

**Annex 1****RULES OF PROCEDURE OF THE JOINT IMPLEMENTATION ACCREDITATION PANEL****Note by the secretariat**

1. At its third meeting, the Joint Implementation Supervisory Committee (JISC) established the Joint Implementation Accreditation Panel (JI-AP) to draw on the relevant expertise in performing its function of accrediting independent entities in accordance with standards and procedures contained in appendix A to the annex to decision 9/CMP.1, as mandated by paragraph 3 (b) of the same annex.
2. The present annex sets out the rules of procedure of the JI-AP, clearly defining the internal rules of operation of the JI-AP. It was agreed by the JI-AP at its first meeting (15-16 July 2006), and is hereby submitted to the JISC for information.

**RULES OF PROCEDURE
OF THE JOINT IMPLEMENTATION ACCREDITATION PANEL**

(Version 01)

Rule 1 (Scope)

These rules of procedures shall apply to all activities of the Joint Implementation Accreditation Panel undertaken in accordance with the general guidelines for panels and working groups under the Joint Implementation Supervisory Committee¹ and the terms of reference for the establishment of the Joint Implementation Accreditation Panel², as well as any other relevant guidance from the Joint Implementation Supervisory Committee.

Rule 2 (Definitions)

For the purpose of these rules:

1. “JISC” means the Joint Implementation Supervisory Committee established by decision 10/CMP.1³ and the name given by that decision to the Article 6 Supervisory Committee as defined in the JI guidelines adopted by decision 9/CMP.1⁴;
2. “Panel” means the Joint Implementation Accreditation Panel established by the JISC at its third meeting;
3. “JI-AT” means Joint Implementation Assessment Team to be established in accordance with the JI accreditation procedure;
4. “JI guidelines” means guidelines for the implementation of Article 6 of the Kyoto Protocol contained in the annexes to decisions 16/CP.7⁵ and 9/CMP.1;
5. “General guidelines” means the general guidelines for panels and working groups under the Joint Implementation Supervisory Committee as adopted by the JISC at its second meeting;
6. “Terms of reference” means the terms of reference for the establishment of the Joint Implementation Accreditation Panel as adopted by the JISC at its second meeting;
7. “JI accreditation procedure” means the procedure for accrediting independent entities by the Joint Implementation Supervisory Committee⁶ [as adopted by the JISC at its fourth meeting];
8. “UNFCCC” means the United Nations Framework Convention on Climate Change.

Rule 3 (Size and composition)

The panel shall be composed of six members, in addition to the designated two JISC members who act as Chair and Vice-Chair. One member of the panel shall be an expert in baseline setting and monitoring.

¹ Annex 3 of the report of the second meeting of the Joint Implementation Supervisory Committee

² Annex 4 of the report of the second meeting of the Joint Implementation Supervisory Committee

³ FCCC/KP/CMP/2005/8/Add.2

⁴ FCCC/KP/CMP/2005/8/Add.2

⁵ FCCC/CP/2001/13/Add.2

⁶ [Annex X of the report of the fourth meeting of the Joint Implementation Supervisory Committee]

Rule 4 (Members)

A. Competency requirements

1. Panel members shall have demonstrated and recognized expertise relevant to the field of work, in particular regarding tasks described in the terms of reference. A panel member shall have documented his/her competence through a self-declaration, recommendations and any other documentation specified in the terms of reference.
2. A panel member shall meet the competence requirements specified in the terms of reference of the panel.

B. Confidentiality and independence

3. Members of the panel shall commit, in writing, to comply with the rules defined by the JISC and the JI guidelines, in particular with regard to confidentiality and independence from commercial and other interests.
4. Members of the panel shall declare their independence from commercial and other interests with any existing or prior association with an entity to be assessed.

