

CDM-EB82-AA-A13

Revision of modalities and procedures for direct communication with stakeholders

Version 02.0 – second draft



United Nations
Framework Convention on
Climate Change

COVER NOTE

1. Procedural background

1. The Executive Board (hereinafter referred to as the Board) of the clean development mechanism (CDM), at its sixty-second meeting, adopted the “Modalities and procedures for direct communication with stakeholders” (version 01, EB 62 meeting report, annex 15). This document replaced the “Procedures for public communication with the CDM Executive Board” (version 02, EB 31 meeting report, annex 37).
2. In the CDM management plan (MAP) 2014, the Board agreed to revise this procedure under project 220 with a view to improving the document based on the experience gained in its implementation to date.

2. Purpose

3. The purpose of the proposed work is:
 - (a) To provide a quicker response to stakeholder queries;
 - (b) To ensure consistency, effectiveness and transparency in the treatment of stakeholders’ input, as the basis for its systematic analysis and use in improving the regulation and operation of the CDM;
 - (c) To publish annual reports on stakeholder communications, how they have been responded to, and the impact they have had on the regulation and operation of the CDM.

3. Key issues and proposed solutions

4. Currently, many channels are available for stakeholders to communicate with the Board and the secretariat. This often results in confusion on the part of stakeholders as to what channel to use.
5. In addition, stakeholders are not systematically informed about how their input and feedback has been taken into account by the secretariat and the Board when developing and/or revising regulatory documents.
6. To achieve the purpose referred to in paragraph 3 above, a revised “Modalities and procedures for direct communication with stakeholders” is proposed to:
 - (a) Add a fast-track provision on communications with the secretariat;
 - (b) Add a provision on annual reporting on communications dealt with within the scope of this procedure;
 - (c) Modify response time for communications initiated by stakeholders.
7. Following the request from the Board at its eighty-first meeting, the secretariat launched a call for public input on the draft revised procedure from 4 December 2014 to

14 January 2015. Inputs were received from two stakeholders. The draft revised procedure contained in appendix 1 is a version that has taken into account the inputs received as appropriate, for consideration by the Board at this meeting. Appendix 2 to this document contains the inputs received from the stakeholders and details how the comments have been considered.

4. Impacts

8. Stakeholders are expected to benefit from the improvement of the handling of CDM-related communications received through various channels that fall within the scope of this procedure. In addition, this work will establish a systematic feedback mechanism based on communications from stakeholders received by the Board and the secretariat, within the defined scope, through periodic reporting.

5. Subsequent work and timelines

9. Relevant information technology tool to implement the procedure will be developed once the Board adopts the procedure.

6. Recommendations to the Board

10. The secretariat recommends that the Board adopt the revised “Modalities and procedures for direct communication with stakeholders” contained in this document, and agree to make it effective immediately (i.e. on 20 February 2015).

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Appendix 1. Draft Procedure. Direct communication with stakeholders (version 02.0) – second draft

DRAFT

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1. Introduction

1.1. Background

1. The Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP), at its fifth session, through its decision 2/CMP.5, paragraph 8, requested the Executive Board (hereinafter referred to as the Board) of the clean development mechanism (CDM) to enhance its communication with project participants and stakeholders, including through the establishment of modalities and procedures for direct communication between the Board and project participants in relation to individual projects.
2. The CMP, at its sixth session, reiterated the request to the Board and further specified in its decision 3/CMP.6, paragraph 22, that these modalities and procedures are to enhance direct communication with stakeholders and project proponents in relation to issues related to registration, issuance and methodologies work streams and should provide for:
 - (a) Direct communication that can be initiated by the secretariat, as needed, with project proponents, on issues related to registration, issuance and methodologies work streams;
 - (b) Stakeholder consultations on general issues, and the publication of the outputs thereof;
 - (c) Intensified use of public calls for input in relation to major regulatory decisions, including the possibility of making submissions.
3. The CMP, also at its sixth session, through decision 3/CMP.6, paragraph 59, further requested the Board to ensure that editorial errors which will not affect the assessment of compliance with validation and verification requirements do not lead to a determination that the request for registration or issuance is incomplete, while ensuring environmental integrity.
4. The CMP, at the same session, through decision 3/CMP.6, paragraph 17, requested the secretariat to further increase the transparency of its work by, inter alia, publishing on the UNFCCC CDM website information related to the current and historical status regarding the processing of case-specific matters and methodologies, including requests for clarification, deviation and revision and for changes to project design documents.
- ~~4^{bis}.~~ The CMP, through decision 4/CMP.10, paragraph 12, requested the Board to publish its procedures for dealing with communications from stakeholders.
5. This procedure provides for detailed steps and modalities of direct communication of the Board with stakeholders on policy issues as well as general principles for establishing such steps and modalities on case-specific issues in relevant operational procedures dealing with case submissions.
- ~~6. — This document replaces “Procedures for public communication with the CDM Executive Board” (version 02).~~

