



Annex 3

**PROCEDURES FOR REVIEWS
UNDER THE VERIFICATION PROCEDURE UNDER THE
JOINT IMPLEMENTATION SUPERVISORY COMMITTEE**

Version 04

**Joint Implementation Supervisory Committee****PROCEDURES FOR REVIEWS
UNDER THE VERIFICATION PROCEDURE UNDER THE
JOINT IMPLEMENTATION SUPERVISORY COMMITTEE**Version ~~03~~04

<i>Revision history of the document</i>		
Document version	Adoption	Revision
Version 01	JISC 03 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 10	Revision to further facilitate the implementation of the steps for reviews referred to in paragraph 39 of the annex to decision 9/CMP.1
Version 03	JISC 19	Revision to remove the appendixes 1 and 2 (F - JI - DR and F - JI - VR forms) from the document due to the changes performed to the forms following the adoption of the procedures for programmes of activities under the verification procedure under the JISC (JI PoA procedures)
Version 04	JISC 25	Revision to incorporate electronic decision process in determinations, as requested in paragraph 13 (a) of decision 4/CMP.6.

¹ Third meeting of the Joint Implementation Supervisory Committee



Joint Implementation Supervisory Committee**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 reviews by elaborating on the provisions contained in paragraphs 35 and 39 of the JI guidelines.

B. Procedure for reviews referred to in paragraph 35 of the JI guidelines**1. Background**

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

2. Request for review

6. A request for review by a Party involved in the proposed project shall be sent by the relevant designated focal point to the JISC through the secretariat using official means of communication (such as recognized official letterhead and signature or an official dedicated email account).
7. A request for review by members of the JISC shall be made by notifying the JISC through the secretariat.
8. The secretariat shall acknowledge the receipt of a request for review and promptly forward the request to the JISC via the JISC listserv. A request for review forwarded to the JISC is strictly confidential.
9. A request for review shall:
 - (a) Include the completed JI determination review form (F-JI-DR);
 - (b) Provide reasons for the request for review and any supporting documentation.
10. On the date a request for review is received by the secretariat it is considered to be received by the JISC. A request for review will not be considered by the JISC if it is received after 17:00 GMT on the last day of the 45-day period from the date on which the determination was made public.
11. As soon as a Party involved in the project or three members of the JISC request a review, the following actions shall be taken:

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- (a) **If a meeting of the JISC is scheduled to take place within the next 30 days, the request for review shall be considered at that meeting provided that the JISC can be informed at the latest 14 days before the meeting, and that the project participants and the AIE have at least one week to submit comments to the JISC before the meeting in accordance with paragraph 11 (c) below;**~~The consideration of the review shall be included in the proposed agenda of the next meeting of the JISC taking into account rule 19 of the rules of procedure of the JISC;~~
- (b) **If the request for review cannot be considered in a meeting of the JISC due to the conditions set out in paragraph 11 (a) above, it shall be considered through the electronic decision-making process in accordance with rule 25 of the rules of procedure of the JISC. The electronic decision-making process shall start within three weeks after the date when a Party involved in the project or three members of the JISC requested a review;**
- ~~(b)~~(c) The JISC shall notify the project participants and the accredited independent entity (AIE) that performed the determination pursuant to paragraph 33 of the JI guidelines that a review has been requested. The project participants and the AIE shall be informed about the tentative dates and venues of the JISC meeting(s) at which the request for review shall be considered **or the start date of the electronic decision-making process, i.e. when the proposed decision regarding the request for review will be transmitted in the form of an electronic message through the listserv of the JISC.** The project participants and the AIE, when being notified of the request for review, shall be invited to submit comments to the JISC on issues raised as soon as possible but no later than one week before the next meeting **or the start date of the electronic decision-making process.** These inputs shall be made publicly available;
- ~~(e)~~(d) Stakeholders interested in the review process shall be given the opportunity to attend relevant JISC meetings. When requesting registration as observers, stakeholders shall briefly indicate how they are affected, or likely to be affected, by the proposed project;
- ~~(d)~~(e) Both the project participants and the AIE shall name a contact person for the review process, including for conference calls in case the JISC wishes to address questions to them during the consideration of the review at its meetings;
- ~~(e)~~(f) 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 request(s) for review shall be made publicly available on the UNFCCC JI website with the names of the requesting JISC members or Party(ies) remaining confidential.

