

Guidance on the implementation of Article 6 of the Kyoto Protocol

Proposal by the President

Draft decision -/CMP.8

Guidance on the implementation of Article 6 of the Kyoto Protocol

The Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol,

Mindful of the objective of the Convention as set out in Article 2,

Recalling the provisions of Articles 3 and 6 of the Kyoto Protocol,

Cognizant of decisions 2/CMP.1, 9/CMP.1, 10/CMP.1, 13/CMP.1, 2/CMP.2, 3/CMP.2, 3/CMP.3, 5/CMP.4, 3/CMP.5, 4/CMP.6 and 11/CMP.7,

Also recalling decision 1/CMP.6, paragraph 6(b),

Expressing its deep appreciation to the Parties that have contributed to funding the work on joint implementation,

Stressing the importance of constituencies nominating members and alternate members to the Joint Implementation Supervisory Committee who have the required qualifications, sufficient time and the commitment to serve on the Committee and perform their functions, in order to ensure that the Committee has the necessary expertise in, inter alia, financial, environmental and joint implementation regulatory matters and executive decision-making and works in an effective manner,

Noting with appreciation the information presented on the UNFCCC joint implementation website¹ regarding decisions of the Joint Implementation Supervisory Committee and the status of the work undertaken by the Committee,

I. General

1. *Takes note with appreciation* of the annual report of the Joint Implementation Supervisory Committee;²

2. *Notes with appreciation* that 327 project design documents, one programme of activities design document, 51 determinations regarding project design documents, 105 monitoring reports and 96 verifications of reductions in anthropogenic emissions by sources or enhancements of anthropogenic removals by sinks have been made publicly available in accordance with paragraphs 32, 34, 36 and 38 of the guidelines for the

¹ <<http://ji.unfccc.int/index.html>>.

² FCCC/KP/CMP/2012/4.

implementation of Article 6 of the Kyoto Protocol (joint implementation guidelines),³ that there are currently 11 accredited independent entities, and that to date over 400 million emission reduction units have been issued;

3. *Stresses* the need to ensure the continued success of joint implementation after the first commitment period of the Kyoto Protocol in contributing to the achievement of the objective of the Convention;

4. *Recalls* decisions 9/CMP.1, paragraph 8, 4/CMP.6, paragraph 15, and 11/CMP.7, paragraphs 14–17, regarding review and revision of the joint implementation guidelines;

5. *Acknowledges with appreciation* that, in response to the request contained in decision 11/CMP.7, the Joint Implementation Supervisory Committee has proposed transitional measures as well as revised key attributes for joint implementation in the form of draft modalities and procedures for joint implementation;⁴

6. *Takes note with appreciation* of the submissions from Parties, intergovernmental organizations and admitted observer organizations on their views on the revision of the joint implementation guidelines,⁵ as well as the synthesis report prepared by the secretariat compiling those submissions;⁶

7. *Notes* the intent of the Joint Implementation Supervisory Committee, as described in its annual report, to continue to operate and provide guidance on the verification procedure established under section E of the joint implementation guidelines during the period before any amendments to Annex B to the Kyoto Protocol for the second commitment period enter into force, taking into account decision 4/CMP.6, paragraph 10;

8. *Requests* the secretariat to make data regarding the Party-specific amount of issuance of emission reduction units publicly available on its website in a user-friendly format and to update this information regularly;

9. *Reiterates* that Parties hosting Article 6 projects shall make publicly available, directly or through the secretariat, information on all such hosted projects, in accordance with decision 9/CMP.1, annex, paragraph 28, and decision 13/CMP.1, annex, paragraph 46, which shall include downloadable electronic versions in English of the project design document, including information on baseline setting, as well as determination, monitoring and verification, and data on the issuance of emission reduction units;

10. *Requests* designated focal points to make available on the UNFCCC website references to the web interface on which the documentation referred to in paragraph 9 above is published;

II. Governance

11. *Invites* the Joint Implementation Supervisory Committee:

(a) To continue to keep the joint implementation management plan under review and to make adjustments to it as necessary to ensure the efficient, cost-effective and transparent functioning of joint implementation;

(b) To continue its interaction with independent entities and project participants and its informal interactions with designated focal points;

³ Decision 9/CMP.1, annex.

⁴ FCCC/KP/CMP/2012/4, paragraph 25(c), and FCCC/KP/CMP/2012/5.

⁵ FCCC/KP/CMP/2012/MISC.1.

⁶ FCCC/KP/CMP/2012/INF.1.

12. *Invites* Parties and admitted observer organizations to submit to the secretariat, by 18 February 2013, further views on how the joint implementation guidelines and other decisions of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol pertaining to joint implementation should be revised;

13. *Requests* the secretariat to compile a report on possible changes to the joint implementation guidelines, drawing on the recommendations referred to in paragraphs 5 and 6 above, the submissions of views from Parties and admitted observer organizations mentioned in paragraph 12 above, the recommendations of the Joint Implementation Supervisory Committee contained its annual report to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol at its eighth session, and the experience gained by the Joint Implementation Supervisory Committee and by stakeholders in the implementation of joint implementation, for consideration by the Subsidiary Body for Implementation at its thirty-eighth session;

14. *Requests* the Subsidiary Body for Implementation, at its thirty-eighth session, taking into account the submissions and the compilation report referred to in paragraphs 12 and 13 above, to prepare recommendations, including draft revised joint implementation guidelines, for consideration by the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol at its ninth session;

15. *Agrees*, with regard to the review of the joint implementation guidelines, on the following set of key attributes that shall characterize the future operation of joint implementation:

- (a) A single unified track for joint implementation projects;
- (b) Closely aligned or unified accreditation procedures between joint implementation and the clean development mechanism that take into account differences in the respective modalities and procedures of the two mechanisms;
- (c) Clear and transparent information regarding all relevant public information required for joint implementation projects by stakeholders, accredited independent entities and host Parties in English on the UNFCCC website in accordance with decision 13/CMP.1;
- (d) An appeals process under the authority of and accountable to the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol against decisions of the Joint Implementation Supervisory Committee;
- (e) Clear, transparent and objective requirements to ensure that projects are additional to what would otherwise occur;
- (f) Mandatory requirements for host Parties with respect to the approval of baselines, monitoring and reporting, including clear, transparent and objective requirements for the setting of standardized baselines by host Parties;

16. *Requests* the Subsidiary Body for Implementation, in preparing the revised joint implementation guidelines referred to in paragraph 14 above, to address:

- (a) The level of oversight needed to assure a common approach among host Parties;
- (b) The additionality of joint implementation projects, recognizing such concepts as positive lists of project types that would automatically be deemed additional and prior consideration of joint implementation projects, taking into account, as appropriate, the application of standardized baselines;
- (c) The issuance of emission reduction units, taking into account the information referred to in paragraph 13 above, including changes to decision 13/CMP.1, as necessary;

(d) The consistency of the accounting of Article 6 projects aimed at enhancing anthropogenic removals by sinks with decision 9/CMP.1, paragraph 4, and Article 3, paragraph 4, of the Kyoto Protocol;

III. Resources for the work on joint implementation

17. *Endorses* the revision of the fee structure as finalized by the Joint Implementation Supervisory Committee in response to the request contained in decision 11/CMP.7;

18. *Takes note* of the improved financial situation for joint implementation, in particular due to the introduction of fees for projects implemented in accordance with paragraph 23 of the joint implementation guidelines (Track 1 procedure).
