



Ms. Mariel Vilella  
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Date: 28 March 2013  
Reference: 2013-222-S  
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*Sent by e-mail to: mariel@no-burn.org*

**Re.: “CEMEX Mexico: Biomass project at Huichapan cement plant” – Additionally issues Query on the Completeness Check and Information and Reporting Check result for PoA project**

Dear Ms. Vilella Casaus,

Thank you for your letter, received on 29 January 2013, which has been made available to the CDM Executive Board.

On behalf of the Chair of the Board, I would like to thank you for presenting your concerns regarding the eligibility, additionally, and environmental integrity of CDM project activity **8035: CEMEX Mexico: Biomass project at Huichapan cement plant.**

However, please note that the proper channels for raising comments on a project before its submission for registration are (i) the local stakeholder consultation and (ii) the global stakeholder consultation. Substantiated comments, which have not been taken into account through the aforementioned channels, can nevertheless still be brought to the attention of the designated national authority (DNA). The DNA can request a review of requests for registration or issuance of any project located in its country within 28 days of their publication on the UNFCCC website<sup>1</sup>. We would therefore like to encourage you to address your concerns to the host country DNA.

Please also note that the Board, at its seventieth meeting, considered proposals on dealing with stakeholders' concerns raised after registration. The Board requested the secretariat to prepare, for its consideration at a future meeting, proposals that would constitute a formal process for dealing with such concerns. Please refer to paragraph 94 of the report of the seventieth meeting of the Board.

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<sup>1</sup> Please refer to paragraph 72 and 199 of the Project Cycle Procedure available here:

[http://cdm.unfccc.int/filestorage/y/8/ZI30851TVWXEG6K9LBYUMN7PHSRCJO.pdf/eb70\\_repan04.pdf?t=RVB8bWk3dDc3fDBqkwAZbk\\_x-3tWeGG-ywZK](http://cdm.unfccc.int/filestorage/y/8/ZI30851TVWXEG6K9LBYUMN7PHSRCJO.pdf/eb70_repan04.pdf?t=RVB8bWk3dDc3fDBqkwAZbk_x-3tWeGG-ywZK)



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Finally, please note that only the host country's authorities have the prerogative to assess and enforce compliance with national laws. As a result, any legal action against a project like the one indicated in your letter must be undertaken at the national level.

Thank you once again for contacting the Board with your concerns and requests.

Yours sincerely,

Andrew Howard  
Secretary to the CDM Executive Board