1.2. General objectives

7. The overall objectives of the modalities and procedures for communication with stakeholders as provided in this document are to:
- (a) Support the Board in identifying areas within the CDM regulatory framework where the development of new or revision of existing regulatory documents would enhance objectivity and clarity, and/or ensure environmental integrity;
 - (b) Allow the Board to obtain relevant information at the appropriate time for its consideration;
 - (c) Enhance the stakeholders' understanding of the CDM rules and allow stakeholders to be better positioned to comply with relevant **standards-rules**, thus improving the overall efficiency of the system;
 - (d) Ensure transparency by providing relevant information to stakeholders and opportunities for them to provide supplementary information/explanations in a timely manner regarding their submissions of specific cases within registration, issuance, methodologies and accreditation work streams.

2. Scope, applicability, and entry into force

2.1. Scope

8. This procedure provides for means of communication of the Board with stakeholders in the following two main areas:
- (a) ~~Policy and procedural matters~~ Non-process-based communication: this area covers ~~regular interactions with stakeholders as well as ad-hoc consultations with stakeholders in situations where CDM rules (e.g. procedures, methodologies, standards) that have a significant impact on them are being developed or revised~~ communication to be made outside the defined communication provisions in dedicated process procedures (e.g. "CDM project cycle procedure", "Procedure: Development, revision and clarification of baseline and monitoring methodologies and methodological tools", "CDM accreditation procedure");
 - (b) ~~Case-specific matters~~ Process-based communication: this area covers ~~situations related to case submissions (e.g. requests for registration, issuance, deviation or revision of monitoring plans, proposals of new methodologies, requests for revision of approved methodologies and clarification on approved methodologies or methodological tools)~~ communication to be made in accordance with the defined communication provisions in dedicated process procedures.

2.2. Applicability

9. This procedure aims to provide a framework for communication with the following stakeholders:
- (a) Designated national authorities (DNAs);
 - (b) Applicant entities (AEs) and designated operational entities (DOEs);

(c) Project participants;

(d) Other stakeholders.

2.3. Entry into force

^{9bis}. This document enters into force on 20 February 2015.

3. ~~Communication on policy issues~~ Non process-based communication

3.1. Communication initiated by the Board

3.1.1. Objectives

10. The objectives of non-process-based communication initiated by the Board are:

- (a) To seek stakeholders' input regarding difficulties in the application of existing CDM rules;
- (b) To seek suggestions for areas requiring additional guidance within the regulatory framework with the aim of improving the objectivity, clarity, and broadened applicability, and/or ensuring the environmental integrity of CDM rules;
- (c) To ensure that actors within the CDM process understand the CDM rules established by the Board.

3.1.2. Means of communication

3.1.2.1. Interaction with DNAs

- 11. For the purpose of facilitating communication between the Board and DNAs, and between DNAs themselves, the secretariat shall organize global and regional DNA forum meetings as per the terms of reference of DNA forums. The Board shall decide on the number of the meetings in its management plan taking into account the need for the meetings and the availability of resources.
- 12. The Board shall also allocate time for interaction during Board meetings with the global DNA forum through its co-chairs twice a year. The Board shall specify **the dates of** the two meetings at its first meeting of each year.
- 13. The Board may invite the co-chairs of the global DNA forum to any of its meetings additional to the two meetings referred to in paragraph 12 above whenever it finds a need for further interaction with the forum.

3.1.2.2. Interaction with AEs/DOEs

3.1.2.2.1. Board interaction with AEs/DOEs

- 14. The Board shall allocate time for interaction with the DOE/AIE Coordination Forum through its Chair on issues of interest to AEs/DOEs at each Board meeting.

15. The DOE/AIE Coordination Forum Chair shall submit to the secretariat a presentation to be used in the interaction at a Board meeting at least one week before the meeting. The presentation shall include the views of the DOE/AIE Coordination Forum on **the issues included in** the annotated agenda of the Board meeting and any other matters that are of interest to AEs/DOEs.

15^{bis}. The Board shall consider the input received from the DOE/AIE Coordination Forum during the interaction at the same meeting or at a future meeting as appropriate.

16. Upon the request of the Board, the secretariat may communicate on behalf of the Board with the DOE/AIE Coordination Forum **to obtain** the views of AEs/DOEs on certain topics of interest to the Board at least three weeks before the Board meeting at which it considers the topics. The DOE/AIE Coordination Forum shall coordinate with its members and prepare consolidated views on the topics for consideration by the Board. In this case, the DOE/AIE Coordination Forum Chair shall include the consolidated views in the presentation referred to in paragraph 15 above.

