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Agenda item 14

**Rules, modalities and procedures for the mechanism  
established by Article 6, paragraph 4, of the Paris Agreement**

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established by Article 6, paragraph 4, of the Paris Agreement**

**Proposal by the President**

**Draft decision -/CMA.4**

**Guidance on the mechanism established by Article 6,  
paragraph 4, of the Paris Agreement**

*The Conference of the Parties serving as the meeting of the Parties to the Paris Agreement,*

*Recalling* the mechanism established by Article 6, paragraph 4, of the Paris Agreement and the aims referred to therein,

*Also recalling* Article 6, paragraph 1, of the Paris Agreement,

*Further recalling* the eleventh preambular paragraph of the Paris Agreement, acknowledging that climate change is a common concern of humankind, Parties should, when taking action to address climate change, respect, promote and consider their respective obligations on human rights, the right to health, the rights of indigenous peoples, local communities, migrants, children, persons with disabilities and people in vulnerable situations and the right to development, as well as gender equality, empowerment of women and intergenerational equity,

*Recalling decision 3/CMA.3* and its annex, containing the rules, modalities and procedures for the mechanism established by Article 6, paragraph 4, of the Paris Agreement,

*Also recalling* that, pursuant to decision 2/CMA.3, annex, paragraph 1(g), Article 6, paragraph 4, emission reductions, when they are authorized for use towards achievement of nationally determined contributions and/or authorized for use for other international mitigation purposes, are internationally transferred mitigation outcomes and relevant guidance under Article 6, paragraph 2, of the Paris Agreement applies,

1. *Decides* to elaborate the processes referred to in decision 3/CMA.3, paragraph 7(b–g), on the basis of the rules, modalities and procedures for the mechanism established by Article 6, paragraph 4, of the Paris Agreement, contained in annex I;

2. *Welcomes* the designation of national authorities for the mechanism by 28 Parties as at 18 November 2022;
3. *Reminds* Parties wishing to participate in the mechanism to designate a national authority for the mechanism and communicate that designation to the secretariat;
4. *Notes* that the Supervisory Body for the mechanism held its 1<sup>st</sup> meeting in July 2022 after the final nominations to the Supervisory Body had been received in June 2022 and held three meetings in total in 2022;
5. *Welcomes* the annual report for 2022 of the Supervisory Body to the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement and its addendum;<sup>1</sup>
6. *Commends* the work undertaken by the Supervisory Body since its inception to address the mandates given by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its third session;<sup>2</sup>
7. *Adopts* the rules of procedure of the Supervisory Body, contained in annex II;
8. *Requests* the Subsidiary Body for Scientific and Technological Advice to continue its consideration of, and to develop, on the basis of the rules, modalities and procedures for the mechanism contained in the annex to decision 3/CMA.3, recommendations, for consideration and adoption by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its sixth session (November 2024), on further responsibilities of the Supervisory Body and of Parties that host Article 6, paragraph 4, activities in order for such host Parties to elaborate on and apply national arrangements for the mechanism under the approval and supervision of the Supervisory Body;
9. *Also requests* the Subsidiary Body for Scientific and Technological Advice to continue its consideration of, and to develop, on the basis of the rules, modalities and procedures for the mechanism and elaboration thereon, recommendations for consideration and adoption by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its fifth session (November–December 2023) on:
  - (a) Consideration of whether Article 6, paragraph 4, activities could include emission avoidance and conservation enhancement activities;
  - (b) Connection of the mechanism registry to the international registry as per paragraph 63 of the rules, modalities and procedures for the mechanism, as well as to other registries referred to in decision 2/CMA.3, annex, paragraph 29, if applicable, including the nature and extent of interoperable features;
  - (c) Provision of a statement by the host Party to the Supervisory Body specifying whether it authorizes Article 6, paragraph 4, emission reductions issued for an Article 6, paragraph 4, activity for use towards achievement of nationally determined contributions and/or for other international mitigation purposes, as defined in decision 2/CMA.3, in accordance with paragraph 42 of the rules, modalities and procedures, including its timing, relevant information on the authorization and any revisions;
10. *Invites* Parties and admitted observer organizations to submit, via the submission portal,<sup>3</sup> by 15 March 2023, their views on the matters referred to in paragraph 9 above, and *requests* the secretariat to prepare a synthesis report on the submissions for consideration by the Subsidiary Body for Scientific and Technological Advice at its fifty-eighth session (June 2023);
11. *Also requests* the secretariat to organize a technical expert dialogue, to be held between the fifty-eighth and fifty-ninth (November–December 2023) sessions of the Subsidiary Body for Scientific and Technological Advice, to consider the matters referred to in paragraph 9 above, taking into account the submissions and the synthesis report referred to in paragraph 10 above, ensuring broad participation of Parties;

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<sup>1</sup> FCCC/PA/CMA/2022/6 and Add.1.

<sup>2</sup> Decision 3/CMA.3, para. 6.

<sup>3</sup> <https://www4.unfccc.int/sites/submissionsstaging/Pages/Home.aspx>.

12. *Further requests* the secretariat to expedite the implementation of the capacity-building programme referred to in decision 3/CMA.3, paragraph 14, within a time frame in which elements are prioritized that are more urgent and relevant to enabling Parties to participate in the mechanism, taking into account the work it has already initiated under the capacity-building programme, and to report regularly on the status of its implementation to the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement;
13. *Notes* that the levels of share of proceeds for administrative expenses contained in annex I, chapter V, are to be reviewed periodically<sup>4</sup> for the sound operation of the Supervisory Body and for enabling a periodic contribution of funds to the Adaptation Fund;
14. *Also notes* that the Supervisory Body will determine a specific level for each fee type, within the maximum level therein, when developing procedures for processing requests in the activity cycle under the mechanism, with the intention to set the fee levels low where appropriate;
15. *Further notes* that, for the monetary contributions from individual Article 6, paragraph 4, activities to the Adaptation Fund in accordance with the rules, modalities and procedures for the mechanism,<sup>5</sup> the Supervisory Body agreed to deduct 3 per cent of the issuance fee paid for each request for issuance of Article 6, paragraph 4, emission reductions and collectively transfer them annually to the Adaptation Fund;
16. *Notes* that the level of and process for monetary contributions from individual Article 6, paragraph 4, activities to the Adaptation Fund may be modified by the Supervisory Body in future on the basis of its review of the implementation of the provision thereon;
17. *Decides* that the level and frequency of a periodic contribution from the remaining funds received from the share of proceeds for administrative expenses to the Adaptation Fund shall be determined by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement on the basis of annual reviews of the status of those funds;
18. *Acknowledges* the work undertaken by the Supervisory Body based on the request from the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement in decision 3/CMA.3, paragraph 6(c–d);
19. *Invites* Parties and admitted observer organizations to submit, via the submission portal, by 15 March 2023, their views on activities involving removals, including appropriate monitoring, reporting, accounting for removals and crediting periods, addressing reversals, avoidance of leakage, and avoidance of other negative environmental and social impacts, in addition to the activities referred to in chapter V of the rules, modalities and procedures;
20. *Requests* the Supervisory Body to consider the views of Parties and observers in elaborating and further developing recommendations on activities involving removals, as referred to in paragraph 19 above, on the basis of the rules, modalities and procedures, and taking into account the mandate provided to the Supervisory Body contained in paragraph 24(a)(ix) of the rules, modalities and procedures, for consideration and adoption by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its fifth session;
21. *Also requests* the Supervisory Body to elaborate and further develop recommendations, on the basis of the rules, modalities and procedures, for consideration and adoption by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its fifth session, on the application of the requirements referred to in chapter V.B (Methodologies) of the rules, modalities and procedures;
22. *Further requests* the Supervisory Body, while developing the recommendations referred to in paragraphs 20–21 above, to consider broader inputs from stakeholders provided in a structured public consultation process;

