

CDM-EB86-AA-A15

Concept note

Improving stakeholder consultation processes

Version 01.0



United Nations
Framework Convention on
Climate Change

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1. Procedural background

1. The Executive Board of the clean development mechanism (CDM) (hereinafter referred to as the Board), at its sixty-ninth and seventieth meetings (EB 69, EB 70), considered the “Concept note on improving the stakeholder consultation process” (hereinafter referred to as the initial concept note)¹ in which recommendations for improvement of the local stakeholder consultation (LSC) and global stakeholder consultation (GSC) processes were proposed. The recommendations took into account various mandates of the Board and inputs received from stakeholders through the call for public inputs launched by the Board in 2011, as well as the consultation during the 5th CDM Round Table held on 10 August 2012 in Bonn, Germany, on draft proposals to address the identified issues relating to stakeholder consultation processes.
2. Several decisions were taken at EB 70 and these have already been reflected in the revised CDM project standard (PS), validation and verification standard (VVS) and project cycle procedure (PCP) (version 9). In particular, the Board agreed at EB 70:
 - (a) That, if significant changes have occurred in the project design after the initial LSC, the DOE, as part of its validation process, shall assess whether the LSC is still adequate (EB 70 report, para. 91; incorporated into version 9 of VVS, para. 165);
 - (b) To improve the GSC process by expanding the types of documents required to be published, defining the scope of comments to be submitted, analysing the feasibility of accepting comments in the official language of the host country, and providing guidance to DOEs on the treatment of the comments received (EB 70 report, para. 90(a), (b), (d) and (e); incorporated into version 9: VVS, para. 31–42; PCP, para. 19–33).
3. The Board, at EB 70, also requested the secretariat to undertake further work:
 - (a) With regard to **LSC**, the Board requested the secretariat to further refine the proposals contained in the initial concept note (EB 70 report, para. 93) and to work further on improving the process by:
 - (i) Defining the scope of the LSC as recommended in the initial concept note (EB 70 report, para. 92);
 - (ii) Refining the minimum groups of stakeholders to be invited for consultations (EB 70 report, para. 92(a));
 - (iii) Providing options that would provide flexibility to PPs in defining adequate means of consultation (EB 70 report, para. 92(b));
 - (b) With regard to the **GSC**, the Board, also at EB 70, requested the secretariat to analyse the feasibility of accepting comments in the official language of the host country (EB 70 report, para. 90(d));

¹ Annex 22 to the annotated agenda of EB 69.

- (c) With regard to **stakeholder concerns raised post-registration**, the Board, at EB 70, requested the secretariat to further refine the proposal (paras. 40 and 41 of the initial concept note) by:
 - (i) Delinking the time period in which stakeholders may raise concerns from the monitoring of the project activity or programme of activities (PoA) (EB 70 report, para. 94(a));
 - (ii) Providing options that would constitute a formal process for dealing with those concerns (EB 70 report, para. 94(b)).
- 4. The Board, at EB 84, considered a revised concept note² on improving the stakeholder consultation process and requested the secretariat to further revise the concept note for its consideration at EB 86, taking into account the inputs provided by the Board, including:
 - (a) Information to be collected and presented on practical examples where there may be gaps in the current regulations of the Board;
 - (b) The mandates given by the Board at EB 70;
 - (c) The cost implications and possible complexity of the proposals contained in the revised concept note.
- 5. The current revision of the concept note responds to the most recent request of the Board at EB 84, as well as issues raised in the initial concept note on which EB 70 did not decide. In particular, it contains extensive information on practical examples indicating possible gaps in the current regulations of the Board (see section 3.2 and appendices 1-4). On this basis, the current concept note contains proposals to address the mandates (as per para 4 above) and fill the identified gaps.

2. Purpose and scope

2.1. Purpose

- 6. The purpose of the changes to the CDM rules and regulations proposed in this concept note is to increase the participation of stakeholders in, and the transparency, clarity and effectiveness of, the LSC and GSC. The proposed changes are also aimed at providing clear requirements to project participants (PPs)/coordinating/managing entities (CMEs) and designated operational entities (DOEs), both on how to conduct the stakeholder consultations and how to validate their adequacy.

2.2. Scope

- 7. The scope of this document is set by the work requested by the Board, as referred to in paragraphs 3 and 4 above. This document considers all stakeholder inputs as included in the initial concept note and additionally considers the stakeholder inputs received from the call for inputs on the revision of the PS, VVS and PCP (open from 2 to 22 April 2014).

² Annex 14 to the annotated agenda of EB 84.

3. Key issues and proposed solutions

8. The initial concept note considered at EB 69 and EB 70 provided a detailed description of the concerns raised by stakeholders through various interactions, including calls for input and various workshops and round tables, regarding the stakeholder consultation process in the CDM and provided proposals on how these concerns could be addressed.

3.1. Current CDM requirements

9. This section summarizes the current requirements applicable to LSC and GSC under the CDM, as set out in decisions of the Board and the Conference of the Parties serving as the meeting of the Parties to the Kyoto Protocol (CMP). The current regulatory framework provides for stakeholder commenting only at specific points in the project cycle – before and at the start of the validation of a project activity or PoA – and does not contain provisions for stakeholders wishing to raise concerns post-registration.

3.1.1. Local stakeholder consultation

10. The annex to decision 3/CMP.1 (hereinafter referred to as the CDM modalities and procedures), paragraph 37(b) requires “The designated operational entity ... shall review the project design document and any supporting documentation to confirm that the ... comments by local stakeholders have been invited, a summary of the comments received has been provided, and a report to the designated operational entity on how due account was taken of any comments has been received.”
11. Version 9.0 of the PS (para. 74–80), VVS (para. 161–166) and PCP (para. 26, 33) elaborate how these processes shall be conducted and what actions shall be undertaken by PPs/CMEs/DOEs as follows:
 - (a) The PPs/CMEs are required to:
 - (i) Invite local stakeholders to provide comments on the proposed CDM project activity or PoA and demonstrate how due steps/actions were taken to appropriately engage stakeholders and solicit comments;
 - (ii) Invite comments from local stakeholders in an open and transparent manner, in a way that facilitates comments to be received from local stakeholders and allows for a reasonable time for comments to be submitted;
 - (iii) Describe the proposed CDM project activity or PoA in a manner that allows the local stakeholders to understand the project activity or PoA, taking into account confidentiality provisions of the applicable CDM modalities and procedures;
 - (iv) Prepare a summary of the comments provided by local stakeholders and demonstrate that they considered all comments received for the proposed CDM project activity or PoA;

- (b) The DOE shall, by means of document review and interviews with local stakeholders as appropriate, determine whether:
 - (i) Comments have been invited from local stakeholders that are relevant for the proposed CDM project activity or PoA and/or CPA;
 - (ii) The summary of the comments received, as provided in the project design document (PDD) or programme design document (PoA-DD) and/or component project activity design document (CPA-DD), is complete;
 - (iii) The project participants or the coordinating/managing entity have taken due account of all comments received, and have described this process in the PDD or PoA-DD and/or CPA-DD;
 - (iv) The consultation process complied with, if any, applicable national regulations and was completed before the start date of the proposed CDM project activity or PoA and/or CPA as defined in the “Glossary: CDM terms”; and the submission of the PDD or PoA-DD and CPA-DD to the DOE for validation;
- (c) Timing of local stakeholder consultations: Project participants or the coordinating/managing entity shall complete the local stakeholder consultation process before the start date of the project activity, PoA or CPA, as defined in the “Glossary of CDM terms” and submitting the PDD or PoA-DD of the proposed CDM project activity or PoA to a DOE for validation. The Board, at EB 85, however agreed to reconsider the rule on paragraph 78 of the PS, version 09.0, at the next revision of the PS, and to allow PPs or CMEs of projects where the LSC had not been carried out before the start date of the project activity to request an exemption on a case-per-case basis until the revision of the PS becomes effective;
- (d) If significant changes have occurred in the project design after the initial LSC, the DOE, as part of its validation process, shall assess whether the LSC is still adequate (EB 70 report, para. 91) and may also request guidance from the Board (incorporated into version 9: PS, para. 80; VVS, para. 165; PCP, para. 26);
- (e) Complaint mechanism: After the completion of the local stakeholder consultation, local stakeholders may submit a complaint to the DNA(s) of the host Party(ies) if they find that the outcome of the local stakeholder consultation is not appropriately taken into account. The DOE shall request the DNA(s) to forward such complaints, if any, to the DOE and promptly forward them to the project participants or the coordinating/managing entity during the validation in accordance with the “CDM validation and verification standard” (version 9 of PS, para. 79; VVS, para. 164; PCP, para. 33).

3.1.2. Global stakeholder consultation

12. The CDM modalities and procedures stipulate that the validating DOE shall receive within 30 days (45 days for afforestation/reforestation (A/R) projects) comments on the validation requirements from Parties, stakeholders and UNFCCC accredited non-governmental organizations and make them publicly available. This process is commonly known as GSC.

13. Version 9.0 of the PCP (para. 19–33) elaborates how these processes shall be conducted and the VVS (para. 31–42) elaborates what actions shall be undertaken by DOEs as follows:
- (a) Parties, stakeholders³ and UNFCCC accredited observers may submit comments, in English, on the validation requirements for the proposed CDM project activity or PoA to the DOE through the secretariat via a dedicated interface on the UNFCCC CDM website. The submitters of the comments shall provide the name and contact details of the individual or organization on whose behalf the comments are submitted. The DOE shall check the authenticity of this information in case of doubt;
 - (b) The secretariat shall make the comments publicly available on the UNFCCC CDM website where the PDD or PoA-DD is displayed, and shall remove those that the DOE has determined to be unauthentic in accordance with subparagraph (a) above.

3.2. Analysis of the current situation

14. This section responds to the request of the Board, made at EB 84 (EB 84 report, para. 33), to the secretariat to include information on practical examples where there may be gaps in the current regulations of the CDM. The analysis of stakeholder comments raised in the validation process was undertaken on the basis of a selection of registered projects, while the analysis of stakeholder comments received outside the validation process was undertaken on the basis of unsolicited communications submitted to the Board.

3.2.1. Stakeholders' comments provided during validation

15. PDDs and validation reports contain information on how the CDM modalities and procedures and the Board's requirements with regard to stakeholder consultations are applied in practice in the validation process. The secretariat analysed this information for 46 randomly selected project activities. Only registered projects were selected, as the registration has been deemed final and all information has been made publicly available. Efforts were made to ensure that the selection covers a wide host country distribution and a broad range of project types where there is a higher likelihood of local or broader communities being affected.
16. The composition of the analysed projects, by host country and project type, is given in table 1 below. The detailed information on the projects analysed, as well as gaps identified in current regulations, is provided in appendix 3).

Table 1. Distribution of analysed projects by host country and project types

Host country	Project type	Number of projects analysed
Bhutan	Hydro	1

³ The annex to decision 3/CMP.1, paragraph 1(e) mentions: "Stakeholders" means the public, including individuals, groups or communities affected, or likely to be affected, by the proposed clean development mechanism project activity.

Host country	Project type	Number of projects analysed
Brazil	Hydro, A/R, wind	3
Cambodia	Hydro	1
Chile	Biomass energy	1
China	Biomass energy, hydro, waste to energy	8
Colombia	Transport	1
Costa Rica	Biomass energy	1
Ecuador	Landfill gas	1
Guatemala	Hydro	2
Honduras	Biomass energy	1
India	EE Households, hydro, A/R, wind, fuel switch, supercritical, biomass, waste to energy	10
Indonesia	Landfill gas	1
Kenya	A/R	1
Lao PDR/Thailand	Hydro	1
Malaysia	Biomass energy	1
Mexico	Landfill	1
Nepal	Biomass energy	1
Nigeria	EE Households, fugitive	2
Panama	Hydro, biomass energy	3
Peru	Hydro	1
Philippines	Geothermal	1
South Africa	EE Households, waste gas/heat utilization	2
Viet Nam	Hydro	1
Total		46

17. For each of the projects selected, the following information was reviewed:
- (a) How project participants invited local stakeholders' comments and addressed these comments – sourced from PDDs;
 - (b) How DOEs validated that due account was taken of comments received by project participants in accordance with the VVS requirements – sourced from validation reports;
 - (c) Any comments received from stakeholders during GSC – sourced from the project validation page on the UNFCCC CDM website;
 - (d) How DOEs took into account any comments received during GSC – sourced from validation reports;
 - (e) Whether current CDM rules address the issues raised.

3.2.2. Stakeholder comments provided outside validation

18. While the stakeholder's comments in the validation process are regulated within the CDM modalities and procedures and CDM requirements, a number of comments regarding proposed project activities made by the public/stakeholders were outside of the validation process. Most of these comments were directed to the Chair of the Board or to the Executive Board via the process for unsolicited communications, and a few were sent directly to the secretariat. For simplicity of the analysis, the secretariat looked only at the comments made by stakeholders via the unsolicited submission process.
19. All the unsolicited submissions submitted during 2010 (EB 52) to 2015 (EB 85) were scrutinized and those from submitters other than PPs and DOEs and directly related to project activities were identified. In addition, the submissions were analysed to identify whether they were submitted during or after the GSC and to categorize them in the following areas: technical, environmental, sustainable development, human rights issues, or related to GSC itself.
20. Out of 611 submissions received, 46 submissions were directly related to project activities and PoAs and submitted by people/organizations other than PPs and DOEs of the project activity. It cannot be ascertained why these comments were not made during the LSC or GSC process of the respective CDM project activity; however, it may indicate that there may be a need to revisit the adequacy of these processes to enhance public participation.
21. The overview of unsolicited submissions received outside the validation process over this period is presented in table 2 below. The detailed information on the 46 communications to the Board directly related to project activities and PoAs, as well as gaps identified in current regulations, is provided in appendix 4.

