



Annex 3

**DRAFT PROCEDURES FOR APPRAISALS OF DETERMINATIONS
UNDER THE VERIFICATION PROCEDURE UNDER THE
JOINT IMPLEMENTATION SUPERVISORY COMMITTEE**

Version 02



Joint Implementation Supervisory Committee

**PROCEDURES FOR APPRAISALS OF DETERMINATIONS
UNDER THE VERIFICATION PROCEDURE UNDER THE
JOINT IMPLEMENTATION SUPERVISORY COMMITTEE**

Version 0~~1~~²

<i>Revision history of the document</i>		
Document version	Adoption	Revision
Version 01	JISC 04 ¹	Initial adoption of the document developed to operationalize the provisions contained in paragraphs 35 and 39 of the annex to decision 9/CMP.1
Version 02	JISC 25	Revision to remove the provisions to have two JISC members/alternate members providing appraisals of determinations and verifications

¹ Fourth meeting of the Joint Implementation Supervisory Committee



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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 paragraph 3 (f) of the JI guidelines the JISC shall be responsible for the review procedures set out in paragraphs 35 and 39 of the JI guidelines.
4. The present document defines procedures for appraisals of determinations pursuant to paragraphs 33 (hereinafter referred to as determinations) and 37 (hereinafter referred to as verifications) of the JI guidelines to assist the individual JISC members in their decisions on whether to request a review.

B. Procedure for appraisals of determinations referred to in paragraph 33 of the JI guidelines

1. Background

5. According to paragraphs 33 and 34 of the JI guidelines the accredited independent entity (AIE) shall:
 - (a) Determine whether:
 - (i) The proposed JI project has been approved by the Parties involved;
 - (ii) The project would result in a reduction of anthropogenic emissions by sources or an enhancement of anthropogenic removals by sinks that is additional to any that would otherwise occur;
 - (iii) The project has an appropriate baseline and monitoring plan in accordance with the criteria set out in appendix B of the JI guidelines;
 - (iv) Project participants have submitted to the AIE documentation on the analysis of the environmental impacts of the project, including transboundary impacts, in accordance with procedures as determined by the host Party, and, if those impacts are considered significant by the project participants or the host Party, have undertaken an environmental impact assessment in accordance with procedures as required by the host Party;
 - (b) Make its determination 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.
6. According to paragraph 35 of the JI guidelines the determination regarding a project design document (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



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decision on the determination and the reasons for it to the project participants and the public. Its decision shall be final.

2. Appraisal procedure

7. As soon as the determination by an AIE has been made publicly available the secretariat informs the JISC members and alternate members via the JISC listserv on 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.²

~~8. As soon as the secretariat has informed the JISC members and alternate members of the public availability of the determination by an AIE, the secretariat shall select two JISC members (including alternate members) for the appraisal of the determination using an alphabetical order.~~

~~9. The two JISC members (including alternate members) assigned to undertake the task will be informed and shall have a maximum of 2 days to indicate whether they have a conflict of interest or not. If a conflict of interest situation exists another JISC member or alternate members shall be assigned using the alphabetical order referred to in paragraph 8 above.~~

Inputs from experts

~~10.8. As soon as the secretariat has informed the JISC members and alternate members of the public availability of the determination, the secretariat shall identify~~ **As soon as the secretariat has informed the JISC members and alternate members of the public availability of the determination, the secretariat shall identify** ~~In consultation with the Chair of the JISC, the secretariat shall identify, at the same time, two experts from the roster of experts established, inter alia, for this purpose to~~ **provide** ~~make inputs to the appraisals of the determination. In assigning the task the specific expertise of the experts has to be taken into account in relation to the specific project concerned.~~ **One of the experts shall be an expert in baseline setting and monitoring.**

~~11.9. The two experts assigned to undertake the task will be informed~~ **immediately** and shall **respond to the secretariat as soon as possible but** ~~have a maximum not later than of 2~~ **two calendar** days, ~~to indicate whether they are available to perform the task and whether they have a conflict of interest or not. If an expert is not available and/or a conflict of interest situation exists, another expert shall be~~ **selected** ~~assigned.~~

~~12.10. The experts assigned shall prepare appraisals~~ **inputs that shall indicate** whether the requirements of Article 6 of the Kyoto Protocol and the JI guidelines and further relevant requirements defined by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP/COP/MOP) or the JISC with regard to determinations are met and appropriately dealt with by the AIE and provide reasons in case these conditions are not fulfilled. The ~~appraisals~~ **inputs** shall also include suggestions on how the issues identified could be avoided, if appropriate.

~~13.11. The experts shall submit their appraisals~~ **inputs** to the secretariat **as soon as possible but no later than** ~~within~~ 15 calendar days **after the publication of the determination** through a dedicated interface on the UNFCCC JI website.