C. Selection and re-application of members

5. A panel member shall be designated to and serve on the panel for a term of two years. Every year, in order to ensure continuity in the work of the panel, either two or three members are to be replaced. Experts appointed to replace members should, if possible, not come from the same region as the members that remain in office. A member may re-apply for further terms.
6. The term of office of a member shall start at the first meeting of the panel following his/her appointment and shall end immediately before the first meeting after the two year term.
7. Notwithstanding paragraph 4 of this rule, no member is to be replaced before the end of the first two-year period since the establishment of the panel unless the membership of a particular member is terminated in accordance with paragraph 5 of rule 6, or a member resigns or otherwise unable to complete the assigned term of office or to perform the functions of that office. After the first two-year period three or four members specified by the JISC are to continue to serve on the panel for another one year so that the replacement of two to three members every year in accordance with paragraph 4 of this rule can start at the end of the third year since the establishment of the panel.

Rule 5 (Compensation)

1. The members of the panel shall be paid fees for attending meetings of the panel, in accordance with United Nations rules and regulations. In addition, the Chair, Vice-Chair and members of the panel shall be paid travel costs and daily subsistence allowance in accordance with United Nations rules and regulations.
2. Where a member of the panel has been assigned to perform specific task(s) by the Chair, he/she shall be paid fees based on the person-days as determined by the Chair. Fees shall be paid in accordance with United Nations rules and regulations.

Rule 6 (Officers)

1. The Chair and Vice-Chair of the panel shall be appointed by the JISC , with one being a member from a Party included in Annex I to the Convention and the other being from a Party not included in Annex I to the Convention. The JISC may designate additional members and alternate members to participate in the panel.
2. The Chair and Vice-Chair shall serve in their respective capacities in the meetings of the panel. If the appointed Chair is not able to serve in that capacity for a meeting, the Vice-Chair shall serve as Chair.
3. If the Chair or Vice-Chair ceases to be able to carry out his or her functions, a new Chair or Vice-Chair shall be appointed by the JISC for the remainder of the term.
4. In addition to exercising the functions conferred upon the Chair by the general guidelines and the terms of reference, the Chair shall declare the opening and closing of meetings, preside at meetings, ensure the observance of the general guidelines, accord the right to speak, put questions to the vote and announce decisions. The Chair shall rule on points of order and, subject to the general guidelines, shall have complete control of the proceedings and over the maintenance of order at meetings.
5. The Chair of the panel may recommend to the JISC the termination of the membership of a particular member for cause including, inter alia, breach of conflict of interest provisions, breach of confidentiality provisions and failure to attend two consecutive meetings of the panel without proper justification.
6. The Chair and/or Vice-Chair shall represent the panel as necessary, including at sessions of the JISC.

Rule 7 (Areas of work)

1. The panel, in accordance with the terms of reference and the JI accreditation procedure, shall make recommendations to the JISC based on the detailed assessment work undertaken by JI-ATs on:
 - (a) The accreditation of an applicant independent entity;
 - (b) The suspension of accreditation of an accredited independent entity;
 - (c) The withdrawal of accreditation of an accredited independent entity;
 - (d) The re-accreditation of an accredited independent entity.
2. The panel shall undertake any other specific tasks requested by the JISC and deal with any specific issues that arise in the JI accreditation process.

Rule 8 (Modalities of work)

1. The panel shall operate under the guidance of the JISC, in accordance with the general guidelines.
2. Panel meetings can be held with panel members being physically present or available through electronic communication. The dates and mode of panel meetings shall be determined by the Chair and Vice-Chair of the panel, bearing in mind the available resources.

3. The Chair shall have the authority to appoint (a) particular member(s) to work on a specific task within the scope of the work of the panel listed in the terms of reference. In doing so the Chair shall take into consideration the expertise and experience of each member and strive to distribute the workload evenly among all the members. The appointed member(s) shall provide the output of the assigned task to the panel by the timing agreed by the panel. Where deemed necessary and appropriate, the Chair can request the secretariat to support the work of the appointed member(s).

