

WOMEN & GENDER CONSTITUENCY

Submission from the Women and Gender Constituency (WGC) in response to the Call for Inputs to the Article 6.4 SBM ahead of its 14th meeting

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Dear Members and Alternate Members of the Article 6.4 Supervisory Body Mechanism,

The Women and Gender Constituency (WGC) welcomes the opportunity to respond to the call for input prior to the Article 6.4 SBM's 14th meeting from 5-9 October 2024. The WGC's inputs are related to the:

- Article 6.4 Sustainable Development Tool
- Draft standards for "Requirements for activities involving removals"
- Draft standards for "Application of the requirements of Chapter V.B (Methodologies) for the development and assessment of Article 6.4 mechanism methodologies"
- Interconnection between the SD tool and activities involving removals
- Interconnection between activities involving removals and methodology

Article 6.4 Sustainable Development Tool

We welcome the draft version 0.90, in particular:

- This tool will be reviewed every 18 months
- Stakeholder engagement is well-defined for global stakeholders and local stakeholders during the various phases (e.g., prior to registration, after registration, and till the end of valid crediting period) as per paragraphs 16 and 17.
- The eleventh preambular paragraph of the Paris Agreement is included in the implementation of the SD tool (e.g., paragraphs 12, 21, Table 1 and paragraph 4 of Appendix 1).
- The three key sections (Section 6, Section 7, and Sections 8 and 9) are better structured and provide clearer guidance of what needs to be implemented as well as the roles and responsibility.
- Figures 1, 2 and 3 flow charts are more structured and provide the detailed process.

Nevertheless, from our review of the latest SD tool (version 09.9) we have identified some gaps. Here, we would like to underscore our observations, including reiterating our previous

inputs with updated rationale (submitted on 8 July 2024) that has yet to be taken into consideration.

1. Definitions

Definitions for gender equality and child labour were strengthened in version 07.0 but are deleted in version 09.0. What is the rationale for the deletion of the terms?

2. Stakeholder engagement

Stakeholder communication channel is deleted. We proposed that para 19 (d)(iv) from version 07.0 be included into Section 3.3 : Stakeholder engagement and the A6.4 SD tool.

Our proposed text:

“Safeguard communication channel maintained by activity participants to offer local stakeholders an easily accessible and effective avenue for expressing concerns and achieving remedies and promote a mutually constructive relationship during the activity crediting period. Such process shall be established as part of the process for continuous engagement of local stakeholders in accordance with the “Article 6.4 activity standard for projects” or the “Article 6.4 activity standard for programmes of activities, and the Article 6.4 appeal and grievance processes.”

3. Post-crediting period

In our earlier submission, we had suggested that the A6.4 Environmental and social safeguards risk assessment form, the A6.4 Environmental and social management plan form and the Sustainable development impact form, as well as the Table for each principle, as appropriate (see our previous submission dated 17 May 2023 for details), need to include post-crediting period. See additional comment below in No. 5 on Health and Safety.

4. Element 4: Human rights

We concur with the United Nations High Commissioner for Human Rights that human rights must be the overarching legally binding framework informing the operationalization of this SD tool. The design and implementation of the A6.4 environmental and social management plan and A6.4 sustainable development impacts must be aligned with and guided by established global, regional and national human rights standards and obligations.

5. Health and Safety, para 63

“The A6.4 activity avoids adverse impacts on the health and safety of the community during its implementation, including those who, because of their circumstances, may be vulnerable.”

Health and safety of the community may also be impacted by incidents of reversals and leakage during the implementation period and/or post-crediting period for activities involving removals. The current SD tool does not take into consideration the post-crediting period, which is very concerning as other elements (e.g., Element 2 on

air, land and water, Element 3 on ecology and natural resources, and E 9 on Indigenous Peoples) may also be impacted during post-crediting period.

6. Gender equality, para 68

“Activity participants of the A6.4 activity are to avoid reinforcing gender-based discrimination and do not lead or contribute to adverse impacts on gender equality and/or the situation of women and girls in all their diversity.”

The synonym for “avoid reinforcing” is “avoid increasing.” To avoid increasing gender-based discrimination is not safeguarding gender equality and not in line with the “do-no-harm” principle.

Our proposed text:

“Activity participants of the A6.4 activity are to avoid ~~reinforcing~~ gender-based discrimination and do not lead or contribute to adverse impacts on gender equality and/or the situation of women and girls in all their diversity.”

7. Gender equality, Table 9, AGQ 7.2-1

The Green Climate Fund and the World Bank has policy on sexual abuse, exploitation and harassment respectively. It would be good to incorporate this best practice.