3. Scope and modalities of review

~~12. If a Party involved in the project or three members of the JISC request a review, the JISC shall consider the review at its next meeting.~~

12. If a Party involved in the project or three members of the JISC request a review:

- (a) **In the case referred to in paragraph 11 (a) above, the JISC shall consider the request for review at its next meeting and decide on the course of action in accordance with paragraph 13 below. The secretariat shall prepare and present during the meeting a summary of the information included in the requests for review and in the initial comments submitted by the project participants and the AIE, as applicable. The summary shall also provide a recommendation to the JISC on the course of action;**

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- (b) **In the case referred to in paragraph 11 (b) above, the Chair of the JISC shall transmit electronically to each member a proposed decision on the course of action in accordance with paragraph 13 below. The secretariat shall prepare and submit to the JISC before the start date of the electronic decision-making process a summary of the information included in the requests for review and in the initial comments submitted by the project participants and the AIE, as applicable. The summary shall also provide a recommendation to the JISC on the course of action. If the proposed decision cannot be considered approved in accordance with rule 25 of the rules of procedure of the JISC, the Chair shall include the consideration of the proposed decision as an item on the proposed agenda for the next meeting of the JISC and inform the JISC, the project participants and the AIE accordingly.**
13. ~~At this meeting~~ **The JISC, at the same meeting it considers the request for review or through the electronic decision-making process as applicable, shall decide onto:**
- (a) ~~Whether~~ **Accept** the determination ~~is accepted~~ without conditions;
- (b) ~~Whether~~ **Accept** the determination ~~is accepted~~ subject to certain conditions, in which case:
- ~~i.~~ **(i)** The JISC may request the AIE and the project participants to make corrections based on its findings from the consideration of the request(s) for review;
- ~~ii.~~ **(ii)** The revised documentation shall be checked by the secretariat, in consultation with the Chair of the JISC, if needed, before the determination is finally accepted; **or**
- (c) ~~Whether~~ **Require** a more detailed review ~~is required~~, in which case:
- ~~i.~~ **(i)** The JISC shall decide on the scope of the review based on the considerations in the request(s) for review;
- ~~ii.~~ **(ii)** The JISC shall determine the composition of a review team. The review team shall consist of two JISC members, including alternate members, who will be responsible for supervising the review, and outside experts, as appropriate.² One JISC member/alternate member of the review team shall be identified as lead member of the team and will be responsible for, inter alia, drafting the final recommendation of the team to the JISC, ensuring that any diverging views within the team are reflected. The review team, under the guidance of the JISC members, including alternate members, responsible for supervising the review, shall provide inputs, prepare requests for clarification and/or further information to the AIE and/or project participants, and analyse information received during the review.

4. Review process

14. If the JISC decides ~~that~~ **to require** a more detailed review ~~is required~~, the decision by the JISC on the scope of the review and the composition of the review team shall be made publicly available as part of the report of its meeting **or on the UNFCCC JI website, if it was based on an electronic decision.**

15. The project participants and the AIE that performed the determination pursuant to paragraph 33 of the JI guidelines shall be notified of the decision by the JISC through their contact persons for the review process.

² When establishing review teams, the JISC may draw on a roster of experts set up, inter alia, for this purpose.

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16. Requests for clarification and/or further information, as appropriate, shall be prepared and submitted to the project participants and/or the AIE through their contact persons for the review process by the review team ~~selected by the JISC~~ within one week after the JISC has decided on the composition of the review team and communicated to the team the scope of the review.

17. Answers shall be submitted by the contact persons for the review process to the review team through the secretariat within two weeks after the request for clarification and/or further information was made by the review team. The secretariat shall acknowledge the receipt of the answers and forward them to the review team.

18. **If time allows,** ~~T~~the lead member of the review team may decide to have further interactions with regard to clarifications/further information if considered necessary.

19. All interactions between the review team and the project participants and/or the AIE during the review process shall be clearly traceable and, therefore, in writing. The secretariat shall be copied on all correspondence (ji-infosystem@unfccc.int).

~~19.20.~~ The two JISC members, including alternate members, supervising the review shall be responsible for compiling inputs and comments and preparing the final recommendation to the JISC. The recommendation shall be forwarded by the lead member of the review team to the JISC at least two weeks before the next JISC meeting via the JISC listserv.

5. Review decision

~~20.21.~~ In accordance with paragraph 35 of the JI guidelines, the review by the JISC shall be finalized as soon as possible, but no later than six months or at the second meeting following the request for review.

