



CENTRE FOR SCIENCE AND ENVIRONMENT

LEAVES OF IMPORTANT SURVIVAL TREES IN INDIA —MAHUA, KHEJDI, ALDER, PALMYRA AND OAK

CSE India: Submission on call for input 2024 - Issues included in the annotated agenda and related annexes of the eleventh meeting of the Article 6.4 Supervisory Body

Submission by the Centre for Science and Environment (CSE), New Delhi, India

Issue: Call for input on the issues included in the annotated agenda and related annexes of the eleventh meeting of the Article 6.4 Supervisory Body

Deadline: 22/04/2024

Mandate: Public comments invited on meeting documentation under the rules of procedure of the Supervisory Body for the mechanism established by Article 6, paragraph 4, of the Paris Agreement (Annex II to decision 7/CMA.4, paragraph 52)

A6.4-SB011-AA-A05 - Draft procedure: Appeal and grievance processes under the Article 6.4 mechanism

An effective grievance process provides accessibility, transparency, simplicity, affordability, and empowerment to the stakeholders intended to utilize it. Communities affected by activities under the mechanism must have clear and unobstructed avenues to voice their grievances.

As highlighted by the Centre for Science and Environment (CSE) study titled "[Discredited](#)" published in October 2023 on the voluntary carbon market in India, communities are often unaware of their role in these projects and lack knowledge about where to voice their concerns. Despite attending stakeholder consultation meetings, they remain uninformed about their rights and the available mechanisms. Thus, a primary requirement is to make the grievance process easy to understand. Complexity and bureaucracy only serve to alienate communities. The draft procedure in its present form introduces complexities, such as the requirement for bonds and affidavits, which only deter participation, especially from individuals and stakeholders in developing countries who may already face financial barriers. Affordability is also crucial; the draft procedure imposes hefty fees, which may act as barriers for many.

The current draft procedure falls short of some of these essential principles:

Appeal

Draft Procedure: Appeal and grievance processes under the Article 6.4 mechanism

4. Appeal Process



1. Regarding the standard appeal fee mentioned under section 4.4, point 12(a), denoted in USD as [5,000] [2,500], **the criteria or rationale employed in determining these specific monetary figures must be shared.**
2. Point 13 stipulates that notwithstanding the conditions outlined in sub-paragraph 12(b) above, the appellant is required to furnish a bond equivalent to the standard fee if the appeal is lodged against a decision of the Supervisory Body as referenced in paragraph 9(c). The requirement to submit a significant sum of money upfront poses a challenge, particularly for individuals and stakeholders from developing country regions. **Such a provision may potentially serve as a deterrent to their engagement in the appeals process.**
3. The inclusion of filing an affidavit as outlined in Point 11(e) of the draft procedure **may introduce bureaucratic complexities into the process.** Therefore, we suggest that the Supervisory Body consider doing away with this requirement.

Grievance

Draft Procedure: Appeal and grievance processes under the Article 6.4 mechanism

5. Grievance Process

4. Option 1 in point 40 specifies the standard grievance fee as [5000] [2500] and option 2 (a,b, and c) highlight the differentiation by grievance type. **The rationale behind this differentiation and the process by which these amounts were determined lack clarity.** The rationale for fee differentiation based on the nature of the grievance remains ambiguous. In CSE's report titled "[Discredited](#)" we found that a prevalent issue within voluntary carbon projects is the community's limited or non-existent access to benefits. **Imposing a full fee on the most commonly reported issue, i.e., access to project benefits (point 43(e) of the cover note), may not be justified.** There needs to be a further explanation of the rationale leading to these fee differentials.
5. The inclusion of filing an affidavit as outlined in Point 39(e) of the draft procedure may introduce bureaucratic complexities into the process. Therefore, **we suggest that the Supervisory Body consider doing away with this requirement.**
6. Point 37 states that a grievance may be submitted only on the basis of adverse effects of a social, economic or environmental nature suffered by local individuals, communities or businesses as a direct consequence of the implementation or treatment of a registered A6.4 activity within the activity cycle under the Article 6.4 mechanism. **The Supervisory Body must define 'adverse effects' and the method for determining them.**

Stakeholder consultation

The Stakeholder consultation process is crucial for disseminating the precise objectives of the activities to be undertaken, clarifying the roles of the impacted community and other stakeholders,



and communicating both the negative impacts and the benefits accrued. This process must ensure complete understanding among all stakeholders involved. Moreover, mechanisms should be in place to review whether and how the meeting has met these objectives. **In our study, we have found that consultation meetings are often justified on paper but fail to adequately engage stakeholders in meaningful dialogue. The process modalities must thus ensure that feedback and inputs from stakeholders who participate in the meetings are actively sought.**

Draft Standard: Article 6.4 activity standard for programmes of activities

Appendix 2. Modalities of stakeholder consultation (1)

7. Whereas it is stipulated that local stakeholder consultations must be conducted for each component project (CP), **the provision needs to ensure that such consultations are accessible to local communities. This necessitates specifying that stakeholder meetings must take place in geographical proximity to the communities' locations.** CSE's study found instances where stakeholder consultations were held at the office location of the activity participant rather than in proximity to the affected communities. Such practices undermine the essential purpose of stakeholder engagement.
8. The activity participant should also be **required to document attendee details** such as names, as evidence of attendance and make this information publicly available.

Continuous engagement of stakeholders

The post-registration continuous stakeholder engagement process outlined in the Activity Cycle Procedure for Programs of Activities, the Draft Procedure for Appeal and Grievance Processes under the Article 6.4 Mechanism, and the Draft Standard for Article 6.4 Activity Standard for Programs of Activities lacks sufficient measures to ensure the active engagement of stakeholders on a continuous basis. It **must be expanded further to provide a mechanism, such as, the Designated National Authority (DNA) actively reaching out to the community through local administration** for grievances or other inputs.



Contact

Trishant Dev

Programme Officer, Climate Change

trishant.dev@cseindia.org

Avantika Goswami

Programme Manager, Climate Change

avantika.goswami@cseindia.org

References

Discredited: The Voluntary Carbon Market in India

<https://www.cseindia.org/discredited-the-voluntary-carbon-market-in-india-11885>

About CSE

Founded in 1980, the Centre for Science and Environment (CSE) is a public interest research and advocacy organisation based in New Delhi. CSE conducts research on, lobbies for and communicates the urgency of development that is both sustainable and equitable.

CSE has been well known for influencing the design of international climate policy since well before such policy was enshrined in formal institutions - whether it is the landmark paper released in 1991 by Sunita Narain and Anil Agarwal, calling for a decolonisation of carbon budget accounting, or CSE's commentary on every UN climate meeting since 1992. CSE has led the discourse in climate policy for over three decades advocating for equity, the principle of Common but Differentiated Responsibilities, and investing in resilient economies for the poor.

The Climate Change Programme at CSE is committed to championing the study of the most pressing climate issues relevant for the Global South. CSE's publications on climate-critical topics, its presence at UNFCCC proceedings such as COP summits and Subsidiary Body meetings, public outreach and advocacy, media engagement, and training programmes are designed to create multipliers in society for climate action.