

Call for public inputs – Template for inputs	Document: “Draft procedure for the development, revision and clarification of baseline and monitoring methodologies and methodological tools” (ver. 02.0)
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Affiliated organization of the submitter (if any): CDM Watch

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Date: 8 October 2012

NOTE: Several comments concern different paragraphs and lines. In this regard, they have been made as general comments.

0	1	2	3	4	5	6
#	Para No.	Line Number	Type of input ge = general te = technical ed = editorial	Comment (including justification for change)	Proposed change (including proposed text)	Assessment of comment (to be completed by UNFCCC secretariat)
1			ge	<p>The document proposes that for proposed new methodologies and requests for revision all stakeholders can make a submission. We welcome this provision because it ensures broad participation in the mechanism. The CDM should be an open process where everybody can make submissions and proposals. It is up to the panels and working groups and ultimately the Board to assess these proposals and make the final decision.</p> <p>However, it is not clear why the provision that all stakeholders can submit meth related documents is in brackets as one option for clarifications. The currently applicable documents explicitly state that “clarifications to approved methodologies may be carried out in response to requests by a project participant or relevant stakeholders” (EB31, Annex 12). In this regard, limiting the entities which may submit a request for clarification would reduce the participation possibilities in the CDM compared to the currently applicable rules and procedures. Besides, it would not seem logical to allow all stakeholders to submit methodologies and requests for revisions to methodologies, while limiting the stakeholders that can submit a request for clarification.</p>	Consistent with the currently applicable rules, all stakeholders should be allowed to submit requests for clarification	
2			ge	<p>We also welcome that submission do not need to be made through DOEs. Currently, DOEs charge significant fees (e.g. more than 1000 EUR) for forwarding a request to the secretariat, while they do not make any substantial check. The overall transaction costs may be reduced if the submissions can be made directly by the entity having the query.</p>	No change required	

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3			ge	Fees for submission should be abandoned. They cause significant transaction costs for processing these fees while only generating limited revenues.	Delete the text requiring fees for submissions	
4			ge	The procedure does not address the case of a withdrawal of a methodology or tool. Given that a significant number of methodologies have been withdrawn over the past years, it makes sense that the procedure covers the entire “lifecycle” of methodologies and includes provisions how a methodology should be withdrawn.	Include a procedure for the withdrawal of methodologies	

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5	71		ge	<p>According to the current procedures, a panel or working group can decide at any time to prepare a revision to a methodology or tool and does not need to ask the Board to do so. The new procedure recommends that in each case, the Board first needs to approve that the work on the revision is started. We recommend to maintain the current provisions for the following reasons:</p> <ol style="list-style-type: none"> <li>1. This new provision may delay top-down revisions. This could have negative consequences for both project developers (if provision appear to be cumbersome) and could undermine the environmental integrity (if problems in a methodology are detected but can not be immediately addressed).</li> <li>2. The CMP mandated the Board to become more supervisory and executive. The proposed change does not seem in line with this CMP mandate. The provision poses the risk that the substance of the revision is discussed twice by the Board: once when agreeing to start the revision and once when approving the revision. This could reduce the efficiency and effectiveness of the operation of the Board.</li> <li>3. In practice, a panel or working group, in its work on methodologies, often detects some issues which need to be changed in related methodologies for consistency purposes or detects editorial issues. If these issues can not immediately be addressed but only at a later stage, the consistency of methodologies may be reduced.</li> </ol> <p>It is therefore recommended to keep the current practice to allow the panel to initiate and propose revisions to the Board. An additional safeguard is that according to the new procedure, such revisions need to go through public consultation. If there are concerns with the revision, these can be raised in the public consultation.</p>	<p>Replace para 71 with language in the currently applicable procedures that the Board, the secretariat, a panel or working group may initiate a revision of a methodology.</p>	

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6			ge	The procedure addresses requests for revision or clarifications to methodologies and tools but not to relevant methodological guidelines or guidance documents. In the past, in a number of cases project developers have sought clarification on methodological guidelines, such as the “Guidelines on the assessment of the investment analysis” or the “Guidelines on common practice”. However, there is no formal procedure or interface for such queries. In some cases, such requests have been submitted as clarification requests to the additionality tool, in other cases, they have been submitted through letters to the Board. Given that some guidelines are very explicit on how standards should be interpreted, it would make sense to give project participants and stakeholders the opportunity to submit requests for revisions and requests for clarifications to such guidelines through a formal procedure. It is therefore recommended to amend the procedure accordingly to methodological guidelines or guidance.	Amend the procedure for requests for revision and requests for clarification to methodological guidelines or methodological guidance documents.	
7	66, 79		ge	The procedure suggests that the Board should decide whether the revision is for „mandatory use“ (new version number) or for „non-mandatory use“ (new sub-digit in the version number). It is recommended that the panel or working group makes a recommendation to the Board on whether it should be for „mandatory use“ or not. This is in line with the CMP request to the Board to become more executive and supervisory.	The panel or working group should make a recommendation to the Board whether the new version should be for “mandatory use” or not.	

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8	87-107		ge	<p>The procedure proposes to introduce three different tracks for clarification requests (“super-fast”, “fast”, “regular”) compared to the existing procedures with two tracks. We believe that two tracks should be maintained, as per the existing procedures, for the following reasons:</p> <ol style="list-style-type: none"> <li>1. The “super-fast” track is supposed to apply to cases that “do not involve any regulatory and/or technical ambiguity, hence require no analysis to formulate a clarification”. This seems contradictory to the purpose of a request for clarification. At least for the submitter there is a technical or regulatory ambiguity, otherwise the submitter would not make the request. In this regard, it seems strange to request the secretariat to judge that such an ambiguity does not exist.</li> <li>2. It may be more challenging to categorize a request for clarification in three categories rather than in two categories. Even with the existing two tracks, in some cases individual panel members may have had a different view among themselves or different from the secretariat on the classification as “fast track” or “regular track”. Categorizing requests in three different tracks may be more arbitrary and may not result in a more consistent treatment of different requests for clarification.</li> <li>3. The timeline for the “super-fast” track and the “fast” track is not very different, thus the existence of two “fast” tracks does not make a big difference for the submitters of requests. If a fast response is the main motivation and concern for the introduction of three tracks, the “fast track” could be shortened, as the consultation with panel or working group members does not require much time according to the proposed timelines.</li> </ol>	<p>Merge the “super-fast” track and the “fast” track in a single track, providing for shorter time frame for the overall completion of the request</p>	

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9	97		ge	Under the “fast track”, the proposed procedure suggests that the secretariat “shall finalize the clarification taking into account the input from the selected members of the relevant methodological panel or working group”. This implies that if the panel or working group members have a different view than the secretariat, the secretariat could nevertheless finalize the clarification according to its own opinion. The Board and other panel / working group members would not be aware of this difference in opinion. This could be problematic and not transparent. This approach is also not consistent with relevant other procedures under the CDM, where in the case of a disagreement the entire working group or panel or the Board is involved. This applies, for example, to procedures involving the registration and issuance team or the procedures for standardized baselines. We recommend to make this provision consistent with other relevant procedures.	In the case of a disagreement between the secretariat and the panel / working group members, the entire panel / working group should consider and finalizes the request following the procedure of the “regular track”.	
10	98, 105		ge	In publishing a response to a clarification on the UNFCCC website, the secretariat should also clarify and publish to which versions of the methodology the clarification request applies. For example, the CLA request may not apply to a newer or older version of the methodology that contains different provisions, but it may apply to a different version that contains exactly the same provision.	Request the secretariat to publish to which versions of the methodology the clarification applies.	