice and facilitation to Parties in implementing the Kyoto Protocol.<sup>13</sup>

31. For the purpose of advancing its understanding of how to exercise its mandate referred to in paragraph 30 above, at its seventeenth meeting the branch invited its members and alternate members to identify issues in the review reports relating to the implementation of the Kyoto Protocol and to bring them to the attention of the branch.<sup>14</sup>

32. At its eighteenth meeting, the branch discussed issues identified by its members and alternate members. The branch noted a number of issues that may require further consideration, including where recommendations contained in previous review reports have been reiterated and where there were qualifying references (such as 'generally transparent' and 'generally complete') regarding completeness and transparency. It reiterated the importance of maintaining a dialogue with the expert reviewers. The branch agreed to continue its general discussion on providing advice and facilitation and, at the same time, to look at more specific issues arising from the review reports.

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<sup>11</sup> See also document FCCC/KP/CMP/2014/2, paragraphs 32–34.

<sup>12</sup> CC/EB/26/2015/2, paragraph 5.

<sup>13</sup> CC/FB/16/2014/2, paragraph 10.

<sup>14</sup> CC/FB/17/2015/2, paragraph 6.

## **IV. Budget for the work of the Compliance Committee**

### **A. Resources for the biennium 2014–2015**

33. For the biennium 2014–2015, EUR 1,123,508<sup>15</sup> was approved in the core budget of the UNFCCC for activities related to the Compliance Committee. In addition, EUR 515,079 was approved under the item “Support to the Compliance Committee” of the resource requirements of the Trust Fund for Supplementary Activities. As at 30 June 2015, contributions of USD 41,242 had been received for the biennium. The CMP may wish to express its sincere thanks to the following Parties that made contributions to the Trust Fund for Supplementary Activities to support the work of the Compliance Committee in the biennium 2014–2015: Belgium, Japan and Switzerland.

### **B. Resources required for the biennium 2016–2017**

34. For the biennium 2016–2017, it is envisaged that approximately 39 per cent of the core budget of the Legal Affairs programme of the UNFCCC that has been proposed for approval at CMP 11 would be used for activities related to the Compliance Committee.<sup>16</sup> In addition, EUR 505,901<sup>17</sup> is to be provided from the Trust Fund for Supplementary Activities.

35. The Committee requests the CMP to invite Parties to make contributions to the Trust Fund for Supplementary Activities for the biennium 2016–2017 to support the work of the Compliance Committee, including the activities relating to the 10-year anniversary of the Committee.

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<sup>15</sup> This amount does not include secretariat-wide operating costs, programme support costs (overheads) or working capital reserve, as defined in decision 27/CP.19.

<sup>16</sup> See documents FCCC/SBI/2015/3 and FCCC/SBI/2015/10/Add.1.

<sup>17</sup> See documents FCCC/SBI/2015/3/Add.2 and FCCC/SBI/2015/10/Add.1. This amount includes programme support costs, but does not include secretariat-wide operating costs or working capital reserve.



## Annex

### Members and alternate members of the Compliance Committee whose terms expire on 31 December 2015

#### Enforcement branch

<i>Member</i>	<i>Alternate member</i>	<i>Group</i>
Mr. René J. M. Lefeber	Mr. Tuomas Kuokkanen	Western European and other States
Ms. Rueanna Haynes	Mr. Sebastian Marino	Small island developing States
Mr. Alexander Kodzhabashev	Mr. Oleg Shamanov	Eastern European States
Mr. Gerhard Loibl	Ms. Iryna Rudzko	Annex I Parties
Mr. Ainun Nishat	Mr. Nauman B. Bhatti	Non-Annex I Parties

#### Facilitative branch

<i>Member</i>	<i>Alternate member</i>	<i>Group</i>
Ms. Emanuela Sardellitti	Mr. Per Hallström	Western European and other States
Mr. Luis Raul Paz Castro	Mr. Delano Bart	Small island developing States
Mr. Valeriy P. Sedyakin	Mr. Siarhei Nikitsin	Eastern European States
Mr. Delano Ruben Verwey	Mr. Dariusz Dybka	Annex I Parties
Mr. Najmadeen B. M. Jalouta	<i>vacant</i>	Non-Annex I Parties