

Head and Members of the CDM Executive Board
 UNFCCC Secretariat
 Martin-Luther-King-Strasse 8
 D-53153 Bonn
 Germany

1st Floor
 Park Central
 40/41 Park End Street
 Oxford OX1 1JD
 UK

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Tel +44 (0)1865 202 635
 Fax +44 (0)1865 251 438
 Email uk@ecosecurities.com
www.ecosecurities.com

Re: draft Standardization of the Format of the Modalities of Communications between Project Participants and the Board

EcoSecurities welcomes the Board's effort to progress towards standardization of the Modalities of Communication, and in particular towards the adoption of an electronic form and signatures as part of the CDM Information System. We think this would greatly enhance the security of the registry system, as well as the ability of private actors to communicate effectively and efficiently with the Executive Board.

Our comments and recommendations on the draft Annex 4 to the annotated agenda of the forty-first meeting of the Board are set out in the Table below:

Paragraph	Issue	Recommendation
2	To minimise any ambiguity, there should be explicit clarification that a Focal Point does not need to be a project participant.	An additional sentence should be added as follows: "It is not a requirement that the Focal Point be a project participant in the project."
3	Authorised Signature. <ul style="list-style-type: none"> - As this is a person, it would make more sense to refer here to "Authorised signatory" rather than "Authorised signature" - It should be possible to specify multiple signatories to provide Focal Points and project participants with greater flexibility (see the first point under F-CDM-MOC below) - 	Replace "signature" with "signatory" Add "(s)" after person in line 1.
3	It would be helpful to clarify what evidence is sufficient to satisfy the standards for the	Provide an indicative, non-exhaustive list of documentary

	“required due diligence and authentication process”.	evidence that will be accepted as proof of an individual’s authority/capacity to represent an entity, e.g.: <ul style="list-style-type: none"> - Valid Power of Attorney - Copy of Register of Form of Appointment (for directors)
4 (final sentence)	This seems to conflict with the final sentence in paragraph 6, which confirms the fact that a signature is required from all Focal Points to any communication, whether joint or single, for any scope of focal point authority. We do not understand how a single signature could ever suffice for a scope of authority that has designated joint Focal Points.	Sentence should be deleted.
9(e)	Although this is implied by the form, it would be helpful to clarify in cases where the Focal Point is also a project participant, that contact details and specimen signatures are required in both the focal point and project participant sections of the F-CDM-MOC.	Add at the end of section (e): “(to be entered separately in cases where the focal point is also a project participant)”
11	We submit that a distinction should be drawn in the types of modification that can be made to MOCs and the formal requirements to implement each of these changes. Previously we have been advised by the EB that it is possible for project participants to be unilaterally withdrawn or added, where explicit provision for that is made in the MOC. This does not seem to be reflected in the current draft.	A new provision should be added conferring the possibility of unilateral authority for a Focal Point to add or to remove project participants. Clarification should be made that the following changes require a new MOC to be submitted: <ul style="list-style-type: none"> - Change in Focal Point - Change in Focal Point scopes of authority - Change to MOC where no unilateral authority has been delegated to the Focal Point. In addition, there should be the new option of a separate addendum (as at present) whereby, if unilateral authority has been conferred on a Focal Point for any

		<p>particular scope of authority, the Focal Point should be able to submit the Addendum to effect the change. This would also allow for more minor changes to be implemented more efficiently (both for the Executive Board and for project participants). The addendum would cover:</p> <ul style="list-style-type: none"> - Addition of project participants - Removal of project participants (with consent of the project participant concerned) - Addition or removal of authorised signatory(ies) - Change in contact details
12	<p>For completeness' sake, it would be useful to confirm that the initial MOC submitted should be consistent with the designation made in the PDD. We have been advised that in cases where the authorised signatory in the MOC does not correspond with the authorised representative in the Annex I contact details section in the PDD, an additional specimen signature and evidence of signing authority needs to be provided.</p>	<p>A new sentence should be added at the end of paragraph 8, as follows:</p> <p>“In particular, the authorised signature for each project participant should correspond to the representative designated for the project in Annex I of the Project Design Document.”</p>
13	<p>Text should be amended to reflect the unilateral right of a Focal Point to submit a revised MOC (see point 11 above)</p>	-
14	<p>It is not clear how the F-CDM-MOC form would be completed in cases where project participants want certain information to be kept confidential.</p>	<p>It would be useful, from a practical perspective, to state that confidential details may be provided on a separate Annex or Addendum to the MOC and may be designated as confidential to project participants, focal points, DOEs, members of the Board and secretariat staff, so that this can be clearly identified and uploaded separately on a non-public page. There should be an election box in the F-CDM-MOC to indicate a</p>

		project participant's wish for certain information to be kept confidential.
F-CDM-MOC	Project Participants and Focal Points should be allowed to nominate more than one representative for the project, so that in case the listed representative is incapacitated etc., someone else is available to sign.	We suggest that the form be amended to allow for multiple representatives / signatories by including additional representative sections.
F-CDM-MOC	<p>It would be useful to know:-</p> <ul style="list-style-type: none"> • whether other forms of MOCs which contain the required information will continue to be accepted once this form F-CDM-MOC has been adopted; • whether there will be a transitional phase out period or an automatic cut off date (and if so, when that is likely to be); and • whether existing MOCs uploaded and accepted by the EB will remain in their current format. <p>Given that collection of signatures and evidential documentation can be very time consuming, this is important to enable project participants to effectively manage this process as the new procedures are rolled out. It is likely that many project participants will already be in possession of signed MOCs that they intend to submit for projects in the short to mid-term future.</p>	<p>There should be a clear date in the future, prior to which the new F-CDM-MOC as well as existing MOCs (that satisfy current EB rules) will be accepted. After the cut-off date, the F-CDM-MOC will be mandatory for all projects.</p> <p>Existing MOCs uploaded and accepted by the EB will remain in their current format; however any changes to these MOCs will have to be made after the cut-off date using the F-CDM-MOC.</p> <p>A new paragraph should be added to this effect.</p>
POA	For a programmatic CDM project, we would appreciate clarification as to whether or not it is possible to nominate a focal point which is different from the coordinating or managing entity, and whether this entity needs to be a project participant or not.	<p>We suggest that greater flexibility should be introduced by clarifying that the Focal Point is not required to be the coordinating or managing entity.</p> <p>A new paragraph should be added to address the issue of a programme of activities project, which is not covered by the existing draft. If necessary there should be a change to the MOC with the inclusion of the coordinating or managing entity in a separate</p>

		section.
Language	There is no reference to accepted language versions, or indication whether any other language versions will be rolled out. We have in the past submitted dual language versions (typically English with a Chinese version below for reference) that have been requested by Chinese project participants. It would be useful to allow for this going forwards.	A further paragraph should be included to confirm that the MOC has to be in English language in the F-CDM-MOC form, but that project participants may provide versions in other languages for reference purposes.

Thank you for considering the inputs provided; we hope that they will help you to best address the main issues identified in the table above.

Kind regards,



Martin Enderlin
Director, Government & Regulatory Affairs
EcoSecurities
martin.enderlin@ecosecurities.com
Direct line +41 31 879 12 01
Mobile +41 79 459 81 18