Table 2. Submissions by stakeholders outside the validation process

Se-ri-al No	EB Meeting	Date	Number of submissions	Submis-sions relat-ed to stake-holder comments on project activities	Timing of the submissions	
					Number of submissions submitted during GSC	Number of submissions submitted post-GSC
1	52	Feb 2010	13	1		1
2	53	Mar 2010	18	0		0
3	54	May 2010	15	2		1
4	55	July 2010	28	4		4
5	56	Sep 2010	21	1		2
6	57	Oct 2010	19	2		2
7	58	Nov 2010	7	0		0
8	59	Feb 2011	21	3	1	2
9	60	Apr 2011	12	2		2
10	61	May-Jun 2011	17	2		2
11	62	Jul 2011	10	5		5

Se	EB	Date	Number of	Submis-	Timing of the submissions
12	63	Sep 2011	32	5	5
13	64	Oct 2011	27	0	0
14	65	Nov 2011	19	2	2
15	66	Feb-Mar 2012	40	3	3
16	67	May 2012	36	0	0
17	68	Jul 2012	19	0	0
18	69	Sep 2012	30	0	0
19	70	Nov 2012	32	2	2
20	71	Jan-Feb 2013	30	0	0
21	72	Mar 2013	9	0	0
22	73	May 2013	23	0	0
23	74	Jul 2013	18	1	1
24	75	Sep-Oct 2013	23	4	4
25	76	Nov 2013	18	2	2
26	77	Feb 2014	27	0	0
27	78	Mar-Apr 2014	6	0	0
28	79	May-Jun 2014	12	2	2
29	80	Jul 2014	3	0	0
30	81	Nov 2014	12	1	1
31	82	Feb 2015	2	0	0
32	83	Apr 2015	3	0	0
33	84	May 2015	4	1	1
34	85	Jul 2015	5	1	1
GRAND TOTAL			611	46	1

3.2.3. Summary of gaps in current regulations

22. The analysis set out in sections 3.2.1 and 3.2.2 identified the following gaps in the current regulations of the Board:

- (a) In relation to **LSC**:
 - (i) CDM rules do not exist to monitor the status of completion of commitments made in the PDD to address comments received during LSC, for example, commitment of job creation, putting in place noise barriers, compensation for land, etc.;
 - (ii) There is little guidance for DOEs on how to assess comments received at LSC;
- (b) In relation to **GSC**, PDDs are not translated into the languages of host countries and comments are only accepted in English;

- (c) There is currently no procedure to address **stakeholder concerns raised post-registration** or comments raised after the GSC period is closed. Paragraph 53(c) of the “Procedure: Direct communication with stakeholders” (version 02.0) allows the Board to forward communications made by stakeholders to the respective DNA(s). Such forwarding is process rather than substance-oriented and the Board does not express a view on the content of the communication. The provision also does not require any action by the DNA;
- (d) Currently the project assessment is based on DOE statements in the validation report only. CDM rules do not exist to investigate or act upon issues highlighted by the stakeholders after GSC and post-registration. The current practice of stakeholders is to send unsolicited communications to the Board;
- (e) There are also no provisions for how to address comments on matters concerning **human rights and negative environmental impacts** due to the implementation of a project activity or PoA.

3.3. Proposed solutions for the local stakeholder consultation process

- 23. The requirements related to LSC are less well defined and elaborated than those for other CDM requirements. This has led to a range of criticisms from DOEs, project developers, stakeholders and buyers of CERs, resulting in reputational issues for the CDM.
- 24. The initial concept note pointed out that the current CDM rules and requirements do not provide specific guidance to PPs on who to consult during the LSC process, when to consult and what method to be used for consultation. Based on the inputs received from stakeholders, the absence of specific guidance on conducting the LSC process appears to be making it difficult for a DOE to assess whether the LSC process was conducted adequately by PPs. This has the further consequence of making it difficult for the DOE to make an objective judgement.
- 25. The proposed solutions in the following sections for the improvement of LSC are based on the issues identified with the current requirements, stakeholder inputs, guidance provided by the Board and the secretariat’s experience with the assessment of LSCs for proposed CDM project activities. Appendix 1 provides a summary of how the proposals on LSC in this document have been revised in response to the guidance of the Board provided at EB 70 and EB 84.

3.3.1. Define the scope of LSC

- 26. The scope of LSC is proposed as follows:
 - (a) The scope shall comprise, as a minimum, the potential impact that the project may have, both positive and negative, on the environment and the local communities;
 - (b) Where local stakeholder consultations are already conducted under host country rules (e.g. environmental impacts assessment (EIA), national environmental permissions/licences to set up and operate, etc.) and comply with all CDM requirements, it shall not be mandatory to conduct LSC again. The PDD or PoA-DD/CPA-DD shall provide a summary of the consultation carried out under host country rules and management plans to address the adverse impacts and de-

scribe how the LSCs carried out under host country rules are adequate and comply with the requirements under the CDM.

3.3.2. Define the minimum group of stakeholders to be involved

27. The minimum group of stakeholders that shall be invited is proposed as follows:

- (a) At least the following local stakeholders, notwithstanding those required by the host country rules, shall be invited: local people and communities impacted by the project or their official representatives, local policymakers and representatives of local authorities, an official representative of the DNA of the host country of the project and local non-governmental organizations (NGOs) working on topics relevant to the project;
- (b) If any of these stakeholder groups are not invited, the PPs/CMEs shall provide appropriate justification on why these groups are not relevant to the project activity;
- (c) The PPs/CME shall substantiate their choice of potentially affected members of the public. The PPs or CME shall also substantiate how they identified the local people affected;
- (d) Attendance of all groups of stakeholders may not be possible. However, the PPs or CME shall provide evidence that invitations were sent to those groups of stakeholders and their comments were invited.

3.3.3. Initial round of local stakeholder consultation

3.3.3.1. Define means for inviting stakeholders' participation

28. The PPs or the CME shall invite local stakeholders to provide comments on the proposed CDM project activity or PoA using the best practices available, and shall describe the steps/actions taken to appropriately engage stakeholders and solicit comments taking into account best practices and national and cultural circumstances and facilitate comments to be received from local stakeholders.
29. Effective means/media shall be used to inform stakeholders about the consultations and the project. This should include information disseminated in ways that are appropriate for the particular community that is affected. For example: community centres, cultural centres, places of worship (churches, shrines, temples, mosques, etc.), schools, etc. In areas where a significant part of the population is illiterate the information shall be provided orally, for example by local radio or public announcer. The PPs/CME shall provide evidence that consultation information was distributed in appropriate locations.

3.3.3.2. Define information to be made available to stakeholders and the format

30. The invitation to the LSC shall include:

- (a) A non-technical summary of the project activity, explaining the project in simple, non-technical terms in the appropriate local language(s) of the host country, containing a description of impacts on the environment and local communities and management plans to contain these, including the project's projected scope, lifetime, adverse impacts, along with all other relevant information about the project,

taking into account confidentiality provisions of the applicable CDM modalities and procedures;

- (b) Information on the process of conducting the LSC. All relevant information may also be made public on the website of the respective PP or DNA or another public website or means. The information provided should enable the stakeholders to understand the project and its impact, whether positive or negative and enable them to form a view on it.

31. In addition, copies of the original project documentation and PDD should be made available for perusal at the local office of the PP/CME.

3.3.3.3. Define how the consultation shall be conducted

32. LSC may be conducted through an in-person meeting or other means that are appropriate for the local circumstances. If the PPs/CME choose not to conduct an in-person meeting, justification on how the other means were considered more appropriate shall be provided. More specifically:

- (a) Sufficient time should be given to stakeholders to enable their participation in the meeting. To allow for a reasonable time for comments to be submitted, the stakeholder consultation shall be announced at least 30 days prior to the consultation meeting;
- (b) The meeting shall be conducted in the appropriate local language(s);
- (c) The PPs/CME shall address any questions and clarification sought from the stakeholders;
- (d) The PPs/CME shall gather stakeholders' comments and concerns about the project and its impact;
- (e) The PPs/CME shall inform stakeholders of the means to raise concerns about the project;
- (f) The in-person meeting referred to above, if conducted, shall not be the only means for providing comments on the project activity; stakeholders shall be provided the opportunity to comment in writing or via other means.

3.3.3.4. Summary of comments received

33. The PPs/CME shall prepare a summary report of the comments received from local stakeholders. This report shall contain as a minimum:

- (a) A description of the process employed for conducting LSC, including the process of inviting local stakeholders and shall describe the steps/actions taken to appropriately engage stakeholders and solicit comments;
- (b) Evidence of the means used to invite and engage stakeholders (e.g. invitation letters, list of invitees and participants at the in-person meeting, if applicable);
- (c) A copy of the documentation or presentations made available to stakeholders. If an in-person meeting is conducted, evidence of such meeting shall be provided and may include audio or video recording or photographs, etc.;

- (d) A summary of the discussion that took place including, if appropriate, the use of an audio or video recording;
- (e) Input, comments and concerns raised by stakeholders.

3.3.3.5. Report on consideration of comments received

- 34. The PPs/CME shall consider the inputs, comments and concerns raised by local stakeholders and report on how they have taken them into account and how they will be documented when preparing or revising the PDD. The PPs/CME shall provide justification if any comments, including negative comments, were not incorporated.
- 35. Documented feedback shall be provided, using appropriate means, to stakeholders who provided comments in the initial LSC round including those who attended the in-person meeting (if conducted) and to the DNA of the host Party. When communicating the feedback, the PPs/CME shall inform stakeholders that if they are not satisfied with the handling of their comments, they may contact the PPs/CME and the DNA in writing within 14 days.

3.3.4. Feedback round of local stakeholder consultation (if applicable)

3.3.4.1. Define means for inviting stakeholders' participation

- 36. The feedback round shall be conducted if local stakeholder residual concerns are communicated in writing to the DNA and PPs/CME within 14 days after the documented feedback is provided to the local stakeholders. The PPs/CME shall invite, as a minimum, the same stakeholders that were invited to the initial round of local stakeholder consultations through appropriate means, taking into account any issues with communication that arose in the first round. Individual invitations to stakeholders who attended the first round shall be made.

3.3.4.2. Define information to be made available to stakeholders and the format

- 37. The PPs/CME shall provide the following documents to local stakeholders, along with the invitation to the feedback round: a revised non-technical summary of the project activity, if revised due to changes, containing a description of impacts on the environment and local communities and management plans to contain these, in the appropriate local language(s) of the host country or region:
 - (a) A summary of comments received in the first initial round and how they have addressed them including those that were considered immaterial or irrelevant and any other residual comments by stakeholders;
 - (b) A description of any changes in the project design including those identified as a result of the stakeholders' comments (if any);
 - (c) Information on the process of conducting the feedback round of local stakeholder consultation and provision of report to the local stakeholders.

3.3.4.3. Define how the feedback round shall be conducted, including reporting on the consideration of the comments received

38. The feedback round shall be conducted through appropriate means, considered and reported as specified for the initial round of LSC.
39. Overall, the proposal is not expected to result in a noticeable increase in the transaction costs for PPs and DOEs, except in some cases, where initial LSC is not carried out appropriately and there exist residual impacts on the stakeholders. Only in such cases, LSC will require a second round, and will imply additional costs by PP/CME.

3.4. Proposed solutions for the global stakeholder consultation process

40. Many stakeholders have raised concerns that a large majority of stakeholders globally are unable to read and/or write in the English language. There have been stakeholder requests to allow the stakeholders to submit comments in languages other than English.
41. Allowing stakeholders to submit comments in languages other than English may increase participation and access to the CDM and may in some cases incur higher transaction costs for project participants, DOEs, the secretariat and the Board. It may also increase lead time in processing of the CDM project activities and PoAs.
42. The proposal to the Board is to allow Parties, stakeholders and UNFCCC-accredited observers to submit comments in English or in the national/official language of the host country of the proposed CDM project activity or PoA. The DOE shall provide an English summary of the comments received. The DOE uploading the PDD for GSC shall specify and confirm the official/national language of the host country where the project or programme is located, so that the comments submitted in the official/national language of the host country could be considered and validated by the DOE.
43. The proposal is not expected to result in a noticeable increase of the transaction costs for PPs and DOEs, as validation teams of DOEs are in any case required to collectively have knowledge of regional aspects as per the CDM accreditation standard.
44. Appendix 2 provides a summary of how this proposal on GSC has been revised in response to the guidance of the Board at EB 70 and EB 84.

3.5. Proposed solutions for stakeholder concerns raised post-registration

45. From the beginning of the operation of the CDM, a significant proportion of the submissions from stakeholders to the Board (unsolicited submissions or letters to the Board) has been related to project-specific matters whereby stakeholders, in many instances, raise concerns about CDM project activities after the GSC or registration.
46. There is no procedure to raise comments after the GSC period is closed or after the registration of projects and PoAs generally. The current practice of stakeholders is to send unsolicited communications to the Board. The Board is unable to investigate or act upon issues highlighted by the stakeholders after GSC.
47. The following sections set out two possible solutions for addressing this issue. Adopting one of the options would provide the Board with a route to resolve negative impacts of a project activity or PoA that become apparent based on the comments from stakeholders during its implementation that were not visible at the design phase. Both options recog-

nize the role of DNAs (in particular host Party DNAs) in addressing issues relating to project activities that are outside the CDM requirements, by strengthening and facilitating information-gathering in relation to such issues.

48. It should be noted that adopting either of the two options may increase the risks for project participants and reduce the predictability with regard to investment in CDM project activities and PoAs.