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<sup>4</sup> See decision 3/CMA.3, para. 8.

<sup>5</sup> Decision 3/CMA.3, annex, para. 67(b).

23. *Requests* the Supervisory Body to facilitate the tasks related to the transition of clean development mechanism activities to the mechanism by:<sup>6</sup>
- (a) Developing and operationalizing a procedure for requesting transition, which includes relevant forms, by no later than June 2023;
  - (b) Developing and operationalizing the transition process and reporting back to the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement at its fifth session;
24. *Expresses its appreciation* for the transfer of funds from the Trust Fund for the Clean Development Mechanism to the Trust Fund for Supplementary Activities for the work of the Supervisory Body carried out in accordance with decision 2/CMP.16, paragraphs 18–19;
25. *Takes note* of the agreed resource allocation plan of the Supervisory Body for 2023,<sup>7</sup> which provides an estimated budget for its work, as outlined in its workplan for 2023, and other activities deemed essential for operationalizing the mechanism;
26. *Requests* the Supervisory Body to reinforce its support structure and allocate dedicated resources to support the work of the Supervisory Body;
27. *Also requests* the secretariat to take necessary steps to establish a separate trust fund for the receipt of the shares of proceeds to cover administrative expenses charged as fees under the mechanism and other contributions;
28. *Takes note* of the estimated budgetary implications of the activities to be undertaken by the secretariat referred to in this decision;
29. *Requests* that the actions called for in this decision be undertaken subject to the availability of financial resources.

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<sup>6</sup> See decision 3/CMA.3, annex, chap. XI.A.

<sup>7</sup> Supervisory Body document A6.4-SB003-A01.

## Annex I

### **Elaboration of the processes defined in the rules, modalities and procedures for the mechanism established by Article 6, paragraph 4, of the Paris Agreement**

#### **I. Processes for implementing the transition of activities from the clean development mechanism to the mechanism established by Article 6, paragraph 4, of the Paris Agreement**

##### **A. Crediting period**

1. Pursuant to paragraph 73 of the rules, modalities and procedures for the mechanism established by Article 6, paragraph 4, of the Paris Agreement (RMPs),<sup>1</sup> registered project activities under the clean development mechanism (CDM) may transition to the mechanism established by Article 6, paragraph 4, of the Paris Agreement (Article 6.4 mechanism) subject to the conditions referred to in paragraph 73 of the RMPs, including the requirements regarding the activity design elaborated in chapter I.B below, and if their crediting periods would have been active as of 1 January 2021 had the crediting under the CDM continued after the end of the second commitment period of the Kyoto Protocol.

2. The crediting period type (i.e. renewable or fixed) and the remaining number of renewals of the crediting period, if it is renewable, of CDM project activities that transition to the Article 6.4 mechanism shall not change at the time of or after the transition.

3. The current crediting period of CDM project activities that transition to the Article 6.4 mechanism shall end, whichever is earlier:

(a) When the current crediting period would have ended had the crediting period under the CDM continued after the end of the second commitment period of the Kyoto Protocol;

(b) On 31 December 2025, if the crediting period is renewable;

(c) On the date determined under the conditions of the crediting period that may be specified by the respective host Parties in accordance with paragraph 27(b) of the RMPs.

4. For CDM project activities with a renewable crediting period, once renewed under the Article 6.4 mechanism, the length of each of the remaining crediting periods of the transitioned project activities shall be consistent with the relevant rules under the Article 6.4 mechanism.

5. The principles referred to in paragraphs 1–4 above shall also apply to the CDM programmes of activities (PoAs) and the component project activities (CPAs) therein that transition to the Article 6.4 mechanism in terms of the PoA period and the crediting period of CPAs respectively.

##### **B. Activity design**

6. The activity types of registered CDM project activities and PoAs and the CPAs therein, as well as those in the requests for registration, renewal and issuance listed as provisional (provisional requests) under the temporary measures adopted by the Executive Board of the CDM at its 108<sup>th</sup> meeting (temporary measures), that transition to the Article 6.4 mechanism (transitioning activities) shall be among those indicated by their respective host Parties in accordance with paragraph 26(e) of the RMPs.

<sup>1</sup> Decision 3/CMA.3, annex.

7. Pursuant to paragraph 73(c) of the RMPs, transitioning activities shall demonstrate compliance with the requirements of the RMPs in accordance with guidance to be provided by the Supervisory Body.
8. The CDM methodologies applied to transitioning activities shall meet the methodological requirements that may be specified by the respective host Parties in accordance with paragraph 27(a) of the RMPs, taking into account the condition referred to in paragraph 73(d) of the RMPs. If the CDM methodologies do not meet these requirements, they shall be replaced accordingly.
9. In the absence of an applicable mechanism methodology, transitioning activities with a crediting period ending before 31 December 2025 may apply interim solutions to be provided by the Supervisory Body with regard to the provision in paragraph 73(d) of the RMPs.
10. Transitioning activities shall apply the same global warming potential values as applicable to any activities under the Article 6.4 mechanism (Article 6.4 activities) in accordance with relevant decisions of the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA).