3.1.2.2.2. CDM-AP interaction with AEs/DOEs

17. The CDM Accreditation Panel (CDM-AP) shall allocate time for interaction with the DOE/AIE Coordination Forum through its Chair and, if the forum wishes, with a limited number of AEs/DOEs, during CDM-AP meetings **not less than twice a year**. The subject of this interaction shall be limited to policy issues, particularly on the “CDM accreditation standard” and the “CDM accreditation procedure”, and shall not include accreditation case-specific issues. The CDM-AP shall **specify the two meetings at its first meeting of each year** hold such interactions on an as-needed basis.

~~18. The CDM-AP may invite the Chair of the DOE/AIE Coordination Forum to any of its meetings additional to the two meetings referred to in paragraph 17 above whenever it finds a need for further interaction with the forum.~~

19. In addition, the DOE/AIE Coordination Forum may request any further interaction with the CDM-AP. The forum shall substantiate such request and submit the request to the secretariat at least three weeks before the CDM-AP meeting in which the interaction is requested.
20. The CDM-AP shall accept such request if the workload of the meeting allows time for the interaction. The secretariat shall inform the DOE/AIE Coordination Forum of the decision of the CDM-AP at least two weeks before the meeting.
21. The DOE/AIE Coordination Forum shall submit to the secretariat its presentation to be used in the interaction at a CDM-AP meeting at least one week before the meeting.

3.1.2.2.3. Secretariat interaction with AEs/DOEs

22. **The secretariat shall ensure open opportunities to liaise with members of the DOE/AIE Coordination Forum in order to help ensure they keep abreast of decisions taken by the Board and have opportunities to seek clarifications relating to relevant regulations. After each Board meeting, The secretariat shall may organize a conference calls with all members of the DOE/AIE Coordination Forum who wish to participate to discuss the outcome of the Board meeting and to provide clarification to Aes/DOEs on decisions taken by the Board for this purpose. The need for such conference calls is determined in the beginning of the year based especially on the Board’s workplan. The secretariat shall**

circulate minutes of any such conference calls to the DOE/AIE Coordination Forum in the week following the call.

23. The secretariat ~~shall~~ **may** also organize periodically, subject to the availability of resources, regional calibration workshops for AEs/DOEs in the regions to provide clarifications and communicate the Board's interpretation and rationale behind its policy decisions, as well as to share good practices among AEs/DOEs and to ensure common understating of CDM rules.

3.1.2.3. Interaction with other stakeholders

3.1.2.3.1. Board interaction with stakeholders

24. Representatives from Parties and UNFCCC admitted observer organizations may attend Board meetings as observers. At each of its meetings, the Board shall allocate a time slot **early in the meeting** for interaction with registered observers for the meeting. Such interactions ~~should~~ **shall** be limited to discussion on policy and general issues, but not on case-specific matters, relating to the agenda items of that meeting.

24_{bis}. The observers registered for a Board meeting may submit written input for the meeting before the first day of the meeting. Not all observers may have the opportunity to speak at the meeting due to time limitations. In this case, those who submitted written input shall be given priority for speaking.

25. All interested parties, including project participants, NGOs and other stakeholders, may take part in this interaction, provided that they are registered as observers to a Board meeting through UNFCCC admitted observer organizations.¹

25_{bis}. The Board shall consider the input received from the observers during the interactions at the same meeting or at a future meeting as appropriate.

26. The Board shall also invite comments from stakeholders on the issues included in the annotated agenda of a Board meeting. The secretariat shall compile the comments received at the latest one week before the meeting and bring the compilation to **the attention** of the Board for its consideration at the start of the meeting. **The secretariat shall integrate the comments from stakeholders in the presentations it makes to the Board under the relevant agenda item.**

3.1.2.3.2. Call for input and targeted workshops

27. When preparing a new regulatory document or a major revision of an existing document that has a significant impact on stakeholders, the secretariat, on behalf of the Board, shall:
- (a) Launch a call for input to seek the views of stakeholders on the areas to be covered/revised in the document and the concerns that it should address; and/or
 - (b) Organize a workshop, including that for practitioners, to have the views of stakeholders.

¹ A list of all UNFCCC accredited organizations is available on the UNFCCC website <http://unfccc.int/parties_and_observers/items/2704.php>.

