

Annex

Rules of procedure of the Katowice Committee of Experts on the Impacts of the Implementation of Response Measures

I. Scope

1. These rules of procedure shall apply to the KCI, as established by decision [7/CMA.1](#), and be implemented in accordance with decisions [13/CP.28](#), [4/CMP.18](#) and [19/CMA.5](#), including the functions, work programme and modalities of the forum on the impact of the implementation of response measures and its KCI under the Convention, the Kyoto Protocol and the Paris Agreement annexed thereto, as well as any other decisions on the forum and its KCI adopted by the governing bodies.

II. Mandate

2. The CMA decided to establish the KCI to support the work of the forum on the impact of the implementation of response measures in implementing its work programme and operating in accordance with its terms of reference.¹

3. The forum and the KCI may use the following modalities, as appropriate and as decided on a case-by-case basis, in order to carry out the work programme of the forum:

- (a) Building awareness and enhancing information-sharing through the exchange and sharing of experience and best practices;
- (b) Preparing technical papers, national, regional and sector-specific case studies, concrete examples and guidelines;
- (c) Receiving inputs from and facilitating collaboration with experts, practitioners and relevant organizations;
- (d) Organizing workshops.

III. Membership

A. Composition

4. The KCI shall be composed of 14 members, as follows:²
- (a) Two members from each of the five United Nations regional groups;
 - (b) One member from the least developed countries;
 - (c) One member from the small island developing States;
 - (d) Two members from relevant IGOs.

B. Nomination

5. Members of the KCI shall be nominated by their respective regional groups³ or constituencies, taking into account the goal of achieving gender balance in membership. The Chairs of the subsidiary bodies shall be notified of these nominations.

¹ Decision [7/CMA.1](#), para. 5 and annex.

² As per para. 5(b) of annex I to decisions [13/CP.28](#), [4/CMP.18](#) and [19/CMA.5](#).

³ As per para. 5(d) of annex I to decisions [13/CP.28](#), [4/CMP.18](#) and [19/CMA.5](#).

6. Prior to the conclusion of each term of office of IGO members, the secretariat shall send invitations to relevant IGOs to nominate experts for consideration as members of the KCI.

7. Members of the KCI shall serve in their expert capacity and should have relevant qualifications and expertise in the technical and socioeconomic fields related to the areas of the work programme of the forum.⁴

C. Term of membership

8. Members of the KCI shall serve a term of two years and be eligible to serve a maximum of two consecutive terms in office.^{5, 6}

9. Members shall remain in office until their successors are nominated. Once successors are nominated, the KCI shall notify the Chairs of the subsidiary bodies of these nominations.

10. The term of office of a member shall commence at the first meeting of the KCI in the calendar year of their appointment and end immediately before the first meeting of the KCI in the calendar year after their second calendar year⁷ in office.

D. Resignation, suspension and termination of membership

11. If a member of the KCI resigns or is otherwise unable to complete the term of office or to perform the functions of that office, the KCI shall request the regional group or constituency that nominated the member to nominate another member for the remainder of the unexpired term, in which case the appointment shall count as one term. In such a case, the KCI shall notify the Chairs of the subsidiary bodies.

12. Once during their term, if a member is temporarily unable to serve on the KCI, the secretariat shall, at the request of that member, invite the naming of an expert from the same Party or IGO by that Party or IGO in consultation with the regional group or constituency, as applicable, to replace the member in an ad interim capacity until such time that the member is able to serve again on the KCI, or for the remainder of the unexpired term.

13. If a member does not participate in two consecutive meetings of the KCI, is unable to perform the functions and tasks set by the KCI, violates the code of conduct or fails to disclose a conflict of interest as required under these rules of procedure, the Co-Chairs of the KCI may suspend the membership of that member and recommend to the appropriate regional group or constituency the termination of their membership.