### **C. Transition process**

11. Pursuant to paragraph 73(a) of the RMPs, the project participants of a registered CDM project activity or the coordinating/managing entity of a registered CDM PoA that are approved by the CDM host Party, or an entity acting on their behalf, that wish to transition the activity to the Article 6.4 mechanism shall submit a request for such transition to the secretariat and to the designated national authority (DNA) for the Article 6.4 mechanism of the CDM host Party, as designated in accordance with paragraph 26(c) of the RMPs, informing the DNA for the CDM of the same Party by no later than 31 December 2023 in accordance with the procedure to be developed by the Supervisory Body.
12. Pursuant to paragraph 73(b) of the RMPs, the DNA for the Article 6.4 mechanism of a CDM host Party, if it approves the transition, shall provide the approval to the Supervisory Body by no later than 31 December 2025 in accordance with the procedure to be developed by the Supervisory Body.
13. Requests for transition and host Party approvals of provisional requests under the temporary measures and other participating Party approvals of activity participants shall be submitted in accordance with paragraphs 11–12 above, as applicable. Requests for transition of provisional requests for renewal and issuance under the temporary measures shall be processed only after the respective underlying CDM activities have successfully transitioned to the Article 6.4 mechanism.
14. Requests for transition of CDM activities and provisional requests under the temporary measures submitted to the secretariat shall be subject to the share of proceeds to cover administrative expenses and/or the share of proceeds to assist developing country Parties that are particularly vulnerable to the adverse effects of climate change to meet the costs of adaptation applicable under the Article 6.4 mechanism in the following manner:
  - (a) Requests for transition of CDM activities are subject to the share of proceeds applicable to requests for registration under the Article 6.4 mechanism;
  - (b) Provisional requests for registration under the temporary measures are subject to the share of proceeds applicable to requests for registration under the Article 6.4 mechanism;
  - (c) Provisional inclusion of CPAs under the temporary measures are subject to the share of proceeds applicable to inclusion of CPAs in a registered PoA under the Article 6.4 mechanism;
  - (d) Provisional requests for renewal under the temporary measures are subject to the share of proceeds applicable to requests for renewal under the Article 6.4 mechanism;

(e) Provisional requests for issuance under the temporary measures are subject to the share of proceeds applicable to requests for issuance under the Article 6.4 mechanism.

15. For requests for transition of CDM activities and provisional requests under the temporary measures that are approved by the Supervisory Body, the effective date of transition may be deemed as 1 January 2021 at the earliest, irrespective of the date of approval of the requests by the Supervisory Body.

16. Once the transition is approved by the Supervisory Body, the activities and requests are subject to all relevant requirements under the Article 6.4 mechanism at all subsequent steps in the mechanism's activity cycle, taking into account the provisions on the applied methodologies contained in paragraphs 27(a) and 73(d) of the RMPs, as described in paragraphs 8–9 above.

17. The Supervisory Body shall effect the transition of CDM activities, noting that such CDM activities are deregistered from the CDM automatically from the date of transition pursuant to decision 2/CMP.16, paragraph 12.

## **II. Processes for implementing chapter XI.B (Use of certified emission reductions towards first or first updated nationally determined contributions) of the rules, modalities and procedures for the mechanism established by Article 6, paragraph 4, of the Paris Agreement**

### **A. Transfer of certified emission reductions from the clean development mechanism registry**

18. The transfer of certified emission reductions (CERs) to the mechanism registry referred to in chapter VI of the RMPs that are eligible for such transfer as per paragraph 75 of the RMPs (eligible CERs), when the transfer is initiated by the project participants or the Parties holding eligible CERs in the CDM registry or the Trustee of the Adaptation Fund in accordance with the modalities contained in decision -/CMP.17,<sup>2</sup> shall be communicated by the CDM Registry Administrator to the mechanism registry administrator in accordance with the modalities contained in that decision and any other relevant guidance of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol. The transfer data shall include the full serial numbers of the eligible CERs and the identification of the receiving account. All transfer data shall be subject to a reconciliation process to be developed and implemented by the registry administrators of the two registries (the secretariat).

19. The mechanism registry administrator shall check the transfer data received from the CDM registry and shall record transferred eligible CERs in the receiving accounts as communicated by the CDM Registry Administrator. The mechanism registry shall assign unique identifiers to received CERs, as per the applicable rules for serialization of units in the mechanism registry to be developed by the Supervisory Body, and shall track, display and report on CERs as related to pre-2021 emission reductions pursuant to paragraph 75(b) of the RMPs. The mechanism registry shall also track the original Kyoto Protocol serial numbers of the received CERs.

20. The mechanism registry may continue to receive transfers of CERs from the CDM registry until a date to be determined by the CMA.

21. Transactions of CERs shall adhere to the modalities in accordance with chapter IV below (Operation of the mechanism registry).

<sup>2</sup> Draft decision entitled "Matters relating to the clean development mechanism" proposed under agenda item 5 of the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol at its seventeenth session.

## **B. Use of certified emission reductions towards achievement of nationally determined contributions**

22. Parties may use CERs transferred to the mechanism registry towards achievement of their first or first updated nationally determined contributions (NDCs) by retiring the CERs in accordance with the modalities to be adopted by the CMA and/or the relevant requirements and procedures to be adopted by the Supervisory Body.

23. For use of CERs towards achievement of their first or first updated NDCs, using Parties shall apply the guidance on the use of internationally transferred mitigation outcomes towards the achievement of NDCs *mutatis mutandis* by subtracting the quantity of CERs retired in the mechanism registry in the calculation of the emissions balance in accordance with paragraphs 7–8 of the annex to decision 2/CMA.3, noting that the host Party shall not be required to apply a corresponding adjustment as per paragraph 75(d) of the RMPs.

24. Parties that use CERs towards achievement of their first or first updated NDCs shall:

(a) Report for each year of the NDC implementation period the amounts of CERs used for that purpose in the row “Any other information consistent with decisions adopted by the CMA on reporting under Article 6 (para. 77(d)(iii) of the MPGs)” of table 4 in annex II to decision 5/CMA.3;

(b) Include the relevant subtractions, determined in accordance with paragraph 23 above, in the row “Total quantitative corresponding adjustments used to calculate the emissions balance referred to in para. 23(k)(i), annex to decision 2/CMA.3, in accordance with the Party’s method for applying corresponding adjustments consistent with section III.B, annex to decision 2/CMA.3 (Application of corresponding adjustments) (para. 23(g), annex to decision 2/CMA.3)” of table 4 in annex II to decision 5/CMA.3.

## **III. Reporting by host Parties on their Article 6, paragraph 4, activities and the Article 6, paragraph 4, emission reductions issued for those activities**

25. Host Parties shall provide to the Supervisory Body the information referred to in paragraphs 26–28 of the RMPs relating to the participation responsibilities of host Parties in accordance with the modalities to be specified by the Supervisory Body. The Supervisory Body shall promptly make the received information publicly available on the UNFCCC website. In this context:

(a) The information on the status as a Party under the Paris Agreement referred to in paragraph 26(a) of the RMPs is deemed to have been provided if the instruments of ratification, acceptance, approval or accession have been deposited with the Depositary in accordance with Article 20 of the Paris Agreement;

(b) The information on the preparation, communication and maintenance of NDCs referred to in paragraphs 26(b) and 28(a) of the RMPs is deemed to have been provided if it has been communicated to the secretariat in accordance with Article 4, paragraph 2, of the Paris Agreement and is still valid.

