



## Annex 7

### QUESTIONS FOR THE CALL FOR PUBLIC INPUTS ON THE USE OF THE FIRST-OF-ITS-KIND BARRIER AND THE ASSESSMENT OF COMMON PRACTICE

#### I. First-of-its-kind

1. One possible barrier that needs to be analyzed as part of the barrier analysis is whether “barriers exist due to prevailing practice”. One such barrier would be the fact that the project is “first-of -its-kind” which implicitly assumes that such "first of its kind" (FOIK) projects are facing barriers due to prevailing practice. If these can be alleviated by the CDM, then the project is additional. The questions could then be:

- (a) How would you normally define “prevailing practice” and what influences the consideration of whether such prevailing practice constitutes a barrier?
- (b) In light of the previous answer, in your understanding, is a "first of its kind" project always facing barriers due to prevailing practice?
- (c) Consequently, is there a need for a FOIK concept in the additionality and combined tools or can the normal – or further improved - investment analysis or barrier analysis test sufficiently or even better capture the additionality of a project?
- (d) Is it sufficiently clear what constitutes a technology that is FOIK or is additional guidance required (e.g. geographical limitations, methodologies, industry and technology, other differentiating factors...)? How would one define this guidance?
- (e) Should there be technologies that are automatically deemed FOIK or technologies that are deemed never to be FOIK?
- (f) Since FOIK is meant to reflect a barrier due to a very limited and quite unique application of a (new) technology, would it then be necessary to demonstrate how CDM helps to overcome this barrier?
- (g) Should CDM projects (registered or under validation) continue to be excluded from the FOIK test in the long term? What would be a reasonable term?



## II. Common Practice (CP)

1. In the additionality tool, the generic additionality tests shall be complemented with an analysis of the extent to which the proposed project type (e.g. technology or practice) has already diffused in the relevant sector and region. This test is a credibility check to complement the investment analysis or barrier analysis.

- (a) Is there a need for a CP concept in the additionality and combined tools or can the normal – or further improved - investment and barrier analysis tests sufficiently capture the additionality of a project?
- (b) Should this concept be introduced early on in the assessment of additionality or should it continue to be implemented as a final stage of the assessment acting as a credibility check?
- (c) Do you agree with the current approach to determine the CP of an activity?
- (d) Is there a need to better define what constitutes a “similar activity” and the criteria used to identify essential distinctions (e.g. geographical scope, methodology, industry, technology, size, local circumstances, others criteria including the current criteria in the existing guidance)
- (e) Is there any other alternative approach to determine the CP of an activity?
- (f) Should CDM projects (registered or under validation) continue to be excluded from the CP test in the long term? What would be a reasonable term?
- (g) Should there be a list of activities that are exempt from the CP test?

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### History of the document

Version	Date	Nature of revision(s)
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