3.5.1. Option 1: Short commenting period upon publication of the monitoring report

49. The Board may wish to consider:
- (a) Opening a short commenting period at the stage of publication of the monitoring report prior to each issuance request. Such an approach could allow for comments from stakeholders on any negative impacts that may have been triggered by the implementation of the CDM project activity and that may not have been apparent before the implementation of the project activity or the PoA;
 - (b) The commenting period could be open for only a short period of time after the publication of each monitoring report, for example 10 days, so as not to delay the verification process;
 - (c) The DOE could be required to consider the input received from stakeholders and assess whether such comments are within the scope for comments (for example, the scope could be set as related exclusively to negative impacts with a requirement that the comments be supported with evidence);
 - (d) The DOE could be required, if more information is needed, to contact the submitters of the comments via telephone or e-mail to request the missing information;
 - (e) The DOE could also be required to inform the PPs of the comments received and request their feedback within a specified time frame.
50. If the above initial process were to be adopted, the Board may wish to consider the following two options with regard to the role of the DOE:
- (a) **Sub-option 1:** Based on the comments and the feedback received from the PPs, the DOE could be required to assess whether the stakeholder comment is related to the CDM requirements or outside the CDM requirements (for example, related to issues under national laws) This would provide the DOE with more responsibility in relation to these issues and allow it to make a professional judgement. Where the issue is related to the CDM requirements, it would also provide an opportunity to the PPs to take corrective actions and restore the compliance with the CDM requirements. This sub-option could be implemented as follows:
 - (i) Where the DOE concludes that the comments are related to CDM requirements, the DOE may raise a corrective action request (CAR) and submit a positive verification opinion only when the CAR is resolved by the PPs;
 - (ii) Where the DOE concludes that comments are related to issues outside the CDM requirements (for example, under national laws), the DOE could be required to annex the comments received from the stakeholders and the information gathered and the feedback from the PPs (if any) to its verification report (the “comments annex”) for the Board’s consideration. The Board

would then forward the comments annex to the DNA(s) of the Party/Parties involved and request the relevant DNA(s) to investigate the issues raised in the comments annex. The Board may also wish to consider whether to introduce a procedure where it informs the relevant DNA(s) that it will withhold the issuance of certified emission reductions (CERs) for a limited period of time (X days) pending the response(s) of the DNA(s). If no response(s) is/are received from the DNA(s) within that time frame, the Board would proceed with the issuance of CERs;

- (b) **Sub-option 2:** Based on the comments and the feedback received from the PPs, the DOE could be required simply to annex the comments received from stakeholders and the information gathered and the feedback from the PPs, if any, to its verification report (comments annex) for the Board's consideration. This is different to sub-option 1, as the DOE undertakes no analysis and merely collates information for the Board's attention, and would shift the responsibility from the DOE to the Board to determine whether the issues are related to the CDM requirements or outside the CDM requirements. This sub-option 2 could be implemented as follows:
- (i) Where the Board concludes that the comments are related to the CDM requirements, the Board could reject the request for issuance of CERs;
 - (ii) Where the Board concludes that the comments are related to issues outside the CDM requirements (for example, related to national laws), the Board could forward the comments annex to the DNA(s) of the Party/Parties involved and request the relevant DNA to investigate the issues raised in the comments annex. The Board may also wish to consider whether to introduce a procedure where it informs the relevant DNA(s) that it will withhold the issuance of CERs for a limited period of time (X days) pending the response(s) of the DNA(s). If no response(s) is/are received from the DNA(s) within that time frame, the Board would proceed with the issuance of the CERs.

3.5.2. Option 2: Long-term running period for commenting

51. The Board may wish to consider:

- (a) Opening a long-term running and continuous commenting period starting after the registration of a project activity or PoA until the publication of the last monitoring report for the last crediting period. Stakeholders may submit comments at any time during this period. The comments that are submitted between the publication of successive monitoring reports would be considered during the verification of the corresponding monitoring period prior to the corresponding issuance of CERs.⁴ Such an approach could allow for comments from all stakeholders on any negative impacts that may have been triggered by the implementation of the

⁴ For example, the stakeholder comments submitted after registration and publication of first monitoring report shall be considered at the time of verification of the first monitoring period, prior to first issuance. Similarly, the stakeholder comments submitted between publication of first and second monitoring report shall be considered at the time of verification of the second monitoring period, prior to second issuance. Note that comments cannot be submitted after the publication of the last monitoring report for the last monitoring period.

CDM project activity and that may not have been apparent before the implementation of the project activity or the PoA;

- (b) The DOE could be required to consider the input received from stakeholders and assess whether such comments are within the scope for comments (for example, the scope could be set as related exclusively to negative impacts with a requirement that the comments be supported with evidence);
 - (c) The DOE could be required, if more information is needed, to contact the submitter via telephone or e-mail to request the missing information.
52. The DOE could also be required to inform the PPs of the comments received and request their feedback within a specified time frame. The DOEs shall document in their verification report all the comments made during the commenting period and describe how the stakeholder comments have been considered and taken into account.
53. If the Board decides to adopt option 2, it may wish to consider the same two sub-options referred to in paragraph 50 (a) and (b) above with regard to the role of the DOE.

3.6. Proposed solutions for concerns regarding human rights

54. A number of the submissions from stakeholders to the Board (unsolicited submissions or letters to the Board) relate to project-specific matters concerning alleged human rights violations. CDM requirements do not exist to deal with comments on human rights in relation to a project activity or PoA.
55. In relation to human rights issues and climate change action generally, the Parties to the Convention stated (through decision 1/CP.16):
- (a) “Noting resolution 10/4 of the United Nations Human Rights Council on human rights and climate change, which recognizes that the adverse effects of climate change have a range of direct and indirect implications for the effective enjoyment of human rights and that the effects of climate change will be felt most acutely by those segments of the population that are already vulnerable owing to geography, gender, age, indigenous or minority status, or disability” (page 4);
 - (b) “Emphasizes that Parties should, in all climate change related actions, fully respect human rights” (paragraph 8).”
56. Paragraph 53(c) of the “Procedure: Direct communication with stakeholders” (version 02.0), allows the Board to forward the communications made by stakeholders, raising concerns including those related to human rights, to the respective DNA(s). Such forwarding is process rather than substance-oriented and the Board does not express a view on the content of the communication. The provision also does not require any action by the DNA.
57. It is now the case that many organizations operating in the field of climate change have rules and practices that address issues of human rights in the context of climate change:
- (a) Many multilateral development banks have applied ‘Safeguards and Performance Standards’ to safeguard delivery of climate finance and for the management of environmental and social risks, including human rights, due to the projects or programmes they finance. Appendix 5 compares how the ‘Safeguards and Performance Standards’ are applied by various multilateral development banks, in-

cluding World Bank (WB), International Finance Corporation (IFC), European Bank for Reconstruction and development (EBRD), African Development Bank (AfDB), Asian Development Bank (ADB) and Inter-American Development Bank (IDB);

- (b) The WB and IFC have applied an ‘ Sustainability Framework⁵’ that includes environmental and social safeguard policies and standards for the management of environmental and social risks, including human rights, due to the projects they finance;
 - (c) The Green Climate Fund (GCF) applies eight ‘Performance Standards’ and safeguards⁶ for the management of environmental and social risks, including human rights, due to the projects they finance. The GCF Board has adopted, on an interim basis, the Performance Standards of the IFC until it develops its own safeguards.
58. Based on the practices adopted by the above organizations when operating within the climate change field, the Board may wish to consider establishing means to focus on the prevention of human rights violations in the context of CDM project activities, along similar lines to the safeguards applied by the GCF and other multilateral institutions.
59. In addition, the Board could consider explicitly requesting the secretariat to ensure that any human rights issues received by the Board in the context of particular CDM activities are actively provided to the relevant UN human rights related agency or special rapporteur (or special representative of the Secretary-General or independent expert). At the current time, the interaction of the secretariat with such other agencies and special rapporteurs is treated on a case by case basis depending on the nature of the issue, its location and other UN agencies/special rapporteurs already apprised of the issue. Such an explicit mandate would enable the secretariat to be more proactive.

4. Impacts

60. This document recommends amendments to and elaboration of the current rules and the provision of new requirements for improving the stakeholder consultation process and would benefit all stakeholders, as well as the Board and the secretariat. This work is expected to enhance the transparency, objectivity, efficiency and image of the CDM, by improving the participation, clarity, effectiveness and integrity of the CDM regulatory framework.
61. Possible impacts on costs and complexity are expected to be relatively low, as follows:
- (a) Overall, the proposals on LSC is not expected to result in a noticeable increase in the transaction costs for PPs and DOEs, except in some cases, where initial LSC is not carried out appropriately and there exist residual impacts on the stakeholders. Only in such cases will the LSC require a second round, which would imply additional costs for the PP/CME;

⁵ <http://www.ifc.org/wps/wcm/connect/topics_ext_content/ifc_external_corporate_site/ifc+sustainability/our+approach/risk+management/sustainability+framework>

⁶ <http://www.gcfund.org/fileadmin/00_customer/documents/Accreditation/GCF_Interim_Environmental_and_Social_Safeguards_20140619.pdf>

- (b) The proposal on GSC is not expected to result in a noticeable increase of the transaction costs for PPs and DOEs, as validation teams of DOEs are in any case required to collectively have knowledge of regional aspects as per the CDM accreditation standard; and
- (c) With regard to stakeholder concerns raised post registration, it should be noted that adopting either of the two options may increase the risks for project participants and reduce the predictability with regard to investment in CDM project activities and PoAs.

5. Proposed work and timelines

- 62. Based on the guidance provided by the Board in response to this document, the secretariat will integrate this work with the existing and ongoing work on the revision of the PS, VVS and PCP, for consideration by the Board at a future meeting.

6. Recommendations to the Board

- 63. The Board may wish to:
 - (a) Consider the recommendations on improving stakeholder consultation processes set out in this concept note and request the secretariat to amend the relevant regulatory documents (PS, VVS and PCP) to operationalize the proposed improvements;
 - (b) Consider the proposals in relation to human rights issues and provide guidance to the secretariat.

Appendix 1. Proposed process for improvement of local stakeholder consultation

Proposed step	Proposed requirement (presented at EB69)	Guidance provided by EB69, EB70, EB84	Proposed requirement (EB84/ EB86)	Nature of recommendation (new requirement, clarification/ change of an existing requirement)	How the guidance by EB is reflected
<p>Define the scope of LSC</p> <p>(a) Clarify that compliance with national regulations takes precedence over CDM requirements;</p> <p>(b) LSC could be combined with EIA process</p>	<p>(a) Compliance with national regulations takes precedence;</p> <p>(b) LSC could be combined with EIA process;</p> <p>(c) The scope shall comprise as a minimum the potential impact that the project may have, both positive and negative, on the environment and the local communities</p>	<p>To be refined</p> <p>EB70 stressed that host country rules on LSC, if it exist, shall take precedence over CDM rules. Not to duplicate host country rules, but rather complement it. Should provide flexibility to PPs and CMEs.</p>	<p>The scope of LSC is defined as follows:</p> <p>(a) The scope shall comprise, as a minimum, the potential impact that the project may have, both positive and negative, on the environment and the local communities</p> <p>(b) Where local stakeholder consultations are already conducted under host country rules (e.g. environmental impacts assessment (EIA), national environmental permissions/ licenses to set up and operate, etc.) and comply with all CDM requirements, it shall not be mandatory to conduct LSC again. The project design document (PDD) or programme of activities design document (PoA-DD)/component project activity (CPA-DD) shall provide a summary of the consultation carried out under host country rules and management plans to address the adverse impacts and describe how the LSCs carried out under host country rules are adequate and comply with the requirements under the CDM.</p>	<p>New requirement</p>	<p>New local stakeholder process is not mandatory, if the existing LSC process exists in the host country and meets the CDM requirements for stakeholder consultations. This compliments host country rules and provides flexibility to PPs.</p>

Proposed step	Proposed requirement (presented at EB69)	Guidance provided by EB69, EB70, EB84	Proposed requirement (EB84/ EB86)	Nature of recommendation (new requirement, clarification/ change of an existing requirement)	How the guidance by EB is reflected
<p>Define the minimum group of stakeholders who shall be involved in the consultations</p>	<p>The following groups of stakeholders shall be at a minimum involved in the consultation process: potentially affected members of the public, local authorities, a DNA representative, representatives of local civil society. PPs/CME shall substantiate their choice of potentially affected members of the public. The PPs or CME shall also substantiate how they identified the local people affected.</p> <p>If stakeholders from those groups have not been involved, PP or CME shall justify why.</p> <p>Attendance of all groups of stakeholders may not be possible. However, PPs or CME shall provide evidence that invitations were sent to those groups of stakeholders and their comments were invited.</p>	<p>To be Refined</p> <p>Refine minimum group of stakeholders to be invited in a way not to be too specific. To provide flexibility, so as to accommodate their national rules, on who should be invited to stakeholder meetings.</p>	<p>The minimum group of stakeholders that shall be invited is proposed as follows:</p> <ul style="list-style-type: none"> (a) At least the following local stakeholders, notwithstanding those required by the host country rules, shall be invited: local people impacted by the project or their official representatives, local policy-makers and representatives of local authorities, an official representative of the DNA of the host country of the project and local non-governmental organizations (NGOs) working on topics relevant to the project; (b) If any of these stakeholder groups are not invited, the PPs/CMEs shall provide appropriate justification on why these groups are not relevant to the project activity; (c) The PPs/CME shall substantiate their choice of potentially affected members of the public. The PPs or CME shall also substantiate how they identified the local people affected; (d) Attendance of all groups of stakeholders may not be possible. However, the PPs or CME shall provide evidence that invitations were sent to those groups of stakeholders and their comments were invited. 	<p>New requirement</p>	<p>The revised text accommodates national rules and provides flexibility to PP/CMEs to not invite certain groups of stakeholders, provided that it is appropriately justified.</p>

Proposed step	Proposed requirement (presented at EB69)	Guidance provided by EB69, EB70, EB84	Proposed requirement (EB84/ EB86)	Nature of recommendation (new requirement, clarification/ change of an existing requirement)	How the guidance by EB is reflected
<p>Seek/invite comments</p> <p>(i) Define means for inviting stakeholders participation</p> <p>(ii) Define what information has to be made available to stakeholders and its format</p> <p>(iv) Define how the consultation shall be conducted;</p>	<p>(i) Effective means/media shall be used to inform stakeholders about the consultations and the project. This should include information disseminated in ways that are appropriate for the particular community that is affected. For example: community centres, cultural places (Churches, shrines, mosques, etc.), Schools, etc. In areas where a significant part of the population is illiterate the information shall be provided orally: local radio, public announcer. PPs/CME shall provide evidence that consultation information was distributed in appropriate locations.</p> <p>(ii) In addition to the original project information including non-confidential technical information, provide a non-technical summary explaining the project in simple, non-technical term and in the appropriate local language(s). The provided information should enable the stakeholders to understand the project and its impact positive or negative.</p> <p>(iii) Among other means, hold an in-person meeting with stakeholders:</p> <p>(a) Sufficient time should be given to stakeholders to enable their participa-</p>	<p>To be Refined</p> <p>Include options that would provide flexibility to PP in defining adequate means of consultations</p>	<p><u>Initial round of local stakeholder consultation:</u></p> <p>(i) Define means for inviting stakeholders’ participation</p> <p>The PPs or the CME shall invite local stakeholders to provide comments on the proposed CDM project activity or programme of activities (PoA) using the best practices available, and shall describe the steps/actions taken to appropriately engage stakeholders and solicit comments taking into account best practices and national and cultural circumstances and facilitate comments to be received from local stakeholders.</p> <p>Effective means/media shall be used to inform stakeholders about the consultations and the project. This should include information disseminated in ways that are appropriate for the particular community that is affected. For example: community centres, cultural centres, places of worship (churches, shrines, temples, mosques, etc.), schools, etc. In areas where a significant part of the population is illiterate the information shall be provided orally, for example by local radio or public announcer. The PPs/CME shall provide evidence that consultation information was distributed in appropriate locations.</p> <p>(ii) Define what information has to be made available to stakeholders and in what format</p>	<p>Clarifications and new requirements within current step</p>	<p>The revised text provides the flexibility to the PP/CMEs and the guidance.</p>