IV. Duties and conduct

14. Members of the KCI shall be bound by these rules of procedure.

A. Code of conduct

15. Members of the KCI shall perform any duties and exercise any authority in an honourable, independent, impartial and conscientious manner. They shall:

(a) 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. Such duties and functions

⁴ As per para. 5(c) of annex I to decisions [13/CP.28](#), [4/CMP.18](#) and [19/CMA.5](#).

⁵ As per para. 5(e) of annex I to decisions [13/CP.28](#), [4/CMP.18](#) and [19/CMA.5](#).

⁶ Upon the establishment of the KCI, half of the members were to serve a term of three years and half a term of two years. Upon the expiry of the term of these members and thereafter, members shall be nominated for a term of two years.

⁷ Third calendar year for members serving an initial term of three years, as mentioned in footnote 32 above.

shall be performed in accordance with the Charter of the United Nations and these rules of procedure;

(b) Treat all persons involved in the meetings and processes of the KCI with dignity and respect and conduct themselves in line with the values of the United Nations;

(c) 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) Not engage in any form of discrimination or harassment in any form, including sexual harassment.

B. Conflict of interest

16. Members of the KCI must promptly disclose any actual, potential or perceived conflicts of interest and must recuse themselves from any deliberations or decision-making that could have a bearing on their personal or financial interests, in order to avoid a conflict of interest or the appearance of one. Further, KCI members shall not disclose any information received in confidence or identified as such by the KCI that they receive in the course of their duties, even after leaving the KCI.

V. Co-Chairs

17. The KCI shall elect, on a consensus basis, two members to serve as its Co-Chairs for a term of two years, taking into account the need to ensure equitable geographical representation.⁸

18. The secretariat shall preside over the opening of the first meeting of the calendar year when the election of the Co-Chairs will take place and conduct the election of the Co-Chairs.

19. If one of the Co-Chairs is temporarily unable to fulfil the obligations of the office, another member designated by the KCI shall serve as Co-Chair.⁹ If neither Co-Chair is able to serve in their respective capacities, the KCI shall elect a member from among those present to chair that meeting.

20. If a Co-Chair is unable to complete the term of office, the KCI shall elect a replacement from among its members in the relevant regional group or constituency of the incumbent Co-Chair, if available, to complete that term of office.

21. The Co-Chairs shall collaborate in chairing the meetings of the KCI and in facilitating the work of the KCI throughout the year, in accordance with the workplan of the forum and its KCI, to ensure coherence between meetings.

22. Following the completion of the Co-Chairs' two-year term of office, the KCI shall elect two members as Co-Chairs to serve the next two-year term of office.

23. In addition to the functions conferred upon the Co-Chairs elsewhere in these rules of procedure, the Co-Chairs shall be responsible for opening, conducting, suspending, adjourning and closing meetings of the KCI, for handling all procedural matters in accordance with these rules of procedure and for ruling on points of order.

24. The Co-Chairs shall call upon speakers at meetings of the KCI in the order in which they signify their desire to speak. The secretariat shall maintain a list of speakers. The Co-Chairs may call a speaker to order if their remarks are not relevant to the subject under discussion.

25. The KCI may define additional roles and responsibilities for the Co-Chairs.

⁸ As per para. 5(f) of annex I to decisions [13/CP.28](#), [4/CMP.18](#) and [19/CMA.5](#).

⁹ As per para. 5(g) of annex I to decisions [13/CP.28](#), [4/CMP.18](#) and [19/CMA.5](#).

26. In exercising their functions, the Co-Chairs shall remain under the authority of the KCI.

27. The Co-Chairs or any other member designated by the Co-Chairs may represent the KCI, as necessary.

VI. Secretariat

28. The secretariat, in accordance with these rules of procedure and subject to the availability of resources, shall support and facilitate the work of the KCI by:

(a) Making the necessary arrangements for meetings of the KCI, including announcing meetings, issuing invitations, making the necessary travel arrangements for members eligible for funding for their participation in meetings, providing access for virtual participation where required and making available relevant documents for meetings;

(b) Maintaining records of meetings of the KCI and arranging for the storage and preservation of meeting documents;

(c) Making documents for meetings of the KCI available to the public, unless otherwise decided by the KCI.

