

**Joint Crediting Mechanism
Rules of Procedures for the Joint Committee**

CONTENTS

- 1. Objectives..... 2
- 2. Scope..... 2
- 3. Definitions..... 2
- 4. Members..... 2
- 5. Meetings..... 2
- 5.1. Schedule 2
- 5.2. Decision in the meeting..... 3
- 5.3. Attendance..... 3
- 6. Decision by electronic means and conference call..... 3
- 7. Languages 3
- 8. Secretariat..... 4
- 9. External assistance 4
- 10. Confidentiality..... 4
- 11. Record of the meeting 4
- 12. Conflict of interest..... 4

1. Objectives

1. The Rules of Procedures for the Joint Committee (hereinafter referred to as “Rules of Procedures”) delineates the membership, decision-making procedures, and activities of the Joint Committee of the Joint Crediting Mechanism (hereinafter referred to as “JCM”).

2. Scope

2. The Rules of Procedures apply to all activities of the Joint Committee, including, but not limited to those referred to in section C of the Rules of Implementation of the Joint Crediting Mechanism.

3. Definitions

3. Terms in the Rules of Procedures are defined in the JCM Glossary of Terms.

4. Members

4. The Joint Committee consists of representatives from the Government of Japan, the Government of the Republic of Moldova and other persons designated by each government as necessary.

5. Each government designates members of the Joint Committee and notifies the other government of this designation in writing. Members of the Joint Committee designated by each government may not exceed 11. Members may be increased, decreased, or changed as long as they stay within the allowed number at any time with prior written notification of both governments.

6. Each member of the Joint Committee should have no personal or direct financial interest in any matter under consideration by the Joint Committee.

7. The Joint Committee has two Co-Chairs to be appointed by each government upon notification of each other with one of the Co-Chairs appointed by the Government of the Republic of Moldova and the other appointed by the Government of Japan, respectively. In case a Co-Chair resigns, the government which appointed the leaving Co-Chair, appoints his or her replacement.

8. Each Co-Chair may designate an alternate from members of the Joint Committee from each government to perform the function of the Co-Chair. Such designation is distributed electronically or otherwise, in written form.

5. Meetings

5.1. Schedule

9. The Co-Chairs give notice of the date of each meeting no less than two weeks prior to the date of the meeting.

10. The Co-Chairs provide the agenda of each meeting no less than two weeks prior to the date

of the meeting, and final draft of documents for the meeting no less than five working days prior to the date of the meeting.

5.2. Decision in the meeting

11. Decision by the Joint Committee is adopted by consensus.
12. The Co-Chairs ascertain whether consensus has been reached. The Co-Chairs declare that a consensus does not exist if there is a stated objection to the proposed decision by a member of the Joint Committee.

5.3. Attendance

13. An alternate of each member of the Joint Committee from the respective government may attend the meetings of the Joint Committee to perform the function of the member of the Joint Committee. Such substitution is informed by electronic means or otherwise in written form prior to the concerned meeting.
14. Meetings of the Joint Committee may be open to observers approved by both governments, except where otherwise decided by the Joint Committee. Observers may make presentations upon request by the Co-Chairs during the meeting.

6. Decision by electronic means and conference call

15. The Joint Committee may adopt decisions by electronic means provided that all the following procedures are made:
 - (a) The proposed decisions are distributed by the secretariat to all members of the Joint Committee by electronic means.
 - (b) The proposed decisions are deemed as adopted when,
 - (i) no member of the Joint Committee has provided negative assertion by electronic means within 7 calendar days after distribution of the proposed decisions, or
 - (ii) all members of the Joint Committee have made affirmative assertion by electronic means.
16. If a negative assertion is made by one of the members of Joint Committee, the Co-Chairs take into account the opinion of the member and take appropriate actions.
17. The Joint Committee may hold conference calls to assist making decisions by electronic means.

7. Languages

18. The decisions of the Joint Committee are published in English.
19. Working language of the Joint Committee is English. Members of the Joint Committee wishing to speak or distribute materials in other languages provide for interpretation or translation

in English.

8. Secretariat

20. The JCM secretariat serves the Joint Committee by performing the work for the implementation of the JCM.

9. External assistance

21. The Joint Committee may establish panels necessary to assist it in the performance of its functions. The rules and procedures of such panels are decided by the Joint Committee.

22. The Joint Committee may decide to appoint external experts to assist part of its work on a case-by-case basis.

10. Confidentiality

23. Members of the Joint Committee, the JCM secretariat or any other bodies or persons that have been delegated the work to assist the Joint Committee respect the confidentiality of all confidential information acquired in his/her position and not make improper use of or disclose such confidential information to third parties.

11. Record of the meeting

24. The full text of all decisions of the Joint Committee is made publicly available immediately after the decisions are adopted.

12. Conflict of interest

25. Any bodies or persons other than governmental officials who participate in the Joint Committee meeting or conference calls declare before their participation to such occasions that they have no current professional, financial or other interest which could: i) significantly impair the individual's objectivity in carrying out his or her duties for the Joint Committee, or ii) create an unfair advantage for any person or organization by signing the conflict of interests declaration form. 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.