Proposed step	Proposed requirement (presented at EB69)	Guidance provided by EB69, EB70, EB84	Proposed requirement (EB84/ EB86)	Nature of recommendation (new requirement, clarification/ change of an existing requirement)	How the guidance by EB is reflected
	<p>tion in the meeting</p> <p>(b) The meeting shall be conducted in the local language(s)</p> <p>(c) PPs or CME shall present the project and its potential impact on the environment and local communities so that a lay audience can understand the effects of the project both when it is created and over the project's lifetime.</p> <p>(d) The PPs, CME shall address any questions and clarification from the stakeholders.</p> <p>(e) PPs or CME shall gather stakeholders comments and concerns about the project and its impact.</p> <p>(f) PPs/CME shall inform stakeholders of means to raise concerns on the project</p> <p>(iv) The in person meeting referred to above shall not be the only mean for providing comments on the project activity, Stakeholders shall be provided the opportunity to comment in writing or via other means.</p>		<p>The invitation to the LSC shall include:</p> <p>(a) A non-technical summary of the project activity, explaining the project in simple, non-technical terms in the appropriate local language(s) of the host country, containing a description of impacts on the environment and local communities and management plans to contain these, including the project's projected scope, lifetime, adverse impacts, along with all other relevant information about the project, taking into account confidentiality provisions of the applicable CDM modalities and procedures;</p> <p>(b) Information on the process of conducting the LSC. All relevant information may also be made public on the website of the respective PP or DNA or another public website or means. The information provided should enable the stakeholders to understand the project and its impact, whether positive or negative.</p> <p>In addition, copies of the original project documentation and PDD should be made available for perusal at the local office of the PP/CME.</p> <p>(iii) Define how the consultation shall be conducted</p> <p>LSC may be conducted through an in-person meeting or other means that are appropriate for the local circumstances. If the PPs/CME choose to not conduct an</p>		

Proposed step	Proposed requirement (presented at EB69)	Guidance provided by EB69, EB70, EB84	Proposed requirement (EB84/ EB86)	Nature of recommendation (new requirement, clarification/ change of an existing requirement)	How the guidance by EB is reflected
			<p>in-person meeting, justification on how the other means were considered more appropriate shall be provided. More specifically:</p> <ul style="list-style-type: none"> (a) Sufficient time should be given to stakeholders to enable their participation in the meeting. To allow for a reasonable time for comments to be submitted, the stakeholder consultation shall be announced at least 30 days prior to the consultation meeting; (b) The meeting shall be conducted in the appropriate local language(s); (c) The PPs/CME shall address any questions and clarification sought from the stakeholders; (d) The PPs/CME shall gather stakeholders' comments and concerns about the project and its impact; (e) The PPs/CME shall inform stakeholders of the means to raise concerns about the project; (f) The in-person meeting referred to above, if conducted, shall not be the only means for providing comments on the project activity; stakeholders shall be provided the opportunity to comment in writing or via other means. 		

Proposed step	Proposed requirement (presented at EB69)	Guidance provided by EB69, EB70, EB84	Proposed requirement (EB84/ EB86)	Nature of recommendation (new requirement, clarification/ change of an existing requirement)	How the guidance by EB is reflected
<p>Summary of comments received</p>	<p>PPs/CME shall prepare a summary report of the comments received. This report shall contain as a minimum:</p> <ul style="list-style-type: none"> (a) Evidence of means used to invite stakeholders; (b) Lists of participants to the meeting; (c) A copy of the documentation or presentations made available to stakeholders during the meeting including voice recording or video recording; (d) Summary of the discussion that took place including, if appropriate, voice recording or video recording. (e) Input, comments and concerns raised by stakeholders 	<p>To be Refined to mention the content of summary report from first round of LSC.</p>	<p>(iv) Summary of comments received</p> <p>The PPs/CME shall prepare a summary report of the comments received from local stakeholders. This report shall contain as a minimum:</p> <ul style="list-style-type: none"> (a) A description of the process employed for conducting LSC, including the process of inviting local stakeholders and shall describe the steps/actions taken to appropriately engage stakeholders and solicit comments; (b) Evidence of the means used to invite and engage stakeholders (e.g. invitation letters, list of invitees and participants at the in-person meeting, if applicable); (c) A copy of the documentation or presentations made available to stakeholders. If an in-person meeting is conducted, evidence of such meeting shall be provided and may include audio or video recording or photographs, etc.; (d) A summary of the discussion that took place including, if appropriate, the use of an audio or video recording that may be made for transparency purposes; (e) Input, comments and concerns raised by stakeholders. 	<p>Clarifications and new requirements within current step.</p>	<p>The revised text reflects this.</p>

Proposed step	Proposed requirement (presented at EB69)	Guidance provided by EB69, EB70, EB84	Proposed requirement (EB84/ EB86)	Nature of recommendation (new requirement, clarification/ change of an existing requirement)	How the guidance by EB is reflected
Report on consideration of comments received	<p>PPs/CME shall consider the inputs, comments and concerns raised by stakeholders and report on how it has taken them into account when revising the PDD.</p> <p>The PPs/CME shall justify if any comments were not incorporated including negative comments.</p>	<p>To be Refined further</p>	<p>(v) Report on consideration of comments received</p> <p>The PPs/CME shall consider the inputs, comments and concerns raised by local stakeholders and report on how they have taken them into account and how they will be documented when preparing or revising the PDD. The PPs/CME shall provide justification if any comments, including negative comments, were not incorporated.</p> <p>Documented feedback shall be provided, using appropriate means, to stakeholders who provided comments in the initial LSC round including those who attended the in-person meeting (if conducted) and to the DNA of the host Party. When communicating the feedback, the PPs/CME shall inform stakeholders that if they are not satisfied with the handling of their comments, they may contact the PPs/CME and the DNA in writing within 14 days.</p>	<p>Clarifications and new requirements within current step</p>	<p>The revised text in column 4 reflects this.</p>
<p>Stakeholder feedback round</p> <p>(i) Define how to conduct this round</p> <p>(ii) Define what information shall be made avail-</p>	<p>(i) PPs/CME shall invite at least the same stakeholders that were invited to the first round of consultations through the appropriate means taking into account any issues with communication that arose in the first round. Individual invitations to stakeholders who attended the first round shall be made;</p> <p>(ii) The PPs/CME shall present:</p>	<p>To be Refined</p> <p>To have feedback round if it leads to empowerment of DNAs. Should adhere to principle, that “do-</p>	<p><u>Feedback round of local stakeholder consultation (if applicable):</u></p> <p>(i) Define means for inviting stakeholders’ participation</p> <p>The feedback round shall be conducted if local stakeholder residual concerns are communicated in writing to the DNA and PPs/CME within 14 days after the documented feedback is provided to the local stakeholders. The PPs/CME shall invite, as a minimum, the</p>	<p>New requirement</p>	<p>The framework process is revised to reflect this, where feedback round has been made optional. In case, local</p>

Proposed step	Proposed requirement (presented at EB69)	Guidance provided by EB69, EB70, EB84	Proposed requirement (EB84/ EB86)	Nature of recommendation (new requirement, clarification/ change of an existing requirement)	How the guidance by EB is reflected
<p>able to stakeholders</p> <p>(iii) Define how the consultation shall be conducted;</p> <p>(iv) Define how reporting requirements including how comments were taken into account</p>	<p>(a) The project activity in non-technical terms.</p> <p>(b) The summary of comments received in the first round and how it has addressed them including the ones that were considered immaterial or irrelevant</p> <p>(c) The changes in the project design carried-out as a result of the stakeholders comments.</p> <p>(d) Any other change in the project design.</p> <p>(iii) Invite stakeholders' comments. Inform stakeholders of the grievance mechanism available to them if they consider that their comments were not taken into account and the reasons for that not appropriately substantiated.</p> <p>(iv) PPs/CME shall prepare a report on stakeholders inputs received during the second round and how they have been addressed. Reports shall contain the same information that these required for the first round.</p>	<p>mestic issues are addressed locally". Should provide flexibility to PPs and CMEs</p>	<p>same stakeholders that were invited to the initial round of local stakeholder consultations through appropriate means, taking into account any issues with communication that arose in the first round. Individual invitations to stakeholders who attended the first round shall be made.</p> <p>(ii) Define what information has to be made available to stakeholders and in what format</p> <p>The PPs/CME shall provide the following documents to local stakeholders, along with the invitation to the feedback round: a revised non-technical summary of the project activity, if revised due to changes, containing a description of impacts on the environment and local communities and management plans to contain these, in the appropriate local language(s) of the host country or region:</p> <p>(a) A summary of comments received in the first initial round and how they have addressed them including those that were considered immaterial or irrelevant and any other residual comments by stakeholders;</p> <p>(b) A description of any changes in the project design including those identified as a result of the stakeholders' comments (if any);</p> <p>(c) Information on the process of conducting the feedback round of local stakeholder consultation</p>		<p>stakeholders inform further concern, then only it will be conducted.</p>

Proposed step	Proposed requirement (presented at EB69)	Guidance provided by EB69, EB70, EB84	Proposed requirement (EB84/ EB86)	Nature of recommendation (new requirement, clarification/ change of an existing requirement)	How the guidance by EB is reflected
			<p>and provision of report to the local stakeholders.</p> <p>(iii) Define how the feedback round shall be conducted including reporting on the consideration of the comments received</p> <p>The feedback round shall be conducted through appropriate means, considered and reported as specified for the initial round of LSC.</p>		

Appendix 2. Proposed process for improvement of global stakeholder consultation

Proposed step	Proposed requirement (presented at EB69)	Guidance provided by EB69, EB70, EB84	Proposed requirement (EB84/ EB86)	Nature of recommendation (new requirement, clarification/ change of an existing requirement)	How the guidance by EB is reflected
<p>Allow comments to be submitted in official/ national language where project is located</p>	<p>Stakeholders' comments could be submitted in English or in the prevailing language used in the location of the project</p> <p>The DOE when uploading a PDD for GSC shall specify which is the prevailing language in the location of the projects that comments could be accepted if used besides English.</p>	<p>Analyse for flexibility and reduction in transaction costs.</p>	<p>The proposal to the Board is to allow Parties, stakeholders and UNFCCC-accredited observers to submit comments in English or in the national/official language of the host country of the proposed CDM project activity or PoA. The DOE shall provide an English summary of the comments received. The DOE uploading the PDD for GSC shall specify and confirm the official/national language of the host country where the project or programme is located, so that the comments submitted in the official/national language of the host country could be considered and validated by the DOE.</p> <p>The proposal is not expected to result in a noticeable increase of the transaction costs for PPs and DOEs, as validation teams of DOEs are in any case required to collectively have knowledge of regional aspects as per the CDM accreditation standard.</p>	<p>New requirement</p>	<p>Flexibility is ensured to provide comments in English or official/national language. DOEs to provide English summary of the comments.</p> <p>DOE has anyway to possess among its validation team the local knowledge so this would lead to minimum burden on the DOEs.</p>

Appendix 3. Stakeholder comments and their consideration during validation process (arranged in ascending order of registration date)

Ref.	Local stakeholder comments - PDD	How comments are taken into account - validation report	Global stakeholder comments (GSC) - UNFCCC CDM website	How comments are taken into account - validation report	Would current CDM rules have addressed issues raised?	Gaps in CDM rules
1	The villagers had positive opinions for the project as they have been eager for village electrification. In response, comments from the villagers were considered and were included in the environmental clearance	The comment did not directly address the issues raised by the stakeholders but did confirm that appropriate actions have been taking by JACO CDM to address the issues.	One comment was received saying the project does not include the potential environmental impacts that can occur with the construction, operation and maintenance of the project.	Suitable environmental assessment had been conducted at the feasibility study and necessary measures including monitoring are considered and reflected into the project.	Yes.	N/A
2	The community stakeholders have formed part of the project design team and all comments from other stakeholders have been incorporated. In response, reference was made to the Environmental Impact Assessment and no adverse effects likely.	Local stakeholders were consulted extensively through a comprehensive consultation process.	One comment received: The project baseline does not show what type of low cost energy source that will be displaced by the solar-renewable energy	The issue was subsequently addressed sufficiently by DOE	Yes	N/A

Ref.	Local stakeholder comments - PDD	How comments are taken into account - validation report	Global stakeholder comments (GSC) - UNFCCC CDM website	How comments are taken into account - validation report	Would current CDM rules have addressed issues raised?	Gaps in CDM rules
3	Removal of waste that fall into the river; economic support from the sponsor of the maintenance of the water reception system and of the Santa Rosa derivation channel; a call for agreements regarding an adequate coordination of the water needs for agriculture and generation. In response, water rights were renewed, free electricity was offered to orphanage, located in the direct area of influence. Land owners of the area surrounding the project site was satisfied with the renewed water rights.	DOE confirmed relevant stakeholders were consulted and due account been taken on comments received	No comments	N/A	No	No guidance is available to DOEs to deal with human rights issue. No guidance/ process is available to local stakeholders for grievance regarding Human Right violations.
4	The project created excitement among the direct beneficiaries. There is high demand for the replication of the project in family homes.	No negative comments received.	No comments	N/A	N/A	N/A

Ref.	Local stakeholder comments - PDD	How comments are taken into account - validation report	Global stakeholder comments (GSC) - UNFCCC CDM website	How comments are taken into account - validation report	Would current CDM rules have addressed issues raised?	Gaps in CDM rules
5	The local stakeholders felt generally satisfied with the project. They viewed it to be beneficial to them and their community in general. In response to the comments, reforestation projects were initiated, collecting and recycling of plastics that gather at the dam, and dredging and sorting sediments nearby the dam.	Majority of the stakeholders agreed with the project concept and their only real concerns were with regards to deforestation and water quality. The PDD described measures that were implemented to attend these demand.	Two comments on additionality were received.	The comments were fully addressed in detail.	Yes	N/A
6	Local authorities expressed satisfaction for the project development and no objections in relation with managing its environment. But raised issues over improvement of water supply and public lighting. In response, these comments and issues were addressed.	There is Validation confirmation that comments from stakeholders were addressed	One comment was received in quote: that the PDD could not be downloaded from the website.	This has been corrected immediately.	N/A	N/A

Ref.	Local stakeholder comments - PDD	How comments are taken into account - validation report	Global stakeholder comments (GSC) - UNFCCC CDM website	How comments are taken into account - validation report	Would current CDM rules have addressed issues raised?	Gaps in CDM rules
7	The stakeholders generally expressed satisfaction with the project.	A mechanism for continuous consultation was set up to continue to maintain and improve the quality of biogas programs An annual end user survey is conducted by independent researchers.	No comments	N/A	No	No guidance for DOE is available to assess PP commitments post-registration during the verifications.
8	The general perception of the project is positive and related benefits regarding the use of clean mechanisms for electricity generation are well recognized by the stakeholders. In response, the project developer will inform the stakeholders regularly on the progress of the project.	N/A	One comment was received concerning the methodology adopted for the project.	The comment was noticed by the validator and communicated to the developer of the project for revision.	Yes	N/A
9	Will your bio-mass plant generate any pollution such as discharge to sea?; can you elaborate on the design of the landfilling for rubbish? Etc. Appropriate response was given to all comments from local stakeholders	No negative comment was received	One comment was received concerning effect of the project on wild life/ biodiversity.	The comment received appropriate answer and solution.	No	No guidance for DOE is available to assess PP commitments post-registration during the verifications.