~~21.22.~~ Taking into consideration recommendations by the two JISC members, including alternate members, responsible for the review, the JISC shall decide **at a meeting onto**:

- (a) ~~Whether~~**Accept** the determination ~~is accepted~~ without conditions;
- (b) ~~Whether~~**Accept** the determination ~~is accepted~~ subject to certain conditions, in which case:
 - ~~i.~~**(i)** The JISC may request the AIE and the project participants to make corrections based on findings of the review team;
 - ~~ii.~~**(ii)** The revised documentation shall be submitted to the secretariat within 12 weeks in two versions, a version tracking the changes and a clean version;
 - ~~iii.~~**(iii)** The secretariat shall make the revised documentation available to the JISC and the public;
 - ~~iv.~~**(iv)** The revised documentation shall be checked by the Chair and the Vice-Chair of the JISC, assisted by the secretariat;
 - ~~v.~~**(v)** If the Chair and the Vice-Chair consider the corrections satisfactory, the determination is accepted, otherwise the Chair may, bearing in mind the proximity of the documentation deadline of the next JISC meeting, submit the revised documentation for the consideration of the JISC at its next meeting or for electronic decision-making by the JISC. If the JISC considers the corrections satisfactory, the determination is accepted, otherwise it is rejected;
or
- (c) ~~Whether~~**Reject** the determination ~~is rejected~~.



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22.23. The JISC decision on the review shall be final.

23.24. The JISC shall communicate its decision on the determination and the reasons for it to the project participants, the AIE that performed the determination pursuant to paragraph 33 of the JI guidelines and the public.

24.25. If the review indicates any issues relating to the performance of the AIE, the JISC shall consider whether to trigger a spot-check of the AIE, in accordance with the procedures for accrediting independent entities.

6. Costs

25.26. If the JISC decides to reject the determination and if the AIE is found to be in a situation of malfeasance or incompetence, the AIE shall reimburse the costs of the review. This provision is subject to review as experience accrues.

C. Procedure for reviews referred to in paragraph 39 of the JI guidelines

1. Background

26.27. 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 (**hereinafter referred to as verification**) 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. Request for review

27.28. A request for review by a Party involved in the project shall be sent by the relevant designated focal point to the JISC through the secretariat using official means of communication (such as recognized official letterhead and signature or an official dedicated email account).

28.29. A request for review by members of the JISC shall be made by notifying the JISC through the secretariat.

29.30. The secretariat shall acknowledge the receipt of a request for review and promptly forward the request to the JISC via the JISC listserv. A request for review forwarded to the JISC is strictly confidential.

30.31. A request for review shall:

- (a) Include the completed JI verification review form (F-JI-VR);
- (b) Provide reasons for the request for review and any supporting documentation.

31.32. On the date a request for review is received by the secretariat it is considered to be received by the JISC. A request for review will not be considered by the JISC if it is received after 17:00 GMT on the last day of the 15-day period from the date on which the ~~determination~~ **verification** is made public.

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32.33. As soon as a Party involved in the project or three members of the JISC request a review, the following actions shall be taken:

- (a) If a meeting of the JISC is scheduled ~~during a 30-day period~~ **to take place within the next 30 days**, the request for review shall be considered at that meeting provided that the JISC can be informed at the latest 14 days before the meeting **and that the project participants and the AIE have at least one week to submit comments to the JISC before the meeting in accordance with paragraph 33 (c) below**;
- (b) If the request for review cannot be ~~treated~~ **considered** in a meeting of the JISC ~~within a 30-day period, it shall be considered in accordance with paragraph 33 (b) below~~ **due to the conditions set out in paragraph 33 (a) above, it shall be considered through the electronic decision-making process in accordance with rule 25 of the rules of procedure of the JISC. The electronic decision-making process shall start within two weeks after the date when a Party involved in the project or three members of the JISC requested a review**;
- (c) The JISC shall notify the project participants and the AIE that performed the ~~determination pursuant to paragraph 37 of the JI guidelines~~ **verification** that a review has been requested. The project participants and the AIE shall be informed about the tentative dates and venues of the JISC meeting(s) at which the request for review shall be considered **or the start date of the electronic decision-making process, i.e. when the proposed decision regarding the request for review will be transmitted in the form of an electronic message through the listserv of the JISC**. The project participants and the AIE, when being notified of the request for review, shall be invited to submit comments to the JISC on issues raised ~~within 5 days~~ **as soon as possible but no later than one week before the next meeting or the start date of the electronic decision-making process**. These inputs shall be made publicly available;
- (d) Stakeholders interested in the review process shall be given the opportunity to attend relevant JISC meetings. When requesting registration as observers, stakeholders shall briefly indicate how they are affected, or likely to be affected, by the project;
- (e) Both the project participants and the AIE shall name a contact person for the review process, including for conference calls in case the JISC wishes to address questions to them during the consideration of the review;
- (f) The project shall be marked **“review requested under review”** on the UNFCCC JI website and a notification shall be sent through the UNFCCC JI news facility. The request(s) for review shall be made publicly available on the UNFCCC JI website with the names of the requesting JISC members or Party(ies) remaining confidential.

