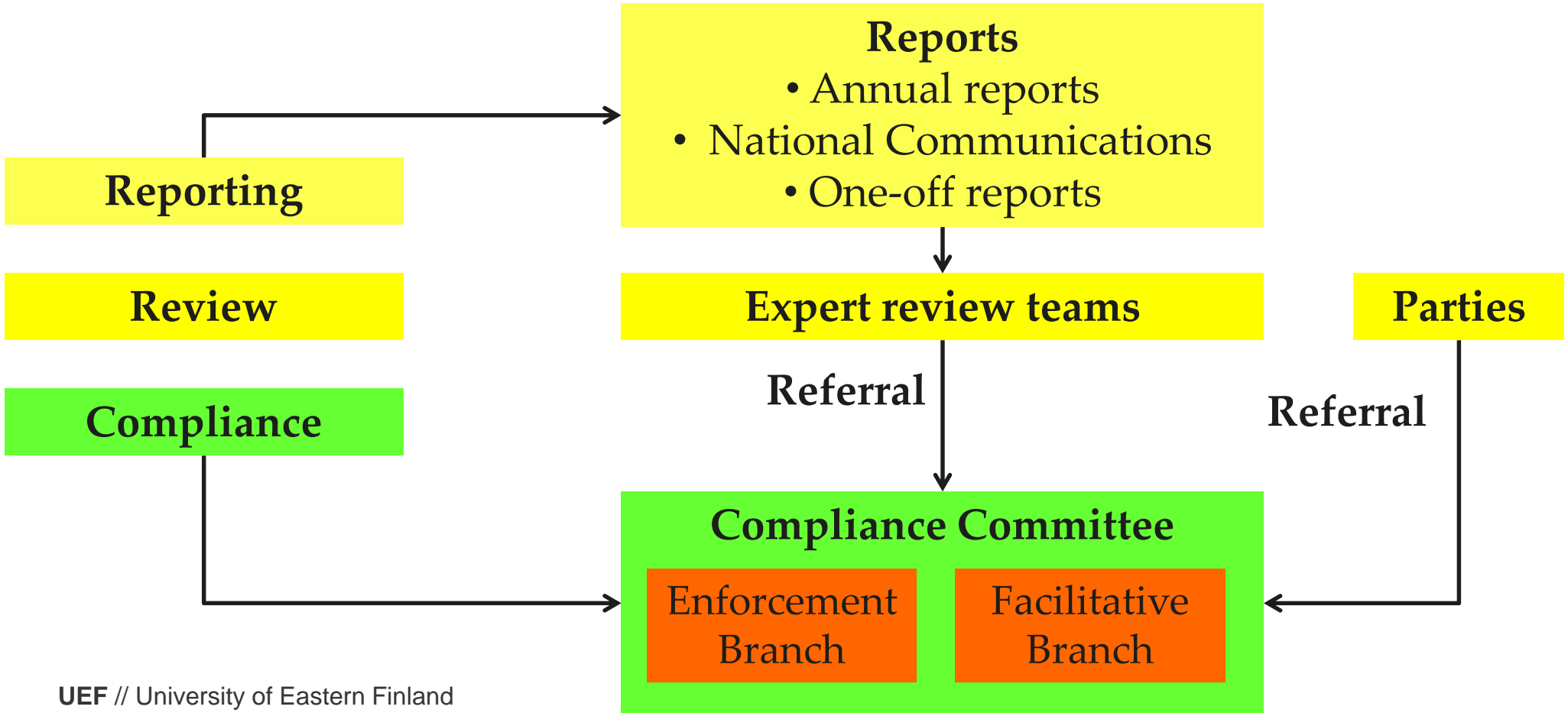


The Kyoto Protocol compliance mechanism

The Kyoto Protocol in brief

- Operationalizes principle of common but differentiated responsibilities & respective capabilities
- Legally binding emission targets for Annex I countries
 - covers six greenhouse gases listed in Annex A
 - countries' quantified targets defined in Annex B
 - First commitment period: average reduction 5% from 1990 levels between 2008-2012
 - Second commitment period (Doha Amendment): average reduction 18% from 1990 levels between 2013-2020
- Use of flexible mechanisms

The Kyoto Protocol compliance mechanism



Expert review under Kyoto

- No evaluation of progress, but procedural checks
 - Transparency, accuracy, completeness, consistency, comparability
- Carried out by expert review teams
 - In-country or desk-based/centralized
- Can lead to ‘questions of implementation’ (referral)