Ref.	Local stakeholder comments - PDD	How comments are taken into account - validation report	Global stakeholder comments (GSC) - UNFCCC CDM website	How comments are taken into account - validation report	Would current CDM rules have addressed issues raised?	Gaps in CDM rules
10	The local stakeholders welcomed the project and asked if power could be supplied directly to the community as part of the project. In response, the issues were addressed but the details were not given.	Stakeholders consultation has been completed and letters of support from the communities are included in the PDD.	No comments	N/A	Yes	N/A
11	No comments received	N/A	No comments	N/A	N/A	N/A
12	Bus owners complained of their non-inclusion in phase I of Trans-Milenio as the bid structure favored implicitly large and well organized companies.	The complaints from small bus owners were not properly addressed. But the quality of service was addressed.	No comments	N/A	No	No guidance for DOE is available on treatment of unaddressed concerns.
13	Generally there is no objection from the local stakeholders concerning the project.	No negative comments were received that should lead to any changes	No comments	N/A	N/A	N/A
14	No negative comments were received.	No response since no negative comments were received.	2 comments were received on additionality issues and its transparency	Detailed on site investigations were carried out and a breakdown of the 2 responses were also analyzed	Yes	N/A

Ref.	Local stakeholder comments - PDD	How comments are taken into account - validation report	Global stakeholder comments (GSC) - UNFCCC CDM website	How comments are taken into account - validation report	Would current CDM rules have addressed issues raised?	Gaps in CDM rules
15	LSC was conducted through physical meeting, announced through letters and summary of comments reflected in PDD (P46-49). In response, the PP in PDD that no negative comments were raised.	DOE concluded that LSC has been adequately performed according to the CDM requirements (VR, p12). DOE confirmed that no negative comments were raised.	No comments were received.	No comments were received (VR, p13).	Yes	N/A
16	Local stakeholders supported the project and no objection was raised. In response appropriate measures were taken to address some of the comments received.	Stakeholders commentaries were reviewed and it was verified that these commentaries have been taken into account by the PP	No comments	N/A	Yes	N/A
17	There was a general consensus for the project to be executed	There were no negative comments as 100% of the respondent agreed with the development of the project.	No comments	N/A	Yes	N/A

Ref.	Local stakeholder comments - PDD	How comments are taken into account - validation report	Global stakeholder comments (GSC) - UNFCCC CDM website	How comments are taken into account - validation report	Would current CDM rules have addressed issues raised?	Gaps in CDM rules
18	<p>The community warmly welcomed the project as it eliminates hazardous emissions from the existing landfill. It created 125 new jobs. In response to the comments, arrangement was made for regular meetings between stakeholders and the villagers. All employees were vaccinated against tetanus and free medical check-ups conducted by regional health service.</p>	N/A	No comments	N/A	N/A	N/A
19	<p>LSC was conducted through survey/ questionnaires and summary of comments reflected in PDD (P37-39). Some negative effects were raised due to environmental impacts and certain stakeholders complained of inadequate compensation. In response, the PP in PDD identified measures (funds for compensation and ecological environment protection, vibration and sound reduction equipment, etc.) and committed to address the concerns.</p>	<p>DOE concluded that LSC has been adequately performed according to the CDM requirements (VR, pA-33). However, the DOE has not reported how the comments have been addressed.</p>	No comments were received.	No comments were received (VR, p15).	No	<p>CDM rules do not exist to allow Board to monitor the status of completion of commitments made in the PDD. Lack of guidance for DOE on reporting status of commitments made by PP in response to stakeholder concerns raised during the LSC.</p>

Ref.	Local stakeholder comments - PDD	How comments are taken into account - validation report	Global stakeholder comments (GSC) - UNFCCC CDM website	How comments are taken into account - validation report	Would current CDM rules have addressed issues raised?	Gaps in CDM rules
20	Generally the project was welcomed by the stakeholders but questions were raised as follows: what is CFL? Why is it so costly? Why is it not good looking? Which power factor does it have? and how is it disposed? In response, no concern was raised as most questions raised were satisfactorily answered.	No comments	No comments	N/A	N/A	N/A
21	The stakeholders expressed satisfaction with the project but raised issues on how to acquire training on its operation. They also expressed worries of how to mobilize the needed counterpart funding. In response. The issues and comments raised by the local stakeholders were all addressed.	All stakeholders comments are positive. To improve the training situation, more focus has been laid on the technical training resources. To cope with the financing problems of farmers, an improved concept of payment guarantees is under discussion, but not yet finalized.	No comments	N/A	No	No guidance for DOE is available on treatment of unaddressed concerns or open and unresolved issues.

Ref.	Local stakeholder comments - PDD	How comments are taken into account - validation report	Global stakeholder comments (GSC) - UNFCCC CDM website	How comments are taken into account - validation report	Would current CDM rules have addressed issues raised?	Gaps in CDM rules
22	Generally the project received support from the stakeholders though a few non serious issues were raised which was taken into account by the PP	All comments were analyzed in line with the way they were addressed by the PP	No comments	N/A	Yes	N/A
23	The overall comments received from the local stakeholders were supportive. Though one of the stakeholders raised concern on environmental impact during the construction stage and in response, the project owner expressed his commitment to minimizing negative impacts on local environment in the PDD.	The comments from the stakeholders and response of the PP were acknowledged by the validator	One comment raised on the FIRR of the excel calculation	Appropriate response was given to the comment raised.	Yes	N/A
24	Many locals showed interest in the programme and raise issues on affordability and availability of the stove. They wished to see practical and workable solutions to their day to day problems and wanted to learn more on the technology. In response to the comments, the CDM revenues will be utilized to make the stoves affordable to the local population and will lead to	The comments were not specifically addressing the stakeholders comments but in a broader perspective it did say the project is in line with the host country criteria Nigeria and all relevant UNFCCC requirements for CDM.	No comments.	N/A	No	No guidance for DOE is available on treatment of unaddressed concerns or open and unresolved issues.

Ref.	Local stakeholder comments - PDD	How comments are taken into account - validation report	Global stakeholder comments (GSC) - UNFCCC CDM website	How comments are taken into account - validation report	Would current CDM rules have addressed issues raised?	Gaps in CDM rules
	reduction in price of cooker. Availability was assured through advance payments for future CERs.					
25	LSC was conducted through physical meeting, announced through letters and summary of comments reflected in PDD (P43-44). In response, the PP in PDD that no negative comments were raised.	DOE concluded that LSC has been adequately performed according to the CDM requirements (VR, p26-27). Environmental clearance has been provided by authorities.	GSC was carried out and raised comments. Concerns were raised about the baseline, additionality (input values, costs, prior consideration of CDM), emission reductions of the project.	DOE considered the comments and concluded that the comments provided did not result in any change to the positive validation opinion (VR, p. 27-40).	Yes	N/A
26	Most of the comments received emphasized the importance of the project for the sustainable development at the local, regional and national levels.	All comments received adequate response	About 10 comments were received, ranging from questioning suspension status of DOE, additionality, sustainable source of biomass, social and environmental impacts,	PP responded to all comments received and the DOE responded to comments and concluded that the comments provided did not result in any change to the validation opinion.	Yes	N/A

Ref.	Local stakeholder comments - PDD	How comments are taken into account - validation report	Global stakeholder comments (GSC) - UNFCCC CDM website	How comments are taken into account - validation report	Would current CDM rules have addressed issues raised?	Gaps in CDM rules
27	Local stakeholders were really impressed with the project and even requested for another of such projects from the PP	There was no real response since the project was generally seen by the stakeholders as positive.	1 comment received of incorrect data in the PDD	Comments were looked into detail and necessary corrections were effected.	Yes	N/A
28	LSC was conducted through physical meeting, survey/questionnaires and summary of comments reflected in PDD. The comments raised concerns on waste disposal and compensation due to relocation of households. In response, the PP in PDD identified measures and committed to address the concerns. However, it did not specifically mention whether compensation was adequate.	DOE concluded that LSC has been adequately performed according to the CDM requirements (VR, p40).	GSC was carried out and raised comments. Concerns were raised about the baseline, and environmental issues such as fly ash disposal, non-GHG emissions.	DOE considered the comments and concluded that the comments provided did not result in any change to the positive validation opinion (VR, p. 42-45).	No	CDM rules do not exist to allow Board to monitor the status of completion of commitments made in the PDD.
29	Comments were generally positive	Since most of the comments were positive no constructional comments needed to be taken into account	No comments	N/A		
30	LSC was conducted through survey/questionnaires and summary of comments reflected in PDD (p55-58).	DOE concluded that LSC has been adequately performed according to the CDM	Two GSC were carried out. The first one raised one comment and the	The DNA of Panamá also supports the project activity, and the Environmental	No	CDM rules do not exist to allow Board to monitor the status of com-

Ref.	Local stakeholder comments - PDD	How comments are taken into account - validation report	Global stakeholder comments (GSC) - UNFCCC CDM website	How comments are taken into account - validation report	Would current CDM rules have addressed issues raised?	Gaps in CDM rules
	Some negative effects were raised. In response, the PP in PDD identified measures and committed to address the concerns.	requirements (VR, p23-24). NOC from DNA and signed minutes from local communities confirming support to the project.	second did not have any comments. Concerns were raised in 1 st GSC about the Human rights abuses, impact on indigenous Communities, additionality of the project.	Impact Assessment was approved by the competent authority. DOE concluded that the comments provided did not result in any change to the positive validation opinion (VR, p. 24).		pletion of commitments made in the PDD and to deal with comments on human rights due to the implementation of the PA or PoA.
31	LSC was conducted through physical meeting, announced through newspapers and summary of comments reflected in PDD (P50-51). No negative comments were raised.	DOE concluded that LSC has been adequately performed according to the CDM requirements (VR, p24-25).	No comments were received.	No comments were received (VR, p26).	N/A	N/A
32	LSC was conducted through physical meeting & questionnaires, announced through letters and summary of comments reflected in PDD (P83-86). In response, the PP in PDD mentioned that no negative comments were raised. Socio economic studies were also conducted.	DOE concluded that LSC has been adequately performed according to the CDM requirements (VR, p19).	GSC was carried out and raised comments. Concerns were raised about the GPS coordinates and leakage due to the project.	DOE considered the comments and concluded that the comments provided did not result in any change to the positive validation opinion (VR, p. 20).	Yes	N/A

Ref.	Local stakeholder comments - PDD	How comments are taken into account - validation report	Global stakeholder comments (GSC) - UNFCCC CDM website	How comments are taken into account - validation report	Would current CDM rules have addressed issues raised?	Gaps in CDM rules
33	<p>LSC was conducted through public hearing, physical meeting, announced through newspaper announcement, letters and summary of comments reflected in PDD.</p> <p>In response, the PP in PDD identified measures (mobile health centre, sanitation facilities, street lighting, etc) and committed to address the concerns.</p>	<p>DOE concluded that LSC has been adequately performed according to the CDM requirements (VR, p43-45).</p> <p>Funds provided by PP to government agencies for widening of roads and confirming support and verified during site visit.</p>	<p>GSC was carried out and raised one comment. Concerns were raised in about the additionality (barriers, costs, prior consideration of CDM) of the project.</p>	<p>DOE concluded that the comments provided did not result in any change to the positive validation opinion (VR, p. 47).</p>		<p>CDM rules do not exist to allow Board to monitor the status of completion of commitments made in the PDD.</p>
34	<p>Comments received on environmental concern and employment of the local community.</p>	<p>General attitude of the local residents, who were likely to be affected by the project, was positive towards the project.</p>	<p>A total of four (4) comments were received from three (3) individual stakeholders: applicability of the meth, exclusion of NG based power generation from BL scenario, EF calculation, list of power plants considered for</p>	<p>DOE considered the comments in its validation report and found that CDM requirement are met, particularly critically considering comments received during GSC.</p>	No	<p>LSC comments in PDD and Validation Report are contradictory. Lack of guidance for DOE on how to validate LSC comments.</p>

Ref.	Local stakeholder comments - PDD	How comments are taken into account - validation report	Global stakeholder comments (GSC) - UNFCCC CDM website	How comments are taken into account - validation report	Would current CDM rules have addressed issues raised?	Gaps in CDM rules
			common practice analysis (additionality) were questioned.			
35	LSC was conducted through newspaper announcement in local and Spanish, physical meeting, survey/questionnaires and summary of comments reflected in PDD. In response, the PP in PDD identified measures and committed to address the concerns.	DOE concluded that LSC has been adequately performed according to the CDM requirements (VR, p36-37). EIA and signed letters from local communities confirming support to the project and verified during site visit.	No comments were received.	No comments were received (VR, p39).	No	CDM rules do not exist to allow Board to monitor the status of commitments made in the PDD.
36	Toward the noise, measurement mentioned in the approved EIA report should be implemented strictly, so that the noise can meet the relevant environmental standard. Since no big counterview is showed in the survey, essential changes in the project design, construction and operation need not be made.	CL-19 was raised to request provision of relevant documentation. Samples of the questionnaire and the meeting minute were provided by the project participant, CL-19 was closed. Regarding the noise issue, the PDD addressed that the Pro-	DOE received public comments from two senders. Method of demonstration of additionality was questioned. Calculation of benchmark and consideration of tax rates, interest rates, grid emission factor and plant	DOE sent an e-mail to the two senders to request clarification of their names and contact details. DOE has concluded that the comments from the two senders are not authentic as JCI has received no response from them,	No	Lack of guidance for DOE when submitter does not respond to DOE's check for authenticity of comments submitted.