26. Pursuant to paragraphs 40, 41 and 45 of the RMPs, host Parties and other participating Parties shall provide to the Supervisory Body the information referred to in these paragraphs relating to the approval of specific activities by a host Party, authorization of specific activity participants by a host Party and authorization of activity participants by another participating Party respectively, in accordance with the modalities to be specified by the Supervisory Body.



## IV. Operation of the mechanism registry

### A. Form and functions

27. Pursuant to paragraphs 64–65 of the RMPs, the mechanism registry shall:
- (a) Take the form of a standardized electronic database and shall track Article 6, paragraph 4, emission reductions (A6.4ERs) and CERs transferred to the mechanism registry pursuant to paragraph 75 of the RMPs;
  - (b) Be consistent with the requirements for registries contained in the guidance on cooperative approaches referred to in Article 6, paragraph 2, of the Paris Agreement and further relevant decisions of the CMA;
  - (c) Be hosted and maintained by the secretariat.
28. The mechanism registry shall track A6.4ERs and CERs transferred to the mechanism registry pursuant to paragraph 75 of the RMPs as units. Each unit shall be indivisible and transactions in the mechanism registry may only involve full units.
29. The mechanism registry shall track:
- (a) A6.4ERs authorized for use towards achievement of NDCs and/or for other international mitigation purposes pursuant to paragraph 42 of the RMPs (authorized A6.4ERs);
  - (b) A6.4ERs not specified as authorized for use towards achievement of NDCs and/or for other international mitigation purposes (mitigation contribution A6.4ERs), which may be used, inter alia, for results-based climate finance, domestic mitigation pricing schemes, or domestic price-based measures, for the purpose of contributing to the reduction of emission levels in the host Party.
30. Each A6.4ER or CER tracked in the mechanism registry shall have a unique identifier assigned in accordance with the modalities to be developed by the Supervisory Body and consistently with the guidance adopted by the CMA for registries under cooperative approaches referred to in Article 6, paragraph 2, of the Paris Agreement.
31. Each A6.4ER or CER shall be held in only one account in the mechanism registry at a time.
32. Pursuant to paragraph 63 of the RMPs, the mechanism registry shall have at a minimum the following account types, to be opened in accordance with the requirements and procedures to be adopted by the Supervisory Body:
- (a) Pending account, to which all A6.4ERs shall be issued;
  - (b) Holding account, which may acquire A6.4ERs or CERs tracked in the mechanism registry;
  - (c) Share of proceeds for adaptation account, which receives A6.4ERs in accordance with paragraph 58 of the RMPs;
  - (d) Account for mandatory cancellation of A6.4ERs for overall mitigation in global emissions (OMGE) in accordance with paragraph 59 of the RMPs (mandatory cancellation for OMGE account);
  - (e) Account for voluntary cancellation of A6.4ERs for OMGE in accordance with paragraph 70 of the RMPs (voluntary cancellation for OMGE account);
  - (f) Retirement account for A6.4ERs and CERs;
  - (g) Account for cancellation of A6.4ERs for other international mitigation purposes;
  - (h) Account for voluntary cancellation of A6.4ERs for other purposes;
  - (i) Account for administrative cancellation of A6.4ERs and CERs tracked in the mechanism registry for corrective actions and other purposes, as necessary.

33. Pursuant to paragraph 63 of the RMPs, Parties and entities authorized by a participating Party as activity participants may request to open holding accounts in the mechanism registry in accordance with the requirements and procedures to be adopted by the Supervisory Body. The opening of such an account shall be approved by the participating Party that authorized participation. Such holding accounts shall be associated with the Party that authorized participation.

34. Pursuant to paragraph 55 of the RMPs, the mechanism registry shall allow account holders to see the authorization status and the first transfer status of A6.4ERs held in their holding accounts. The mechanism registry shall also allow account holders to see if a transaction is the first transfer in the transaction history of their accounts.

## **B. Transaction procedure**

35. The mechanism registry shall perform issuance, forwarding, first transfer, transfer, cancellation, voluntary cancellation and retirement of A6.4ERs or, where applicable, of CERs transferred to the mechanism registry in accordance with paragraph 75 of the RMPs.

36. A transaction that meets the definition of first transfer pursuant to paragraph 2 of the annex to decision 2/CMA.3 and relevant decisions of the CMA shall be distinguished as a first transfer in the mechanism registry.

37. Pursuant to paragraph 54 of the RMPs, upon being instructed by the Supervisory Body, the mechanism registry administrator shall issue all authorized A6.4ERs and mitigation contribution A6.4ERs into the pending account.

38. Pursuant to paragraph 55 of the RMPs, the mechanism registry administrator shall, at the time of the issuance of A6.4ERs, assign their authorization status in accordance with the statement by the host Party provided to the Supervisory Body pursuant to paragraph 42 of the RMPs.

39. Pursuant to paragraph 58 of the RMPs, the mechanism registry administrator shall forward 5 per cent of issued authorized A6.4ERs and mitigation contribution A6.4ERs in the pending account immediately to the share of proceeds for adaptation account held by the Adaptation Fund and, if the issued A6.4ERs are authorized, shall distinguish the forwarding as effecting a first transfer. This first transfer shall be subject to a corresponding adjustment.

40. Pursuant to paragraphs 59 and 69 of the RMPs, the mechanism registry administrator shall cancel a minimum of 2 per cent of issued authorized A6.4ERs and mitigation contribution A6.4ERs in the pending account immediately to the mandatory cancellation for OMGE account, and if the issued A6.4ERs are authorized, shall distinguish the cancellation as a first transfer. This first transfer shall be subject to a corresponding adjustment.

41. Pursuant to paragraph 60 of the RMPs, the mechanism registry administrator shall forward or effect a first transfer of, as applicable, the remaining A6.4ERs to the holding accounts of activity participants and participating Parties involved, in accordance with the instructions of the activity participants.

42. Account holders may request transfer, cancellation or voluntary cancellation of A6.4ERs or CERs held in their holding accounts in accordance with relevant requirements and procedures to be adopted by the Supervisory Body.

43. Account holders may acquire A6.4ERs or CERs in the mechanism registry in their holding accounts in accordance with relevant requirements and procedures to be adopted by the Supervisory Body.

44. Each participating Party may request opening a retirement account, as needed. A retirement account may acquire A6.4ERs authorized for use towards achievement of NDCs or CERs in the mechanism registry only from accounts associated with the participating Party for which the retirement account was opened.

45. A6.4ERs or CERs transferred to any cancellation account or retirement account shall not be further transferred.

## **C. Information**

46. The mechanism registry shall enable, for each participating Party, the automatic prefilling of the agreed electronic format and of other quantitative information requirements pursuant to chapter IV (Reporting) of the annex to decision 2/CMA.3 in relation to authorized A6.4ERs and the creation of records of internationally transferred mitigation outcomes in the accounts of the international registry so as to enable tracking pursuant to chapter VI.A (Tracking) of the annex to decision 2/CMA.3.