28. If it is decided to launch a call for input and/or a workshop, it shall be determined at which stage of the development of the regulatory document the Board will seek the views of stakeholders ~~through these means, e.g.:~~
- (a) At the beginning of the preparation/revision of the document;
 - (b) At the stage where a first draft of the document is available.
29. ~~The Board shall decide on t~~The duration of a calls for input shall be decided on a case-by-case basis depending on the complexity and the urgency of the issue on which the call is seeking views, allowing for reasonable time for comments to be submitted. Calls for input shall be directed to the public at large, using a dedicated alerting system and established mailing lists as appropriate, and all interested parties may provide their views on the subject of the calls.
- ~~30. The Board shall take all inputs received into consideration while making its decision.~~
- ~~31. After the Board has finalised its consideration and taken a decision on the subject of the call for input or the workshop, the secretariat shall make publicly available a summary of the inputs received during the call or the workshop, including, when appropriate, reasons for taking the decision different from proposals by stakeholders.~~
- ~~32. Calls for input shall be directed to the public at large and all interested parties may provide their views on the subject of the calls.~~
33. The secretariat ~~shall~~may, due to limited capacity, invite selected stakeholders to a workshop. In selecting invitees, the secretariat shall balance the interests of the stakeholders in the subject and the composition of participants to ensure an effective outcome of the workshop.
- 33^{bis}. Once inputs are received from stakeholders, whether from a call for inputs or from a consultation workshop, the secretariat shall consider the inputs with a focus on technical matters related to the topic under consultation. The secretariat shall prepare a summary of the inputs received and the status of their consideration:
- (a) Where an input has been incorporated into a regulatory document: how and where it has been reflected;
 - (b) Where an input has not been incorporated into a regulatory document: justification of why the particular input was not incorporated;
 - (c) Where an input is still being considered in ongoing work on a regulatory document: identification of which regulatory document is expected to take into account the particular input and relevant estimated timelines where appropriate.
- 33^{ter}. The secretariat shall submit the summary of inputs to the Board in conjunction with the relevant regulatory document or concept note under the Board's consideration.
- 33^{quater}. After the adoption by the Board of the relevant regulatory document, if there are significant differences in the way that stakeholders' comments are addressed in the adopted regulatory document, the secretariat may update the summary of inputs and make it publicly available.

3.1.2.3.3. System-wide consultation and calibration

34. The secretariat ~~shall~~ **may** organize, periodically **and as per the resources available in the management plan of the Board**, general consultation workshops for stakeholders such as CDM round tables ~~and Joint Coordination Workshops~~.
35. Such general consultation workshops shall provide opportunities for sharing good practices, enhancing understanding of CDM rules, exchanging ideas and free discussion between Board members, the secretariat and stakeholders on general policy issues as well as for exchanging experience in the implementation of various CDM rules.
36. The secretariat ~~may~~ **shall** prepare agendas for such events in consultation with stakeholders to ensure that issues of stakeholders' interest are discussed when appropriate.
37. The secretariat, when selecting invitees to such events, shall take into account representation of all interested parties, space limitation and topics included on the agendas of the events. In doing so, the secretariat shall pay particular attention to the regional balance of invitees.
38. The secretariat shall decide the number of **CDM roundtables, CDM Joint Coordination Workshops and other** general consultation workshops at the beginning of each year based on the workplan of the Board and the forecasted need for consultation with stakeholders.
39. The secretariat shall ensure that the outcomes of these consultations with stakeholders are formally documented, made publicly available on the UNFCCC CDM website and brought to the attention of the Board **for its consideration in conjunction with the relevant regulatory document or concept note under the Board's consideration**.

3.2. Communication initiated by stakeholders

3.2.1. General

- 39^{bis}. A channel of communication shall be available to stakeholders to facilitate the understanding, application and development of CDM rules and the implementation of project activities and programmes of activities (PoAs). Stakeholders may initiate communications on matters that do not fall within the scope of a dedicated process procedure (e.g. technical or operational clarification, suggestions/proposals for new regulations) using the "Stakeholder communication form" (CDM-COM-FORM).
- 39^{ter}. Depending on whether stakeholders wish to be provided with a fast-track response from the secretariat or to be provided with a formal response from the Board, they may submit:
 - (a) Communication to the secretariat;
 - (b) Communication to the Board.

3.2.2. Communication to the secretariat

3.2.2.1. Objectives

- 39^{quater}. The objectives in providing for communication with the secretariat are:

- (a) To provide stakeholders with means to seek a fast-track technical or operational clarification regarding the implementation of existing CDM rules;
- (b) To facilitate the use and understanding of the existing CDM rules.

3.2.2.2. Means of communication

^{39quinquies}. Stakeholders may communicate to the secretariat. The secretariat shall maintain a dedicated interface² on the UNFCCC CDM website to receive communications from stakeholders.

^{39sexies}. The secretariat should respond to a communication addressed to the secretariat as soon as possible and within 15 days of its receipt. The secretariat's responses are not endorsed by the Board, and the content of the communication or response will not be published on the UNFCCC CDM website.

^{39septies}. All responses provided by the secretariat through this process shall bear a disclaimer stating that the responses shall not supersede or pre-empt decisions and regulations of the Board, or the validation/verification opinions of DOEs on specific CDM project activities or PoAs.

^{39octies}. A communication directed to the secretariat may be redirected to the Board track referred to in section 3.2.3 below if the secretariat finds that it requires the attention of or further guidance from the Board. If the secretariat decides to do so, it shall inform the submitter and provide a justification for redirecting the communication to the Board.