Ref.	Local stakeholder comments - PDD	How comments are taken into account - validation report	Global stakeholder comments (GSC) - UNFCCC CDM website	How comments are taken into account - validation report	Would current CDM rules have addressed issues raised?	Gaps in CDM rules
		ject activity would take appropriate measurements to comply with the EIA report.	load factor were questioned.	and therefore decided to take no further actions, which was advised to the project participant.		
37	No negative comments were received from the stakeholders in relation to the project activity and therefore no further action has been taken.	DOE has interviewed representatives of these stakeholders and found that they are aware of the project activity, environmental and socio economic impacts due to the project activity.	Concerns were raised on additionality, tempering of detailed project report and feasibility report submitted to banks and other agencies, procurement of equipment/machine, and definition of baseline.	The project participant provided response to these comments. The validation team took due account of these comments and the respective responses while making the validation opinion.	Yes	N/A
38	Participants agree with the project but expressed concern about several issues: Employment opportunity, profitability of the project, implementation cost, lifetime of the landfill, oversupply of waste, type of technology to be used. Project developer responded to these concerns.	The project participant have taken due account of all comments received by the stakeholders and its summary is described in the PDD adequately.	No comments were received.	N/A	No	CDM rules do not exist to allow Board to monitor the status of completion of commitments made in the PDD.

Ref.	Local stakeholder comments - PDD	How comments are taken into account - validation report	Global stakeholder comments (GSC) - UNFCCC CDM website	How comments are taken into account - validation report	Would current CDM rules have addressed issues raised?	Gaps in CDM rules
39	All comments received by the stakeholders were positive. No suggestions concerning the project activity were received.	No negative comments were addressed to the project activity.	"Renewable" fuel alternative – that uses rubber tires, plastics and industrial waste, such as oils and plastic is not safe for the environment. This so-called "renewable" fuel alternative for the CEMEX clinker plant is a "business as usual" scheme and non-additional. Due to plant's proximity to a water treatment facility, burning of toxic fuel will contaminate water and pose threat to all Panama city dwellers.	DOE requested the PP to present during the first verification audit the operation authorization of this project from the Panama's Environmental Authorities, where it shall be described that tires will only be fed at the main burner guaranteeing a combustion at 2000°C (or clarifications will be needed from the local authority) and that the plant will count with a bag filter. The project cannot operate unless all legal requirements of the Environmental Regulation 170-2011 are fulfilled.	No	As of date no RfI was submitted, so whether stakeholder concern was addressed is unknown. It is not clear from the validation report how the additionality concern was addressed. CAR 4 and CAR 26 address the environmental concern only. These were closed conditionally with 1 FAR open to revisit during the 1 st verification.

Ref.	Local stakeholder comments - PDD	How comments are taken into account - validation report	Global stakeholder comments (GSC) - UNFCCC CDM website	How comments are taken into account - validation report	Would current CDM rules have addressed issues raised?	Gaps in CDM rules
40	Only 2 environmental concerns were established from the Initial Stakeholder Consultation: the levels of noise emitted once the Jenbacher Engines are installed and running; and the levels of gas emissions resulting from the engines once operational. Decibel recordings will be applied to the project design. Detailed records will be kept of the emissions from the Project.	Due account of the comments has been taken by the PPs. Detailed records will be kept of the emissions from the project and the stakeholder report demonstrates that decibel recordings will be applied to the project design.	One comment was received mentioning that the project activity does not comply with the CDM requirements.	The DOE requested further clarification from the entity. The DOE has received no reply to its request for clarification.	No	No guidance for the DOE is available to assess the appropriateness of PP's counter measures safeguarding stakeholders' concern. Here, mere recording of decibel does not address the concern of level of noise emitted by the PA.
41	Vast majority of the public agreed on the project construction. But the public was concerned about some environmental pollution issues as air pollution, especially dioxins. For those issues the project owner will adopt pollution prevention and control measures.	DOE validated that all local government and residents agree with application of the project activity as the CDM project, and no significant negative impact was identified from the comments. As per the stakeholder's comments and requirements, the environmental protection measures as indi-	Questions were raised on: insufficiency of alternate scenarios discussion, additionality, MSW harmlessness, job creation, fossil fuel consumption, stakeholder comments.	DOE applied following methods to confirm comments are taken into account: On-site check, seeking clarification from PP, random interview of local people, checking permits, etc.	Yes	N/A

Ref.	Local stakeholder comments - PDD	How comments are taken into account - validation report	Global stakeholder comments (GSC) - UNFCCC CDM website	How comments are taken into account - validation report	Would current CDM rules have addressed issues raised?	Gaps in CDM rules
		cated in the EIA report will be strictly followed by the project owner to minimize the adverse impact to the environment.				
42	Stakeholders expressed concern on environmental, economic and social aspect of the project activity. Answers/ Clarifications were provided to all of them.	The project activity has obtained all the statutory permissions required to establish and operate the project activity.	One comment was submitted on incomplete investment analysis, cost of fuel switch, exceeded noise level, ultimately increased GHG due to other users are forced to switch fuel due to scarcity of NG, shortage of water for agriculture, no plans for use of 2% net revenue accrued from sale of CERs.	DOE verified PP responses and local environmental rules and regulation including EIA documents.	Yes	N/A
43	The stakeholders indicated that the project was non-pollutant and would improve the ecological envi-	CL was raised requesting the PP to describe the local stakeholder	One comment was received on non-additionality, inade-	The PP has obtained all requisite approvals from the Royal	Yes	N/A

Ref.	Local stakeholder comments - PDD	How comments are taken into account - validation report	Global stakeholder comments (GSC) - UNFCCC CDM website	How comments are taken into account - validation report	Would current CDM rules have addressed issues raised?	Gaps in CDM rules
	<p>ronment. And they would support the construction of the proposed project because it would not only provide green power but also create new job opportunities. All local stakeholders support the proposed project actively. Therefore, there is no need to modify the design or construction & operation plans of the proposed project.</p>	<p>consultation process carried out by the PP. The local stakeholder consultation process has been satisfactorily carried out.</p>	<p>quate stakeholder consultation and planning process, environmental and social impacts.</p>	<p>Government of Cambodia for the implementation of the project activity. The additionality arguments for the project has been reviewed and discussed under section 4.7 of the validation report.</p>		
44	<p>Questions on employment and potentials for SD, biodiversity conservation, reduction on encroachment/buffering and carbon trading were asked and the project developer answered the questions.</p>	<p>A summary of the stakeholder comments received is provided in the PDD, regarding the impacts on: employment, potential for poverty alleviation, environmental sustainability, deforestation and contribution to sustainable development. The PDD also describes how due account has been taken of the stakeholder comments received. DOE considers the local</p>	<p>Two comments were received; however, it came from the same stakeholder and providing the same information. Comments were received on: consultation process, contribution towards SD, conservation of biodiversity, eligibility of land.</p>	<p>DOE addressed all comments by raising CARs and CLs during the validation.</p>	Yes	N/A

Ref.	Local stakeholder comments - PDD	How comments are taken into account - validation report	Global stakeholder comments (GSC) - UNFCCC CDM website	How comments are taken into account - validation report	Would current CDM rules have addressed issues raised?	Gaps in CDM rules
		stakeholder consultation carried out adequately.				
45	No comment was made about the project.	DOE considers the local stakeholder consultation was carried out adequately.	One comment was received highlighting 55 issues.	DOE has verified that the same comment has been posted in many proposed CDM project, and finds that the comment is not related specifically to the project in question. These general comments have been sufficiently covered in the validation process and reflected in the validation protocol.	Yes	N/A
46	Since the impacts and affected land by the Project will be minimal, all of participants basically agreed the implementation of the Project with few comments. They expressed their willingness to participate in the construction work of the Project as labors to get income	The local stakeholder comments process is deemed appropriate and in line with national requirements as confirmed with the local authority and also confirmed with the DNA of	One comment was received mainly on Detailed Project Report and Feasibility Report.	DOE has verified that the same comment has been posted for many proposed CDM projects, and finds that the comment is not related specifically to	Yes	N/A

Ref.	Local stakeholder comments - PDD	How comments are taken into account - validation report	Global stakeholder comments (GSC) - UNFCCC CDM website	How comments are taken into account - validation report	Would current CDM rules have addressed issues raised?	Gaps in CDM rules
	<p>from the Project. Only in some villages, participants mentioned that proper compensation for affected land should be ensured. Comments received from the stakeholders' consultations were regarding the project's impact on the environment and rehabilitation required and agricultural production affected by the project.</p>	<p>Lao PDR.</p>		<p>the project in question, but represents general issues which shall be validated for proposed CDM projects. The issues raised have been sufficiently covered in the validation process.</p>		
<p>47</p>	<p>LSC was conducted through physical meeting, announced through letters and summary of comments reflected in PDD (P52). In response, the PP in PDD that no negative comments were raised.</p>	<p>DOE concluded that LSC has been adequately performed according to the CDM requirements (VR, p22-23).</p>	<p>GSC was carried out and raised comments. Concerns were raised about the baseline, additionality (input values, costs, prior consideration of CDM) of the project.</p>	<p>DOE concluded that the comments provided did not result in any change to the positive validation opinion (VR, p. 29-34).</p>	<p>Yes</p>	<p>N/A</p>

Appendix 4. Stakeholder comments and their consideration outside the validation process (arranged in ascending order of CDM Executive Board meeting)

Sl. No.	Category of the submissions	Timing of the submissions & comments			How comments are taken into account			CDM rules	
		Submitted during LSC- PDD	Submitted during GSC- UNFCCC CDM website	Submitted post-GSC- letters to Board	LSC comments- validation report	GSC comments- validation report	Post-GSC comments- letter to Board	Would current rules have addressed issues raised?	Gaps
1	Environmental, Plantar/ charcoal	Most of the comments received emphasized the importance of the project for the sustainable development at the local, regional and national levels.	About 10 comments were received, ranging from questioning suspension status of DOE, additionaly, sustainable source of biomass, social and environmental impacts.	Concerns raised due to environmental issues of the project activity.	DOE concluded that LSC has been adequately performed according to the CDM requirements (VR, p21).	DOE concluded that the comments provided did not result in any change to the positive validation opinion (VR, p. 22).	The response mentioned that Board at EB52 decided to undertake review of this project activity. The reason of review was not due to concerns raised in the letter but due to the concern that GSP was carried out for 30 days instead of 45 days for A&R projects.	No. The CERs for 1 st MP have been issued.	CDM rules do not exist to allow Board to deal with the negative environmental impacts of the PA or PoA.

Sl. No.	Category of the comments	Timing of the submissions & comments			How comments are taken into account			CDM rules	
2	Environmental, Additionality	Most of the comments received emphasized the Occupational Health and Safety issues in brick factories and other issues not within the control of PP. The PP identified and committed to address some of the concerns.	No comments received.	Concerns raised on project due to conflict of interest Local DNA, Fabricated false PDD data, DOE did not professionally verified the data, False additionality of the CDM project.	DOE concluded that LSC has been adequately performed according to the CDM requirements. DOE confirmed that there are no negative environmental impacts that would be caused due to the implementation of this project (VR, p 16-17).	No comments received (VR, p17).	The response mentioned that Board, upon the confirmation of submitter, will share the letter with the DOE.	No. The CERs for 1st MP have been issued.	CDM rules do not exist to: (1) allow stakeholders to raise comments after GSC period is closed or afterwards; (2) allow Board to monitor the status of completion of commitments made in the PDD.
3	N/A	-	N/A (not a project specific submission).	N/A (not a project specific submission). Requested Require translation of the PDD into the language(s) of the host country	-	-	The response mentioned that the proposals will be analysed.	No.	Currently PDD is not translated into the languages of host country.
4	Environmental	LSC was conducted and summary of comments reflected in PDD.	Concerns on additionality and for CDM to subsidize organisations producing substances with higher GWP.	Concerns on renewal of crediting of the HFC project, perverse incentives for HFC projects, issues due to artificially	DOE concluded that LSC has been adequately performed according to the CDM requirements.	The DOE concludes that the project is additional as per existing rules and there is no economic advantage to the project.	Response informed that EB58 & 61 agreed to consider the draft revision of the methodology. The renewal of	No. The CERs for many MPs have been issued.	CDM rules do not exist to: (1) allow stakeholders to raise comments after GSC period is closed or at RCP or afterwards; (2) allow

Sl. No.	Category	Timing of the submissions & comments			How comments are taken into account			CDM rules	
				enhancing/ inflating the baseline, flaws in methodology (AM0001 and REV0186).			crediting period for project 0003 was placed on review and would consider at EB62.		Board to deal with post-registration comments at issuance or RCP.
5	Environmental	Same comments as in Sl. No. 4.	Same comments as in Sl. No. 4. Requesting full review of RCP.	Same comments as in Sl. No. 4.	Same comments as in Sl. No. 4.	Same comments as in Sl. No. 4.	The response provided details of relevant procedures for placing a project on review.	Same comments as in Sl. No. 4.	Same comments as in Sl. No. 4.
6	Environmental	Same comments as in Sl. No. 4.	Same comments as in Sl. No. 4.	Same comments as in Sl. No. 4.	Same comments as in Sl. No. 4.	Same comments as in Sl. No. 4.	The response provided details of relevant procedures for placing a project on review.	Same comments as in Sl. No. 4.	Same comments as in Sl. No. 4.
7	Additionality	LSC has been conducted and 86 questionnaires were received which mention positive comments.	No comments were received.	Concerns about the additionality of the project, the submitter requests the Board to request a review of this project and requesting to check the	DOE concluded that LSC has been adequately performed according to the CDM requirements. No negative comments have been received (VR, p30).	No comments were received (VR, p30).	The Board provided the response informing that DOE has checked and has confirmed the demonstration of prior consid-	No. The CERs for many MP have been issued.	CDM rules do not exist to allow stakeholders to raise comments after GSC period is closed or afterwards.

