



Annex 13

**PROCEDURES ON PUBLIC AVAILABILITY OF DOCUMENTS
UNDER THE VERIFICATION PROCEDURE UNDER THE
JOINT IMPLEMENTATION SUPERVISORY COMMITTEE**



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Version 01

A. Background

1. Paragraphs 30–45 of the annex to decision 9/CMP.1 on guidelines for the implementation of Article 6 of the Kyoto Protocol (hereinafter referred to as JI guidelines) define the verification procedure under the Joint Implementation Supervisory Committee (JISC) (hereinafter referred to as the Track 2 procedure).
2. The Track 2 procedure is the determination by an independent entity, accredited pursuant to appendix A of the JI guidelines, of whether a project and the ensuing reductions of anthropogenic emissions by sources or enhancements of anthropogenic removals by sinks meet the relevant requirements of Article 6 of the Kyoto Protocol and the JI guidelines.
3. In accordance with the Track 2 procedure specified documents have to be made publicly available at given times, namely
 - (a) The project design document (PDD) referred to in paragraph 32 of the JI guidelines;
 - (b) The determination by an accredited independent entity (AIE) referred to in paragraph 34 of the JI guidelines (determination report);
 - (c) The report in accordance with the monitoring plan referred to in paragraph 36 of the JI guidelines (monitoring report);
 - (d) The determination by an AIE referred to in paragraph 38 of the JI guidelines (verification report).
4. In accordance with decision 10/CMP.1, paragraph 3:
 - (a) Designated operational entities (DOEs) under the clean development mechanism (CDM) may act provisionally as AIEs under Article 6 until the JISC has approved its procedures for accreditation;
 - (b) Those DOEs that apply for accreditation under the approved procedures for accreditation may continue to act provisionally as AIEs until a final accreditation decision is taken;
 - (c) The determinations and relevant activities undertaken under these provisions shall be valid only after the accreditation of the independent entity is finalized.
5. The present document defines procedures on public availability of the documents referred to above.

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6. According to paragraph 32 of the JI guidelines the AIE shall make the PDD submitted by the project participants pursuant to paragraph 31 of the JI guidelines publicly available through the secretariat, subject to confidentiality provisions set out in paragraph 40 of the JI guidelines, and receive comments from Parties, stakeholders and UNFCCC accredited observers on the PDD and any supporting information for 30 days from the date the PDD is made publicly available.

7. The AIE shall make the PDD and any supporting information publicly available in PDF format on the UNFCCC JI website.

8. The AIE shall, through a dedicated interface on the UNFCCC JI website, provide the following information:

- (a) The name of the proposed JI project;
- (b) Bearing in mind paragraph 40 of the JI guidelines, two versions of the PDD and any supporting documentation (if applicable):
 - A marked-up version where all confidential/proprietary parts have been made illegible by the project participants (e.g. by covering those parts with black ink) so that it can be made public;
 - A version containing all information, i.e. including parts which shall be treated as strictly confidential by all persons handling this documentation (AIEs, JISC members and alternate members, and panel, subcommittee and working group members, external experts requested to consider such documents in support of the work of the JISC, and the secretariat, as applicable).

9. If the independent entity is accredited to perform determination activities, pursuant to paragraph 33 of the JI guidelines, in the sectoral scope(s) relevant to the proposed JI project, the secretariat, through the JI information system, automatically makes the marked-up version of the PDD and any supporting documentation submitted by the AIE available on the UNFCCC JI website. The system will immediately send an announcement of the public availability of the PDD through the UNFCCC JI news facility. The announcement shall specify the name of the project, the link to the UNFCCC JI web page where the PDD and any supporting information can be found, and the opening (the day after announcement) and closing dates for comments. The system will forward the announcement to the AIE.

10. In accordance with paragraph 32 of the JI guidelines, Parties, stakeholders and UNFCCC accredited observers may submit comments on the PDD and any supporting information to the AIE at any time during a 30-day period. The AIE shall promptly acknowledge the receipt of comments.