3. Scope and modalities of review

33.34. If a Party involved in the project or three members of the JISC request a review:

- (a) **In the case referred to in paragraph 33 (a) above, the JISC shall, taking into account paragraph 32 (a) above, consider the request for review at its next meeting and decide whether the request for review has merit on the course of action in accordance with paragraph 35 below. The secretariat shall prepare and present during the meeting a summary of the information included in the requests for review and in the initial comments submitted by the project participants and the AIE, as applicable. The summary shall also provide a recommendation to the JISC on the course of action**;



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- (b) **In the case referred to in paragraph 33 (b) above, the Chair of the JISC shall, if the request for review cannot be considered at a meeting of the JISC within 30 days, after the period for initial comments by project participants and the AIE referred to in paragraph 32 (c) above has elapsed, propose, in accordance with rule 25 of the rules of procedure of the JISC, the electronic decision to accept the determination without conditions in accordance with paragraph 34 (a) below transmit electronically to each member a proposed decision on the course of action in accordance with paragraph 35 below. The secretariat shall prepare and submit to the JISC before the start date of the electronic decision-making process a summary of the information included in the requests for review and in the initial comments submitted by the project participants and the AIE, as applicable. The summary shall also provide a recommendation to the JISC on the course of action. If the proposed decision cannot be considered approved in accordance with rule 25 of the rules of procedure of the JISC, the Chair shall include the consideration of the proposed decision as an item on the proposed agenda for the next meeting of the JISC and inform the JISC, the project participants and the AIE accordingly.**

35. If the JISC decides that the request for review does not have merit, it may The JISC, at the same meeting it considers the request for review or through the electronic decision-making process as applicable, shall decide to:

- (a) Accept the **determination verification** without conditions;
- (b) Accept the **determination verification** subject to certain conditions, in which case:
- i.(i)** The JISC may request the AIE and the project participants to make corrections based on its findings from the consideration of the request(s) for review;
 - ii.(ii)** The revised documentation shall be checked by the secretariat, in consultation with the Chair of the JISC, if needed, before the **determination verification** is finally accepted; **or**
- (c) **Require a more detailed review, in which case:**
- (i)** **The JISC shall decide on the scope of the review based on the considerations in the request(s) for review;**
 - (ii)** **The JISC shall determine the composition of a review team. The review team shall consist of two JISC members, including alternate members, who will be responsible for supervising the review, and outside experts, as appropriate.³ One JISC member/alternate member of the review team shall be identified as lead member of the team and will be responsible for, inter alia, drafting the final recommendation of the team to the JISC, ensuring that any diverging views within the team are reflected. The review team, under the guidance of the JISC members, including alternate members, responsible for supervising the review, shall provide inputs, prepare requests for clarification and/or further information to the AIE and/or project participants, and analyse information received during the review.**

~~34. If the JISC decides that the request for review has merit, it shall also decide on details of the review, including:~~

- ~~(a) The scope of the review based on the considerations in the request(s) for review;~~

³ When establishing review teams, the JISC may draw on a roster of experts set up, inter alia, for this purpose.



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~~(b) The composition of a review team. The review team shall consist of two JISC members, including alternate members, who will be responsible for supervising the review, and outside experts, as appropriate.⁴ One JISC member/alternate member of the review team shall be identified as lead member of the team and will be responsible for, inter alia, drafting the final recommendation of the team to the JISC, ensuring that any diverging views within the team are reflected. The review team, under the guidance of the JISC members, including alternate members, responsible for supervising the review, shall provide inputs, prepare requests for clarification and/or further information to the AIE and/or project participants, and analyse information received during the review.~~

~~35. 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.~~

4. Review process

~~36. The decision by the JISC that a request for review has merit (including the scope of the review and the composition of the review team) shall be made publicly available.~~

36. If the JISC decides to require a more detailed review, the decision by the JISC on the scope of the review and the composition of the review team shall be made publicly available as part of the report of its meeting, or on the UNFCCC JI website if it was based on an electronic decision.

