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Legend for Columns

- 0** – A6.4-SB009-A01 (methodologies) or A6.4-SB009-A02 (removals)
- 1** – Section Number in the document
- 2** – Paragraph number
- 3** – Comment – the actual feedback or observation, including justification for what needs changing
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Esteemed Members of the Supervisory Body to Article 6, paragraph 4 of the UNFCCC Paris Agreement,

Indigenous Environmental Network (IEN) is a non-profit 501(c)3 Indigenous-led organization based in Minnesota, United States with remote offices throughout North America, Turtle Island. For nearly 30 years, IEN has participated and observed The United Nations Framework Convention on Climate Change (UNFCCC), The United Nations Conference on Biodiversity (UNCBD), The United Nations Permanent Forum on Indigenous Issues (UNPFII), The United Nations Office of the High Commissioner for Human Rights (OHCHR) and various other UN fora. Please accept this general comment and input in the template below on A6.4-SB009-A01 (methodologies) and A6.4-SB009-A02 (removals).

In light of the continued disregard towards the risks posed to Indigenous Peoples’ rights, sovereignty, and jurisprudence by carbon offsetting, credits and markets, as displayed in the recommendation documents on activities involving removals and methodological requirements, IEN reiterates our strong denouncement of Article 6.4 as a flawed mechanism that exacerbates rather than mitigates greenhouse gas emissions and climate change. The key danger of A6.4 lies in its perpetuation of a market-based approach that prioritizes the financial gains of the world’s historical and largest polluters. As stated various times before, IEN foresees Article 6.4’s expansion of carbon markets will open the floodgates for dubious and dangerous projects that continue to violate Indigenous Peoples’ inherent rights, traditional knowledge, territories, ancestral lands, and livelihoods.

IEN continues to observe the troubling development and decision-making of Article 6.4. One concerning trend is how calls for inputs that include a critique of carbon markets continue to be ignored by the SB, especially from Indigenous Peoples Organizations and the Indigenous Peoples constituency of the UNFCCC. Inputs discussed in the negotiations are dominated by proponents of market-based mechanisms and unproven removal technologies with ties to historical polluters bringing into question the legitimacy of the SB, the decision-making process and the entire UNFCCC. As a result, the interests of the polluting industries significantly influence the discussion of the operationalization of the mechanism. Despite Indigenous Peoples’ consistent efforts to highlight the dangers and necessary steps to respect and honor the rights of Indigenous Peoples, our inputs are routinely silenced, diminished, and sidelined within the negotiations and decision-making process. Even when Indigenous Peoples’ inputs are presented by the Secretariat, they are frequently simplified, reduced, or paraphrased in a way that diminishes Indigenous Peoples’ concerns. This was recently observed during SB10 meetings, especially during negotiations on the Sustainable Development Tool (SDT). Furthermore, such concerns and opposition often do not receive as much attention in discussions by members of the Supervisory Body to be discussed, explored, and negotiated.

This marginalization is starkly evident in the draft recommendations approved by the Supervisory Body on activities involving removals and methodological requirements, which fail to acknowledge the role and risks faced by Indigenous communities from activities under A6.4. Indigenous Peoples continue to be [targeted by carbon offset](#) project developers, managers, and designers, while fossil fuels and other extractive industries benefit from these markets-driven mechanisms. Multinational extractive corporations hire [private security to target](#), pressure, and [threaten Indigenous Peoples](#). Based on communication with many Indigenous Peoples impacted by carbon offset projects, the project managers, brokers, and designers do not practise free, prior, and informed consent (FPIC) and rarely share the full information of the carbon offset project with Tribal leaders and members. Further, we have grave concerns regarding the methodologies related to accountability for meaningful participation of Indigenous Peoples and how: 1) participation can be exploited; 2) the risk of Traditional Indigenous Knowledge being commodified, and 3) the wide misunderstanding of

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Indigenous Peoples inherent jurisprudence and profound connection to Mother Earth. This is not an issue about states and local policy, this is the responsibility of this SB to recognize how this process legitimises negative impacts from carbon markets on Indigenous Peoples, and the profound influence a mechanism such as A6.4 will have on expanding these harms. Environmental violence, such as the violence perpetuated by unequal and unjust carbon offset projects and the legitimacy offsets given for extractive industries to continue extraction and emitting greenhouse gases, has a multitude of impacts on Indigenous Peoples' health and well-being. Multilevel impacts related to environmental, cultural, and social violence include traumatic violent events, evictions, cultural erasure, death threats, racism and discrimination, food and water scarcity, contaminated water and food, as well as missing and murdered Indigenous women, children, and relatives highlight the unique risk profile of Indigenous Peoples around the world. Is it due to the unique risk profile of Indigenous Peoples in relation to carbon markets, the requirement to respect the rights of Indigenous Peoples needs to be addressed. Further, the Indigenous Environmental Network requested the UN Permanent Forum on Indigenous Peoples (UNPFII) on the 16th of April 2024 to recommend to the UNFCCC, UNCBD and other institutions to issue a moratorium on Article 6 and all carbon markets, offsets and carbon dioxide removals.