11. The UNFCCC JI web page where a PDD and any supporting information is made publicly available shall:

- (a) Indicate the name and reference number of the project;
- (b) Provide a link to the PDD and any supporting information in PDF format;
- (c) Name the AIE chosen by the project participants;
- (d) Indicate the end of the period during which comments on the PDD and any supporting information can be sent to the AIE;

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(e) Specify how comments shall be communicated to the AIE, providing both e-mail and fax details;

(f) At the end of the 30-day period display all comments received. Comments will be kept publicly available until the determination regarding the PDD is finally decided according to paragraph 35 of the JI guidelines.

C. Procedures on public availability of the determination report

12. In accordance with paragraph 34 of the JI guidelines the AIE shall make its determination pursuant to paragraph 33 of the JI guidelines publicly available through the secretariat, together with an explanation of its reasons, including a summary of comments received and a report of how due account was taken of these.

13. According to paragraph 35 of the JI guidelines the determination regarding a PDD shall be deemed final 45 days after the date on which the determination is made public, unless a Party involved in the project or three of the members of the JISC request a review by the JISC. If such a review is requested, the JISC shall finalize the review as soon as possible, but no later than six months or at the second meeting following the request for review. The JISC shall communicate its decision on the determination and the reasons for it to the project participants and the public. Its decision shall be final.

14. The AIE shall make the determination report publicly available in PDF format on the UNFCCC JI website. The report shall include:

- (a) The AIE's determination pursuant to paragraph 33 of the JI guidelines;
- (b) An explanation of its reasons for the determination;
- (c) A summary of comments received pursuant to paragraph 32 of the JI guidelines;
- (d) A report of how due account was taken of these comments.

15. The AIE shall, through a dedicated interface on the UNFCCC JI website, provide the following information:

(a) The identification of the proposed JI project by selecting from the list of projects, the PDDs of which have already been made publicly available through the secretariat pursuant to paragraph 32 of the JI guidelines;

- (b) The name of the host Party(ies);
- (c) A list of Parties involved in the proposed JI project;
- (d) A list of (authorized) project participants;
- (e) The determination report.

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16. If the independent entity is accredited to perform determination activities, pursuant to paragraph 33 of the JI guidelines, in the sectoral scope(s) relevant to the proposed JI project and the participation requirements defined in paragraphs 20, 28 and 29 of the JI guidelines are met, the secretariat, through the JI information system, automatically makes the determination report submitted by the AIE available on the UNFCCC JI website. The system will immediately send an announcement of the public availability of the determination report through the UNFCCC JI news facility. The announcement shall specify the name of the project, the link to the UNFCCC JI web page where the determination report can be found and the opening (the day after announcement) and closing dates for requests for review according to paragraph 35 of the JI guidelines. The system will forward the announcement to the AIE. The information will also be sent by the secretariat to the JISC members and alternate members via the JISC listserv.

17. The UNFCCC JI web page where a determination report is made publicly available shall:

- (a) Indicate the name and reference number of the project;
- (b) Provide a link to the determination report in PDF format;
- (c) Name the AIE chosen by the project participants;
- (d) Indicate the end of the period during which reviews can be requested.

18. As soon as a Party involved in the proposed JI project or three of the members of the JISC request a review by the JISC the proposed project shall be marked as being “under review” on the UNFCCC JI website and a notification shall be sent through the UNFCCC JI news facility. The decision of the JISC on the determination, and its reasons, are communicated to the project participants via official means of communication and to the public on the UNFCCC JI website, as well as through the UNFCCC JI news facility.

19. Projects for which the determination is final, pursuant to paragraph 35 of the JI guidelines, will be listed accordingly on the UNFCCC JI website and the relevant AIE will be informed.

D. Procedures on public availability of the monitoring report

20. According to paragraph 36 of the JI guidelines project participants shall submit to an AIE a report in accordance with the monitoring plan on reductions in anthropogenic emissions by sources or enhancements of anthropogenic removals by sinks that have already occurred. The report shall be made publicly available.

