

## **Views on the revision of the Joint Implementation guidelines: Submission by the Gambia on behalf of the Least Developed Countries (LDCs) Group**

The Gambia on behalf of the group of LDC Parties has the honour to provide its views on *“the revision of the joint implementation guidelines, taking into account, as appropriate, their experience of implementing the mechanisms under the Kyoto Protocol, including national guidelines, and the recommendations”*.

The LDCs welcome the report by the Joint Implementation Supervisory Committee (JISC) found in document FCCC/KP/CMP/2011/9. While the LDCs are not beneficiaries of the Joint Implementation flexible mechanism in the Kyoto Protocol, they are concerned about any revisions of the flexible mechanisms and its implications to the Kyoto Protocol architecture.

In particular, the group has concerns with the treatment of emission reduction units from Joint Implementation (JI) projects after the first commitment period. The decision in Durban on the Kyoto Protocol 1/CMP.7, agreed that the second commitment period would start on 1 January 2013. Therefore, there should not be a gap between commitment periods and no need to address the issuance of Emission Reduction Units (ERUs).

The UNFCCC’s document on “Legal considerations relating to a possible gap between the first and subsequent commitment periods” outlined that the generation of ERUs is a distinct issue from their transfer and acquisition and that the latter can continue. Therefore, the key issue is whether ERUs can be transferred or acquired and this will be resolved with the continuation of the second commitment period of the Kyoto Protocol and the establishment of Assigned Amount Units (AAUs) for this period.

The flexible mechanisms are market-based offsetting mechanisms that can be utilized by those countries that are Parties to the Kyoto Protocol. The LDCs do not support the transferability of units from the Kyoto mechanisms by any country that is not a Party to the Kyoto Protocol. This is also true for those countries that do not ratify the second commitment period of the Kyoto Protocol. The LDCs do not support any units from the Kyoto Protocol being used to meet emission reduction commitments that are not in the form of AAUs or other Kyoto units. Parties to the Kyoto Protocol have spent many years establishing and developing the JI mechanism and eligibility to this mechanism is very clear: **Countries must be a Party to the Kyoto Protocol.**

The LDCs are also of the view that any special rules for the flexible mechanisms will have precedents for the other flexible mechanisms. Therefore, it is not practical to have alternative rules for one flexible mechanism relating to the post-2012 process. Furthermore, the amendments to the rules for the second commitment period are still being considered under the AWG-KP and consistency needs to be the main focus.

The LDCs believe that AAUs should not be converted from first commitment period to JI projects in the second commitment period, as AAUs for this period should be established. The units issued under JI should be converted as AAUs in accordance with the eligibility requirements. Furthermore, this is essential to provide certainty to those projects that will continue to deliver credits beyond 2012. **The LDCs urge all Annex I**

**Parties to submit QELRCs for the second commitment period to be eligible for AAUs, which can then be converted as ERUs for any JI activities.**

On the JI governing body issue, the LDCs view that there is no need for a new governing body to be established for the JI mechanism. Furthermore, the group does not support a new governing body being established and comprising of only parties that are involved in JI projects. Currently the Chair of the JISC is from an LDC country, which the group believes supports the overarching aim of the UNFCCC and its Kyoto Protocol in ensuring environmental integrity when achieving emission reductions. Furthermore, the LDCs are of the view that a balanced representation of Annex I and non-Annex I Parties, including dedicated seats for LDCs and SIDS should continue to be the main form of participation of parties in the bodies that are created under the UNFCCC.

The LDCs encourage all countries interested in hosting JI projects to continue to explore opportunities and deliver Track 1 projects. Finally, the LDCs are of the view that the Kyoto Protocol rules system has been established to ensure environmental integrity and this should continue to be the basis for consideration of JI activities.