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Meths or Removals	Section no.	Para. no.	Comment	Proposed change (Include proposed text)
A6.4-SB009-A01 (methodologies)	General		<p>The methodological requirements recommended by the 6.4 Supervisory Body prioritize Western-centric and technocratic approaches, neglecting the Traditional Knowledge and practices of Indigenous Peoples. Given that carbon markets under Article 6.4 pose significant threats to Indigenous rights and well-being, and considering the unique risks faced by Indigenous communities, the current draft fails to adequately address the rights of Indigenous Peoples, traditional knowledge, and Indigenous sovereignty.</p> <p>It is particularly troubling that sections pertaining to data collection, benefit sharing, and participation do not sufficiently recognize or incorporate Indigenous perspectives, or the prerequisite of the full and effective implementation of free, prior, and informed consent (FPIC) as outlined in UNDRIP.</p>	

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Meths or Removals	Section no.	Para. no.	Comment	Proposed change (Include proposed text)
A6.4-SB009-A01 (methodologies)	4.1	19	<p>The language advocating for the deployment of technologies or measures that are not “widely used” or “available in specific locations” within mechanism methodologies is deeply troubling and poses significant risks to the rights of Indigenous Peoples, Indigenous sovereignty, and Indigenous health. This provision could result in the imposition of external measures that are destructive and violate Indigenous cultures, territories, and livelihoods. It also raises concerns about the potential introduction of dangerous, unproven technologies such as geoengineering (which often targets Indigenous territories) or culturally inappropriate infrastructures like Carbon Capture and Storage (CCS) and hydrogen hubs on Indigenous lands and territories.</p> <p>Moreover, the emphasis on "reducing the cost of decarbonization and unlocking investment in low-carbon solutions" highlights a narrow focus on economic interests at the expense of Indigenous rights and well-being. By prioritizing financial considerations over Indigenous sovereignty and environmental justice, this approach perpetuates systemic injustices and reinforces existing power imbalances, while playing into the hands of the fossil fuel industry who stand to profit considerably from CCS and other technologies that falsely claim to capture carbon.</p>	<p>Delete: “Mechanism methodologies shall contain provisions encouraging the deployment of technologies or measures that are not widely used or available in specific locations, to facilitate knowledge transfers and to encourage deployment of technologies or measures that reduce the cost of decarbonization and unlock investment in low-carbon solutions.”</p>
A6.4-SB009-A01 (methodologies)	4.2	26	<p>All information on emission reductions and removals should be made available, transparent and accessible for public access in a culturally sensitive manner, especially for Indigenous Peoples who are impacted by A6.4 activities.</p>	<p>Mechanism methodologies shall contain provisions to ensure that all information on emission reductions or removals, including but not limited to data, data sources, calculations, buyers, sellers, and carbon brokers, are real, transparent, conservative, accessible, and credible by:</p>

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A6.4-SB009-A01 (methodologies)	4.4	?	<p>Regarding all sections that discuss benefit sharing, these sections only refer to benefit-sharing at the Party level. Indigenous Peoples have historically been marginalized in these processes. Therefore, it is crucial to stress the importance of FPIC, uphold UNDRIP, respect Traditional Indigenous Knowledge, and ensure a fair and transparent grievance mechanism.</p> <p>Sections that refer to ‘benefit-sharing’:</p> <p>4.4. Contributing to the equitable sharing of mitigation benefits between participating Parties</p> <p>30. Paragraph 33 of the RMP states that “Mechanism methodologies shall...contribute to the equitable sharing of mitigation benefits between the participating Parties...”.</p> <p>31. Mechanism methodologies shall contain provisions for contributing to the equitable sharing of mitigation benefits between participating Parties. These may include one or more of the provisions below:</p> <p>(a) Conditions to ensure that the total length of the crediting period(s) of activities is shorter than the lifetime of the technology implemented where there is very high confidence that emission reductions from the technology continue to be achieved beyond the end of crediting period(s);</p> <p>(b) The application of conditions specified by the designated national authorities (DNAs) that ensure host Party benefits are retained.</p> <p>32. The Supervisory Body will establish a process for host Parties to communicate their approach to the operationalisation of paragraph 31(b) above.</p> <p>33. The Supervisory Body may prepare recommendations for host Parties, to assist them in the consideration of equitable sharing of mitigation benefits between participating Parties including co-benefits in mechanism methodologies.</p> <p>34. Mechanism methodologies shall require the estimation of the mitigation benefits to the host Party, taking into account the relevant provisions in paragraph 31 above.</p>	