3.2.3. Communication to the Board

3.2.3.1. Objectives

40. The objectives ~~of-in providing for~~ communication to the Board ~~initiated by stakeholders~~ are:
- (a) To provide stakeholders with ~~a forum where they can~~ means to communicate to the Board their views on CDM rules and their implementation;
 - (b) To provide stakeholders with channels for seeking official clarifications and enhancing their understanding of CDM rules and providing feedback to the Board.

3.2.3.2. Means of communication

41. Stakeholders may communicate directly with the Board to make a request for clarification or guidance, or feedback to the Board through a dedicated interface on the UNFCCC CDM website. The secretariat shall respond to the communication on behalf of the Board after the response has been cleared by the Chair of the Board.

² The entry point allows stakeholders to choose a channel for communications either with the secretariat or with the Board and directs the communications received from stakeholders to the right internal channel for processing. Once established, the entry point will replace several e-mail accounts and interfaces currently available.

42. The secretariat shall ~~place all communications and responses on the Board extranet provided by the secretariat~~ make all the communications available to the Board. Unless the submitter requests the communication to be confidential, the communication with the Board by stakeholders shall be made publicly available on the UNFCCC CDM website.
43. The secretariat, in consultation with the Chair of the Board, shall bring the attention of the Board to the communications ~~on policy, methodological and administrative issues~~ when they require the attention of or further guidance from the Board. In consultation with the Chair of the Board, the secretariat may refer the communications directly to a panel or working group for its consideration at its next meeting.
44. ~~The secretariat, in addition to the means described in sections a-c below, shall maintain channels and processes for communications of a more general, administrative or procedural nature received by the secretariat through dedicated interfaces and e-mail accounts managed by the secretariat, such as the contact page of the UNFCCC CDM website and the CDM-Info account.~~

a. Communication initiated by AEs/DOEs

45. ~~An AE/DOE may make a non-case specific request for clarification or guidance, or feedback to the Board through a dedicated interface on the operational entities extranet provided by the secretariat.~~
46. ~~The secretariat shall reply to the request within 21 days of its receipt by either:~~
- ~~(a) Providing a response to the request in accordance with paragraph 41 above;~~
 - ~~(b) Informing the AE/DOE that the request will be submitted to the Board or its support structure for their consideration in accordance with paragraph 43 above.~~
47. ~~The secretariat shall make publicly available the response to the AE/DOE subject to the provision in paragraph 48 below.~~
48. ~~AEs/DOEs may make a confidential submission and request for a confidential response from the Board. The secretariat, on behalf of the Board, may decide to make its response publicly available or to all AEs/DOEs if it is considered that it is in the common interest of all stakeholders or only of AEs/DOEs, respectively. In such cases, confidential information shall be removed from the response to be made available.~~

b. Communication initiated by DNAs

49. ~~A DNA may make a non-case specific request for clarification or guidance, or feedback to the Board through a dedicated interface on the DNA forum extranet provided by the secretariat.~~
50. ~~The secretariat shall reply to the request within 21 days of its receipt by either:~~
- ~~(a) Providing a response to the request in accordance with paragraph 41 above;~~
 - ~~(b) Informing the DNA that the request will be submitted to the Board or its support structure for their consideration in accordance with paragraph 43 above.~~
51. ~~The secretariat shall make publicly available the response to the DNA subject to the provision in paragraph 52 below.~~

52. DNAs may make a confidential submission and request for a confidential response from the Board. The secretariat, on behalf of the Board, may decide to make its response publicly available or to all DNAs if it is considered that it is in the common interest of all stakeholders or only of DNAs, respectively. In such cases, confidential information shall be removed from the response to be made available.

c. Communication initiated by project participants and other stakeholders

53. Project participants and other stakeholders may submit “Letters to the Board” on issues related to policy or general guidance to the Board using the form F-CDM-RtB and addressing to the Chair of the Board through a dedicated interface on the UNFCCC CDM website.

54. The secretariat shall endeavour to reply to the request within 35 days of its receipt by either:

(a) Providing a response to the request in accordance with paragraph 41 above;

(b) Informing the submitter that the request will be submitted to the Board or its support structure for their consideration in accordance with paragraph 43 above.

55. The secretariat shall make publicly available the response to the submitter.

56. The submitter may make a confidential submission and request for a confidential response from the Board. The secretariat, on behalf of the Board, may decide to make its response publicly available if it considers that it is a common interest of all stakeholders. In such cases, confidential information shall be removed from the response to be made publicly available.

