

 <p>CDM: FORM FOR SUBMISSION OF A “LETTER TO THE BOARD” (Version 01.2)</p> <p>This form should be used only by project participants and other stakeholders for submitting a “Letter to the Board” in accordance with the latest version of the <i>Modalities and procedures for direct communication with stakeholders</i></p>	
<i>Name of the stakeholder¹ submitting this form (individual/organization):</i>	Project Developer Forum
<i>Address and contact details of the individual submitting this form:</i>	Address: 100 New Bridge Street, London, EC4V 6JA Telephone number: +65 6578 9286 E-mail address: office@pd-forum.net
<i>Title/Subject (give a short title or specify the subject of your submission)</i>	Withdrawal of LOAs
<i>Please mention whether the submitter of the form is:</i>	<input type="checkbox"/> Project participant <input checked="" type="checkbox"/> Other stakeholder, please specify PD Forum
<i>Specify whether you want the letter to be treated as confidential²:</i>	<input type="checkbox"/> To be treated as confidential <input checked="" type="checkbox"/> To be publicly available (UNFCCC CDM web site)
<i>Please choose any of the type(s) below³ to describe the purpose of this submission.</i>	
<input type="checkbox"/> Type I: <input type="checkbox"/> Request for clarification <input type="checkbox"/> Revision of existing rules <input type="checkbox"/> Standards. Please specify reference <input type="checkbox"/> Procedures. Please specify reference <input type="checkbox"/> Guidance. Please specify reference <input type="checkbox"/> Forms. Please specify reference <input type="checkbox"/> Others. Please specify reference <input type="checkbox"/> Type II: Request for Introduction of new rules <input checked="" type="checkbox"/> Type III: Provision of information and suggestions on policy issues	
<i>Please describe in detail the issue on which you request a response from the Board, including the exact reference source and version (if applicable).</i>	

¹ DNAs and DOEs shall use the respective DNA/DOE forms for communication with the Board.

² As per the applicable modalities and procedures, the Board may make its response publicly available.

³ Latest CDM regulatory documents and information are available at: <http://cdm.unfccc.int/Reference/index.html> .

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To: cdm-info@unfccc.int

From: rachel.child@pd-forum.net

Date: 21 August 2013

Subject: Withdrawal of LOAs

Dear Mr. Peer Stiansen,

Honorable Members of the CDM Executive Board,

The PD Forum notes that at the last meeting of the Executive Board (EB74, 22-26 July 2013), the Board considered a letter from an Annex 1 DNA withdrawing the letter of approval previously issued for a registered project. The Board requested that this letter be uploaded to the relevant UNFCCC CDM project activity website pages and requested the Secretariat to draft a procedure for processing withdrawal letters, for its consideration at a future meeting⁴.

The PD Forum understands that in this particular case, the Annex 1 project participant has voluntarily withdrawn from the project and therefore withdrawal of the LOA from the Annex 1 DNA is a formality only. However, we would like to remind the Board that the procedure for withdrawal of LOAs is currently under consideration as part of the review of CDM Modalities and Procedures. On this basis, we hope that the actions of the Board in this case were a 'one-off' and do not in any way set a precedent for the future.

We would like to take this opportunity to remind the Board of the PD Forum's position on the issue of withdrawal of LOAs:

- The PD Forum believes that the unconditional Letter of Approval is an absolutely essential element of the CDM process. As investors in CDM projects, project developers rely on the LoA to ensure that they can obtain the value that CERs represent, which make the project feasible, with significantly reduced risk. If the LoA becomes conditional, it means that future revenues from the CERs become conditional. That undermines the basis for investment in the CDM.
- It is our opinion that a project is registered for its full crediting period and an LoA is valid therefore for the full crediting period.
- Activities which contravene national legislation should be addressed within the normal legal channels of the host country and these for example, may result in the suspension of a permit to operate. Activities which do not deliver the sustainable development benefits which the CDM project proposed to deliver should be addressed via a transparent and fact based appeals process which includes clear requirements for re-instatement; long notice periods and clear opportunities for project developers and Host Parties to reach at mutually acceptable agreements.

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http://cdm.unfccc.int/filestorage/4/d/XZY064E9NA5CIRDQ2MOUJHF1BVTSL7.pdf/eb74_report.pdf?t=TIV8bXJkN25ifDD8V3i8yeDuLsWbNj34y4T8

We would of course be available to discuss any of these points with you,

Kind regards,



Rachel Child

Co Vice Chair,

Project Developer Forum

Please provide any specific suggestions or further information which would address the issue raised in the previous section, including the exact reference source and version (if applicable).

n/a

If necessary, list attached files containing relevant information (if any)

- [replace this bracket with text, the field will expand automatically with size of text]

Section below to be filled in by UNFCCC secretariat

Date when the form was received at UNFCCC secretariat

Reference number

History of document

Version	Date	Nature of revision
01.2	08 February 2012	Editorial revision.
01.1	09 August 2011	Editorial revision.
01	04 August 2011	Initial publication date.
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