

**JOINT IMPLEMENTATION SUPERVISORY COMMITTEE****Seventeenth meeting****Proposed agenda**

Kiev (Ukraine)  
10–11 September 2009<sup>1</sup>

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<sup>1</sup> The seventeenth meeting of the Joint Implementation Supervisory Committee will be preceded by informal consultations on 7 September and a UNFCCC technical workshop on 8–9 September 2009.



## I. PROPOSED AGENDA

1. Membership issues (including disclosure of possible conflict of interest)
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  - (a) Accreditation of independent entities
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  - (e) Management plan and resources for the work on joint implementation
4. Other matters:
  - (a) Collaboration of the Joint Implementation Supervisory Committee with others
  - (b) Elements for the annual report of the Joint Implementation Supervisory Committee to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol
  - (c) Consideration of revisions to Joint Implementation Supervisory Committee documents relevant to determination and verification manual
  - (d) Revisions to the rules of procedure of the Joint Implementation Supervisory Committee
  - (e) Other business
5. Conclusion of the meeting



## II. ANNOTATIONS TO THE PROPOSED AGENDA

### 1. Membership issues (including disclosure of possible conflict of interest)

1. **Background:** According to paragraph 14 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) at least two thirds of the members of the Joint Implementation Supervisory Committee (JISC), representing a majority of members from Parties included in Annex I and a majority of members from Parties not included in Annex I, must be present to constitute a quorum.
2. According to paragraph 10 (b) of the JI guidelines members, including alternate members, of the JISC shall have no pecuniary or financial interest in any aspect of a joint implementation (JI) project. Paragraph 2 of rule 9 of the rules of procedure of the JISC additionally stipulates that members, including alternate members, of the JISC shall have no pecuniary or financial interest in any accredited independent entity (AIE), or any designated operational entity (DOE) acting provisionally as an AIE.
3. According to paragraph 11 of the JI guidelines, quoted in paragraph 1 of rule 7 of the rules of procedure of the JISC, the JISC may suspend and recommend to the CMP the termination of the membership of a particular member, including an alternate member, for cause including, inter alia, breach of the conflict of interest provisions or failure to attend two consecutive meetings of the JISC without proper justification.
4. **Action:** The Chair shall ascertain whether (a) the members present constitute a quorum and (b) the absence of any member or alternate member is “without proper justification”.
5. The Chair shall request the members and alternate members of the JISC to disclose whether they consider to have any conflict of interest relating to the work of the JISC.
6. The JISC may wish to consider information provided by any member or alternate member, including with respect to any potential conflict of interest, and take action, if appropriate.

### 2. Adoption of the agenda

7. **Background:** The JISC agreed, at its sixteenth meeting, on items to be included in the provisional agenda of its seventeenth meeting. In accordance with rule 19 of the rules of procedure of the JISC, subsequent additions or changes to the provisional agenda of a meeting may be proposed to the secretariat by any member, or alternate member, and incorporated in the proposed agenda. No suggestions for additions or changes were received by the secretariat before the relevant deadline. The proposed agenda was transmitted to the JISC on 20 August 2009 and thereafter posted on the UNFCCC JI website.
8. **Action:** The JISC may wish to adopt the proposed agenda of the seventeenth meeting.

### 3. Work plan

#### (a) Accreditation of independent entities

9. **Background:** On the basis of the accreditation procedure adopted by the JISC at its fourth meeting on 6 October 2006, independent entities (IEs), including DOEs under the clean development mechanism (CDM), could start submitting applications for accreditation under JI to the secretariat.

10. Based on the terms of reference for JI assessment teams (JI-ATs), agreed on by the JISC also at its fourth meeting, the secretariat, as mandated, launched five public calls for experts to date to be included in the roster of experts for JI-ATs.

11. The Joint Implementation Accreditation Panel (JI-AP) held its eighteenth meeting on 13-15 August 2009. At this meeting, the JI-AP maintained the roster of experts for JI-ATs, considered the applications for accreditation from IEs.