56_{bis}. The secretariat should respond to a communication addressed to the Board as soon as possible and within 35 days of its receipt by either:

(a) Providing a response to the request or feedback in accordance with paragraph 41 above; or

(b) Informing the submitter that the request or feedback will be referred to the Board or a panel or working group for its consideration in accordance with paragraph 43 above; and/or

(c) Informing the submitter that the request or feedback will be forwarded to another relevant institution or body (e.g. DNA, etc.) if deemed appropriate by the Chair of the Board. However, such forwarding shall in no case constitute an endorsement by the Board of the content of the communication.

56_{ter}. The secretariat shall make publicly available the response to the submitter subject to the confidentiality provision in paragraph 56_{quater} below.

56_{quater}. Stakeholders may make a confidential communication and request a confidential response from the Board. The secretariat, on behalf of the Board, may decide to make its response publicly available if it is considered that it is in the common interest of all stakeholders. In such cases, confidential information shall be removed from the response to be made available.

^{56quinquies-} The secretariat shall not redirect communications addressed to the Board to the secretariat track referred to in section 3.2.2 above.

4. ~~Communication on case-specific issues~~ Process-based communication

4.1. Communication initiated by the secretariat

^{56sexies-} In cases where a minor editorial issue is found in a submission for a request for registration, issuance, post-registration changes, or renewal of crediting period, the secretariat shall initiate communication with the DOE and/or the project participants or the coordinating/managing entity to allow a quick correction of the issue raised in accordance with the “CDM project cycle procedure”.

^{56septies-} The secretariat may initiate communication prior to concluding on a case (e.g. concluding as incomplete at the completeness check, making a recommendation for review in the summary note, etc.) if it considers that such communication would efficiently resolve the concerns related to the compliance of the case with established requirements.

4.2. Communication initiated by stakeholders

4.2.1. Objectives

57. The objectives of ~~process-based communications on case-specific issues (e.g. regarding submissions processed in the CDM project cycle, the baseline and monitoring methodology approval process and the accreditation process)~~ are:

- (a) To provide information on the status of case-specific submissions in order to ensure transparency of their processing;
- (b) To allow better understanding by stakeholders of issues raised in case-specific submissions;
- (c) To allow stakeholders to better understand the rationale behind the Board’s decisions on case-specific submissions.

4.2.2. Means of communication

~~Disclosure of case-specific submissions status~~

~~58. The secretariat shall make available on the UNFCCC CDM website, the status of all case-specific submissions including an indication of the next step and a tentative date of its completion in case the timelines are not specified in the relevant procedures.~~

~~Communication with the Board in case-specific issues~~

~~59. Communication on case-specific submissions shall be initiated following the following general principles:~~

- ~~(a) Minor editorial issues shall not lead to rejection of submissions. In such cases the secretariat shall initiate a communication with the DOE or the project participants to allow a quick correction to the issue raised;~~

- (b) The secretariat may initiate communication, on behalf of the Board or any of its panels or working groups, prior to decision-making where considered appropriate (e.g. in deciding not to admit a case during completeness checks, information reporting checks, deciding to make a recommendation for review etc.) if it considers that such communication would efficiently resolve the concerns related to the compliance of the case with established requirements;
 - (c) During the consideration of case-specific submissions the corresponding process shall provide for opportunities for the relevant DOE and/or project participants to respond to issues raised regarding the compliance of the case with established requirements;
 - (d) The DOE and/or the project participants shall be given an opportunity to initiate communication with the secretariat, in order to clarify the issues raised when the decision is not in favour of them. Communication on post decision-making shall aim at ensuring mutual understanding of the decision. It shall not provide a possibility to challenge the decision.
 - (e) Communication on a case-specific submission shall be done only by the authorized representative of the affected parties or through the relevant DOE.
60. Notwithstanding the above provisions, the secretariat has a responsibility to ensure that errors made in the conduct of its duties are appropriately corrected when identified. The secretariat shall report such situations to the Board.
61. To ensure the transparency of the process, the summary of a telephone call, if conducted, shall be recorded as part of the project activity/methodology related documentation.
62. The detailed steps and modalities of direct communication with DOEs and project participants on case-specific submissions shall be included in the relevant operational procedures dealing with the case submissions.
63. Stakeholders may initiate process-based communications with the Board in accordance with defined steps in a dedicated procedure for a specific CDM process for a specific case. The processes for such communications include, but are not limited to:
- (a) The CDM project cycle process including the withdrawal of letter of approval (LoA);
 - (b) The CDM registry;
 - (c) The CDM accreditation; or
 - (d) The development, revision, update or clarification of baseline and monitoring methodology, methodological tool or standardized baseline.
64. Examples of channels and modalities of process-based communications are contained in the attachment.

5. Reporting on communications and feedback to stakeholders

65. The secretariat shall prepare an annual report on all communications received through the dedicated interface on the UNFCCC CDM website and inputs received during workshops and events, in relation to:

- (a) The number and type of stakeholder inputs;
- (b) The issues addressed in these communications;
- (c) Statistics on responses (type/outcome/timelines) provided to these inputs;
- (d) The impact of the stakeholder inputs on the regulatory framework and/or operations of the CDM.