29. The secretariat shall assist the KCI in tracking its actions, in accordance with the workplan of the forum and its KCI, in its annual report.

30. In addition, the secretariat shall perform any other functions assigned by the KCI in accordance with the mandates of the forum and its KCI as well as any relevant decisions of the governing bodies.

VII. Meetings

A. Dates and venue

31. The KCI shall meet twice a year, with the first meeting to be held over two days in conjunction with the sessions of the subsidiary bodies in the first sessional period of the year and the second meeting to be held intersessionally over three days.¹⁰

32. At each of its meetings, the KCI shall propose the dates of its next meeting. The Co-Chairs will agree on the dates of the next meeting in consultation with the secretariat.

33. The secretariat shall give notice of the dates and venue of each meeting of the KCI not less than eight weeks prior to the meeting.

B. Quorum

34. At least nine members of the KCI must be present at a meeting to constitute a quorum.

35. Members are requested to confirm their attendance at meetings of the KCI as early as possible, and at least four weeks prior to a meeting for members eligible for funding for their participation, to enable sufficient time for the secretariat to make the necessary travel arrangements.

C. Agenda and documentation for meetings

36. The Co-Chairs, assisted by the secretariat, shall prepare the provisional agenda and provisional annotated agenda for each meeting of the KCI in accordance with the workplan of the forum and its KCI.

¹⁰ As per para. 5(a) of annex I to decisions [13/CP.28](#), [4/CMP.18](#) and [19/CMA.5](#).

37. The Co-Chairs shall prepare a report on each meeting of the KCI, to be agreed by members, which will be made available on the UNFCCC website. The Co-Chairs will report to the forum on the meeting of the KCI.
38. The proposed provisional agenda and provisional annotated agenda for each meeting shall be transmitted to the members of the KCI at least four weeks before the meeting.
39. Members may propose additions or changes to the proposed provisional agenda and provisional annotated agenda, in writing, to the secretariat within one week of receiving the documents, and these additions or changes shall be considered for inclusion in the provisional agenda and annotations to the provisional agenda by the secretariat in agreement with the Co-Chairs.
40. The secretariat shall transmit the provisional agenda and provisional annotated agenda for each meeting and any supporting documentation to the members of the KCI at least two weeks prior to the meeting. Documents may be transmitted after that date with the approval of the Co-Chairs.
41. Documents for a meeting shall be published on the UNFCCC website at least two weeks prior to that meeting, to the extent possible, unless otherwise decided by the Co-Chairs.
42. The KCI shall, at the beginning of each meeting, adopt the agenda for that meeting.
43. Any item on the agenda for a meeting that the KCI does not conclude at that meeting shall automatically be included in the provisional agenda for the next meeting, unless otherwise decided by the KCI.
44. Members of the KCI shall prepare an annual report for consideration by the forum with a view to making recommendations for consideration by the subsidiary bodies, which, in turn, are to recommend actions to the governing bodies for their consideration and adoption.¹¹
45. The annual report shall be made available on the UNFCCC website before the relevant sessions of the governing bodies.

VIII. Transparency

46. Should technical and financial resources permit, open meetings of the KCI shall be webcast on the UNFCCC website.

A. Participation of observers

47. Meetings of the KCI shall be open to attendance as observers by all Parties and accredited observer organizations, including virtually, unless otherwise decided by the KCI.¹²
48. The KCI may decide to close a meeting or part thereof to observers at any time.
49. The KCI may, in the interests of cost-effectiveness and efficiency, decide to limit the in-person attendance of observers at its meetings.
50. The secretariat shall make the dates and venue of each meeting available to the public to enable participation by observers.
51. Observers may, with the agreement of the KCI, be invited to address the KCI on matters under consideration by the KCI at a meeting. The Co-Chairs shall notify the KCI one week before the meeting of any proposed interventions by observers.
52. The KCI may invite interventions from observers at any time during a meeting, as appropriate.