~~14.12. The secretariat will inform the JISC when~~ **forward the** **the appraisals of both experts are submitted and will provide** ~~inputs to the JISC, within 15 calendar~~ **one working days after the submission of the second appraisal, a summary of the appraisals** as an input for ~~its~~ **the JISC's** consideration of the determination.

² See "Procedures on public availability of documents under the verification procedure under the Joint Implementation Supervisory Committee".



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Appraisal by selected JISC members (including alternate members)

~~15. The JISC members (including alternate members) selected in accordance with paragraphs 8 and 9 above, taking into account the inputs received from experts in accordance with paragraph 14 above, shall prepare an appraisal that shall indicate whether the requirements of Article 6 of the Kyoto Protocol and the JI guidelines and further relevant requirements defined by the COP/MOP or the JISC with regard to determinations are met and appropriately dealt with by the AIE and provide reasons in case these conditions are not fulfilled. The appraisal shall also include suggestions on how the issues identified could be avoided, if appropriate.~~

~~16. The JISC members (including alternate members) selected in accordance with paragraphs 8 and 9 above, shall, subsequent to the forwarding of the experts' inputs in accordance with paragraph 14 above, submit their appraisal to the secretariat within 15 calendar days through the JISC listserv.~~

~~17. The secretariat will forward the appraisal, including the inputs from the experts, to the JISC within one working day as an input for its consideration of the determination.~~

~~18. The procedure described above does not preclude any other JISC member (including alternate member) from making her/his own appraisal of the determination.~~

C. Procedure for appraisals of determinations referred to in paragraph 37 of the JI guidelines

1. Background

~~19.~~**13.** According to paragraphs 37 and 38 of the JI guidelines the AIE shall:

- (a) Upon receipt of a monitoring report referred to under paragraph 36 of the JI guidelines, make a determination of the reductions in anthropogenic emissions by sources or enhancements of anthropogenic removals by sinks reported by project participants in accordance with appendix B of the JI guidelines, provided that they were monitored and calculated in accordance with paragraph 33 of the JI guidelines;
- (b) Make its determination under paragraph 37 of the JI guidelines publicly available through the secretariat, together with an explanation of its reasons.

~~20.~~**14.** 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.

2. Appraisal procedure

~~21.~~**15.** As soon as the verification by an AIE has been made publicly available the secretariat informs the JISC members and alternate members via the JISC listserv on the name of the project, the link to the



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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.³

22.16. As soon as the secretariat has informed the JISC members and alternate members of the public availability of the verification, the secretariat shall identify two experts from the roster of experts established for this purpose to provide appraisals of the verification. In assigning the task the specific expertise of the experts has to be taken into account in relation to the specific project concerned. The secretariat shall select two JISC members (including alternate members) for the appraisal of the verification using an alphabetical order. An expert JISC member or alternate member having already been involved in an appraisal of a determination for a specific project shall not be selected for the appraisal of a verification for the same project, whenever possible.

23.17. The two experts assigned to undertake the task will be informed immediately and shall respond to the secretariat as soon as possible but not later than two calendar days indicating whether they are available to perform the task and whether they have a conflict of interest or not. If an expert is not available and/or a conflict of interest situation exists another expert shall be selected. The two JISC members (including alternate members) assigned to undertake the task will be informed and shall have a maximum of 2 days to indicate whether they have a conflict of interest or not. If a conflict of interest situation exists another JISC member or alternate members shall be assigned using the alphabetical order referred to in paragraph 22 above.

24.18. The experts assigned The JISC members (including alternate members) selected in accordance with paragraphs 22 and 23 above shall prepare an appraisals that shall indicate whether the requirements of Article 6 of the Kyoto Protocol and the JI guidelines and further relevant requirements defined by the COP/MOP/CMP or the JISC with regard to verifications are met and appropriately dealt with by the AIE and provide reasons in case these conditions are not fulfilled. The appraisals shall also include suggestions on how the issues identified could be avoided, if appropriate.

19. The experts shall submit their appraisals to the secretariat as soon as possible but not later than six calendar days after the publication of the verification through a dedicated interface on the UNFCCC JI website.

~~25. The JISC members (including alternate members) selected in accordance with paragraphs 22 and 23 above shall submit their appraisal to the secretariat within 6 calendar days through the JISC listserv.~~

~~26. The secretariat will forward the appraisal to the JISC within one working day as an input for its consideration of the verification.~~

20. The secretariat will inform the JISC when appraisals of both experts are submitted and will provide the JISC within four calendar days after the submission of the second appraisal a summary of the appraisals as an input for the JISC's consideration of the verification.

³ See "Procedures on public availability of documents under the verification procedure under the Joint Implementation Supervisory Committee".