12. Responding to the request by the JISC at its thirteenth meeting, the JI-AP has been considering measures to strengthen the monitoring of performance of accredited IEs as well as further improve the JI accreditation process. As a part of the outcome in this regard, the JI-AP, at its eighteenth meeting, prepared a draft revised JI accreditation procedure, as contained in the thirteenth progress report on the work of the JI-AP, as a recommendation to the JISC for its consideration at the seventeenth meeting.

13. Taking into account that, in accordance with the rules of procedure of the JI-AP, the term of three JI-AP members expires on 28 September at the earliest this year, the JISC, at its sixteenth meeting requested the secretariat to launch a new call for experts to serve as JI-AP members soon after that meeting, and prepare a shortlist of candidates for consideration by the JISC at the seventeenth meeting. The call is open for application from 9 July until 27 August 2009.

14. **Action:** The JISC may wish to (a) take note of the thirteenth progress report on the work of the JI-AP and an oral report by its Chair, Ms. Gaye, on the work of the panel, (b) consider the recommendation by the JI-AP and take action, as appropriate, and (c) consider further guidance to the JI-AP, as appropriate.

15. The JISC may wish to select experts to serve for the JI-AP for filling the three expiring positions, taking into account the input from the Chair and Vice-Chair of the JI-AP, based on the shortlist prepared by the secretariat.

**(b) Matters relating to determination and verification reports**

16. **Background:** At its fifth meeting, the JISC officially launched the verification procedure under the JISC (hereinafter referred to as JI Track 2 procedure) on 26 October 2006. Since the launch of the JI Track 2 procedure, the information regarding Parties' designated focal points (DFPs) and national guidelines and procedures for approving JI projects, in accordance with paragraph 20 (a) and (b) of the JI guidelines, required for the submission of determination reports regarding project design documents (PDDs), has not been provided to the secretariat by some Parties.

17. **Action:** The JISC may wish to consider and discuss the status of (a) projects submitted under the JI Track 2 procedure as well as (b) information provided by Parties in accordance with paragraph 20 of the JI guidelines, and take action, as appropriate.

**(c) Development of a determination and verification manual**

18. **Background:** The JISC, at its fourteenth meeting, taking into account the public input on the development of a determination and verification manual (DVM), decided to develop a DVM. Taking into account diverse views expressed by JISC members and alternate members on the nature and contents of a DVM, the JISC, at its fifteenth meeting, considered the nature and structure of a DVM, and agreed on them.

19. Based on this, the JISC, also at its fifteenth meeting, requested the secretariat, in consultation with five JISC members/alternate members (Mr. Beck, Mr. Duan, Mr. Geletukha, Mr. Hubenthal and Mr. Trusca), to start preparing a first draft of a DVM immediately after the meeting. The JISC at the same time also requested the secretariat to launch a public call for inputs immediately after the meeting for 20 days, seeking to provide texts of the contents of a DVM, based on the nature and structure of a DVM as agreed by the JISC. The call was open from 27 April until 17 May 2009, resulting in six written inputs.

20. The JISC, at its sixteenth meeting, considered the first draft DVM taking into account the written inputs received from the call referred to in paragraph 19 above and the inputs from the participants of the roundtable consultations organized immediately prior to the meeting, and requested the secretariat, in consultation with six JISC members/alternate members (Mr. Beck, Mr. Duan, Mr. Geletukha, Mr. Hubenthal, Mr. Kudo and Mr. Trusca), to prepare a second draft DVM for discussion with stakeholders at the UNFCCC workshop on joint implementation (8–9 September 2009 in Kiev, Ukraine) as well as for consideration by the JISC at its seventeenth meeting.

21. The JISC, at its sixteenth meeting, also requested the secretariat to launch a call for public inputs on the second draft DVM for four weeks. The call is open from 20 August until 16 September 2009.

22. **Action:** The JISC may wish to discuss the second draft DVM contained in annex 1, and provide guidance for preparing a third draft, as appropriate.

**(d) Development of definitions, forms, guidelines and procedures for joint implementation programmes of activities**

23. **Background:** At its fourteenth meeting, the JISC requested Mr. Chowdhury, Mr. Fuller, Ms. Gałan, Mr. Björk, Mr. Leguet and Mr. Oderson, supported by the secretariat, to develop, for consideration by the JISC at its next meeting, guidance on project activities under a programme of activities under the JI Track 2 procedure (JI PoA), in accordance with paragraph 6 of decision 5/CMP.4.