47. The mechanism registry shall enable the production and dissemination of reports to the DNAs of Parties participating in the Article 6.4 mechanism on the holdings and transaction history in relation to accounts and transactions associated with the respective Party.

48. The mechanism registry shall make non-confidential information publicly available and provide a publicly accessible interface through the Internet.

## **D. Connection with the international registry**

49. Pursuant to paragraph 63 of the RMPs, the mechanism registry shall be connected to the international registry. The connection shall allow for automated pulling and viewing of data and information on holdings and the action history of authorized A6.4ERs for use by participating Parties that have an account in the international registry.

## **V. Processes necessary for implementing the share of proceeds to cover administrative expenses and the share of proceeds to assist developing country Parties that are particularly vulnerable to the adverse effects of climate change to meet the costs of adaptation**

### **A. Share of proceeds for administrative expenses**

50. The share of proceeds to cover administrative expenses shall comprise:

- (a) A fee charged for a request for registration of an Article 6.4 activity (the registration fee);
- (b) A fee charged for inclusion of CPAs in a registered PoA (the inclusion fee);
- (c) A fee charged for a request for issuance of A6.4ERs for a registered Article 6.4 activity (the issuance fee);
- (d) A fee charged for a request for renewal of crediting period or PoA period for a registered Article 6.4 project activity and PoA, respectively, and for renewal of CPAs included in a registered PoA (the renewal fee);
- (e) A fee charged for a request for approval of a post-registration change for a registered Article 6.4 activity (the post-registration change fee).

51. The registration fee shall be multi-tiered fixed rates for stand-alone activities, tiered by the estimated annual average emission reductions or removals over the first crediting period, if it is renewable, or over the entire crediting period, if it is fixed, and a fixed rate for PoAs set at the following levels, and shall be deemed to be fully consumed for processing the request and not deemed an advance payment of the issuance fee referred to in paragraph 53 below:

- (a) A maximum of USD 2,000 for an activity achieving annual average emission reductions or removals over the (first) crediting period of up to 15,000 tonnes of carbon dioxide equivalent (t CO<sub>2</sub> eq);

(b) A maximum of USD 6,000 for an activity achieving annual average emission reductions or removals over the (first) crediting period of between 15,001 and 50,000 t CO<sub>2</sub> eq;

(c) A maximum of USD 12,000 for an activity achieving annual average emission reductions or removals over the (first) crediting period of over 50,000 t CO<sub>2</sub> eq or for a PoA.

52. The inclusion fee shall be a maximum of USD 1,000 per inclusion.

53. The issuance fee shall be a proportional levy to the amount of A6.4ERs requested for issuance, set at a maximum of USD 0.20 per A6.4ER requested for issuance.

54. The renewal fee shall be at the same level as the registration fee applicable to the activity based on its scale of emission reductions or removals or inclusion fee, as applicable.

55. The post-registration change fee shall be a fixed rate, set at maximum of USD 2,000 per request. If the proposed change increases the scale of the activity to bring the scale to a higher tier of the fee structure, the difference from the paid registration fee shall be payable in addition to the fixed-rate post-registration change fee.

56. All the fees referred to in paragraphs 50–55 above shall be paid at the time of submission of the respective requests. The initiation of processing of a request shall be subject to the payment of the fee.

57. The paid fees may be reimbursed partially or in full under certain conditions, to be specified by the Supervisory Body.

58. All the fees referred to in paragraphs 50–55 above shall be waived for activities in the least developed countries and small island developing States.

59. The Supervisory Body may adjust and implement the fee structure and levels within the boundary to be set by the CMA, on the basis of the guiding principles of balancing the income and the expenditure, enabling long-term sound operation of the Article 6.4 mechanism, being fair to activity participants, ensuring administrative efficiency, and providing predictability to activity participants and the Supervisory Body.

## **B. Share of proceeds for adaptation**

60. The Adaptation Fund Board and its support structure shall develop and implement a strategy on monetizing A6.4ERs in the share of proceeds for adaptation account held by the Adaptation Fund in the mechanism registry, and inform the state of monetization annually to the CMA.

61. Pursuant to paragraph 67(b) of the RMPs, the secretariat shall transfer the monetary contributions from individual Article 6.4 activities as set by the Supervisory Body to the Adaptation Fund annually.

62. Pursuant to paragraph 67(c) of the RMPs, the Supervisory Body shall review annually the state of the remaining funds as a result of the income from the fees referred to in paragraphs 50–55 above and the expenditure for operating the Article 6.4 mechanism, decide the timing and the amount of funds to be transferred to the Adaptation Fund after setting aside the operational reserve for at least three years based on the projection of surplus of funds, implement the transfer accordingly and report to the CMA on the state of the transfer annually.

## **VI. Processes necessary for delivering overall mitigation in global emissions**

63. Mandatory cancellations of A6.4ERs for the delivery of OMGE referred to in paragraph 59 of the RMPs shall apply to A6.4ERs, in accordance with chapter IV.B above (Transaction procedure).

64. Pursuant to paragraph 69(a) of the RMPs, activity participants may request mandatory cancellations for OMGE in addition to the mandatory cancellation of a minimum of 2 per cent of issued A6.4ERs as part of their activity documentation by indicating such increase in their request for issuance of A6.4ERs in accordance with the procedures to be developed by the Supervisory Body.

65. Pursuant to paragraph 70 of the RMPs, Parties, activity participants and stakeholders may request voluntary cancellation of A6.4ERs in the mechanism registry for the purpose of delivering further OMGE that has been correspondingly adjusted in accordance with chapter III.B of the annex to decision 2/CMA.3, in accordance with the procedures to be developed by the Supervisory Body.

66. Public availability of information pertaining to mandatory and voluntary cancellations for OMGE, linkages and information exchange with the Article 6 database referred to in the annex to decision 2/CMA.3 and the mechanism registry shall be in accordance with the modalities for the Article 6 database and the mechanism registry respectively.

67. The Supervisory Body shall provide, in its annual reports to the CMA, information on aggregated amounts that were cancelled for OMGE together with any relevant qualitative information, distinguishing between mandatory and voluntary cancellations for OMGE.

## **Annex II**

### **Rules of procedure of the Supervisory Body for the mechanism established by Article 6, paragraph 4, of the Paris Agreement**

#### **I. Scope**

1. These rules of procedure shall apply to all activities of the Supervisory Body for the mechanism established by Article 6, paragraph 4, of the Paris Agreement (Article 6.4 mechanism) undertaken in accordance with decision 3/CMA.3, including the rules, modalities and procedures for the mechanism contained in the annex thereto, and any other decisions on the mechanism adopted by the Conference of the Parties serving as the meeting of the Parties to the Paris Agreement (CMA).

