

**DECISION ON THE REVIEW AND ASSESSMENT OF THE PLAN SUBMITTED UNDER
PARAGRAPH 2 OF SECTION XV**

Party concerned: Monaco

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

I. BACKGROUND

1. The final decision of the enforcement branch taken on 30 August 2018 (CC-2018-1-4/Monaco/EB) confirmed the preliminary finding of the branch (CC-2018-1-3) and gave effect to the findings and consequences contained in paragraph 22 thereof. According to paragraph 22 (b) of the preliminary finding, as annexed to the final decision, Monaco was to develop a plan referred to in paragraph 1 of section XV, in accordance with the substantive requirements of paragraph 2 of section XV and paragraph 1 of rule 25 bis of the rules of procedure, submit it within three months to the branch in accordance with paragraph 2 of section XV, and report on the progress of its implementation in accordance with paragraph 3 of section XV.

2. On 14 October 2018, Monaco submitted a document entitled “Plan submitted in accordance with paragraph 22 (b) of the preliminary finding of the Enforcement Branch of the Compliance Committee (CC-2018-1-3/Monaco/EB), confirmed by the final decision of the Enforcement Branch of the Compliance Committee (CC-2018-1-4/Monaco/EB) and referred to in paragraph 1 of section XV, in accordance with the substantive requirements of paragraph 2 of section XV and paragraph 1 of rule 25 bis of the rules of procedure of the Compliance Committee of the Kyoto Protocol (CC-2018-1-5/Monaco/EB; hereinafter referred to as the “plan”). In accordance with paragraph 2 of rule 10 of the rules of procedure, the plan was deemed received by the branch on 15 October 2018.

3. In accordance with paragraph 2 of section XV and paragraph 3 of rule 25 bis of the rules of procedure, the branch reviewed and assessed the plan submitted by Monaco. The review and assessment were conducted by electronic means as provided under paragraph 2 of rule 11 of the rules of procedure.

II. INFORMATION SUBMITTED, PRESENTED AND CONSIDERED

4. In its plan, Monaco provided an overview of the analysis of the causes of non-compliance, the measures Monaco was implementing or intended to implement in order to remedy the non-compliance and a timetable for implementing such measures.

III. REASONS AND CONCLUSIONS

5. The branch concludes, based on the information submitted, presented and considered, that the plan meets the requirements set out in paragraph 2 of section XV and paragraph 1 of rule 25 bis of the rules of procedure. The branch notes that not all the measures described in the plan have been implemented, but

¹ All section references in this document refer to the procedures and mechanisms.

² All references to the rules of procedure in this document refer to the rules contained in the annex to decision 4/CMP.2 as amended by decisions 4/CMP.4 and 8/CMP.9.

are planned for implementation in 2019. The branch urges Monaco to carry out all the measures contained in the plan and to provide periodic reports thereon in accordance with the timeline set out in paragraph 8 below.

6. The branch welcomes with appreciation the full engagement of Monaco in addressing the compliance issues identified in the preliminary finding as confirmed by the final decision and the steps that Monaco has undertaken so far to remedy the situation.

7. The branch notes that full implementation by Monaco of the measures set out in the plan referred to in paragraph 2 above will be required for the branch to consider whether the question of implementation has been resolved and that consideration by the branch of this matter might also be facilitated by the information contained in the report on the review of the next annual submission of Monaco.

8. In accordance with paragraph 3 of section XV, Monaco is to submit to the branch progress reports on the implementation of the plan on a regular basis. The branch invites Monaco to submit the first of such progress reports not later than 1 March 2019, and subsequent progress reports thereafter on a periodic basis, at least once every four months. The branch invites Monaco to reflect in these periodic reports any progress made in the implementation of each of the specific measures contained in the five areas of the plan (reinforcement of the inventory team, expertise of the inventory team, legal provision for data collection, information technology system and collaborative tool, and external support), taking into account the timeframes set out in the plan as submitted by Monaco.

IV. DECISION

9. In accordance with paragraph 2 of section XV and paragraph 3 of rule 25 bis of the rules of procedure, it is the assessment of the branch that the plan:

- (a) Sets out and adequately addresses, in separate sections, each of the elements specified in paragraph 2 of section XV; and
- (b) If implemented, is expected to remedy the non-compliance.

Members and alternate members participating in the consideration and elaboration of the decision: Ms. Eva ADAMOVA, Ms. Karoliina ANTTONEN, Mr. Joseph AITARO, Mr. Mohammad Sa'dat ALAM, Mr. Moussa BA, Ms. Rueanna HAYNES, Mr. Gerhard LOIBL, Mr. Sébastien NGUYEN-BLOCH, Mr. Yaw OSAFO, Ms. Iryna RUDZKO, Mr. Jacob WERKSMAN, Mr. Felix ZAHARIA and Mr. Milan ZVARA.

Members participating in the adoption of the decision: Ms. Karoliina ANTTONEN, Mr. Mohammad Sa'dat ALAM, Mr. Moussa BA (alternate serving as member), Ms. Rueanna HAYNES (alternate serving as member), Mr. Gerhard LOIBL, Mr. Yaw OSAFO, Ms. Iryna RUDZKO, and Mr. Milan ZVARA.

This decision was adopted by consensus in Bonn on 9 November 2018.
