



Supervisory Body Art. 6.4  
UN Climate Change Secretariate  
UNFCCC

Lucerne, 22nd October 2023

## **Public comment on agenda of the 8<sup>th</sup> meeting of the Article 6.4 Supervisory Body**

### **Local Continuous Engagement Mechanism, Appeal & grievance processes**

Dear Sir or Madame

As per publication shared on the Supervisory Body Webpage regarding the 8th meeting of the Article 6.4 Supervisory Body, the public is invited to share comments on issues included in the annotated agenda.

Fastenaktion / Swiss Lenten Fund is happy to follow this invitation. In its 60 years of activity, Fastenaktion has acquired a longstanding experience in development work and currently implements projects in 14 countries, including a Gold Standard certified project. The right to food and climate justice are at the heart of our work.

Concretely, we would like to comment Agenda Item 3 "Matters relating to the Article 6.4 mechanism" and specifically on the "Draft standard: Article 6.4 mechanism activity standard for projects" (annex 7) and "Draft Procedure: Appeal and grievance processes under the Article 6.4. mechanism" (annex 5).

#### **A) Local continuous engagement mechanism**

At the time of writing, the reworked document "Draft procedure: Article 6.4 mechanism activity cycle procedure for projects" (AS-P) is not publicly published. Given the deadline, we would make the following comment based on the last version of the draft AS-P publicly published (September).

We welcome and appreciate that the "Draft Activity Cycle Procedures (ACP-P)" includes a continuous engagement mechanism linked to the international.

In line with the continuous engagement mechanism of the Activity Cycle Procedures (ACP-P), which offers a communication channel between the activity proponent and national/international stakeholders, which are aware of the UNFCCC portal and its functionalities, **there is a need for a continuous engagement mechanism between the activity proponent and local stakeholders in the AS-P.**

It is important to gear this mechanism to local specificities, thus, to reflect and implement such a mechanism on a project by project basis. This might be, e.g. a local phone-number, a whatsapp-number, a mobile-app or an official logbook for hand-written comments. This allows stakeholders to contact the project proponent in their local language avoiding language barriers and the barrier to access international webportals.

**Advantages:**

- This allows local stakeholders to be as independent as possible in their contact and communication with the activity proponent and to share ideas, concerns and queries.
- Activity proponents have an open local communication channel that helps them to understand how their activities are perceived by local stakeholders and can take action as deemed appropriate in a sense of continuous improvement.

**Suggestion:**

- Such a provision could for example be included in the AS-P section 6 (e.g. new 6.12)
- The DOE could be requested to check on the existence of such a local engagement mechanism during verification

**B) Appeal & grievance processes**

We welcome that the “Draft Procedure: Appeal and grievance processes under the Article 6.4. mechanism” (annex 5) provides details on the appeal & grievance processes.

Given time constraints, we would like to share some initial reflections and come back in more detail during the public call planned after the 8<sup>th</sup> supervisory body meeting.

- The distinction between appeal and grievances is clearly formulated, which will facilitate work.

**Standing of appeals**

- Section 4.1 “appeal process”, option 2, which makes possible to appeal against decisions on methodologies and standardized baselines” seems preferable to us. In the past year, many carbon activities have been criticized for flawed methodologies, often linked to flawed baselines. Hence, a mechanism that allows to strengthen their robustness through appeals, might increase credibility of the whole 6.4 mechanism.

**Grievance fees**

- As per current draft, the scope of grievance process (5.2) is to file “grievance [...] on adverse effects of a social, economic or environmental nature suffered by the local communities or businesses [...]. Hence, in our understanding, **to remedy adverse local effects** of a A6.4 activity.
- As per current draft, the grievance mechanism is subject to a considerable fee of 2500 or 5000 USD (par 37). Given our experience of working in developing countries all over the globe, for local communities, this fee, also the lower fee of 2500 USD, is likely to be an effective barrier for filing a grievance without financial support. Even if support is given in form of a loan, a community in most cases could not take the risk of filing a grievance, as there is a threat of a considerable debt. We therefore see the risk that the fee impedes the grievance process to achieve its objective as per the scope.

**Suggestion:** We would invite the Supervisory Body to reconsider the fee for filing grievances and cancel it if possible.

### **General reflection grievance process & barriers**

- As stated in the standing 5.1 and scope 5.2, the grievance processes are mostly designed to serve national and local stakeholders (communities & businesses).
- But on the other hand, there are provisions for considerable fees (par 37) and the working language is exclusively English (par 80). Both elements potentially constitute considerable barriers for local stakeholders to file grievances.
- Taking this together, we have the impression that the current appeal & grievance processes are geared towards an international audience and that local stakeholders might in most cases only be capable to address the supervisory body and file a grievance if they receive support to formulate such in English language and financial support (grant) to deposit the fee and assume the financial risk of not receiving it back.
- This leads to the considerable risk of building a mechanism, where part of the target group is largely **dependent on third actors**.

**Suggestion:** We would invite the Supervisory Body to reflect on this.

- Are there ways to make the grievance process more inclusive?
- Would it be possible to have deeper reflection on this together with representatives from the indigenous constituency and/or with the LCIPP, as the LCIPP has the role to represent the interface of parties and “local communities & indigenous peoples”?
- In order not to stop the current work from being concluded, the current draft could for example have a provision that indicates that such a reflection processes is planned and that the grievance processes are further fine-tuned according to the outcome of such a reflection process.

We thank you for considering our comments and are available for any questions.

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