#### **II. Definitions**

2. For the purpose of these rules of procedure:

(a) “Conflict of interest” refers to any current professional, financial or other interest that could significantly impair the individual’s objectivity in carrying out their duties and responsibilities for the Supervisory Body or create an unfair advantage for any person or organization; circumstances that could lead a reasonable person to question an individual’s objectivity or whether an unfair advantage has been created constitute a potential conflict of interest;

(b) “Secretariat” means the secretariat referred to in Article 17 of the Paris Agreement and paragraph 25 of the rules, modalities and procedures for the Article 6.4 mechanism;

(c) “Stakeholders” mean the entities, groups, forums, communities and individuals that have a role in the implementation of the functions of the Supervisory Body or that may affect or be directly affected by the recommendations and actions of the Body.

#### **III. Membership**

##### **A. Composition**

3. The Supervisory Body shall comprise 12 members from Parties to the Paris Agreement, ensuring broad and equitable geographical representation and striving to ensure gender-balanced representation, as follows:

- (a) Two members from each of the five United Nations regional groups;
- (b) One member from the least developed countries;
- (c) One member from small island developing States (decision 3/CMA.3, annex, para. 4).

##### **B. Nomination and election**

4. The CMA shall elect members and an alternate for each member of the Supervisory Body on the basis of nominations by the respective groups and constituencies (decision 3/CMA.3, annex, para. 5).

5. The nomination by a group or constituency of a candidate member shall be accompanied by a nomination for a candidate alternate member from the same group or constituency.

6. Members and alternate members shall serve in their individual expert capacity (decision 3/CMA.3, annex, para. 6).
7. Members and alternate members shall act in an independent and impartial manner in performing their duties in the Supervisory Body.
8. Members and alternate members shall possess relevant scientific, technical, socioeconomic or legal expertise (decision 3/CMA.3, annex, para. 7).
9. In the absence of a member from a meeting of the Supervisory Body, their alternate shall serve as the member for that meeting.
10. If a member is not available for a period for their duties in between meetings, they may delegate their role as member to their alternate for a specified period by informing the Supervisory Body and the secretariat in advance.
11. Any reference in these rules of procedure to a member shall be deemed to include their alternate when such alternate acts for the member.
12. Participation costs for members and alternate members will be covered by the share of proceeds for administrative expenses (decision 3/CMA.3, annex, para. 14).
13. Funding for participation shall be provided in accordance with the financial regulations of the United Nations and the financial procedures of the UNFCCC.

### **C. Term of membership**

14. Members and alternate members shall serve for a term of two years (decision 3/CMA.3, annex, para. 8).
15. Notwithstanding paragraph 14 above, in the first election of members and alternate members, the CMA shall elect half of the members and their alternate members for a term of three years and the other half for a term of two years. At the expiry of the term of these members and their alternate members and thereafter, the CMA shall elect replacement members and their alternate members for a term of two years. The members and their alternate members shall remain in office until their successors have been elected (decision 3/CMA.3, annex, para. 9).
16. The term of service of a member shall start at the first meeting of the Supervisory Body in the calendar year following their election and shall end immediately before the first meeting of the Supervisory Body in the calendar year in which the term ends (decision 3/CMA.3, annex, para. 10).
17. The maximum number of terms of any individual shall be two terms, whether consecutive or not and including any period as an alternate member (decision 3/CMA.3, annex, para. 11).

### **D. Resignation, suspension and termination of membership**

18. If a member or alternate member resigns or is otherwise unable to continue as a member or alternate member, the Supervisory Body may decide, bearing in mind the proximity to the next session of the CMA, to appoint a replacement member or replacement alternate member from the same constituency to serve the remainder of the term on the basis of a nomination from the relevant constituency, in which case the appointment shall count as one term (decision 3/CMA.3, annex, para. 12).
19. The Supervisory Body shall request the relevant group or constituency to nominate the new member, or the new alternate member, to be appointed in accordance with paragraph 18 above.
20. Members and alternate members may be suspended, or their membership terminated by the CMA, if:

(a) They fail to comply with paragraph 25 below or the oath of service referred to in paragraph 30 below;

(b) They fail to attend two consecutive meetings without proper justification (decision 3/CMA.3, annex, para. 13).

21. The Supervisory Body may suspend the membership of a particular member or alternate member and recommend to the CMA the termination of their membership for any of the reasons listed in paragraph 20 above or for failing to comply with the provisions in chapter IV below.

22. Any motion calling for the suspension of, and recommendation to the CMA to terminate, the membership of a member or alternate member shall immediately be considered in accordance with chapter VII below. When such a motion and recommendation concern the Chair, the Vice-Chair shall act as Chair until the decision on the motion has been announced.

23. The Supervisory Body shall suspend and recommend termination of the membership of a member or alternate member only after the member or alternate member has been afforded the opportunity of a hearing by the Supervisory Body.

## **IV. Duties and conduct**

24. Members and alternate members shall be bound by these rules of procedure.

### **A. Code of conduct**

25. Members and alternate members shall perform any duties and exercise any authority in an honourable, independent, impartial and conscientious manner as follows:

(a) They shall observe at all times and from the date of their election the highest standards of ethical conduct in the performance of their duties and functions as outlined below. Such duties and functions shall be performed in accordance with the Charter of the United Nations and these rules of procedure;

(b) They shall treat all persons involved in the meetings and processes of the Supervisory Body with dignity and respect and conduct themselves in line with the values of the United Nations;

(c) They shall not abuse their authority or directly or indirectly accept, offer or provide any gift, advantage or reward that can be reasonably perceived as intended to influence the performance of their functions and their independence;

(d) They shall not engage in any form of discrimination or harassment, including sexual harassment.

### **B. Conflict of interest**

26. Members and alternate members shall avoid actual, potential and perceived conflicts of interest and shall:

(a) Declare any actual, potential or perceived conflict of interest at the start of a meeting;

(b) Refrain from participating in any work of the Supervisory Body, including decision-making, in relation to which they have an actual, potential or perceived conflict of interest;

(c) Refrain from behaviour that may be incompatible with the requirements of independence and impartiality (decision 3/CMA.3, annex, para. 15).

27. Members and alternate members shall have no pecuniary or financial interest in any aspect of the Article 6.4 mechanism activity, any designated operational entity or any matters



considered by the Supervisory Body. The Supervisory Body shall take measures to mitigate the risk thereof, such as developing provisions for financial disclosure by members and alternate members.

28. Members and alternate members shall make available their curricula vitae and details of any past and current professional affiliations with the secretariat for publication on the UNFCCC website and shall inform the secretariat of any changes thereto.

### **C. Confidentiality**

29. Members and alternate members shall ensure confidentiality in line with relevant best practice and decisions of the CMA and the Supervisory Body (decision 3/CMA.3, annex, para. 16).

