

CALL FOR INPUTS

Draft standardization of the format of the modalities of communications between project participants and the Executive Board

The draft MOC document envisages that:

- All Project Participants jointly (para 2)
- Nominate one or more focal points (for each of the matters in para 4)
- Singly or jointly (para 5 and 6)
- To communicate with the EB and Secretariat

Any changes in the MOC are also to be signed by all Project Participants (para 11).

Issues to do with registered projects

Para 13, which deals with registered projects reads as under:

13. *For registered projects where an updated MoC is required:* In cases where a change to the existing MoC is needed (see paragraph 11 above), project participants shall complete an MoC form (F-CDM-MOC) which will be submitted duly signed by the nominated focal point for communicating with the Board. The secretariat shall perform the corresponding due diligence process on each new entity to be added as a project participant as defined in paragraph 8 above.

It is not clear from this text:

1. Whether all registered projects have to file a revised MoC as soon as this guidance comes effective, or only when there is a change in the existing MoC
2. In case a revised MoC is to be filed automatically as soon as this guidance becomes effective, it is not clear if this needs to be signed by all Project Participants, or only the existing focal point. Note the text says, “project participants shall complete an MOC form duly signed by the nominated focal point”
3. Many existing registered projects have bilateral agreements between Project Participants as to who shall communicate with the EB, and how matters in para 4 shall be communicated to the EB. The draft document envisages that the EB shall not recognize such bilateral agreements inter se between Project Participants. Many projects have admitted dozens of Project Participants based on such bilateral agreements, which they may not have done if they were aware that the EB would de-recognize such agreements. How will this situation be treated?

Issues to do with all projects (registered and new)

Any change in the MoC document is to be signed by each Project Participants (para 11). Circumstances in which changes in MoC document may be required, are (a) changes in project participants and (b) changes in focal point(s). The following difficulties are envisaged:

1. In some cases, it would be impractical to get all Project Participants to sign the revised MoC. Some projects are registered with 30 – 40 Project Participants. If even one of the Project Participants cannot sign the MoC, this would put the entire Project in jeopardy, since no changes would be permitted in the MoC thereafter.
2. In some cases, it may also not be necessary to have require Project Participants to sign the MoC. For example, if, say, out of 10 Project Participants, one Project Participant wants to step out, why would it be necessary for all the other 9 to sign the changed MoC?