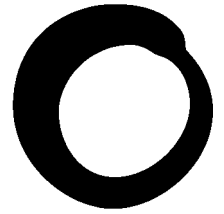


**August, 2011**



**Friends of  
the Earth**

# **CDM Executive Board call for inputs on the validation process**

**Submissions by Friends of the Earth England,  
Wales and Northern Ireland (part of Friends  
of the Earth International)**

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Friends of the Earth, 26-28 Underwood Street. London N1 7JQ  
Tel: 020 7490 1555 Fax: 020 7490 0881 Web: [www.foe.co.uk](http://www.foe.co.uk)

Friends of the Earth Limited company number 1012357, Trust company number 1533942, registered charity number 281681

1. Friends of the Earth opposes the use of the CDM and other off-setting mechanisms to meet the weak emission reduction targets set out for Annex 1 countries under the Kyoto Protocol<sup>1</sup>. However, we recognise that the CDM is in operation at present and would like to actively support any endeavours that strengthen its social and environmental integrity. We make these submissions on how the validation process could be improved in order to help address some of the CDMs most flagrant shortcomings.

2. Article 6 of the UNFCCC, Principle 10 of the Rio declaration and the preparatory documents for the Rio + 20 process all underline that participation in environmental decision-making by concerned members of the public is essential for sustainable environmental outcomes. Implementing the recommendations set out below would significantly improve the ability of the public to engage with the project validation process

### **Recommendations**

3. Minimum criteria for stakeholder consultation should be further defined including, inter alia, the minimum level of documentation to be provided and how such documentation is to be disseminated. Information about the consultation should be communicated through a variety of media, such as local community radio and community newspapers. Letters should be written to people in the areas affected by the project, any organisations representing them, the relevant local public authorities and the Designated National Authority (DNA) of the host country of the project. Prior to the consultation a non-technical summary of the project, the EIA analysis and all other relevant documentation should be provided to stakeholders. In areas with high illiteracy, this information also must be provided through oral means, eg. through radio broadcasts or at local meetings. The full documentation relating to the project should also be made available to stakeholders at a specified and accessible location where they can make copies of such documentation for a minimal charge.

4. Consultation in relation to the project should take place at the initial stage when a project developer is open to making changes to the project design. There should be an initial meeting with stakeholders at which the project is explained in clear, non-technical terms. This meeting should also explain the timeline for consultation is set out, along with information on how to access the documents and the next steps. This should be followed by a second meeting to explain how the stakeholder comments that have been received are proposed to be addressed. This meeting should allow stakeholders to respond to the proposals being made and comment on whether they are felt to be adequate.

5. All communication/information about the project should be given in the local language/s. Full records should be kept of the responses received from stakeholders and the project developer should clearly summarise these in his project report and explain how they have been addressed. This is analogous to the approach taken to development projects in the English planning system. At all stages of the commenting process (including review by the EB) responses should be accepted in the local language.

6. The EB should provide clear guidelines to the Designated Operational Entity (DOE) on how to validate stakeholder consultations. The guidelines must cover the minimum requirements set out in the paragraphs above.

7. Documentation relating to the public participation aspects of the CDM process should be made available in all official UN languages on the CDM website. All documentation relating

8. to projects should be uploaded on to the website before the commenting period begins. The public commenting period on a project should be extended to 60 days. All comments made during this period should be made public at the time of submission. Stakeholders who have responded to the consultation should be directly informed about the outcome of the validation process.

9. Concerned stakeholders who have complaints after a project has been registered, (for example that a fair process was not followed in relation to the project, that it is leading to human rights abuses or violates national environmental regulations) should have access to a grievance mechanism, to request a review of the project which could result in the exclusion of the project from the CDM. Such a mechanism would prevent projects being approved that risk breach of national or international law.

10. Friends of the Earth continues to hold the view that off-setting is a fundamentally flawed proposition as it counts action in developing countries as part of cuts in developed country emissions, even though the science is clear that cuts are needed in both developed and developing countries. In addition it cannot guarantee the same cuts as would have happened without offsetting and is delaying urgently needed economic transformations in developed countries. Finally it does not ensure positive sustainable development in or appropriate financial transfers to developing countries. For these reasons the use of offsetting must be restricted to the minimum and the approval of projects must meet the most stringent criteria possible.