Sl. No.	Category of the comment	Timing of the submissions & comments			How comments are taken into account			CDM rules	
				credibility of the evidences related to prior consideration of CDM.			eration of CDM and the project was registered.		
8	Additionality	LSC has been conducted through survey.	GSC conducted twice, but No comments were received.	Concerns about the additionality of the project. The submitter requests the Board to request a review of this project and requesting to check the credibility of the evidences related to compliance with CDM requirements, including FSR, IRR, input values to investment analysis, prior consideration of CDM.	DOE concluded that LSC has been adequately performed according to the CDM requirements. No negative comments were received. Most of the comments were supportive and appreciative to the project (VR, p38).	No comments were received (VR, p39).	The Board provided the response informing them to submit comments to DOE during GSC period and that DOE has responsibility to confirm the compliance of CDM requirements.	No. The CERs have not been issued.	CDM rules do not exist to allow stakeholders to raise comments after GSC period is closed or afterwards.
9	Sustainable development, Plan-tar/ char-coal	Same comments as in Sl. No. 1.	Same comments as in Sl. No. 1.	Concerns raised on Sustainable development, negative impacts of A&R	Same comments as in Sl. No. 1.	Same comments as in Sl. No. 1.	The response mentioned that Board does not have authority to	No. The CERs for 1 st MP have been issued.	CDM rules do not exist to: (1) allow stakeholders to raise comments after GSC period is

Sl. No.	Category of the	Timing of the submissions & comments			How comments are taken into account			CDM rules	
				project			address concerns on sustainable development, which is the prerogative of the Host country.		closed or afterwards; (2) allow Board to deal with negative impacts of the PA or PoA.
10	Environmental, Plantar/ charcoal	Same comments as in Sl. No. 1.	Same comments as in Sl. No. 1.	The letter to the Board supports the registration of the project activity and provides views on how the proposed project activity may contribute to sustainable development.	Same comments as in Sl. No. 1.	Same comments as in Sl. No. 1.	The response mentioned that for this project activity, the DNA of Brazil has provided a letter of approval which confirms that the project will contribute to sustainable development.	No. The CERs for 1 st MP have been issued.	CDM rules do not exist to: (1) allow stakeholders to raise comments after GSC period is closed or afterwards; (2) allow Board to deal with negative impacts of the PA or PoA.

Sl. No.	Category	Timing of the submissions & comments			How comments are taken into account			CDM rules	
11	Additionality	LSC was conducted and summary of comments reflected in PDD.	No comments were received.	The submitter requests the Board to request a review for these two projects. Concerns about the additionality of the project by incorrect application of CDM rules, including, input values to investment analysis- application of tax, unsuitable benchmarks.	DOE concluded that LSC has been adequately performed according to the CDM requirements. Negative comments were resolved and PP committed to take action. (VR, p48).	No comments were received (VR, p48).	The Board provided the response informing them to submit comments to DOE during GSC period and that DOE has responsibility to confirm the compliance of CDM requirements.	No. The CERs have not been issued.	CDM rules do not exist to: (1) allow stakeholders to raise comments after GSC period is closed or afterwards; (2) allow Board to monitor the status of completion of commitments made in the PDD.
	Emission factor and additionality.	LSC was conducted and summary of comments reflected in PDD.	Two comments were submitted on emission factor (accuracy of data, correctness of calculation) and additionality (VR, p37-40).	DOE concluded that LSC has been adequately performed according to the CDM requirements. Negative comments were resolved and PP committed to take action. (VR, p36-37).	DOE concluded that the comments provided did not result in any change to the positive validation opinion (VR, p. 40).				
12	Additionality, Stakeholder meeting	LSC was conducted and summary of comments reflected in PDD. The stakeholder's unanimously agreed to the given explanation and ensured their support to make this a success-	14 comments were submitted at GSC- additionality, benchmark, PLF, IRR, common practice & barrier analysis, prior consideration of CDM, baseline, emission reductions, monitoring, QA/QC.	The submitted letter mentions that the PDD does not provide correct information with regard to local stakeholder consultation and additionality.	DOE concluded that LSC has been adequately performed according to the CDM requirements. No negative comments had been received. (VR, p101-102).	DOE concluded that the comments provided did not result in any change to the positive validation opinion (VR, p. 210-224).	The Board provided the response informing them to submit comments to DOE during GSC period, which is currently running, and that DOE has respon-	Only partially.	The submitter had opportunity to submit comments on GSC but was not able to raise concerns on LSC post- GSC as no grievance mechanism is available under current rules. No guidance available for

Sl. No.	Category of the comment	Timing of the submissions & comments			How comments are taken into account			CDM rules	
		ful one. They were in favour of such projects being set up in their locality as it would help them in standardising their economic conditions.					sibility to confirm the compliance of CDM requirements.		PPs on how to ensure right stakeholders are invited to LSC.
13	Human rights, Additonality	LSC was conducted and summary of comments (usage of sludge, affectivity of the new system regarding COD-reduction and taxation issues) reflected in PDD.	No comments were received.	The submitter requests the Board to request a review for the project. Concerns about the Human rights abuses (killings) and questionable land claims and additionality (does not reflect finance provided by IFC) of the project.	DOE concluded that LSC has been adequately performed according to the CDM requirements. (VR, p24-25).	No comments were received (VR, p26).	The Board provided the response informing them to submit comments to DOE during GSC period, and that DOE has responsibility to confirm the compliance of CDM requirements. The response mentioned that sustainable development is the prerogative of the Host coun-	No. The CERs have not been issued.	CDM rules do not exist to deal with comments on human rights due to the implementation of the PA or PoA.

Sl. No.	Category of the comment	Timing of the submissions & comments			How comments are taken into account			CDM rules	
							try.		
14	Human rights, Stakeholder meeting	LSC was conducted and summary of comments (expropriation of land – housing and agriculture, environmental impact, impact on income due to not being able to use the river) reflected in PDD.	Two GSC were carried out. The first one raised one comment and the second did not have any comments (VR, p24).	The submitter requests the Board to request a review for the project. Concerns about the Human rights abuses and questionable land claims, lack of Public Participation and Stakeholder Comments, Compensation of the Affected Communities, additionality (IRR) of the project activity.	DOE concluded that LSC has been adequately performed according to the CDM requirements. (VR, p23-24).	DOE concluded that the comments provided did not result in any change to the positive validation opinion (VR, p. 24).	The Board provided the response informing them that DOE has responsibility to confirm the compliance of CDM requirements and informed that the stakeholder consultation was conducted as per CDM requirements	No. The CERs have not been issued.	CDM rules do not exist to deal with comments on human rights due to the implementation of the PA or PoA.
15	Stakeholder meeting	Same comments as in Sl. No. 14.	Same comments as in Sl. No. 14.	Same comments as in Sl. No. 14.	Same comments as in Sl. No. 14.	Same comments as in Sl. No. 14.	Same comments as in Sl. No. 14.	Same comments as in Sl. No. 14.	Same comments as in Sl. No. 14.
16	Human rights	Same comments as in Sl. No. 13.	Same comments as in Sl. No. 13.	The submitter requests the Board to take into account any human right violations as communicated by an-	Same comments as in Sl. No. 13.	Same comments as in Sl. No. 13.	The Board provided the response that stakeholder consultation was conducted as per CDM	Same comments as in Sl. No. 13.	Same comments as in Sl. No. 13.

Sl. No.	Category of the	Timing of the submissions & comments			How comments are taken into account			CDM rules	
				other letter regarding this project activity.			requirements and that it remains a matter for government of Honduras to further investigate and address any land disputes and related issues.		
17	Human rights	Same comments as in Sl. No. 13.	Same comments as in Sl. No. 13.	The submitter requests the Board to not take into account any allegations on human right violations as communicated by another letter by CDM watch regarding this project activity.	Same comments as in Sl. No. 13.	Same comments as in Sl. No. 13.	The Board provided the response that stakeholder consultation was conducted as per CDM requirements and that it remains a matter for government of Honduras to further investigate and address any land disputes and related issues.	Same comments as in Sl. No. 13.	Same comments as in Sl. No. 13.
18	Additional-	LSC was con-	No comments	The submitter	DOE concluded that	No comments were	The Board	No.	CDM rules do

Sl. No.	Category	Timing of the submissions & comments			How comments are taken into account			CDM rules	
	ty	ducted through physical meeting, announced through letters and summary of comments reflected in PDD (P39-41). In response, the PP in PDD mentioned that no negative comments were raised.	were received.	requests the Board to request a review for the project. Concerns about the additionality of the project by incorrect application of benchmark in investment analysis.	LSC has been adequately performed according to the CDM requirements. (VR, p59). No negative comments were received.	received (VR, p123).	provided the response informing that DOE has checked and has confirmed the demonstration additionality. The response again confirmed compliance of tool for demonstration of additionality	The CERs have not been issued.	not exist to allow stakeholders to raise comments after GSC period is closed or afterwards.
19	Additionality	LSC was conducted through public hearing, physical meeting, announced through newspaper announcement, letters and summary of comments reflected in PDD. In response, the PP in PDD	GSC was carried out and raised one comment. A number of comments were received with regard to additionality, input values to investment analysis, sensitivity analysis, barrier analysis and on environmental impacts.	The submitter requests the Board to not to register the project. Concerns about the additionality, compensation and other environmental issues have been raised.	DOE concluded that LSC has been adequately performed according to the CDM requirements (VR, p43-45). Funds provided by PP to government agencies for widening of roads and confirming support and verified during site visit.	DOE concluded that the comments provided did not result in any change to the positive validation opinion (VR, p. 47).	The Board provided the response informing that the project is still under validation and to submit the comments to the validating DOE.	No. The CERs have not been issued.	CDM rules do not exist to allow Board to monitor the status of completion of commitments made in the PDD.

Sl. No.	Category	Timing of the submissions & comments			How comments are taken into account			CDM rules	
		identified measures (mobile health centre, sanitation facilities, street lighting, etc) and committed to address the concerns.							
20	Additionality	Comments received on environmental concern and employment of the local community.	A total of four (4) comments were received from three (3) individual stakeholders: applicability of the meth, exclusion of NG based power generation from BL scenario, EF calculation, list of power plants considered for common practice analysis (additionality) were questioned.	PA not dependent on CDM support, and CDM credits are only "a new revenue stream for the Company.	General attitude of the local residents, who were likely to be affected by the project, was positive towards the project.	DOE considered the comments in its validation report and found that CDM requirement are met, particularly critically considering comments received during GSC.	DNA may raise request for review, advised to take concerns to DNA, prime responsibility to determine additionality lies on validating DOE.	No	Comments in PDD and Validation Report are contradictory. Lack of guidance for DOE on how to validate LSC comments.
21	Additionality	Same comments as in Sl. No. 20.	Same comments as in Sl. No. 20.	Same comments as in Sl. No. 20.	Same comments as in Sl. No. 20.	Same comments as in Sl. No. 20.	Same comments as in Sl. No. 20.	Same comments as in Sl. No. 20.	Same comments as in Sl. No. 20.
22	Stakeholder meeting	Same comments as in Sl. No. 13.	Same comments as in Sl. No. 13.	Same comments as in Sl. No. 13.	Same comments as in Sl. No. 13.	Same comments as in Sl. No. 13.	Same comments as in Sl. No. 13.	Same comments as in Sl. No. 13.	Same comments as in Sl. No. 13.
23	Additionality	The comments received at the	2 comments were received. PDD	Proposed PA is non-	No negative comments were received.	DOE addressed the comments and	Responsibility of deter-	No	Lack of guidance for DOE on

Sl. No.	Category	Timing of the submissions & comments			How comments are taken into account			CDM rules	
		stakeholder consultation focused on environmental impacts of the power plant, job opportunity in construction and operation of the power plant.	discards unjustifiably alternative options, PDD fails to prove that the project would not occur but for the CDM financing and applicability of the methodology and additionality were questioned.	additional.		provided positive validation report.	mining additionality lies primarily on validating DOE.		how to validate GSC comments.
24	Additionality	Same comments as in Sl. No. 20.	Same comments as in Sl. No. 20.	Same comments as in Sl. No. 20.	Same comments as in Sl. No. 20.	Same comments as in Sl. No. 20.	Same comments as in Sl. No. 20.	Same comments as in Sl. No. 20.	Same comments as in Sl. No. 20.
25	Additionality	Same comments as in Sl. No. 23.	Same comments as in Sl. No. 23.	Same comments as in Sl. No. 23.	Same comments as in Sl. No. 23.	Same comments as in Sl. No. 23.	Same comments as in Sl. No. 23.	Same comments as in Sl. No. 23.	Same comments as in Sl. No. 23.
26	Additionality	The proposed project activity has therefore not caused any adverse social impacts on local population but has rather helped in improving their quality of life.	1 comment was received.	Non-additional under CDM rules.	No negative comments were received during the meet.	DOE considered this in its validation opinion.	Responsibility of determining additionality lies primarily on validating DOE. Ultimately RfR was rejected.	Yes	N/A
27	Additionality	Same comments as in Sl. No. 26.	Same comments as in Sl. No. 26.	Same comments as in Sl. No. 26.	Same comments as in Sl. No. 26.	Same comments as in Sl. No. 26.	Same comments as in Sl. No. 26.	Same comments as in Sl. No. 26.	Same comments as in Sl. No. 26.
28	Additionality	From questionnaires, it can be known that all	Two sets of detailed comments were received on	The project is not additional. May have	LSC requirement has been met.	DOE assessed the comments and provided validation	Responsibility of determining addi-	Yes	N/A

Sl. No.	Category of the project	Timing of the submissions & comments			How comments are taken into account			CDM rules	
		stakeholders are in favor of the project activity.	various aspects of the project activity.	violated Chinese law. May have violated CDM rules and procedures.		opinion.	tionality lies primarily on validating DOE.		
29	Additionality	All stakeholders expressed their support for the proposed project.	No comments were received.	The project is not additional as it is already completed and operational. The use of ultra-supercritical coal technology is already "common practice in China.	The survey shows that the proposed PA receives support from the local people.	N/A	Responsibility of determining additionality lies primarily on validating DOE.	Yes	N/A
30	Environmental, Human rights, Additionality	The consultation activities identified several issues that have been taken into account in the preparation of the 2006 SEA Report and the actions plans provided in the SEAP.	1 comment received mentioning the project is not additional.	PA is non-additional and should not be validated as meeting the CDM requirements. PA has also directly affected the livelihoods of about 6,800 people, impacted fisheries, and submerged highly productive agricultural	Due account of stakeholder comments has been taken throughout the project development process.	DOE reviewed a large number of third party sources to confirm PP's claim on additionality and addressed considered all comments in validation opinion except for the environmental concerns.	DOE was responsible and has validated additionality, as well as environmental and sustainable development issues. Reference was made to the ongoing work of addressing significant	Partially	No guidance is available to DOEs to deal with human rights issue and environmental issue. No guidance/ process is available to local stakeholders for grievance regarding Human Right violations.

