



Annex 21

Guidelines for the consideration of request for review and review cases

A. Background

1. All members of the Executive Board may request a review of any project activity in accordance with paragraphs 41 and 65 of the decision 3/CMP.1.
2. The purpose of this guideline is to provide the Executive Board with a framework to maintain the consistency and objectivity of its decisions and to provide greater transparency to CDM stakeholders regarding the criteria applied by the Executive Board in deciding upon case specific matters related to registration and issuance.

B. Requesting a review

3. All members of the Executive Board are entitled to request a review. In cases where a member of the Executive Board is unable to carry out his or her functions for a period of time, he/she may decide to delegate the authority to request a review to his/her alternate member. This delegation of authority shall be for a defined period of time to be notified to the Secretary of the Board. All Board members shall be informed of this delegation of authority via the listserv.
4. To assist members in making the decision to request a review or not an RIT member will prepare an appraisal and the secretariat will prepare a summary note. It remains the responsibility of individual members of the Executive Board, or duly authorized alternate members, to determine whether a request for review is necessary.
5. A request for review can be made either for minor/other issues or a full request for review. It is the responsibility of individual members of the Executive Board, or duly authorized alternate members, to determine which form of request is necessary.
6. As a guideline it is expected that members would request for review for minor/other issues in cases where:
 - (a) The request for registration/issuance contains a clear breach of the Executive Board's existing guidance, e.g. the monitoring plan does not comply with the methodology, the DOE has not reported its activities in accordance with the VVM, the PDD has not been completed in a transparent manner in accordance with published guidance, the monitoring report has not been completed in a transparent manner in accordance with the registered monitoring plan;
 - (b) There are confusing or inconsistent statements or data which may lead a reasonable reader to derive a different conclusion than the DOE.
7. As a guideline it is expected that members would request for review in cases where:
 - (a) The validation/verification report does not contain sufficient information to demonstrate to a reasonable reader that the project activity complies with the requirements of the CMP or the Executive Board;
 - (b) In particular for requests for registration this would imply that the information available indicates that the project activity may not be additional or the methodology may not be applicable or may be applied incorrectly;



- (c) In particular for requests for issuance this would imply that the information available indicates that the monitoring has not been conducted in accordance with the monitoring plan or methodology or the project activity has not been implemented in accordance with the registered PDD.

C. Consideration of a request for review

8. In consideration of a request for review the Board can make one of the following decisions:
- (a) Register/Issue;
 - (b) Register/Issue with corrections;
 - (c) Undertake a review.
9. The Board shall decide to register/issue in cases where the initial comments provided by the PP/DOE to the matters raised in the request for review have confirmed that the project activity complies with all requirements of the Executive Board and the CMP, and it is considered that the original project documentation are sufficient to proceed with the registration/issuance.
10. The Board shall decide to register/issue with corrections in cases where:
- (a) The deviation from the requirements of the CMP and Executive Board has been corrected and reflected in the project documentation submitted in response to the request for review;
 - (b) The area in which the project activity deviates from the requirements of the CMP and Executive Board is clearly defined and can be addressed by corrections in the project documentation¹.

A decision to request corrections after a request for review shall not be used as a means of gathering further information or requesting further clarifications from the PP/DOE.

11. The Board shall decide to undertake a review in cases where the initial comments do not clearly or sufficiently indicate how the project activity complies with the requirements of the CMP or Executive Board. In exceptional circumstances this review can relate to an issue not explicitly referenced in the request for review, or an issue resulting from the initial comments submitted.

D. Consideration of a review

12. In consideration of a review the Board can make one of the following decisions:
- (a) Register/Issue;
 - (b) Register/Issue with corrections;
 - (c) Not register/issue.
13. The Board shall decide to register/issue in cases where the clarifications provided by the PP/DOE to the matters raised in the review have confirmed that the project activity complies with the requirements of the Executive Board and the CMP.

¹ Such corrections can range from the minor (e.g. such as adding an additional parameter to the monitoring plan/listing monitoring results more clearly) to the major (e.g. changing the baseline/changing the data to be used in the CER calculation/changing the period of time for which CERs can be claimed in a given monitoring period).



14. The Board shall decide to register/issue with corrections in cases where the area in which the project activity deviates from the requirements of the CMP and Executive Board is clearly defined and can be addressed by alterations in the project documentation. The corrections requested after a review may include a request for additional clarifications on the issues included in the scope of the review. This may be necessary in cases where which compliance has not yet been adequately demonstrated but it is expected that further clarifications/corrections will confirm compliance.
15. The Board shall decide to not register/issue in cases where the responses to the review:
- (a) Are considered insufficient to address the issues raised; or
 - (b) Demonstrate that the project does not comply with the requirements of the CMP or the Executive Board.
16. For request for registration rejection is likely to relate to one or more of the following areas:
- (a) The additionality of the project activity has not been demonstrated;
 - (b) The applicability of the applied methodology has not been demonstrated;
 - (c) A deviation from the methodology has been applied without prior approval from the Executive Board;
 - (d) The responses from the PP/DOE do not provide sufficient information to allow corrections of other less significant aspects of the registration request to be clearly specified.
17. For request for issuance cases rejection is likely to relate to one or more of the following areas:
- (a) The project has not been implemented in accordance with the registered PDD, and no request has been approved in accordance with the relevant procedures;
 - (b) The monitoring has not been conducted in accordance with the monitoring methodology and monitoring plan;
 - (c) A deviation from the methodology or monitoring plan has been applied without prior approval from the Executive Board.

E. Consideration of corrections by the Chair of the Executive Board

18. Upon the submission of corrections following a request for review or review and the receipt of an assessment by the secretariat the Chair shall decide to place the corrected documentation into one of the following categories:
- (a) Corrections satisfactory;
 - (b) Corrections unsatisfactory and should be returned to the DOE for further changes;
 - (c) Corrections unsatisfactory and require further assessment by the Executive Board.
19. The Chair shall decide ‘corrections satisfactory’ in cases where the revised documentation complies with the request of the Executive Board.
20. The Chair shall decide ‘corrections unsatisfactory and should be returned to the DOE for further changes’ only in cases where the corrections have been submitted following a request for



review and it is considered that the Board’s request for correction has not yet been adequately complied with but it is expected that further clarifications/corrections will confirm compliance.

21. The Chair shall decide ‘corrections unsatisfactory and require further assessment by the Executive Board’:

- (a) Where corrections are submitted following a request for review or review and it is considered that the Board’s request for correction has not been adequately complied with; or
- (b) Where corrections are submitted following a request for review and it is considered that the Board may wish to assess other issues associated with the validation or verification requirements.

F. Consideration of corrections by the Executive Board

22. In consideration of corrections cases which have been placed on the agenda of an Executive Board meeting the Board shall decide to:

- (a) Undertake a review, where unsatisfactory corrections are submitted following a request for review and it is considered the Board may wish to assess other issues associated with the validation or verification requirements;
- (b) Not register/issue, where unsatisfactory corrections are submitted following a review.

History of the document

| Version | Date | Nature of revision |
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| 01 | EB 49, Annex 21, 11 September 2009 | Initial adoption to compile the major criteria for decision making in the review process as requested by decision 2/CMP.4 |
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