### **D. Oath of service**

30. Members and alternate members shall take a written oath of service witnessed by the Executive Secretary of the UNFCCC or their authorized representative before assuming their duties. The text of the written oath of service is contained in the appendix.

31. Electronic submission of the signed oath of service by members and alternate members is sufficient to fulfil the requirements of these rules of procedure.

## **V. Chair and Vice-Chair**

32. Each year the Supervisory Body shall elect a Chair and a Vice-Chair from among its members. The Chair and the Vice-Chair shall remain in office until their successors have been elected (decision 3/CMA.3, annex, para. 18). In this context, the Supervisory Body shall take fully into account the consideration of regional and gender balance.

33. The secretary of the Supervisory Body shall preside over the opening of the first meeting of a calendar year and conduct the election of the new Chair and Vice-Chair.

34. If the elected Chair is not able to serve in that capacity at a meeting, the Vice-Chair shall serve as Chair. If neither is able to serve in their respective capacity, the Supervisory Body shall elect a member from among those present to serve as Chair for that meeting.

35. If the Chair or the Vice-Chair is unable to complete their term of office, the Supervisory Body shall elect a new Chair or Vice-Chair from among its members for the remainder of the term.

36. In addition to exercising the functions conferred upon the Chair elsewhere in these rules of procedure, the Chair shall declare the opening and closing of meetings, preside over meetings, ensure the observance of these rules of procedure, give the right to speak, put questions to a vote and announce decisions. The Chair shall rule on points of order and, subject to these rules of procedure, have complete control over the proceedings and maintenance of order at meetings.

37. The Chair may propose to the Supervisory Body a limitation on allowed speaking time and the number of times each member or alternate member may speak on a question, the adjournment or closure of the debate or the suspension or adjournment of a meeting.

38. The Chair, the Vice-Chair or any other member or alternate member designated by the Supervisory Body shall represent the Body as necessary, including to report to the CMA at its sessions and to manage the public communications of the Supervisory Body, including with stakeholders.

## **VI. Meetings**

### **A. Dates and location**

39. The Supervisory Body shall meet with the frequency and at the times and locations agreed by it, taking into account the need for efficient use of resources and proximity to the dates of sessions of the UNFCCC governing and subsidiary bodies.
40. The meetings of the Supervisory Body shall take place in the country of the seat of the secretariat unless otherwise decided by the Body and subject to the necessary arrangements being made by the secretariat in consultation with the Chair.
41. At the first Supervisory Body meeting of each calendar year, the Chair shall propose for the approval of the Body a schedule of meetings for that calendar year.
42. If changes to the schedule or additional meetings are required, the Chair shall, after consultation with all members, give notice of any changes to the dates of scheduled meetings and the dates of any additional meetings.
43. The secretariat, in consultation with the Chair, shall give notice of the dates of each meeting of the Supervisory Body not less than eight weeks prior to the meeting.
44. Members and alternate members may participate in meetings in person or virtually. Both means of participation shall confer the same rights and responsibilities at meetings.
45. If all members and alternate members participate in a meeting virtually, any decisions taken by the Supervisory Body shall be deemed to have been taken at the seat of the secretariat in Bonn.

### **B. Quorum**

46. At least three fourths of the members, including alternate members only when they are acting as members, shall constitute a quorum for meetings of the Supervisory Body (decision 3/CMA.3, annex, para. 17).
47. The virtual participation of a member or alternate member acting as a member in a meeting counts towards a quorum for the meeting.

### **C. Agenda and documentation for meetings**

48. Additions or changes to the provisional agenda for a meeting may be proposed to the secretariat by any member or alternate member and incorporated into the proposed agenda, provided that the member or alternate member gives notice thereof to the secretariat not less than four weeks before the meeting. The proposed agenda for the meeting shall be transmitted by the secretariat to all those invited to the meeting three weeks before the meeting.
49. The Supervisory Body shall, at the beginning of each meeting, adopt the agenda for the meeting.
50. Any item on the agenda for a meeting of the Supervisory Body, the consideration of which has not been completed at that meeting, shall be included automatically in the provisional agenda for the next meeting, unless otherwise decided by the Supervisory Body.
51. All documentation for a meeting of the Supervisory Body shall be made available to members and alternate members by the secretariat at least two weeks before the meeting unless otherwise decided by the Chair.
52. The Supervisory Body shall receive public comments, including from stakeholders, on meeting documentation up until one week prior to the meeting, unless otherwise decided by the Chair.

## **D. Transparency**

53. Meetings of the Supervisory Body shall be open to the public, including via electronic means, and a recording shall be made available via electronic means unless closed for reasons of confidentiality (decision 3/CMA.3, annex, para. 19).

54. Documents for meetings of the Supervisory Body shall be made publicly available, unless they are confidential (decision 3/CMA.3, annex, para. 20).

55. The Supervisory Body shall ensure transparency of decision-making and make publicly available its decision-making framework and decisions, including standards, procedures and related documents (decision 3/CMA.3, annex, para. 21).

## **E. Participation of observers in meetings**

56. Meetings of the Supervisory Body shall be open to attendance, as observers, by any Party or UNFCCC-admitted observer organization unless closed for reasons of confidentiality.

57. The Supervisory Body may, in the interests of economy and efficiency, decide to limit the in-person attendance of observers at its meetings.

58. Observers may, upon invitation by the Supervisory Body, make presentations relating to matters under consideration by the Supervisory Body at its meetings.

59. The Supervisory Body may invite specific stakeholders to a meeting to seek their views on specific items on the agenda for the meeting.

## **F. Record of meetings**

60. The Supervisory Body shall adopt reports on its meetings and make them publicly available (decision 3/CMA.3, annex, para. 23). The reports may reflect divergent views expressed by members and alternate members on the matters considered at the meetings.

61. The Supervisory Body may, separately from the reports referred to in paragraph 60 above, prepare internal reports containing confidential information relating to the outcomes of its meetings.

62. Before the end of each meeting, the Chair shall present draft conclusions and decisions taken at the meeting for consideration and approval by the Supervisory Body. Any written records of the Supervisory Body or recordings of proceedings shall be kept by the secretariat in accordance with United Nations rules and regulations.

# **VII. Decision-making**

## **A. General**

63. Decisions of the Supervisory Body shall be taken by consensus whenever possible. If all efforts at reaching consensus have been exhausted, decisions shall be put to vote and adopted by a majority of three fourths of the members, including alternate members only when they are acting as members, present and voting (decision 3/CMA.3, annex, para. 22).

64. Alternate members shall participate in all the proceedings of meetings of the Supervisory Body except for the voting referred to in paragraph 66 below.

65. The Chair shall ascertain, in their judgment, whether consensus has been reached. The Chair shall declare that consensus has not been reached if there is a stated objection by a member, or by an alternate member acting as a member, to the proposed decision under consideration.