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Attachment. Examples of process-based communication channels with stakeholders

Process name and entry points (Interface/e-mail)	Modalities of communication (summary)
CDM project cycle process including the withdrawal of LoA: dedicated interface on the UNFCCC CDM website, <cdm-registration@unfccc.int>, <cdm-registry@unfccc.int>	<ol style="list-style-type: none"> 1. An authorized representative of a DOE and/or the project participants may request, for direct communications in the form of a telephone call as defined in the “CDM project cycle procedure”, clarifications on the issues identified during the assessment stages when they are not sufficiently clear to them and the decision/conclusion is not in their favour. 2. If a host Party wishes to withdraw its approval/authorization of a project activity/PoA and/or project participant, the DNA of the host Party, in accordance with the “Procedure: Process for dealing with letters from DNAs that withdraw approval/authorization”, may use this channel to send a Withdrawal Letter to the secretariat, addressed to the Board.
CDM accreditation: <cdm-accreditation@unfccc.int>	<ol style="list-style-type: none"> 1. DOE/AE may submit inquiries relating to its accreditation process, such as a request for information and clarification on specific assessments or status of its accreditation. 2. Project participants or coordinating/managing entities may also use this channel for complaints against a DOE in accordance with the complaint procedure contained in the “CDM accreditation procedure”.
CDM registry: <cdm-registry@unfccc.int>	An authorized representative of the project participants or the coordinating/managing entity may submit a request related to accounts in the CDM Registry, forwarding of certified emission reductions (CERs), and actions related to modalities of communication.
Development, revision or update of CDM baseline and monitoring methodologies and methodological tools or standardized baselines: <sdm-ssu-methworkflows@unfccc.int>	Stakeholders may make comments on a proposal of a new methodology or standardized baseline, or proposal of revision or update of an approved methodology, methodological tool or standardized baseline in accordance with the “Procedure: Development, revision and clarification of baseline and monitoring methodologies and methodological tools” or the “Procedure: Development, revision, clarification and update of standardized baselines”.

Document information

<i>Version</i>	<i>Date</i>	<i>Description</i>
02.0 second draft	9 February 2015	<p>Published as an annex to the annotated agenda of EB 82.</p> <p>Revision to:</p> <ul style="list-style-type: none"> • Reflect inputs received from the call on the previous draft, as appropriate; • Streamline the section on process-based communication; • Make editorial improvement.
02.0	10 November 2014	<p>Published as an annex to the annotated agenda of EB 81.</p> <p>Revision to:</p> <ul style="list-style-type: none"> • Add a provision on periodic reporting of communications dealt within the scope of this document; • Modify response time for communication initiated by stakeholders.
01.0	15 July 2011	<p>EB 62, Annex 15</p> <p>Initial adoption. This document replaces the “Procedures for public communication with the CDM Executive Board” (version 02, EB 31 Meeting Report, Annex 37).</p>
<hr/> <p>Decision Class: Regulatory Document Type: Procedure Business Function: Governance Keywords: communications, transparency</p> <hr/>		

Appendix 2. Summary of call for inputs

Table 1. Consideration of comments

#	Submitter	Para No./ Annex / Figure / Table	Type of input ge = general te = technical ed = editorial	Comment on the paragraph	Proposed change (including proposed text, if any)	Consideration of Comments by EB82
1	Re-consult Ltd. (DOE)	22	ge	Conference calls are quite efficient way to get some clarifications regarding unclear points or sections in the documents or to get information about recently published or revised documents or planned changes in the documents. Therefore, the current practice of having DOE conference calls after each EB meeting should continue.	Suggested change to the second sentence of para 22 is as follows: “The secretariat <u>shall</u> organize conference calls with members of the DOE/AIE Coordination Forum after each CDM Executive Board meeting and shall make the relevant arrangements to handle the conference calls.”	Input has not been reflected in the document. Use of ‘may’ provides more flexibility instead. This allows the Board to have flexibility to change the focus of the DOE teleconferences when required to synchronize its relevance with the time and situation in the CDM market.
2	Carbon Market Watch	1	ed	It would be useful if the introduction would also mention the previous work undertaken by the Board on decision 3/CMP.6, e.g. call for input launched at EB59 and subsequent work undertaken at EB60 and EB62 including how the inputs received were taken into account	Reference to previous work and how the input received to public call at EB59, EB60 and EB62 was taken into account as well as other related steps taken	The inputs are requested for the current process and on this document. Work has already been concluded by the Board in the context of decision 3/CMP.6 at EB 59, 60 and 62. Inputs received at the time have been considered and taken into account by the Board when appropriate.