24. At its fifteenth meeting the JISC considered and amended the draft guidance on JI PoA and requested the secretariat to launch a call for public inputs on the draft document immediately after the fifteenth meeting. The JISC also requested the secretariat to compile the public inputs in an information note to be considered by the JISC at its sixteenth meeting.

25. At its sixteenth meeting, the JISC considered public inputs and the inputs from the roundtable consultation referred to in paragraph 20 above and requested the secretariat to prepare a second draft, in consultation with eight JISC members/alternate members (Mr. Björk, Mr. Chowdhury, Mr. Fuller, Ms. Gałan, Mr. Geletukha, Mr. Hubenthal, Mr. Leguet and Mr. Oderson) along with forms, as well as launch a call for public inputs on the second draft. The call is targeted for completion by the end of September 2009.

26. The second draft of the JI PoA along with forms in accordance with paragraph 25 above are attached as annexes 2 and 3.

27. At its sixteenth meeting, the JISC also requested the secretariat to prepare an information note on options for considerations of liability and responsibilities regarding JI PoAs to be considered.

28. An information note on options for considerations of liability in the JI PoA is attached as annex 4.

29. At its sixteenth meeting, the JISC did not discuss proposed revisions of the provision for the charging of fees, as originally intended. The draft provision for the charging of fees is therefore which is attached as annex 3 of the annotations to the sixteenth meeting of the JISC.

30. **Action:** The JISC may wish to discuss the second draft of the JI PoA referred to in paragraph 27 above, as well as the information note on liability referred to in paragraph 27 above as it pertains to the current draft of the JI PoA, and provide guidance for further revisions, as appropriate. The JISC may also wish to discuss the options on revising the provision for the charging of fees referred to in paragraph 29 above and adopt it on the basis of these considerations, as appropriate.

(e) **Management plan and resources for the work on joint implementation**

31. **Background:** According to paragraph 4 of decision 3/CMP.2, the JISC shall keep the joint implementation management plan (JI-MAP) under review and make adjustments as necessary to continue ensuring the efficient, cost-effective and transparent functioning of the JISC and related activities on JI.

32. At its twelfth meeting, the JISC agreed on a revision to the JI-MAP for the biennium 2008–2009 and included it in the annual report of the JISC to the CMP. In its report, the JISC indicated it would continually keep the JI-MAP under review to ensure the assumptions and arrangements included therein are adequate.

33. At its sixteenth meeting the JISC noted the process for the development of the JI-MAP for the biennium 2010–2011, including relevant timelines for its preparation, and agreed to consider at its next meeting elements and issues that need to be reflected and taken into account in the development of the JI-MAP for the biennium 2010–2011. The JISC also requested the secretariat to report to the JISC at its next meeting on this matter.

34. **Action:** The JISC may wish to consider the information provided by the secretariat concerning the development of the JI-MAP and provide guidance to the secretariat as necessary with a view to adopting the JI-MAP for the biennium 2010–2011 at its eighteenth meeting.

35. The JISC may wish to take note of the status of resources and contributions, and consider its schedule of further meetings for 2009, as appropriate.

**4. Other matters**

(a) **Collaboration of the Joint Implementation Supervisory Committee with others**

36. **Background:** The CMP, through paragraph 5 of decision 10/CMP.1, encouraged the JISC to collaborate with (a) the Executive Board of the CDM, (b) the Compliance Committee under the Kyoto Protocol, in particular with regard to the list of Parties referred to in paragraph 27 of the JI guidelines, (c) the DFPs for Article 6 under the Kyoto Protocol and (d) observers to meetings of the JISC, referred to in paragraph 18 of the JI guidelines, through regular question-and-answer sessions held in this context.

37. The JISC, at its tenth meeting, decided to recognize the DOE/AIE coordination forum as a communication channel between the JISC and applicant IEs and AIEs, to invite written inputs from the forum to be submitted 14 days prior to each JISC meeting at the latest for discussion under an agenda item dedicated to interactions between the JISC and the forum on issues relevant to applicant IEs and AIEs at the corresponding JISC meeting, and to request the secretariat to facilitate the organization of meetings of the forum.