Rule 9 (Quorum)

Four (4) members shall be present to constitute a quorum. The Chair or the Vice-Chair shall be present to convene the meeting.

Rule 10 (Decision)

1. Decisions by the panel, at physical meetings or through electronic means, shall be taken by consensus, whenever possible. If all efforts at reaching a consensus have been exhausted and no agreement has been reached, decisions shall as a last resort be adopted by a three-fourths majority vote of the members present and voting at the meeting. Each member shall have one vote. Members abstaining from voting shall be considered as not voting. If all members are present and voting, five (5) members represent a three-fourths majority and if five members are present and voting, four (4) members represent a three-fourths majority.

2. Recommendations by the panel to the JISC shall be made publicly available, unless otherwise decided by the JISC. Such recommendations should be subject to confidentiality provisions in accordance with the JI accreditation procedure.

3. Where a member has declared an interest with any entity being assessed, he/she shall abstain from participating in the decision making process.

Rule 11 (Meetings)

A. Dates

1. The Chair shall convene and give notice of the date of each meeting of the panel, if possible not less than six weeks prior to the date of such meeting.

2. The secretariat shall promptly notify the date to all those invited to the meeting.

B. Venue

3. Meetings of the panel shall take place at the location of the secretariat, unless the panel decides otherwise or other appropriate arrangements are made by the secretariat in consultation with the Chair.

C. Agenda

4. The Chair, assisted by the secretariat, shall draft the provisional agenda of each meeting of the panel and transmit it, agreed upon by the panel at its previous meeting, to all those invited to the meeting.

5. Additions or changes to the provisional agenda of a meeting may be proposed to the secretariat by the Chair, Vice-Chair or any member, and incorporated in the proposed agenda provided that the proponent of the additions or changes shall give notice thereof to the secretariat not less than 14 days before the date set for the opening of the meeting. The proposed agenda for the meeting shall be transmitted by the secretariat to all those invited to the meeting 10 days before the opening of the meeting.

6. The panel shall, at the beginning of each meeting, adopt the agenda for the meeting.

7. Any item included on the agenda for a meeting of the panel, consideration of which has not been completed at that meeting, shall automatically be included on the provisional agenda for the next meeting, unless otherwise decided by the panel.

D. Documentation

8. All documentation for a panel meeting shall be made available to all those invited to the meeting through the secretariat if possible 10 days before the meeting.

E. Attendance

9. The Chair, upon the agreement by the panel, may invite members of JI-ATs, experts or whomever he/she deems appropriate to a panel meeting as observers taking into consideration the confidentiality requirements and agenda of the meeting.

F. Language

10. The working language of the panel shall be English.

G. Record of the meeting

11. Before the end of each meeting, the Chair shall present draft conclusions and recommendations of the meeting for consideration and approval by the JISC. Any written records of the panel or recordings of proceedings shall be confirmed by the panel and kept by the secretariat in accordance with United Nations rules and regulations.

Rule 12 (Secretariat)

1. The secretariat shall service the panel.

2. In addition to the functions specified in the other rules and the JI accreditation procedure, the secretariat shall, in accordance with these rules, and subject to the availability of resources:

(a) Maintain records, documentation and information related to the work of the panel in accordance with their confidentiality requirements and public availability;

(b) Receive, reproduce and distribute the documents of a meeting to the Chair, Vice-Chair and the members of the panel;

(c) Perform all other work that the panel may require.

3. The secretariat, in its mandated role of support to the panel, shall use electronic means as the primary means of communication for transmission and storage of documentation.

4. The financial and administrative regulations and procedures of the United Nations and UNFCCC shall apply, as applicable.

Rule 13 (Amendments to the rules)

The Chair, Vice-Chair or any member of the panel may propose the amendment of the rules of procedure of the panel. The amendment shall be made in accordance with rule 10. The amendment shall not lead to (a) provision(s) conflicting with any provision in the general guidelines of the terms of reference.