¹¹ As per decision [7/CMA.1](#), para. 12; and para. 5(j) of annex I to decisions [13/CP.28](#), [4/CMP.18](#) and [19/CMA.5](#).

¹² As per para. 5(h) of annex I to decisions [13/CP.28](#), [4/CMP.18](#) and [19/CMA.5](#).

B. Participation of expert advisers

53. The KCI, in fulfilling its mandate, should draw upon outside expertise at its meetings.

54. The Co-Chairs may, in consultation with the KCI, invite observers and other experts, including representatives of international organizations, the private sector, academia and/or civil society to participate in a meeting of the KCI as expert advisers on specific issues under consideration at the meeting. The Co-Chairs shall notify the KCI one week before the meeting of any proposed interventions by observers.

IX. Decision-making

55. The KCI shall operate on the basis of consensus of its members.¹³

56. The KCI may use electronic means to facilitate its work, as appropriate and in accordance with the workplan of the forum and its KCI.

X. Working language

57. The working language of the KCI shall be English.

XI. Use of electronic means of communication

58. The KCI shall use electronic means of communication to facilitate intersessional work, as appropriate and in accordance with the workplan of the forum and its KCI. The secretariat shall ensure that a secure and dedicated web interface is established and maintained to facilitate the work of the KCI.

XII. Working groups

59. The KCI may establish working groups comprising its members and external experts or observers to support the forum in performing its functions. A working group shall be led by a member of the KCI.

60. The working groups may receive inputs from experts, practitioners and relevant organizations in accordance with the workplan of the forum and its KCI and in line with paragraphs 53–54 above.

XIII. Workplan

61. The KCI shall support the work of the forum in line with the workplan of the forum and its KCI.

62. The KCI may draw on the expertise necessary to perform its functions, including from the UNFCCC roster of experts, while taking fully into account the goal of achieving regional and gender balance in the context of such expertise.

XIV. Amendments to the rules of procedure

63. The KCI may recommend amendments to these rules of procedure for the forum to consider and make recommendations to the subsidiary bodies with a view to the subsidiary bodies providing recommendations for consideration and adoption by the governing bodies.

¹³ As per para. 5(i) of annex I to decisions [13/CP.28](#), [4/CMP.18](#) and [19/CMA.5](#).

64. Proposals for amendments to the rules of procedure may be submitted to the secretariat in writing by members of the KCI. Such proposals shall then be circulated by the secretariat for consideration and a decision by all members of the KCI.

65. No proposed amendment to the rules of procedure shall be discussed or put forward for a decision at any meeting unless copies have been circulated to the KCI members no later than two weeks before the meeting.

XV. Overriding authority of the Convention, the Kyoto Protocol and the Paris Agreement

66. In the event of a conflict between any provision of these rules and any provision of the Convention, the Kyoto Protocol or the Paris Agreement, the provision of the Convention, the Kyoto Protocol or the Paris Agreement shall take precedence.

Document version information

<i>Version</i>	<i>Description</i>
Version 3	Revision of the rules of procedure in response to paragraph 8 of decisions 13/CP.28 , 4/CMP.18 and 19/CMA.5 Revision predominantly of sections pertaining to meetings of the KCI, the modalities to carry out the work programme, the Co-Chairs and the participation of observers and expert advisers; and addition of information on the code of conduct for members of the KCI
Version 2	Revision of paragraph 7 and addition of paragraph 11 Adopted by decisions 19/CP.26 , 7/CMP.16 and 23/CMA.3
Version 1	Adopted by decisions 4/CP.25 , 4/CMP.15 and 4/CMA.2