



Brazilian Federal Government
Ministry of Science, Technology and Innovation – MCTI
Executive-Secretariat of the Brazilian Designated National Authority

Official Letter nº 39/2014/CIMGC

Brasília, July 7th 2014.

DNA support team
moderator-dna@unfccc.int

Subject: ***Local stakeholder consultations.***

Dear members of the *DNA support team*,

1. The Interministerial Commission of Global Climate Change (CIMGC), which is the Brazilian National Designated Authority under the Kyoto Protocol, has received, on May 5th 2014, from the Secretariat of the United Nations Framework Convention on Climate Change, the request of information related to practices of local stakeholders consultation in Brazil. Having the honor to supply the Secretariat on how CIMGC has conducted its local stakeholder consultation, the items below bring details on it.
2. The local stakeholder consultation in Brazil is regulated by CIMGC's Resolutions.
3. The Resolution (CIMGC) 7, 5th March 2008, stipulates a procedure to invitation of comments on the Clean Development Mechanism project activities. Invitations must be sent by project participants (PP) to actors considered involved, interested and/or affected by project activities under CDM.
4. To send copies of invitation to comments, in electronic and printed versions, is a documental requirement imposed to PP. It is demanded at the act of submission of the letter of approval. The proof of post of invitations, called "avisos de recebimento" in Brazil Post, must be attached in the process.



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5. The deadline to send invitation to comments is 15 (fifteen) days before the start of validation procedure. As the validation report, emitted by a Designated Operational Entity (DOE) is a *conditio sine qua non* for the issuance of the letter of approval in Brazil, so, eventual stakeholders' comments arose during the local consultation period must be incorporated on the Validation Report, bringing elements for DNA's decision.
6. Invitation to comments must contain: name, type of project activity under CDM, as filled at the Project Designed Document (PDD); inform Internet site address giving access to the PDD in its Portuguese and last version, as well as description of the CDM project activity contribution for sustainable development. The PP shall maintain access to this site, at least until the end of the CDM Executive Board Registry process; to inform, to those who do not have access to Internet, an address available for asking, in writing, copy of the entirely documentation of the project, in time to analyze it.
7. Resolution (CIMGC) N° 7/2005, prescribes which are the entities that must, at minimum, receive invitations to comment a project activity.
8. At inter-state level, the entities, at minimum, are: executive and legislative bodies of each state related to the project, taking into account that in the case of Distrito Federal it will be the local legislative body; environmental bodies at the state and county levels related to the project; Brazilian Forum of NGOs and social movements for environment and development (<http://www.fboms.org.br>); national entities whose aims are directly or indirectly related to the project activity; Public prosecutors at federal and state levels related to the project (Ministério Público Estadual, Ministério Público do Distrito Federal e Territórios, Ministério Público Federal).
9. The system of invitations by post was supplied by public meetings, according to Resolution (CIMGC) N° 10, 22nd May 2013, which regulates public meetings applicable in the case of impossibility to observe Resolution (CIMGC) N° 7/2008.



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10. Resolution (CIMGC) N° 10/2013 prescribes that, when it is impossible to prove that invitations to comments were sent to one or more entities of the minimum list, to those interested and/or affected by project activities under CDM, proponents shall do a meeting with all the actors listed on resolution (CIMGC) N° 7/2008. In that case, it must be presented proof of post as well.
11. According to Resolution N° 10/2013, negative and positive aspects of the project must be presented to participants of the meeting referred above. Also, it is necessary to give them opportunity to express their opinions, to ask questions, to present suggestions, which must be registered at the report of the meeting and in the PDD, in its local public consultation section.
12. There are others provisions in Resolution N° 10/2013, related to procedures of the meeting. Those cases not regulated are solved by CIMGC deliberation.
13. We thank UNFCCC Secretariat for this interest in Brazilian local consultation practices. We are available for further clarification or information, including access to cases of Brazilian projects that have been driving improvements on our invitation to comments system.

Sincerely yours,

GUSTAVO LUEDEMANN

Executive-Secretary

Interministerial Committee on Global Climate Change