Our proposed text (WGC submission dated 17th May 2023):

“Would the A6.4 activity impose a risk to the principle of non-discrimination, equal treatment, equal pay for equal work? (This includes, for example, e.g. equal payment for women and men for work related to the implementation of the activity; fair conditions for women and men to participate in the implementation of the activity considering pregnancy/maternity/paternity leave/marital status; **prevention of sexual abuse and harassment**, and ensuring that...”

Draft standards for “Requirements for activities involving removals”

8. Avoidance of other negative environmental and social impacts and respecting human rights and the rights of IPs

We opined that “and respective human rights and the rights of Indigenous Peoples” in the section 3.8 sub-heading should be retained.

Section 3.8 should include language on stakeholder engagement—for local stakeholder and global stakeholder—in particular on matters related to addressing reversal and avoiding leakage.

Also, we welcome the new language (i.e., reference to standards and obligations relating to environmental and social safeguards, human rights, and Indigenous Peoples’ rights) in para 65.

Draft standards for “Application of the requirements of Chapter V.B (Methodologies) for the development and assessment of Article 6.4 mechanism methodologies.

9. Leakage

Para 95 Option 1 and Para 95 Option 2 (bracketed texts) are related to activity scopes referred to in Article 5, paragraph 2 of the Paris Agreement.

Comment:

Article 5, paragraph 2 of the Paris Agreement is on activities relating to reducing emissions from deforestation and forest degradation, and the role of conservation, sustainable management of the forest and enhancement of forest carbon stocks (REDD+). We do not support the inclusion of REDD+ related activities to be eligible under the Article 6.4 mechanism. Evidence from existing REDD+ projects have shown occurring issues related to permanence, reversal, additionality, leakage, and safeguards pertaining to the rights of the IPs.

Evidence has shown that attention to gender in REDD+ is insufficient for addressing gender equality, women’s empowerment and safeguarding their rights. The review of the projects have shown the domino effect of what gender inequality did to women in REDD+ projects. For example, they do not have land ownership rights, and thus not qualified to receive the payment from PES. Gendered forest use analysis is missing in the projects.

Women, especially IP women, are the protectors and users of the forests. It is part of their lives and they depend on the forests for their livelihood and food security. However, REDD+ projects have not resulted in the improvement of women’s well-being, and some projects may even cause harm instead.

Reference: A.M. Larson, et al, 2018. Gender lessons for climate initiatives: A comparative study of RED+ impacts on subjective well-being. World Development 108 (2018): 86-102

Link: <https://www.sciencedirect.com/science/article/pii/S0305750X1830072X>

Interconnection between the SD tool and activities involving removals

10. Monitoring plan and post-crediting monitoring

Draft standard: activities involving removals (version 01.0)

Para 15 states “shall include provisions for monitoring and mitigating the risk identified in section 3.6.1 Assessment of risks of reversals, and the risk identified in the SD tool of the A6.4 mechanism, including risks related to FPIC of IPs...”

Para 16 states “provisions requiring the activity participants to submit a monitoring plan as part of the project design document (PDD) submitted with the request for registration....”

Para 28 states “Monitoring shall continue after the end of the last active crediting period of the activity...” (this indicates post-crediting monitoring)

Comment:

Based on the three paragraphs above, it is understood that it is mandatory to submit a monitoring plan as part of PDD with the request for registration.

For activities involving removals, the monitoring plan needs to include both the crediting period and post-crediting period as post-crediting monitoring is required.

The monitoring plan will be developed based on the findings from the risks identified from the reversal risk assessment tool, and the environmental and social risk assessment of SD tool. However, at the moment, the SD tool risk assessment does not cover the post-crediting period and the reversal risk assessment tool is yet to be developed.

In conclusion, activities involving removals can only be approved and operationalized with a complete PDD, which includes a comprehensive monitoring plan, required for registration. The comprehensive monitoring plan must be based on the comprehensive SD tool risk assessment covering post-crediting period and the reversal risk assessment tool.

Interconnection between activities involving removals and methodology

11. Addressing reversals

Draft standard: activities involving removals (version 01.0)

Paragraphs 43, 52 and 61 (bracketed texts) shows that the SB will develop the following later, i.e., the reversal risk assessment tool, guidance on reversal-related notification and actions, procedure for reversal risk buffer pool operations and contributions, guidance on coverage of insurance policy or comparable guarantee products for insuring activities involving removals, guidance on avoidable and unavoidable reversals.

Draft standard: methodology (version 01.0)

Para 94. The SB will develop further guidance regarding the application of the guidance referred to in para 98 above.

(This bracketed text refers to addressing reversals of removals and emission reductions)

Comment:

Based on the paragraphs above, this shows that essential components--for addressing reversals--needed to operationalize activities involving removals have yet to be developed. There is no timeline provided on when these essential components will be completed.