

**Eva Maria Filzmoser**

Program Director CDM Watch

Phone: +32 499 21 20 81

Email: [eva.filzmoser@cdm-watch.org](mailto:eva.filzmoser@cdm-watch.org)

Web: [www.cdm-watch.org](http://www.cdm-watch.org)

**To the CDM Executive Board**

18 March 2010

**Subject: Request to immediately suspend ACM0013**

Dear Mr. Mahlung:

During the upcoming 53<sup>rd</sup> EB meeting, the Board may approve the Methodologies Panel's revisions to the approved methodology ACM0013, "Consolidated baseline and monitoring methodology for new grid connected fossil fuel fired power plants using a less GHG intensive technology."

We commend this important first step in recognizing the inconsistencies within ACM0013, as highlighted by the Meth Panel. At the same time, we are highly concerned about the methodology's severe shortcomings with respect to additionality, which can only be addressed by a more fundamental revision of ACM0013.

The Stanford Environmental Law Clinic conducted a review of ACM0013 and all projects proposed under this methodology to date. They conclude that ACM0013 fails to ensure the additionality of CDM project activities and violates Article 12 of the Kyoto Protocol. Non-compliance with the methodology is so pervasive that no project submitted to date—not even Project 2167, the only registered ACM0013 project—complies with the methodology and the Executive Board's rules and guidance. But more critically, ACM0013's substantive shortcomings, as well as its lack of specificity, clarity, and consistency, are such that improving compliance alone would be insufficient. The methodology itself requires substantial revision to uphold the Kyoto Protocol.

In light of the significance of the flaws in ACM0013 and the far-reaching consequences of its revision, we urge the Board to suspend this methodology by putting it on hold, with immediate effect. We urge the Board to request the UNFCCC secretariat and the Meth Panel to conduct a thorough assessment and review of the methodology, including a public call for inputs, and to prepare a revised methodology for consideration of the Board. Moreover, we call on the Board to review projects submitted under the current methodology, and to review the registration of Project 2716.

For detailed analysis of our critiques please see Annex I to this letter. We include specific proposed changes to the language of the methodology in Annex II.

Kind Regards,



Eva Filzmoser