38. At its sixteenth meeting the JISC considered the issue of establishing a communication channel with project participants. At the same meeting the JISC agreed to launch a call for public inputs from project participants regarding the establishment of a communication channel with project participants with the JISC (e.g. provide regular inputs at JISC meetings). The secretariat launched a call for public inputs from 9 August to 4 September 2009.

39. Taking into account the interest that the Joint Implementation Action Group (JIAG) had already expressed to the JISC to act as a communication channel, the JISC agreed that, subject to a final decision of the JISC, that it would tentatively invite the JIAG to interact with the JISC at its seventeenth meeting.

40. **Action:** The JISC may wish to consider written inputs from the DOE/AIE coordination forum if any, invite the Chair of the forum to the meeting and interact with the Chair, as appropriate.

41. The JISC may wish to consider any inputs received through the call for public inputs and any inputs from the JIAG in this regard and decide how to proceed with the establishment of a communication channel with project participants.

42. The JISC may also wish to discuss means by which to collaborate with stakeholders, in particular with those mentioned in paragraph 36 above, on the basis of experience gained in this respect since its establishment.

**(b) Elements for the annual report of the Joint Implementation Supervisory Committee to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol**

43. **Background:** In accordance with paragraph 3 (a) of the JI guidelines, the JISC shall be responsible for reporting on its activities to each session of the CMP with a view to the CMP reviewing, inter alia, these annual reports and taking decisions, as appropriate, on any recommendations made by the JISC, in accordance with the JI guidelines.

44. At its sixteenth meeting the JISC took note of the timeline for the preparation of its annual report this year, with a view to forwarding it to the CMP for consideration at its fifth session. At its sixteenth meeting the JISC agreed to discuss at its seventeenth meeting possible elements for inclusion in its annual report and provide guidance to the secretariat in its preparation as necessary.

45. **Action:** The JISC may wish to take note of information on this matter provided by the secretariat, consider possible elements for inclusion in its annual report to the CMP and provide guidance to the secretariat as necessary.

**(c) Consideration of revisions to Joint Implementation Supervisory Committee documents relevant to determination and verification manual**

46. **Background:** The JISC, at its sixteenth meeting, taking into account the JISC's deliberations on DVM referred to in agenda item 3 (c) above, requested the secretariat to present an analysis to the JISC at the seventeenth meeting on necessary revisions to the existing documents adopted by the JISC, on which the draft DVM is based, to ensure the consistency between the DVM and these documents.

47. The information document prepared by the secretariat in accordance with paragraph 46 above is contained in annex 4.

48. **Action:** The JISC may wish to discuss on the course of actions regarding possible revisions of the existing documents adopted by the JISC taking into account the analysis prepared by the secretariat and the inputs received from the public call.

**(d) Revisions to the rules of procedure of the Joint Implementation Supervisory Committee**

49. **Background:** At its sixteenth meeting the JISC noted the need to consider possible revisions to its rules of procedure to clarify the application of the rules concerning the terms of alternate members to the JISC. The JISC agreed to consider the matter at its seventeenth meeting.

50. **Action:** The JISC may wish to consider the information to be presented by the secretariat on this matter and recommend a revision to the rules of procedure as appropriate.



(e) **Other business**

Provisional agenda

51. **Background:** According to paragraph 1 of rule 19 of the rules of procedure of the JISC, the JISC shall, at each meeting, agree upon the provisional agenda of its next meeting.

52. **Action:** The JISC may wish to discuss and agree on the provisional agenda of its eighteenth meeting.

Other items

53. As necessary, the JISC may wish to consider other issues.

***Informal interaction with registered observers***

54. **Background:** The CMP, through paragraph 5 (d) of decision 10/CMP.1, encouraged the JISC to collaborate with observers to its meetings through regular question-and-answer sessions held in this context. Since its establishment, the JISC met with observers for a webcasted question-and-answer session at each meeting.

55. **Action:** The JISC may wish to continue the practice of informal interaction with observers, referred to in paragraph 54 above, at the second day of its seventeenth meeting.

**5. Conclusion of the meeting**

56. **Action:** The Chair may wish to summarize the meeting and the decisions taken.

57. The JISC may wish to adopt the report of its seventeenth meeting.