21. The AIE shall make the monitoring report publicly available in PDF format on the UNFCCC JI website.

22. The AIE shall, through a dedicated interface on the UNFCCC JI website, provide the following information:

- (a) The identification of the project which is listed with a positive determination pursuant to paragraph 35 of the JI guidelines;
- (b) The monitoring report;
- (c) The starting and ending dates of the monitoring period covered by the monitoring report.

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23. If the independent entity is accredited to perform determination activities, pursuant to paragraph 37 of the JI guidelines, in the sectoral scope(s) relevant to the project, the secretariat, through the JI information system, automatically makes the monitoring report submitted by the AIE available on the UNFCCC JI website. The system will immediately send an announcement of the public availability of the monitoring report through the UNFCCC JI news facility. The announcement shall specify the name of the project and the link to the UNFCCC JI web page where the monitoring report can be found. The system will forward the announcement to the AIE.

24. The UNFCCC JI web page where a monitoring report is made publicly available shall:

- (a) Indicate the name and reference number of the project;
- (b) Provide a link to the monitoring report in PDF format;
- (c) Name the AIE chosen by the project participants.

E. Procedures on public availability of the verification report

25. In accordance with paragraph 38 of the JI guidelines the AIE shall make its determination pursuant to paragraph 37 of the JI guidelines publicly available through the secretariat, together with an explanation of its reasons.

26. According to paragraph 39 of the JI guidelines the determination regarding reported reductions in anthropogenic emissions by sources or enhancements of anthropogenic removals by sinks shall be deemed final 15 days after the date on which it is made public, unless a Party involved in the project or three of the members of the JISC request a review by the JISC. If such a review is requested, the JISC shall:

- (a) At its next meeting or no later than 30 days after the formal request for the review decide on its course of action. If it decides that the request has merit, it shall perform a review;
- (b) Complete its review within 30 days following its decision to perform the review;
- (c) Inform the project participants of the outcome of the review, and make public its decision and the reasons for it.

27. The AIE shall make the verification report publicly available in PDF format on the UNFCCC JI website. The report shall include:

- (a) The AIE's determination pursuant to paragraph 37 of the JI guidelines;
- (b) An explanation of its reasons for the determination.

28. The AIE shall, through a dedicated interface on the UNFCCC JI website, provide the following information:

- (a) The identification of the project for which the monitoring report has been made publicly available in accordance with section D above;
- (b) The verification report.



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29. If the independent entity is accredited to perform determination activities, pursuant to paragraph 37 of the JI guidelines, in the sectoral scope(s) relevant to the project, the secretariat, through the JI information system, automatically makes the verification report submitted by the AIE available on the UNFCCC JI website. The system will immediately send an announcement of the public availability of the verification report through the UNFCCC JI news facility. The announcement shall specify the name of the project, the link to the UNFCCC JI web page where the verification report can be found and the opening (the day after announcement) and closing dates for requests for review according to paragraph 39 of the JI guidelines. The system will forward the announcement to the AIE. The information will also be sent by the secretariat to the JISC members and alternate members via the JISC listserv.

30. The UNFCCC JI web page where a verification report is made publicly available shall:

- (a) Indicate the name and reference number of the project;
- (b) Provide a link to the verification report in PDF format;
- (c) Name the AIE chosen by the project participants;
- (d) Indicate the end of the period during which reviews can be requested.

31. As soon as a Party involved in the project or three of the members of the JISC request a review by the JISC the project shall be marked “review requested” on the UNFCCC JI website and a notification shall be sent through the UNFCCC JI news facility.

32. As soon as the JISC decides that the request for review has merit the project shall be marked as being “under review” on the UNFCCC JI website and a notification shall be sent through the UNFCCC JI news facility. The project participants are informed of the outcome of the review via official means of communication. The decision of the JISC and its reasons for it are communicated to the public on the UNFCCC JI website as well as through the UNFCCC JI news facility.

33. Projects for which the determination is final, pursuant to paragraph 39 of the JI guidelines, will be listed accordingly on the UNFCCC JI website and the relevant AIE will be informed.