Sl. No.	Category of the comment	Timing of the submissions & comments			How comments are taken into account			CDM rules	
				land and islands of high biodiversity. More people are being displaced by the transmission line to the project. The dam's impact on the health of Lake Victoria is an ongoing concern and unresolved concern.			deficiencies in validation and verification reports which lead to registration/ issuance.		
31	Additionality, baseline emission	All participants presented their support for the PA through hands vote, the result of the public meeting was successful.	One comment received on suitability of BL scenario.	The current baseline emissions are 30-40% too high due to incorrect assumptions for the baseline technology leading to an over issuance of more than 700,000 CERs over the first 7 years of the 1 st crediting period.	LSC process is adequate and credible.	DOE considered this in its validation opinion.	DOE was responsible and has given positive validation opinion. Reference was made to the on-going work of addressing significant deficiencies in validation and verification reports which lead to registration/	Partially	CDM rules do not exist to: (1) allow stakeholders to raise comments after GSC period is closed or at RCP or afterwards; (2) allow Board to deal with post-registration comments at issuance or RCP.

Sl. No.	Category of the	Timing of the submissions & comments			How comments are taken into account			CDM rules	
							issuance. Informed the submitter of DOE complaint procedure. Referred to ongoing work on analysing adequacy of stakeholder consultation process.		
32	Additionality	The survey shows that the Project receives very strong support from local people (100%).	No comments were received during the GSP.	This project is not additional	The relevant comments presented by the local stakeholders have been taken due account by the PP, the same has been cross-checked with the information obtained during the interviews.	N/A	RfR under review. Eventually PA was rejected.	Yes	N/A
33	Additionality	All people surveyed (100%) support the construction of the Project. All villagers (100%) whose land is occupied are satisfied to land compensation.	No comments were received during that period.	Serious concerns about the additionality claims (Over-performance of the project and delay in reservoir construction- The registered PDD does not	No negative comments have been received on the project, therefore no necessary due account has been taken.	N/A	RfI under review.	No	CDM rules do not exist to: (1) allow stakeholders to raise comments after GSC period is closed or at RCP or afterwards; (2) allow Board to deal with post-registration

Sl. No.	Category of the	Timing of the submissions & comments			How comments are taken into account			CDM rules	
				analyze the sensitivity of the project IRR to changes in the time of dam construction).					comments at issuance or RCP.
34	Additionality	No negative comments were received and the local people welcomed the construction of the power plant and the production of emission free electricity.	No comments were received	DOE should validate if the reservoir area will increase during project implementation.	No negative comments were received and the local people welcomed the construction of the power plant and the production of emission free electricity.	N/A	EB 70 p 94, requested secretariat to include for its consideration at a future meeting proposals that would constitute a formal process for dealing with concerns raised after registration.	No	CDM rules do not exist to: (1) allow stakeholders to raise comments after GSC period is closed or at RCP or afterwards; (2) allow Board to deal with post-registration comments at issuance or RCP.
35	Stakeholder meeting, Environmental	No negative comments were received regarding the project activity and all the queries raised were satisfactorily addressed.	3 comments received – creation of job, loss of livelihood, biodiversity, environmental impact, advertising of LSC in English newspaper only, additionality, etc. were questioned.	Social and environmental impacts; Local community directly impacted by the wind farm have not been invited.	LSC process targeted stakeholders and was appropriate for identifying stakeholders' opinions about the project and collecting their views.	DOE considered them in validation opinion.	Advised to take concerns to the DNA	No	Lack of guidance for PP to ensure all relevant stakeholders are identified and invited to LSC.
36	Environ-	The project has	8 comments re-	Notice of Local	DOE considers that	All the comments	Advised to	No	Lack of guid-

Sl. No.	Category	Timing of the submissions & comments			How comments are taken into account			CDM rules	
	mental	not received any negative feedback from stakeholders concerned. All stakeholders have appreciated and encouraged the initiative taken by PP.	ceived - Non transparent, secretive behaviour of the project proponent, false claim of project approval by communities, in consistent project description across documents: PDD, Feasibility Report, Detailed Project Report.	Consultation was pasted in the office of only one village. More than 4 villages will be affected by this project. The project has severe environmental impacts	the local stakeholder consultation process is adequate for the proposed project activity.	received during the GSC have been adequately answered by the PP.	take concerns to the DNA		ance for PP to ensure all relevant stakeholders are identified and invited to LSC.
37	Additionality, Stakeholder meeting	There are no negative impacts of the project activity. The local people were happy about the efforts being made by PP.	2 comments received – Huge local opposition is not reflected in PDD, non-transparent presentation of information, non-additional, stakeholders have raised concerns at LSC, which are unaddressed by the PP.	Only selected stakeholders were invited by personal invitation; had not considered CDM benefits at all while making the first investment decision. Entirely non additional.	The process for conducting the local stakeholders meeting is adequate and credible.	DOE considered the comments in its validation opinion.	Advised to take concerns to the DNA	No	Lack of requirement for PP on stakeholder identification and means of inviting relevant stakeholders to LSC.
38	Stakeholder meeting, Environmental	No negative comments have been received.	2 comments received - Non democratic, non-participatory project facing huge local opposition. A clearly non additional project.	local opposition, DOE has not conducted interviews with stakeholders opposed	PPs have taken due account of all comments received and have described this process in the PDD.	DOE considered the comments in its validation opinion.	Advised to take concerns to the DNA	No	Lack of requirement for PP on stakeholder identification and means of inviting relevant stakeholders to LSC.

Sl. No.	Category of the comments	Timing of the submissions & comments			How comments are taken into account			CDM rules	
			Huge ecological impacts, entirely unaddressed. Absence of statutory permissions.						No guidance for DOE on how to assess comments received at LSC.
39	Additionality, Stakeholder meeting, Environmental	Most of them had positive opinions related to project activity implementation.	6 comments received - project is non-additional, has numerous adverse environmental and social impacts, and did not properly inform project-affected people.	The project fails to meet additionality requirements related to project barriers and prior consideration. The DOE failed to address all comments by stakeholders. Registration of the Project would violate international law requirement regarding common heritage and indigenous people's rights.	DOE determined that the community knows the project and agrees to its being carried out.	DOE justified non-relevance of comments and clarified technical issues	RfR rejected, advised to bring concerns to DNA	No	No guidance for DOE on how to assess comments at LSC.
40	Environmental, Stakeholder meeting	No negative comments were received from any of the stakeholders	2 comments received: project not additional, some technical issues	The project has not 'disclosed sufficient and enough infor-	All the comments are just clarification request by stakeholders and the same is answered by the project	DOE justified additionality and clarified technical issues in VR	Advised to take concerns to DNA	No	CDM rules do not exist to: (1) allow stakeholders to raise comments after

Sl. No.	Category of the issue	Timing of the submissions & comments			How comments are taken into account			CDM rules	
		which mandated an action on the part of the project promoters.		mation in a truthful manner"; The project has not invited comments in an "open and transparent manner; The project affects Forest land and does not have No Objection Certificate (NOC) from Forest Department, neither has it disclosed the area of forest submerged at FRL Level.; the consultation was not carried out at the project site, but at the office of the developer in a nearby town.	participants. No negative comments raised by the PP.				GSC period is closed or at RCP or afterwards; (2) allow Board to deal with post-registration comments at issuance or RCP.
41	Human rights	Questions and requests made by stakeholders during these	No comments were received during the public consultation.	7 people killed - including two children -, 70 civilians in-	The summary of the comments received as provided in the PDD is complete, as	N/A	Communication to be forwarded to EB	No	No guidance/process is available to local stakeholders for

Sl. No.	Category of the comment	Timing of the submissions & comments			How comments are taken into account			CDM rules	
		community meetings were taken into account by the Project Participant, and agreements were reached with the communities, which were recorded in the minute books of each community.		jured, 30 illegally arrested, 30 houses burned to the ground and more than 40 people with warrant restricting their rights.	well as treatment to all these comments by the PP is appropriate and complete as it was described in the PDD. In general, DOE determined that the community knows the project and agrees to perform it.				grievance - related to Human Rights.
42	Human rights	Same comments as in Sl. No. 41.	Same comments as in Sl. No. 41.	Same comments as in Sl. No. 41.	Same comments as in Sl. No. 41.	Same comments as in Sl. No. 41.	Same comments as in Sl. No. 41.	Same comments as in Sl. No. 41.	Same comments as in Sl. No. 41.
43	Human rights	Same comments as in Sl. No. 41.	Same comments as in Sl. No. 41.	Same comments as in Sl. No. 41.	Same comments as in Sl. No. 41.	Same comments as in Sl. No. 41.	Same comments as in Sl. No. 41.	Same comments as in Sl. No. 41.	Same comments as in Sl. No. 41.
44	Human rights, Environment	There were no negative comments in regards to the Project.	No comments were received.	Violated certain laws on the rights of the surrounding residents through a bribed demolition and the over expansion of the dumpsite affecting the legal residences physically and psy-	No negative comments were received from the stakeholders. There were some concerns and clarifications, which have been satisfactorily addressed by the project proponent.	N/A	Matters of national or domestic law, advised to contact DNA	No	Absence of grievance mechanism, EB unable to investigate and act upon human rights and environmental issues raised by local stakeholder post-registration.

Sl. No.	Category of the comment	Timing of the submissions & comments			How comments are taken into account			CDM rules	
				chologically.					
45	Human rights	Same comments as in Sl. No. 41.	Same comments as in Sl. No. 41.	Same comments as in Sl. No. 41.	Same comments as in Sl. No. 41.	Same comments as in Sl. No. 41.	Same comments as in Sl. No. 41.	Same comments as in Sl. No. 41.	Same comments as in Sl. No. 41.
46	Stakeholder meeting	Current position of the community is favourable, getting support for the project from local communities and local authorities.	Project completely fails to fulfill the condition of additionality required by the CDM; the Panamanian DNA, the National Environmental Authority (ANAM), is marred with conflicts of interests; and the Government of Panama has systematically violated the human rights of the Ngobe indigenous peoples and peasant communities that will be directly affected and that have opposed to the construction of this project since 1999.	Requested to apply new provision on LSC (LSC in accordance with applicable national regulations, if any) to this project as government has imposed a temporary suspension.	The DNA has granted the Complacency Letter and the No Objection Letter and they confirmed that the communities located in the area support the developing of the project activity. Local communities (Veladero, Cerro Viejo, Palacios and Bellavista) have been consulted and have demonstrated their support for the development of the Barro Blanco Hydroelectric power plant Project by signing the corresponding minutes of the meetings. A sample of the signed minutes of the meeting was reviewed.	DOE contacted the submitter to cross-check the information, and a clarification was requested to check if the indigenous communities are really affected by the project. Several maps regarding the location of the local communities (including the indigenous communities), and an explanation document was provided to the DOE which concluded that the most relevant communities involved in the area of the project were consulted, all of them supported the project activity, and PP has forecasted several social compensation measurements for the communities	Project meets CDM requirement, DNA may withdraw LoA, submission was forwarded to the DNA. New provision for LSC does not apply to the stakeholder consultation of this project activity (conducted before 1 April 2015).	No	Absence of grievance mechanism, EB unable to investigate and act upon human rights and environmental issues raised by local stakeholder post-registration.

Sl. No.	Category of the	Timing of the submissions & comments			How comments are taken into account		CDM rules	
						involved. The DNA of Panamá also supports the project activity, and the EIA was approved by the competent authority.		

Appendix 5. Comparison of safeguards and performance standards applied by multilateral development banks

	World Bank Safeguard Policies	IFC/MIGA Policy and Performance Standards on Social and Envi- ronmental Sus- tainability (2006/2007)	EBRD Environ- mental and Social Policy and Perfor- mance Re- quirements (2008)	African De- velopment Bank Group Safe- guard Policies	Asian Devel- opment Bank Safeguard Policy State- ment (July 2009)	Inter- American Development Bank E&S Stand- ards (2006)
E&S		PS1: Social and Environmental Assessment and Management System	PR1: Environmental and Social Appraisal and Management PR 9: Financial Intermediaries		SR4: Special Requirements for Different Financing Modalities	
Environmental	4.01 Environmental Assessment (1999) 4.04 Natural Habitats (2001) 4.36 Forests (2002) 4.09 Pest Management (1998) 4.11 Physical Cultural Resources (2006) 4.37 Safety of Dams (2001)	PS6: Biodiversity Conservation and Sustainable Natural Resource Management PS3: Pollution Prevention and Abatement PS8: Cultural Heritage	PR6: Biodiversity Conservation and Sustainable Management of Living Natural Resources PR3: Pollution Prevention and Abatement PR8: Cultural Heritage	Policy on the Environment (2004) Policy on Integrated Water Resources Management (2000) Agriculture and Rural Development Sector (2000)	SR1: Environment	Environment and Safeguard Compliance Policy (2006) Disaster Risk Management Policy Disclosure of Information Policy
Social	4.12 Involuntary Resettlement (2001) 4.10 Indigenous Peoples (2005)	PS5: Land Acquisition and Involuntary Resettlement PS7: Indigenous Peoples PS2: Labor and Working Conditions PS4: Community Health, Safety and Security	PR5: Land Acquisition, Involuntary Resettlement and Economic Displacement PR7: Indigenous Peoples PR2: Labor and Working Conditions PR4: Community Health, Safety and Security PR 10: Information Disclosure and Stakeholder Engagement	Involuntary Resettlement Policy (November 2003)	SR2: Involuntary resettlement SR3: Indigenous Peoples safeguards	Involuntary Resettlement Policy Operational Policy on Indigenous Peoples (IPP) – Operating Guidelines (2006)

Legal	7.50 International Waterways (2001) 7.60 Disputed Areas (2001)					
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Source: World Bank website:
 <<http://web.worldbank.org/WBSITE/EXTERNAL/EXTOED/EXTSAFANDSUS/0,contentMDK:22710879~menuPK:6120534~pagePK:64829573~piPK:64829550~theSitePK:6120524,00.html>>.

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