#	Submitter	Para No./ Annex / Figure / Table	Type of input ge = general te = technical ed = editorial	Comment on the paragraph	Proposed change (including proposed text, if any)	Consideration of Comments by EB82
3	Carbon Market Watch	1	ed	The introduction should also mention the recent Decision -/CMP.10 taken on 11 December 2014 on Guidance relating to the clean development mechanism that requests the CDM Board to publish its procedures for dealing with communications from stakeholders	Reference to CMP.10 decision	Input has been reflected in paragraph 4 _{bis} of the second draft.
4	Carbon Market Watch	24	te	<p>Observer participation at Board meetings have become less attractive for a number of reasons i) a substantial part of the Board meeting is held in closed session ii) open sessions can also be followed via webcast iii) the time slot for observer interaction is usually taking place at the end of the meeting which does not provide motivation to raise issues that could be useful for Board members during the Board meeting;</p> <p>It is therefore not very attractive for observers to travel to the Board meeting for physical presence for the observer interaction alone; To address this challenge and to limit physical travels it would be useful to introduce a video-conferencing opportunity for observers to interact with the Board; Moreover, the time slot of interaction should be moved to the beginning of the meeting. This would help ensure effectiveness in the treatment of stakeholders' input – as defined as the purpose of this call for input.</p>	24. Representatives from Parties and UNFCCC admitted observer organizations may attend Board meetings as observers. At each of its meetings, the Board shall allocate a time slot for interaction with registered observers <u>shall be made available after the adoption of the agenda of the meeting</u> . Such interactions <u>can also take place via video-conferencing facilities</u> and should be limited to discussion on policy and general issues, but not on case-specific matters, relating to the agenda items of that meeting.	Input has been partially reflected in paragraph 24 of the second draft.

#	Submitter	Para No./ Annex / Figure / Table	Type of input ge = general te = technical ed = editorial	Comment on the paragraph	Proposed change (including proposed text, if any)	Consideration of Comments by EB82
5	Carbon Market Watch	29	te	<p>When deciding on the duration of the calls for input, it's important that reasonable time be given. For example, a call for inputs over holiday season does not provide reasonable time. Moreover, to ensure that the provided time be used efficiently, it is important that the calls for input are communicated in a wider way than the current practice, which is limited to publishing the calls for input on the CDM Website at a relatively hidden location: https://cdm.unfccc.int/public_inputs/index.html which requires the active monitoring of this website to identify the call for inputs. It is not mentioned in the newsroom for example. Other institutions that invite public input have started to use means for communication to reach a wider audience, such measures include:</p> <ul style="list-style-type: none"> - establishing an alert/ mailing list for stakeholders that are interested in providing comments (e.g. stakeholders that have previously submitted comments); - using established mailing lists that generally reach a wide range of stakeholders such as the climate-I mailing list 	<p>29. The Board shall decide on the duration of calls for input on a case-by-case basis depending on the complexity and the urgency of the issue on which the call is seeking views, <u>allowing for reasonable time for comments to be submitted</u>. Calls for input shall be directed to the public at large, <u>using a dedicated alerting system and established mailing lists as appropriate</u>, and all interested parties may provide their views on the subject of the calls.</p>	Input has been reflected in paragraph 29 of the second draft.

#	Submitter	Para No./ Annex / Figure / Table	Type of input ge = general te = technical ed = editorial	Comment on the paragraph	Proposed change (including proposed text, if any)	Consideration of Comments by EB82
6	Carbon Market Watch	52	te	<p>For non-process based communications that cover communication outside the defined communication provisions including on views on CDM rules and their implementation, it may be challenging for the Board to address communications related to issues that are not covered by existing rules and procedures. A response from the Secretariat or the Board should therefore not be limited to explaining the mandate of the Board but guide the stakeholders towards a solution to the issues raised, including by forwarding the communication to the relevant institution or body.</p> <p>Moreover, to facilitate understanding and transparency about the issues communicated to the Secretariat and the Board an annual report should be compiled containing the specific issues raised by stakeholders. This report shall also contain recommendations to explore ways and means of dealing with recurring or serious problems that affect the “success” of CDM projects, by substantive or procedural rulemaking.</p>	<p>52. The secretariat should reply within 35 days of its receipt by either:</p> <ul style="list-style-type: none"> (a) Providing a response to the request in accordance with paragraph 50 above; or (b) Informing the submitter that the request will be submitted to the Board or a panel or working group for its consideration in accordance with paragraph 52 above. (c) <u>Informing the submitter that the request will be forwarded to another relevant institution or body if appropriate</u> <p><u>52. An annual report containing issues communicated under these procedures shall be compiled including recommendations for substantive or procedural rulemaking as appropriate.</u></p>	<p>Input has been reflected in paragraph 56_{bis} of the second draft.</p> <p>The second comments/proposed change regarding ‘annual report’ was already covered in paragraph 70 of the document used for the call for input (paragraph 65 of the second draft).</p>