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Meths or Removals	Section no.	Para. no.	Comment	Proposed change (Include proposed text)
A6.4-SB009-A01 (methodologies)	4.8	54b	Provisions for requirements of broad participation need to account for Indigenous Peoples’ cultures and perspectives, along with any existing customary laws that are within the methodological coverage, while noting that these customary laws and traditions will vary by region, geographic location and tribal history.	Mechanism methodologies shall: (b) Where relevant for the sectoral and/or geographical coverage of the methodology, particularly in least developed countries and small island developing States, contain provisions that take into account the context on the ground in host Parties, including institutional arrangements, Indigenous Peoples’ input and FPIC, customary laws , and provide options to facilitate meeting of requirements in accordance to the full and effective implementation of FPIC as defined by UNDRIP , such as permitting the use of multiple data sources to address data gaps, and the use of conservative default values and/or use of benchmarked data from comparable regions to the extent they can be applicable;
A6.4-SB009-A01 (methodologies)	4.8	54c	Methodologies shall use language that is culturally appropriate as defined and determined by Indigenous Peoples. Indigenous Peoples should not be conflated with “local communities” based on the outcome document from the UNPFII, the Expert Mechanism on the Rights of Indigenous Peoples, and the Special Rapporteur on the Rights of Indigenous Peoples.	Use language that is easy to understand, inclusive, gender-sensitive, culturally appropriate , and accessible to a wide range of stakeholders, including local communities and Indigenous Peoples and members of impacted communities . Such language and its criteria for achieving the standards mentioned should be determined by Indigenous Peoples and members of impacted communities.

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Meths or Removals	Section no.	Para. no.	Comment	Proposed change (Include proposed text)
A6.4-SB009-A01 (methodologies)	4.9	59	<p>Monitoring plans related to the collection and storing of all relevant data needed to estimate baseline, project and leakage emissions needs to ensure the full and effective implementation of FPIC when project activities are within and next to Indigenous Peoples territories. Traditional Indigenous Knowledge (TIK) should be considered scientific data by the UNFCCC and a just grievance mechanism should be free to Indigenous Peoples.</p>	<p>Mechanism methodologies shall contain provisions requiring a listing of data parameters that need to be monitored throughout the crediting period. This may include the data that is directly measured where necessary on a sample basis, and the data that are collected from other sources such as official statistics, expert judgement, IPCC guidelines, Traditional Indigenous Knowledge (TIK) and western scientific literature. In this regard, methodologies shall contain provisions on monitoring plans related to the collection and storing of all relevant data needed to estimate baseline, project and leakage emissions, including provisions related to quality assurance and quality control, and ensure the full and effective implementation of FPIC as outlined by UNDRIP.</p>

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A6.4-SB009-A01 (methodologies)	5	80	Additionality demonstration need to take into account Indigenous Peoples and customary laws and practices to avoid the criminalization of subsistence practices and cultural traditions of Indigenous Peoples that are often deemed “unsustainable”.	Mechanism methodologies shall contain provisions to require demonstration of additionality through the following elements: (b) An assessment of barriers to the implementation of the activity, such as the financial, technological, institutional barriers, taking into account all relevant national policies, Indigenous Traditional Knowledge, customary laws, including legislation and current practices within the activity sector and geographic area of the host Party, may be undertaken to complement the investment analysis referred above. The assessment must not criminalize Indigenous Peoples customary laws, subsistence practices and cultural traditions or be deemed ‘unsustainable’. If activity participants want to use barriers to demonstrate additionality for their activity, they shall: (i) Describe the barriers, including the reasons why investment analysis is not suitable; (ii) Provide evidence of the barriers and how the mechanism will help overcome the barriers; (iii) Include parameters in the monitoring plan to demonstrate how the barriers are overcome. (iv) Provide evidence of due consideration of the inputs provided by Indigenous Peoples and members of impacted communities.