Enforcement Branch

Mandate

- Annex I Parties' emissions-related commitments
- Key reporting and methodological requirements
- Determine non-compliance and 'apply' consequences

Means

- Declaration of non-compliance
- Compliance Action Plan
 - Analysis of non-compliance
 - How and by when to restore compliance
- Suspended eligibility for flexible mechanisms
- More emissions reductions required in next period

Facilitative Branch

Mandate

- Providing advice and facilitation to Parties in implementing the Protocol, and for promoting compliance by Parties with their commitments under the Protocol
- 'Early-warning' function

Means

- Advice
- Facilitation of financial and technical assistance
- Recommendation to Parties

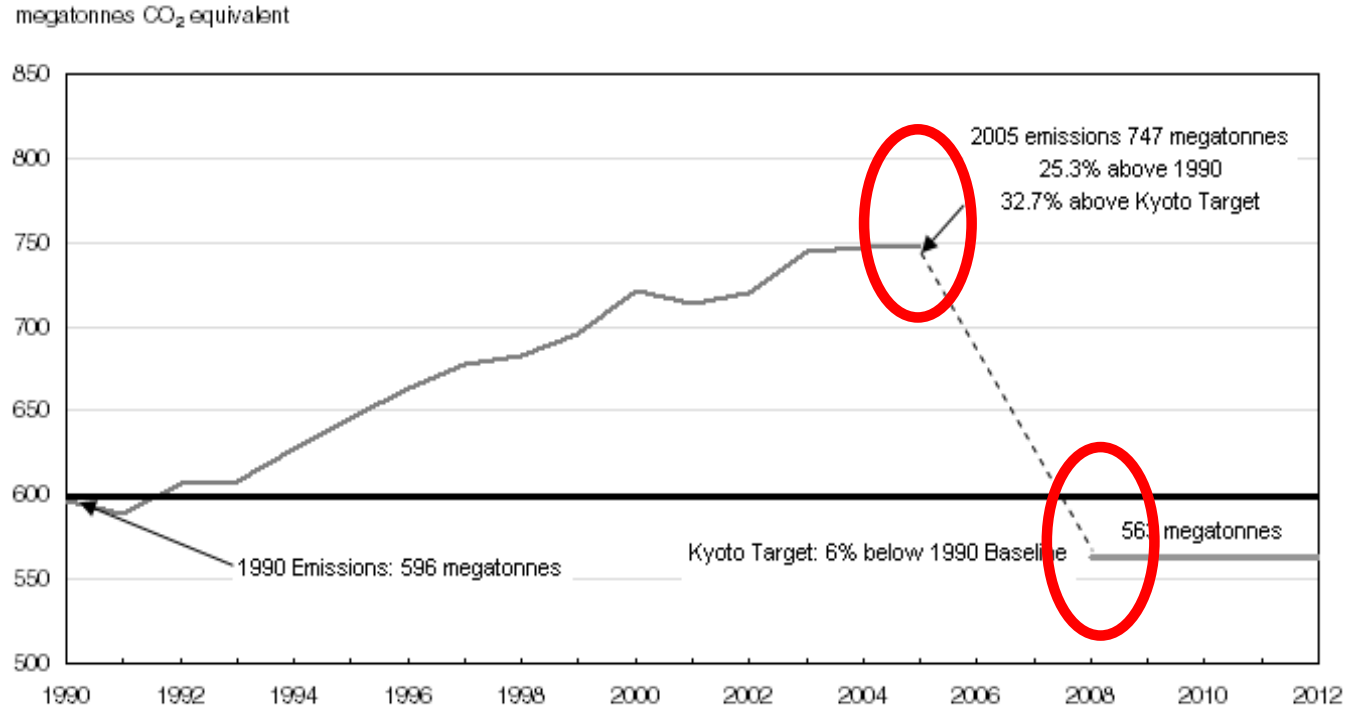
The (non-)case of the G77



- South Africa made a submission on behalf of G-77 with respect to late reporting by 15 Parties included in Annex I
- Facilitative branch could not determine whether to proceed or not with the consideration of the question of implementation

What happened here?

The case of Canada



What happened here?

The Kyoto compliance mechanism: an assessment

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- The mechanism, in particular, the enforcement branch, was actively used
- 8 cases of non-compliance were addressed
- Enforcement Branch performed according to mandate
- (100% compliance with first commitment period)

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- Facilitation by expert reviewers more extensively used than the facilitative branch
- Early warning mandate not utilized
- Inconsistent reviews potentially led to unfair outcomes