

## Call for public inputs on Programme of Activities (PoA)

### 1 Liability of DOEs

For Programme of Activities (PoA), DOEs are liable for issued CERs from a CDM programme activity (CPA) if a DNA involved in the PoA or a Board member identifies any error that disqualifies a CPA from inclusion in the PoA and the Board decides to exclude the CPA from the PoA (refer to para 15 (b) of the Procedures for registration of a programme of activities as a single CDM project activity and issuance of certified emission reductions for a programme of activities). Moreover, the Board, based on a review report by another DOE, may decide to exclude CPAs already included in the PoA at an earlier stage and the DOE that has requested the inclusion of these CPAs is liable for all CERs issued for these CPAs (refer to para 18 of the Procedures for registration of a programme of activities as a single CDM project activity and issuance of certified emission reductions for a programme of activities).

The liability of DOEs in PoAs is hence significantly more extensive compared to the liability in normal CDM project activities. While a DOE for normal CDM project activities is only liable if significant deficiencies are identified in the relevant validation, verification or certification report for which the entity was responsible, the DOE is for PoAs liable for CERs issued even if there is for example a disagreement of interpretations between the DOE and the Board with regard to the inclusion of a CPA (or several CPAs) to a PoA.

It is thus suggested that

- i) the liability of a DOE having requested the inclusion of a CPA shall be limited to only cases where significant deficiencies are identified in the relevant validation of the CPA requested to be included in the PoA by the DOE.
- ii) to introduce a time limit for a DNA involved in the PoA or a Board member to identify any error that disqualifies a CPA from inclusion in the PoA
- iii) to remove a DOEs liability for CERs issued for CPAs included in the PoA at an earlier stage - considering that CDM and in particular PoA are “learning by doing”.

### 2 Assessment of additionality at the PoA vs. the CPA level

Further guidance is needed how the additionality of a CPA shall be demonstrated. The procedures for registration of a programme of activities as a single CDM project activity and issuance of certified emission reductions for a programme of activities require the “Definition of eligibility criteria for inclusion of a project activity as a CPA under the PoA, which shall include criteria for demonstration of additionality” (para 2 (g)) and the DOE validating the PoA has to assess these criteria and these criteria are eventually the basis for assessing the inclusion of CPAs. The criteria for demonstrating additionality are thus defined as eligibility criteria. This can be interpreted that if the additionality of the PoA is demonstrated and the CPA meets the additionality specific eligibility criteria, the CPA would be considered additional without assessing the additionality of the CPA in accordance with the methodology suggested for demonstrating additionality by the baseline methodology applied by the CPA.

However, para 4 (d) requires the demonstration of additionality of a CPA which is separate from demonstrating that the CPA meets the eligibility criteria.

Hence, further clarifications is needed if the additionality of a CPA can be demonstrated by

- i) demonstrating the additionality of the PoA as a whole in accordance with para 2 (g) of the procedure for registration of PoAs and demonstrating, using the procedure provided in the baseline and monitoring methodology applied, additionality of a typical CPA as indicated in the CDM-PoA-DD **and**
- ii) demonstrating that the CPA meets the eligibility criteria relevant for the demonstration of additionality (without assessing the additionality of each CPA using the procedure provided in the baseline and monitoring methodology applied).

### **3 Registration request forms**

The “Programme of Activities registration request form” (F-CDM-POA-REG) necessary to submit requests for registration of PoAs is not yet available.

It also needs to be clarified if a form has to be completed by the DOE when requesting the inclusion of a CPA in order to document the DOE’s assessment of the request to include this CPA. DNV suggests that the validation report for the PoA also includes a checklist / protocol for assessing the inclusion of CPAs and that the completed checklist is submitted together with the DOE’s request to include a CPA.

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