~~38.37.~~ The project participants and the AIE that performed the ~~determination pursuant to paragraph 37 of the JI guidelines~~ **verification** shall be notified of the decision by the JISC through their contact persons for the review process.

~~39.38.~~ Requests for clarification and/or further information, as appropriate, shall be prepared and submitted to the project participants and/or the AIE through their contact persons for the review process by the review team selected by the JISC within **five** days after the JISC has decided on the composition of the review team and communicated to the team the scope of the review.

~~40.39.~~ Answers shall be submitted by the contact persons for the review process to the review team through the secretariat within five days after the request for clarification and/or further information was made by the review team. The secretariat shall acknowledge the receipt of the answers and forward them to the review team.

~~41.40.~~ If time allows, the lead member of the review team may decide to have further interactions with regard to clarifications/further information if considered necessary.

~~42.41.~~ All interactions between the review team and the project participants and/or the AIE during the review process shall be clearly traceable and, therefore, in writing. The secretariat shall be copied on all correspondence (ji-infosystem@unfccc.int).

~~43.42.~~ The two JISC members, including alternate members, supervising the review shall be responsible for compiling inputs and comments and preparing the final recommendation to be forwarded to the JISC via the JISC listserv within two weeks after the decision by the JISC to perform the review.

5. Review decision

~~44.43.~~ In accordance with paragraph 39 of the JI guidelines, the JISC shall complete its review within 30 days following its decision to perform the review.

~~45.44.~~ If a meeting of the JISC is scheduled **to take place** within 30 days following its decision to perform the review, a decision shall be made at that meeting, provided that the final recommendation

⁴ ~~When establishing review teams, the JISC may draw on a roster of experts set up, inter alia, for this purpose.~~

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referred to in paragraph 42 above can be made available to the JISC at the latest 14 days before the meeting.

46.45. If no decision can be made in accordance with paragraph 44 above, the Chair of the JISC shall, after the deadline for forwarding the final recommendation by the review team to the JISC has expired, propose, in accordance with rule 25 of the rules of procedure of the JISC, the electronic decision to accept the **determinationverification** without conditions in accordance with paragraph 46 (a) below. If the proposed decision cannot be considered approved, the Chair shall include the consideration of the proposed decision as an item on the proposed agenda for the next meeting of the JISC and inform the JISC accordingly.

47.46. Taking into consideration recommendations by the two JISC members, including alternate members, responsible for the review, the JISC ~~may~~**shall** decide to:

- ~~⊖~~(a) Accept the **determinationverification** without conditions;
- ~~⊖~~(b) Accept the **determinationverification** subject to certain conditions, in which case:
 - ~~i.~~(i) The JISC may request the AIE and the project participants to make corrections based on findings of the review team;
 - ~~ii.~~(ii) The revised documentation shall be submitted to the secretariat within 12 weeks in two versions, a version tracking the changes and a clean version;
 - ~~iii.~~(iii) The secretariat shall make the revised documentation available to the JISC and the public;
 - ~~iv.~~(iv) The revised documentation shall be checked by the Chair and the Vice-Chair of the JISC, assisted by the secretariat;
 - ~~v.~~(v) If the Chair and the Vice-Chair consider the corrections satisfactory, the **determinationverification** is accepted, otherwise the Chair may, bearing in mind the proximity of the documentation deadline of the next JISC meeting, submit the revised documentation for the consideration of the JISC at its next meeting or for electronic decision-making by the JISC. If the JISC considers the corrections satisfactory, the **determinationverification** is accepted, otherwise it is rejected; **or**
- ~~⊖~~(c) Reject the **determinationverification**.

48.47. The JISC shall inform the project participants and the AIE of the outcome of the review, and make public its decision and the reasons for it.

49.48. If the review indicates any issues relating to the performance of the AIE, the JISC shall consider whether to trigger a spot-check of the AIE, in accordance with the procedures for accrediting independent entities.

6. Costs

50.49. If the JISC decides to reject the **determinationverification** and if the AIE is found to be in a situation of malfeasance or incompetence, the AIE shall reimburse the costs of the review. This provision is subject to review as experience accrues.