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<p>A6.4-SB009-A02 (Removals)</p>	<p>General</p>	<p>The recommendation document for removals under Article 6.4 adopts a reactive approach to addressing negative consequences, primarily focusing on remedial measures and cancellation of Emission Reductions (ERs). The emphasis on increasing buffer contributions as a means of addressing risks is insufficient. Doubling down on financial contributions does not adequately address the unlying flaw of carbon markets nor the social and environmental impacts of reversals. There is a concerning absence of procedures to address these impacts and establish legal obligations, such as restitution, refunds, disqualification, and banning of activity participants from the mechanism database.</p> <p>The Supervisory Body should consider establishing processes for complete project cancellation when negative consequences are detected and ensuring accountability for damages and reparation efforts to impacted communities, in particular when violations of the rights of Indigenous Peoples and human rights are detected. Carbon brokers, managers and third party verifiers, including conservation NGOs, government aid agencies and international financial institutions should be banned from using the mechanism database when fraud and violation to the rights of Indigenous Peoples has been detected. This is especially concerning since uncertainty persists regarding the criteria for determining "avoidable" versus "unavoidable" consequences and who gets to determine such criteria.</p>	
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A6.4-SB009-A02 (Removals)	3.1	8	<p>Before completing this section, the Supervisory Body must address the following issues:</p> <ul style="list-style-type: none"> • Project proponents are incentivized to overestimate emissions reductions. How will this be addressed? How will polluters be held accountable? • It is a conflict of interest for parties to conduct their own monitoring. How will conflicts of interest be addressed? • Remote sensing can lead to surveillance of Indigenous Peoples and the violation of self-determination and UNDRIP. How will the risk of surveillance and privacy from state and private sectors be addressed? 	Rewrite and reconsider:
A6.4-SB009-A02 (Removals)	3.1	9	<ul style="list-style-type: none"> • Monitoring reports must be transparent, publicly available, and accessible through the 6.4 mechanism website. • The collection of data, especially measurements, sampling, and other potentially sensitive information from Indigenous Peoples territories can only be acquired with Free Prior and Informed Consent. 	Rework
A6.4-SB009-A02 (Removals)	3.1	15	What accountability measures are in place if methodologies do not contain provisions to submit a monitoring plan or if monitoring plans are not submitted, incomplete or inadequate?	Rework

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A6.4-SB009-A02 (Removals)	3.1	15.d	All monitoring plans must be in line with the free prior and informed consent of Indigenous Peoples affected by the activity, directly or indirectly, in order to move forward. This is separate and additional to paragraph 15c).	
A6.4-SB009-A02 (Removals)	3.2	20	The use of digital technologies and remote sensing poses a risk to Indigenous Peoples in terms of the violation of free prior informed consent (FPIC), particularly pertaining to Indigenous Peoples’ ability to withdraw consent surrounding the ownership, sale, access, and/or application(s) on data about their lands and territories.	(a) Further requirements and identification of the existing requirements that are applicable during the post crediting period for monitoring, reporting, and verification of removals and remediation of reversals, including consideration of options to use methods based on digital technologies and remote sensing;
A6.4-SB009-A02 (Removals)	3.3	22	Monitoring reports should include proof of continued and ongoing free prior informed consent if impacting Indigenous Peoples and/or if on Indigenous land. Indigenous Peoples must not be considered one of many stakeholders with equally valid claims on land, but Indigenous Peoples’ inherent jurisprudence should be prioritised. Monitoring reports must also contain what reparations or consequences will exist if the terms of free prior informed consent are violated, such as suspending offset projects and prohibiting companies, conservation NGOs and other carbon managers and brokers from future trades. There must be accountability and consequences to violating the rights of Indigenous Peoples and causing harm to impacted communities.	Rewrite and rediscuss: (E) "Information on how the environmental and social impacts were assessed and addressed by applying robust environmental and social safeguards as per Section 3.8 <i>Avoidance of other negative environmental and social impacts</i> , as well as how the activity is fostering sustainable development through the utilization of the Article 6.4 sustainable development tool. proof of ongoing free, prior and informed consent of impacted Indigenous Peoples in accordance with free prior informed consent as per the UN Declaration on the Rights of Indigenous Peoples (UNDRIP)"
A6.4-SB009-A02 (Removals)	3.3	26	<ul style="list-style-type: none"> The SB must not issue 6.4ERs where monitoring report submissions are missing or incomplete. This includes submissions where there is no proof of free prior informed consent. 	Rewrite

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A6.4-SB009-A02 (Removals)	3.6.1	34	<ul style="list-style-type: none"> Activities under Article 6.4 must be made transparent and accountable if project participants are tasked with developing and detailing the risks of reversals, and monitoring the outcomes. How does the SB plan to address the potential conflict of interest or bias that could result from such a risk assessment? Additionally, who approves the results of the potential risk assessment? Where applicable, project proponents must utilise FPIC when developing risk assessments on reversals. If an Indigenous community denies consent, projects should not be allowed to move forward. 	Rewrite
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