



LEGAL AND TECHNICAL SUPPORT TO THE CDM DESIGNATED NATIONAL AUTHORITY

Ref.  
44

Expert(s)	Country	Volume (md)	Amount* (€)	Beneficiary	Funding	Start date	End date	Partner(s)	Reference
Olivier Bouyer	Gabon, DRC	11	8,250 <i>*For the referred expert, within ONFI</i>	CDM DNA of Gabon and DRC	UNEP - CASCADE	Dec. 2010	April 2011	FFEM, Climate Focus	<a href="mailto:francoise.destais@unep.org">francoise.destais@unep.org</a> Tel: +33 1 44 37 14 50

Detailed description of the project	Services provided
<p>The project “Carbon Finance for Agriculture, Silviculture, Conservation and Action against Deforestation (CASCADE)” is funded by the French Global Environment Facility (FFEM) and implemented by the United Nations Environment Programme (UNEP). It aims at strengthening the capacity of African countries in the field of carbon finance in the forestry and bioenergy sectors.</p> <p>Within the framework of this project, support was given to the CDM Designated National Authorities (DNAs) of Gabon and the DRC. Following a review of the legal and institutional framework governing the activities of the CDM DNA, recommendations had to contribute to:</p> <ul style="list-style-type: none"> <li>• The revision of legislation governing the CDM DNA;</li> <li>• The definition of procedures for the approval of CDM projects in the two countries;</li> <li>• The analysis of sectorial legislation (forest and energy) in the two countries;</li> <li>• A study of the current situation and the prospects of the CDM in the two countries.</li> </ul> <p>Between December 2010 and April 2011, the CDM DNAs of Gabon and the DRC were therefore subject to an external audit by two teams of lawyers hired by the expert: Mercedes Figuari and Charlotte Streck for Gabon (both consultants of Climate Focus), Sergio Perez and Matthew Wemaere for the DRC (both independent consultants).</p>	<p>The expert coordinated the entire study and provided proofreading and quality control of the documents, elaborated on the basis of (i) personal interviews with the CDM DNAs personnel, in addition to the administrations in charge of the environment and the forest, as well as carbon project developers (when possible), (ii) the review of strategic documents on the CDM and REDD+, as well as of environment and forest legislation.</p> <p>The principal recommendations made, common to both countries, were as follows:</p> <p>At a legal level: (i) to enact the procedures for the approval and implementation of CDM projects and voluntary carbon projects by the DNA, (ii) to submit a definition of forests to the Secretariat of the Climate Convention, to allow for afforestation and reforestation CDM projects, (iii) to improve the recognition of customary law on forests and soils and to introduce legislation related to carbon ownership in the context of the reform of Environmental Law, (iv) to introduce a favourable tax system for CDM projects or voluntary carbon projects and to establish a guide for income tax exemption under the CDM;</p> <p>In terms of international strategy: (i) to identify and to develop Programmes of Activities (PoA) under the CDM, in order to prepare for the implementation of the Nationally Appropriate Mitigations Actions (NAMAs) proposed by Gabon and the DRC, (ii) to identify donors/international institutions in order to increase access to international carbon finance;</p> <p>At an institutional level: (i) to integrate the DNAs in the National Climate Plans drafting process, (ii) to train the Ministries in carbon finance, to ensure its integration in the various sectorial policies, and (iii) to consolidate financial resources allowing for the development of the activities of the CDM DNAs.</p>