66. If all efforts at reaching consensus have been exhausted, as a last resort the following voting procedures shall apply:

- (a) The Chair shall announce that the matter will be put to vote and provide a draft decision;
- (b) Each member shall have one vote;
- (c) The phrase “members present and voting” means members present at the meeting at which the voting takes place and casting an affirmative or negative vote;
- (d) Members abstaining from voting shall be considered as not voting for the purpose of determining the three fourths majority;
- (e) An alternate member may cast a vote only if acting as a member;
- (f) The Chair and the Vice-Chair shall retain their right to vote.

## **B. Electronic decision-making**

67. The Supervisory Body may, in writing using electronic means, take decisions between meetings. The following electronic decision-making rules shall apply:

(a) Whenever, in the judgment of the Chair, a decision must be taken by the Supervisory Body that cannot be postponed until its next meeting, the Chair shall transmit to each member a proposed decision with an invitation to approve it by consensus. Together with the proposed decision, the Chair shall provide, subject to the applicable confidentiality requirements, the relevant facts that, in the Chair’s judgment, justify the decision-making by electronic means and the proposed decision;

(b) The proposed decision shall be transmitted in the form of an electronic written message to all members of the Supervisory Body. A quorum of the Supervisory Body is required through confirmation of receipt of the message. Such message shall also be transmitted to alternate members for information;

(c) Members shall be given two weeks from the date of receipt of the proposed decision to provide comments. Alternate members may also provide comments, recognizing that they do not have the right to vote. The comments shall be made available in the form of an electronic written message to all members and alternate members;

(d) At the expiration of the period referred to in paragraph 67(c) above, the proposed decision shall be considered approved if there is no objection by any member. If an objection is raised, the Chair shall include consideration of the proposed decision as an item in the proposed agenda for the next meeting of the Supervisory Body and inform the Body accordingly.

68. Any decision made via the procedure specified in paragraph 67 above shall be included in the report on the Supervisory Body’s next meeting and shall be deemed to have been taken at the seat of the secretariat in Bonn.

69. The Supervisory Body may decide to use different processes for decision-making on specific cases in accordance with relevant procedures adopted by the Body for the activity cycle, accreditation, methodology development and other specific processes for efficiency in operating the Article 6.4 mechanism.

## **VIII. Expert groups**

70. The Supervisory Body may establish expert groups comprising internal or external experts, such as committees, panels, working groups and/or rosters of experts, as required, to assist it in performing its functions and achieving its objectives. The Supervisory Body may 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 and gender balance.

## **IX. Secretariat**

71. Pursuant to Article 17 of the Paris Agreement and in accordance with relevant decisions of the CMA, the secretariat shall serve as the secretariat of the Supervisory Body and perform its functions in the operation of the mechanism in accordance with the rules, modalities and procedures for the mechanism (decision 3/CMA.3, annex, para. 25, editorially modified).

72. The Executive Secretary of the UNFCCC shall arrange for the provision of its staff and services required for the servicing of the Supervisory Body from within available resources. The Executive Secretary shall manage and direct such staff and services and provide appropriate support and advice to the Supervisory Body.

73. An official of the secretariat designated by the Executive Secretary shall serve as the secretary of the Supervisory Body.

74. In addition to the functions specified in the rules, modalities and procedures for the mechanism and/or any subsequent decision of the CMA, the secretariat shall, in accordance with these rules of procedure and subject to the availability of resources:

(a) Make necessary arrangements for meetings of the Supervisory Body, including announcing meetings, issuing invitations and making available documents for the meetings, including but not limited to receiving, reproducing and distributing the documents to members and alternate members;

(b) Maintain meeting records and arrange for the storage and preservation of meeting documents and make them publicly available subject to confidentiality provisions;

(c) Maintain a public web-based system containing all decisions, regulatory documents and any other relevant documents adopted by the Supervisory Body subject to confidentiality provisions;

(d) Perform all other functions that the Supervisory Body may require or that the CMA may mandate with respect to the work of the Body.

75. The rules, regulations, policies and procedures of the secretariat and the United Nations, as applicable, shall apply to all functions performed by the secretariat pursuant to these rules of procedure. In the event of any conflict between such rules, regulations, policies and procedures and these rules of the procedure, the former shall apply.

## **X. Working language**

76. The working language of the Supervisory Body shall be English.

77. Documents for meetings of the Supervisory Body shall be provided in English only.

## **XI. Amendments to these rules of procedure**

78. The Supervisory Body may recommend amendments to these rules of procedure for consideration and adoption by the CMA.

## Appendix

### Written oath of service

The written oath of service shall read as follows:

“I solemnly declare that I shall perform my duties as a member or alternate member of the Supervisory Body for the mechanism established by Article 6, paragraph 4, of the Paris Agreement honourably, faithfully, impartially and conscientiously.

I further solemnly declare and promise that I shall have no financial interest in any aspect of the mechanism, including accreditation of operational entities, registration of activities under the mechanism and/or issuance of Article 6, paragraph 4, emission reductions. Subject to my responsibilities to the Supervisory Body, I shall not disclose, even after the termination of my functions, any confidential or proprietary information that is transferred to the Supervisory Body in accordance with the rules, modalities and procedures for the mechanism, or any other confidential information coming to my knowledge by reason of my duties for the Supervisory Body.

I shall disclose to the Executive Secretary of the UNFCCC and to the Supervisory Body any interest in any matter under discussion by the Supervisory Body that may constitute an actual, potential or perceived conflict of interest or might be incompatible with the requirements of integrity and impartiality expected of a member or alternate member of the Supervisory Body, and I shall refrain from participating in any work of the Supervisory Body, including decision-making, in relation to such matter.

I shall act in an independent and impartial manner in performing my duties in the Supervisory Body.

As a member or alternate member of the Supervisory Body, I will, specifically:

- (a) Discharge my duties with honesty, integrity and full regard for my responsibilities as a member or alternate member of the Supervisory Body;
- (b) Respect the confidentiality of all confidential information acquired in my position as a member or alternate member of the Supervisory Body and not make improper use of or disclose such confidential information to third parties;
- (c) Observe the principles of independence and integrity in dealings with other members and alternate members of the Supervisory Body, the UNFCCC secretariat and stakeholders;
- (d) Exercise a conservative approach to deciding whether I have an actual, potential or perceived conflict of interest with respect to any matter under consideration by the Supervisory Body and take appropriate action, which may include remaining silent and/or leaving the room during deliberations and decisions of the Supervisory Body;
- (e) Disclose to the Supervisory Body any actual, potential or perceived conflict of interest of a direct or indirect nature of which I am aware and which I believe could compromise in any way the reputation or performance of the Supervisory Body;
- (f) Make available to the Executive Secretary of the UNFCCC my curriculum vitae and details of past and current professional affiliations and inform the Executive Secretary of any changes thereto.

I shall abide by the code of conduct referred to in paragraph 25 of the rules of procedure of the Supervisory Body”.

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