



Annex 1

GENERAL GUIDELINES FOR PANELS/WORKING GROUPS

(Version 03)

I. INTRODUCTION

1. According to paragraph 18 of the modalities and procedures for a clean development mechanism contained in the annex to decision 17/CP.7 (hereafter referred as the “modalities and procedures”) “the Executive Board may establish committees, panels and working groups to assist it in the performance of its functions. The Executive Board shall draw on the expertise necessary to perform its functions, including from the UNFCCC roster of experts. In this context, it shall take fully into account the consideration of regional balance.”
2. These general guidelines for panels/working groups are to be considered as a background document that contains minimum requirements and procedures to be followed when establishing a panel or working group.
3. The Board has revised these guidelines at its twentieth meeting in order to incorporate provisions regarding the role of Chairs and Vice Chairs for panels and working groups and their appointment¹.

II. GENERAL GUIDELINES

4. In accordance with paragraph 4 of rule 32 of the rules of procedure of the Executive Board, the Executive Board shall determine the terms of reference of any panel/working group it establishes. Terms of reference shall contain a description of areas of work, modalities of work, membership, including competence requirements, size and composition and compensation, and timetable.

A. Officers

5. In accordance with paragraph 3 of rule 32 of the rules of procedure of the Executive Board, the Executive Board shall appoint the Chair and Vice-Chair of a panel/working group or working group, with one being a member/alternate member from a Party included in Annex I and the other being from a Party not included in Annex I. The Executive Board may designate additional members and alternate members to participate in a panel/working group.
6. At the first Executive Board meeting of each calendar year, the Board shall appoint a Chair and a Vice-Chair from among its members and alternates.
7. In accordance with rule 32 of the rules of procedure of the Executive Board only members shall act as Chair and Vice-Chairs of panels. **If no member of the Board is in a position to act as Chair or Vice-chair, the Board may appoint alternate member(s) to act in accordance with rule 5, paragraph 2 of the rules of procedure of the Executive Board.**
8. Members and/or alternate members may act as Chair and/or Vice-Chair of working groups.

¹ Section “II.A. Officers” was inserted.



9. The Chair and Vice-Chair shall serve in their respective capacities at any meeting of the panel/working group.
10. If the appointed Chair is not able to serve in that capacity for a meeting, the Vice-Chair shall serve as Chair.
11. If the Chair or Vice-Chair ceases to be able to carry out his or her functions, or ceases to be a member, a new Chair or Vice-Chair shall be appointed for the remainder of the term.
12. The Chair shall preside over the meetings of the panel/working group as provided for under this rule and the terms of reference of the panel/working group.
13. In addition to exercising the functions conferred upon the Chair elsewhere by these rules, the Chair shall declare the opening and closing of meetings, preside at meetings, ensure the observance of these rules, accord the right to speak, put questions to the vote and announce decisions. The Chair shall rule on points of order and, subject to these rules, shall have complete control of the proceedings and over the maintenance of order at the meeting.
14. The Chair and/or Vice-Chair shall represent the panel/working group as necessary, including at sessions of the Executive Board.

B. Membership

1. Competence requirements for panel/working group members

15. A panel/working group member shall act in his/her personal capacity.
16. In accordance with paragraph 4 of rule 32 of the rules of procedure of the Executive Board, panel members shall have demonstrated and recognized expertise relevant to the field of work, in particular regarding tasks described in the terms of reference. The panel/working group member shall have documented his/her competence through a self-declaration, recommendations and any other documentation specified in the terms of reference.
17. In addition, a panel/working group member shall:
 - (a) Be familiar with the modalities and procedures and relevant decisions of the COP or CMP;
 - (b) Have recognized experience and/or knowledge relevant to the CDM project activity cycle;
 - (c) Have minimum length of years of relevant experience as defined in the terms of reference of a panel/working group;
 - (d) Fluency in English. Working knowledge of other UN languages desirable;
 - (e) Be free from any interest that might cause the panel/working group to act in other than an impartial and non-discriminatory manner.
18. The Executive Board shall require a member of a panel/working group to commit in writing to comply with the modalities and procedures for a CDM, the rules of procedure of the Executive Board and any decisions taken by Executive Board, in particular with regard to confidentiality and to independence from commercial and other interests.



2. Size and composition

19. In accordance with paragraph 4 of rule 32 of the rules of procedure of the Executive Board, a panel/working group shall be composed of an appropriate number of panel/working group members as determined by the Board. In determining the number of members of a panel/working group, the Board shall fully take into account the consideration of regional balance.
20. A panel/working group member shall meet the competence requirements specified above, in addition to requirements identified in the terms of reference of the panel/working group.
21. The Executive Board shall invite experts wishing to serve on a panel/working group to forward their application. Such an invitation shall be issued by the secretariat upon the adoption by the Board of the terms of reference and competence requirements for a panel/working group. It shall be announced on the UNFCCC CDM website (unfccc.int/cdm) and through any other cost-effective means. The application shall be made using the United Nations application form (P-11).
22. The secretariat shall screen and short list candidates against the competence requirements specified in the terms of reference and submit the list of applicants and the short list to the Executive Board for its consideration.
23. The Executive Board shall select and designate the members of a panel/working group.
24. ~~A panel/working group member may serve for a maximum of two terms and shall not participate in more than one panel/working group at the same time.~~ The length of a term shall be defined in the terms of reference of a panel/working group.

C. Records

25. The secretariat shall maintain a record on each member of a panel/working group including:
- (a) Name and address;
 - (b) Affiliation and position held (specifying the employer);
 - (c) Educational qualification and professional status;
 - (d) Experience and training in each field of competence relevant to the scope of the assignment(s);
 - (e) Copies of at least three recommendations from referees which shall be kept in a confidential file²;
 - (f) Date of most recent updating of the record;
 - (g) Declaration specified in paragraph 8 above.

D. Reporting procedures

26. A panel/working group shall report to the Executive Board in accordance with its terms of reference.



27. The chair of a panel/working group shall ascertain consensus regarding a proposed recommendation by a panel/working group to the Executive Board. If all efforts at reaching a consensus are exhausted, the report shall reflect options on the relevant issues and/or document objections.

28. Recommendations by a panel/working group to the Executive Board shall be made publicly available, unless otherwise decided by the Board. Such recommendations should be subject to confidentiality provisions in accordance with paragraph 2 of rule 24 of the rules of procedure of the Executive Board.

29. A recommendation by a panel/working group to the Executive Board shall be circulated to the Executive Board members and alternate members at least two weeks before the Executive Board meeting which is to consider the recommendation.
