



## Final Ruling Regarding the Request for Registration of

### “El Bote small hydroelectric plant” (2999)

The CDM-Executive Board decided to reject the above proposed project activity on 8<sup>th</sup> March 2011 in accordance with “Procedures for review of requests for registration”, version 1.2, EB 55, Annex 40, paragraph 20 and 28 (the procedures). In accordance with paragraph 27 of the procedures, the rulings shall contain an explanation of the reasons and rationale for the final decision, which are as follows:

- The DOE (ICONTEC) failed to substantiate the additionality of the project activity in line with requirements of paragraphs 6(b) and 7 of EB 49, Annex 22 (validation requirements) as the continuing and real actions have not been demonstrated for the project activity.
- The DOE failed to comply with the validation requirements, which in paragraph 6(b) of EB49, Annex 22 state that: *“The project participant must indicate, by means of reliable evidence, that continuing and real actions were taken to secure CDM status for the project in parallel with its implementation”*, and in paragraph 7 of the same document that: *“assessment of real and continuing actions shall be validated by the DOE and the validation should focus on real documented evidence as indicated in paragraph 6(b), including an assessment by the DOE of the authenticity of the evidence.”*
- However, the continuing and real actions for the proposed project activity have not been adequately demonstrated since the DOE has not explained the actions taken by the project participant to secure CDM status of the project during the nearly four years gap between the revised project starting date in December 2004, and the start of validation in November 2008.

Please note, however, that, with appropriate revisions, this project activity may be resubmitted for validation and registration provided it meets the requirements for validation and registration, in accordance with paragraph 42 of the CDM Modalities and Procedures (Decision 3/CMP.1).

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### History of the document

<b>Project</b> 2999	Related to EB 55 Annex 40 Paragraphs 20, 27 & 28 8 March 2011	<b>Decision Class:</b> Ruling <b>Document Type:</b> Information Note <b>Business Function:</b> Registration
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