

SUBMISSION BY COSTA RICA ON BEHALF OF BOLIVIA, DOMINICAN REPUBLIC, GUATEMALA, HONDURAS, MÉXICO, PARAGUAY AND PERÚ

San José, Costa Rica 23 February, 2007

Subject: Procedures to Demonstrate the Eligibility of Lands for Afforestation and Reforestation Project Activities under the Clean Development Mechanism

1. Background

Paragraph 25 of Decision 1/CMP.2 decided to put on hold annex 16 to the report of the twenty-second meeting of the Executive Board and annex 18 to the twenty-sixth meeting of the Executive Board, on behalf of certain irregularities detected in the latter about the definition of procedures to demonstrate the eligibility of lands for A&R project activities, on the grounds that the Executive Board of the CDM and its panels had over-regulated on this issue.

Para 26 of that same Decision requested the EB to prepare, after a call for public input, new procedures to demonstrate the eligibility of lands for afforestation and reforestation project activities under the clean development mechanism providing for an additional call for public input on a final draft.

2. Recommendations

- To maintain the dispositions contained in Annex 16 of EB 22, since they fulfil the regulations stated in Decisions 11/CP.7 and 19/CP.9 on definitions of forest, afforestation and reforestation.
- Although it is recommended in IPCC GPG to define the minimum width in the forest definition, this variable was not included in Decision 11/CP.7 and 19/CP.9 paragraph 8, so Parties should not report a minimum forest width.
- The EB should refrain to modify the decisions of the COP and COP/MOP and should justify publicly any proposal for modification.
- The following proposal is a recommendation as a response to the first call for public input, and defines the scope and structure that these procedures should have for the implementation of A&R project activities in the CDM.

3. Scope

The new procedures to demonstrate the eligibility of lands for A&R project activities under the CDM must aim to clarify to potential project participants, which lands are suitable for the implementation of an A&R project activity under the CDM. To this end, the procedures must have a concise and clear structure.

The following structure is proposed:

- I. A brief heading stating the purpose of the procedures
- II. A segment requesting evidence that the land in which the project activity is intended to be implemented is not a forest under the definitions accepted in the Marrakech Accords, and as defined by the relevant DNA;
- III. A segment requesting the manifestation that the proposed project activity will comply with the definition of the eligible activities as per the definitions adopted in the Marrakech Accords;
- IV. A segment determining or describing the types of data and information that could be used for the demonstrations in II. And III. above

4. Possible specific elements of an eligibility procedures document

4.1 Purpose

Evidence should be provided that the land within the proposed project boundary is eligible as an A/R CDM project activity by following the guidance below.

4.2 Evidence that the land within the project boundary is not a forest

Project proponents should demonstrate that the land is not a forest at the moment the project starts, by providing reliable information that:

- a) Forest cover in the designated land is below the national definition of forest thresholds (crown cover, tree height and minimum land area) detailed in Decisions 11/CP.7 (16.CMP.1) and 19/CP.9 (5/CMP.1), as communicated by the respective DNA;
- b) The land is not temporarily unstocked as a result of human intervention;
- c) The land is not covered by natural vegetation that would naturally reach the applicable definition of a forest, nor has the environmental conditions to do so in the span of operation of the proposed project activity.

4.3 Preconditions for afforestation and reforestation project activities

Project proponents will have to demonstrate that the land proposed for the project activity is eligible for afforestation or reforestation, according to the definitions contained in Decisions 11/CP.7 (16.CMP.1) and 19/CP.9 (5/CMP.1).

Additionally, project proponents should take all possible steps to demonstrate that the proposed A/R project activity is not implemented in land that was deforested and cut clear of trees prior to the commencement of the project activity, but later than 1990, for the sole purpose of earning CERS by the implementation of a A/R CDM project activity.

4.4 Sources of verifiable information

In order to provide evidence for sections 4.2 and 4.3 above, project participants may use one or more of the following sources of verifiable information:

- a)** Aerial photographs or satellite imagery complemented by ground reference data; or
- b)** Land use or land cover information from maps or digital spatial datasets; or
- c)** Ground based surveys (land use or land cover information from permits, plans, or information from local registers such as cadastre, owners registers, or other land registers); or
- d)** If options (a), (b), and (c) are not available/applicable, project participants shall submit a written testimony which was produced by following a Participatory Rural Appraisal (PRA) methodology.